

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, November 20, 2023, at 6:30 p.m. in the Council Room of the Ebensburg Municipal Building by President, Doug Tusing.

Present: Doug Tusing, President
Cecilia Houser, Vice President
Dave Kuhar
Theresa Jacoby
Mike Owatt
Bob Miller
Abraham Remillard, Junior Councilor

Absent: Jeff Ball
Isaac Bradley, Junior Councilor
Kelly Cook, Borough Manager

Others: Randy Datsko, Mayor
Joseph Loughran, Chief of Police
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Josh Surkovich, Public Works Director
Matt Gribler, Solicitor
Luke Byrne, Inframark
Katie Smolen, The Tribune Democrat

Audience: 6

A. The Pledge of Allegiance was recited.

B. Public Comments

1. Mr. Luke Farabaugh, 513 W. Sample Street, expressed ongoing concerns relating to related to commercial vehicles parking on his block, creating difficulty for school buses and emergency response vehicles to get through.
2. Mr. Ben Clato, 604 W. Sample Street, expressed the same concerns as Mr. Farabaugh.
3. Mr. George Smith, 517 W. Sample Street, also expressed the same concerns of his neighbors with regard to commercial vehicle parking.

C. Consent Agenda

Ms. Houser made a motion to approve the consent agenda containing the following items. (Kuhar)
Motion passed unanimously.

1. Approve report of Inframark for the Wastewater Treatment Plant Operations.
2. Approve report of Inframark for the Water Treatment Plant Operations.
3. Approve the minutes of the October 23, 2023, regular monthly meeting.
4. Approve the financial statement for October.
5. Approve payment of bills for November.

D. Appointments to Address Council – None.

E. **Consideration of Any Motion(s) to Amend Agenda** – None.

F. **Mayor's Report** – None.

G. **Council President Comments** – Mr. Tusing congratulated incoming council member Mr. Mike Murphy on the recent election results. He also expressed his thanks to Mr. Mike Owatt who will be finishing up his term on Council in December.

H. **Water/Wastewater Committee**

1. **Report from Inframark on Wastewater Treatment Plant Operations**

Mr. Kuhar shared that Inframark's written report was submitted regarding operations, projects, and activities at the wastewater plant for Council review.

2. **Report from Inframark on Water Treatment Plant Operations**

Mr. Kuhar reminded that Inframark's written report was submitted regarding operations, projects and activities at the water plant for Council review.

3. **Operating Agreement between the Borough and Municipal Authority**

Mr. Kuhar reported that an agreement exists between the two parties that sets compensation for the Authority to pay the Borough for administrative support. The agreement allows for the adjustment of the compensation through a resolution by both parties. The current cost is \$201,000/ year and Staff recommends an increase of 10% to \$221,100 annually. The rate has not changed since 2017 but due to increased costs and expenditures, an adjustment is necessary and appropriate. The Municipal Authority approved the Joint Resolution at their meeting earlier this afternoon.

Mr. Kuhar made a motion to approve Joint Resolution #2023-1 governing the administrative support to the Authority and increasing the rate to \$221,100 annually. (Miller) Motion passed unanimously.

I. **Recreation Committee**

1. **Resolution #2023-13**

Ms. Jacoby reported that at last month's meeting Council approved a resolution for equipment at Memorial Field, but after careful review, it was decided to apply for a more general grant to be used to revitalize multiple playgrounds and parks within the Borough.

Ms. Jacoby made a motion to rescind Resolution #2023-11 and approve Resolution #2023-13 authorizing the application for a \$120,000 grant through the Statewide Local Share Account Grant for upgrading of various parks and playgrounds within the Borough, and further authorizing Borough officers to execute any and all documents required to secure the grant. (Owatt) Motion passed unanimously.

J. **Street Committee**

1. **Sidewalk and Curbing Project**

Mr. Owatt reported that bids were awarded in February to CH & D Construction in the amount of \$136,827.88. The contractor began the work on October 31, 2023, and completion is expected before the December 1st deadline.

2. Parking of Commercial Vehicles in the Borough

Mr. Owatt reported that we have had a large commercial vehicle parked on the borough streets for weekends in a residential neighborhood. The police have spoken to the individual but cooperation is sporadic at best. Therefore, staff recommends that Council consider an ordinance prohibiting the parking of large commercial vehicles in a residential neighborhood. First and foremost, the width of the roads, especially when parking is on both sides of the street, limits and/or prevents emergency vehicles from being able to safely pass. Secondly, buses and delivery vehicles are also deterred.

Mr. Owatt made a motion to authorize staff to develop an ordinance for review. (Houser)
Motion passed unanimously.

3. Potential Garbage Ordinance

Mr. Owatt reported that the existing garbage ordinance forbids the use of containers larger than 36 gallons. In light of the new garbage collection contract, that limitation needs to be removed. Additionally, there has been recent discussion about requiring all trash receptacles to have a lid and in place to assure that the garage does not blow out. Lastly, there has been discussion about limiting the length of time that refuse can be placed at the curb prior to the garbage pickup day. Staff is looking for guidance as to whether these issues should be placed on a revised ordinance.

Ms. Houser made a motion to authorize staff to develop an ordinance for review and to include that receptacles cannot be left out all week. (Owatt) Motion passed unanimously.

