



Ebensburg Borough Council Meeting
Monday, May 20, 2024
6:30 p.m.

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Borough Council
Doug Tusing, President
Cecilia Houser, Vice-President
Jeffrey Ball
Theresa Jacoby
Dave Kuhar
Robert Miller
Mike Murphy
Mayor
Randy Datsko

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Members of the public are invited to comment at this time on any item appearing on the agenda.

1. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

Item 6A: Approve report of Inframark for the Wastewater Treatment Plant Operations.

Item 6B: Approve report of Inframark for the Water Treatment Plant Operations.

Item 11C: Approve the minutes of the April 22, 2024 regular monthly meeting of Borough Council.

Item 11D: Approve the financial statement for April.

Item 11E: Approve payment of bills for May.

Recommended Action – Approve the consent agenda.

2. APPOINTMENTS TO ADDRESS COUNCIL

3. CONSIDERATION OF ANY MOTION(S) TO AMEND AGENDA

4. MAYOR'S REPORT

Item 4A: Report on Police Department

5. COUNCIL PRESIDENT COMMENTS

6. WATER, WASTEWATER & STORMWATER COMMITTEE

Ball, Miller & Murphy

* Item 6A: Report from Inframark on Wastewater Treatment Plant Operations

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

Recommended Action – Accept and approve report.

*Item 6B: Report from Inframark on Water Treatment Plant Operations

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

Recommended Action – Accept and approve report.

Item 6C: Resolution #2024-03: Resolution authorizing the execution of documents.

Consideration of Motion to adopt and approve Resolution #2024-03, authorizing the Borough of Ebensburg's Officers to execute any and all documents, Agreements, contracts, and/or undertake any and all actions required to be delivered and/or taken by the BOROUGH OF EBENSBURG and further authorizing any and all actions by Borough of Ebensburg Officials which are necessary or proper to effectuate the PENNVEST funding application; funding agreement; with the maximum loan amount of \$3,389,310.00, related to the Ebensburg Municipal Authority's 2024 Storm Sewer Project, and directing other necessary and proper action.

Recommended Action-Grant approval to Resolution #2024-03

Item 6D: Resolution related to Guaranty #2024-04

Consideration of Motion to adopt and approve Resolution # 2024-06, authorizing and approving the GUARANTY AGREEMENT and authorizing and approving the BOROUGH OF EBENSBURG'S officers to sign any and all necessary and related documents, and to take any and all required and appropriate related action, and further authorizing any actions by authority officials which are necessary or proper to effectuating the Pennsylvania Infrastructure Investment Authority (PENNVEST) Guaranty Agreement, Funding Application, Funding Agreement, and the maximum loan amount of \$3,389,310.00, and further authorizing the proper officers to execute any amended documents, related to the PENNVEST Closing, that are modified after initial approval and prior to final closing, and directing other necessary and proper action.

Recommended Action-Grant approval to Resolution #2024-04

Item 6E: Resolution #2024-05: Amending the Lease Agreement with the Authority

Consideration of Motion to adopt and approve Resolution # 2024-05, authorizing and approving an amendment to the Agreement of Lease as follows:

- a. The Agreement of Lease be and the same is hereby amended to provide for an increase in the annual lease payment from the Borough of Ebensburg to the Ebensburg Municipal Authority prior to the initiation of principal and interest payments on this PENNVEST Storm Sewer Drainage/Stormwater construction loan sufficient to cover the Ebensburg Municipal Authority's increased annual debt service as a result of this Storm Sewer Drainage/Stormwater construction project. Any required increase in rent shall occur on or before three months prior to principal amortization on PENNVEST Loan 58143.
- b. The monthly rental payment the Borough of Ebensburg is required to pay to the Ebensburg Municipal Authority shall include the debt service on all nine (9) outstanding PENNVEST loans, including the pending PENNVEST funding offer, in addition to any other authorized costs and expenses:
 - i. 58143 (Storm Sewage Drainage Project), current PENNVEST funding offer;
 - ii. 80236 (LSL Replacement Project), currently in disbursement status, settlement on 2/14/2024;
 - iii. 82248 (Water Line Replacement Project), currently in disbursement status, settlement on 2/14/2024;
 - iv. 85208 (WIFTA High Street Water Line Replacement Project), currently in interim amortization status, settlement on 5/25/2022;
 - v. 75328 (Sanitary Sewer Improvements Project), this loan is in final amortization status, settlement 4/19/2018;
 - vi. 82201 (Water Improvement Project), this loan is in final amortization status, settlement on 9/11/2012;
 - vii. 75222 (WWTP Upgrade Project), this loan is in final amortization status, settlement on 2/26/2008;
 - viii. 75196 (Sanitary Sewer Improvement Project and Sludge Dewatering Equipment), this loan is in final amortization status, settlement on 5/3/2007;
 - ix. 80113 (Water System improvements), this loan is in final amortization status, settlement on 12/14/2004.
- c. All references in the Agreement of Lease to the "2018 Capital Improvements Program" shall be amended to provide: "the 2018 Capital Improvements Program, the 2022 Water Construction Project, the 2024 Water Construction Projects, and the 2024 Storm Sewer Drainage/Stormwater Project."