K. Administration Committee

1. 2024 Budget

Ms. Jacoby reported that the administrative committee has compiled a proposed 2024 budget for Council’s review. The 2024 Operating Budget calls for revenues of \$7,266,390 and expenditures of \$7,266,390. The general fund budget is balanced without an increase in taxes.

	Revenues	Expenditures	Surplus
General Fund Budget	\$2,573,760.00	\$2,573,760.00	\$0.00
Water Fund Budget	\$2,456,600.00	\$2,456,600.00	\$0.00
Wastewater Fund Budget	\$2,005,530.00	\$2,005,530.00	\$0.00
Stormwater Fund Budget	\$230,500.00	\$230,500.00	\$0.00
Total Operating Fund	\$7,266,390.00	\$7,266,390.00	\$0.00

The General Fund Budget reflects an increase of 10.9% over last year. This increase is primarily due to overall inflation in supplies and services. In particular, the budget reflects a new five-year garbage and recycling contract and the hiring of an additional full-time police officer.

The Water and Wastewater Fund Budgets have a minimal increase, despite a new five-year contract with Inframark for operations of the systems. However, the Water fund Budget is increasing by 14.9%. This increase is due to the increased revenue needed for a project that is mostly paid for through a grant, but a long-term low interest loan will pay for the rest. The additional revenue will cover the cost of the future debt service. The budget was advertised and made available for public inspection.

Ms. Jacoby made a motion to grant final approval to the 2024 annual budget. (Houser) Motion passed unanimously.

2. Employee Pension Plans

Mr. Kuhar reported that in August the Borough approved the minimum municipal obligation (MMO) calculation for the pension plans. However, revised MMOs were received which uses funding components from the recently completed January 1, 2023 Actuarial Valuation Report. The contribution requirements under the revised MMO would be greater than the amount determined by the initial 2024 MMO, which was based on the January 1, 2021 Actuarial Valuation Report. Although you are not required to amend the MMO originally adopted and submitted to the governing body by September 29, it is recommended by the actuaries that you adopt this revised MMO since it reflects a contribution level that is more consistent with the plan's current funding condition.

Mr. Kuhar made a motion to adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$97,070. (Houser) Motion passed unanimously.

Mr. Kuhar made a motion to adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$25,083 (Houser) Motion passed unanimously.

L. **Diversity Committee** – None.

M. General Business

1. Ebensburg Municipal Airport

Mr. Tusing reported Council recently discussed the second opinion from a structural engineer, who believes the hangar at the airport can be rehabilitated. The engineer is developing plans for measures to secure the structure in preparation for potential long-term repairs in 2024. Prior to these repairs, the building will not be utilized. Due to the fact that the hangar cannot be utilized and RACRA is experiencing a loss of income in the interim, they have requested that the Borough pays the cost of insurance to the facility and a vehicle, as well as the annual registration for the fuel tanks for a total of \$3,609.

The consensus of Council was to table this item to be discussed in executive session.

2. Mr. Tusing reported that last month the Borough reviewed a revised lease with Cambria County for the former Babcock Property. Council proposed other amendments to the lease and the County responded by withdrawing their initial request.

3. **Resolution #2023-14**

Mr. Tusing reported that a resolution fixing the tax rate for the year 2024 at 36.75 mills on each dollar of assessed valuation for land, 11.75 mills on each dollar of assessed valuation for buildings and 2.5 mills on each dollar of assessed valuation for stormwater management.

Ms. Houser made a motion to approve Resolution #2023-14 for taxes. (Kuhar) Motion passes unanimously.

4. **Letter of support for grant application for Allegheny Spay and Neuter Clinic**

Mr. Tusing reported that Bradford Township is applying for a grant for the clinic, and we have been asked by Yard Kitty to send a letter of support. The Allegheny Spay and Neuter Clinic is the only such place in this area to offer services at a reduced rate to control the pet population.

Ms. Houser made a motion to provide a letter of support. (Kuhar) Motion passed unanimously.

5. **Consider the resignation of James Melnyk who was a part-time officer with the Police Department**

Mr. Miller made a motion to accept the resignation of James Melnyk, effective immediately. (Houser) Motion passed unanimously.

N. **Department Report**

1. **Police Department** – Chief Loughran reported that Ebensburg’s Trick or Treat was very successful, and was without incident.
2. **Public Works Department** – Public Works Director Josh Surkovich reported that they have been working on Christmas lights and decorations. He’s also looking into getting a back-up generator for the Borough building and considering bringing on Mike Murphy and Randy Lauer to help with plowing, if needed.
3. **Community Development** – Ms. Danae Koss gave updates on upcoming events including Small Business Saturday and Dickens of a Christmas. She added that a 2024 Winterfest is event is in the works as well as a second mural project to be displayed downtown.
4. **Recreation Department** – Mr. Dirk Johnson reported there will be free tennis at the Tennis Center on Thanksgiving.

O. **Media Comments/Questions** – None

P. **Public Comments** - None

Q. **Executive Session** – Council entered into Executive Session at 7:17 PM to discuss personnel and real estate matters and exited at 7:53 PM.

R. **Adjournment** – There being no further business, Ms. Houser made a motion to adjourn. (Jacoby)
Motion passed unanimously.

Meeting Adjourned 7:54 PM

Minutes Recorded by: Danae Koss, Community Development Director