Recommended Action—Grant approval to Resolution #2024-05

Item 6F: MOTION TO AMEND LEASE AGREEMENT

Consideration of Motion to approve and adopt the above amendment to the Agreement of Lease.

Recommended Action –Approve the Amended Lease Agreement.

Item 7A: Tennis Center

The tennis center is experiencing moisture problems that are getting worse. It has been proposed to the Recreation Committee that the Borough puts out for bid a course of action that would line the ceiling with a membrane that prevents the thermal barrier from being compromised. The Rec Committee and Rec Board recently had a meeting on April 29, 2024 to discuss options. It is estimated that the cost of repair would be approximately \$110,000 to 120,000 for the ceiling only. The estimated cost for the walls is \$85,000. The Recreation Committee recommends putting the ceiling out for bid now with an option to do the walls within 12 months of the original bid submittal, should it be deemed necessary at a later time.

Recommended Action – Approve the Recreation Director to prepare the bids and advertise accordingly.

Item 7B: Resolution 2024-06

Last year the Borough approved Resolution 2023-12 regarding a grant for purchasing and installing two Rectangular Rapid Flashing Beacons at the intersection of West High Street and Julian Street. The state requested a new resolution based on updated pricing of the equipment. The amount was changed from \$50,000 to \$52,747.

Recommended Action – Approve Resolution #2024-06.

Item 7C: Agreement between the Borough and Ebensburg Youth League Baseball

An agreement that allows for certain portions of Memorial Field so the League can have programs. Fee for use of facilities is \$660.00 per year.

Recommended Action – Approve the Agreement between the Borough and Ebensburg Youth Baseball League.

Item 7D: Agreement between the Borough and Ebensburg Youth Softball Association

An agreement that allows for certain portions of Memorial Field so the League can have programs. Fee for use of facilities is \$2,200.00 per year.

Recommended Action – Approve the Agreement between the Borough and Ebensburg Youth Softball Association.

8. STREETS COMMITTEE	Ball, Houser & Murphy
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Item 8A: Resolution 2024-07

A resolution to be submitted to the county for aid.

Recommended Action – Approve Resolution #2024-07 to authorize an application for county aid from the County Liquid Fuels tax fund in the amount of \$7,500.00.

9. ADMINISTRATION COMMITTEE	Houser, Jacoby & Kuhar
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Item 9A: Public Work’s Director

Due to the number of concurrent projects within the borough, a shortage of trained staff and the inordinate amount of time being spent working, the administration committee recommends a stipend for the Director to be paid for preapproved (by the Borough Manager) days to be worked for non-emergency repairs. It is recommended to offer a stipend of \$300 for a full day of work, or \$150 for a half day of work.

Recommended Action- Dependent upon discussion.

Item 9B: Police Collective Bargaining Agreement

Borough staff has been negotiating with the local police bargaining unit for a number of months, resulting in a new Collective Bargaining Agreement which was formally approved by Borough Council at the regular February 2024 meeting.

Recommended Action- Make it a matter of record that a new 4-year agreement was signed with the Ebensburg Police Department Collective Bargaining Unit on April 25, 2024 with wage adjustments effective retroactively to January 1, 2024.

10. HUMAN RELATIONS & DIVERSITY COMMITTEE	Kuhar & Houser
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11. GENERAL BUSINESS

Item 11A: Ebensburg Municipal Airport

Last month Council recommended that the Borough engages Diviney & Associates) to inspect the work and to assure that all work to be done at the airport is in compliance with the engineering drawings of the required improvements deemed necessary by Diviney prior to the use of the building. Diviney was contacted and they will inspect it but prior to the work being performed, are discussing with the structural engineers that just the welding work being completed will be enough to open the hangar for use.

Recommended Action- No action needed but staff will update Council, if applicable.

Item 11B: Municipal Parking Lot

The Borough currently has a lease in place for the Municipal lot which expires in August of this year. Recently, the owner listed the property for sale. The Borough was contacted by a potential buyer who has proposed a new long-term lease for Council to consider, but this was not approved last month. Council directed Staff to secure an appraisal for the property.

Recommended Action- Dependent upon discussion in executive session.

* **Item 11C: Minutes of Previous Meeting(s)**

The minutes of the April 22, 2024, regular meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting.

* Item 11D: Financial Statement

The financial statement for April 2024 is presented for approval.

Recommended Action – Approve the April 2024 financial statement.

* Item 11E: Bills

A list of bills totaling \$463,348.79 for May 2024 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

12. DEPARTMENT REPORTS

Item 12A: Police Department

Chief Loughran has submitted a written report on the police department's activities during the month.

Item 12B: Public Works Department

Public Works Director Josh Surkovich has submitted a written report on the public works department's activities during the month.

Item 12C: Community Development

Community Development Director Danae Koss has submitted a written report on the community development department's activities during the month.

Item 12D: Recreation Department

Recreation Director Dirk Johnson has submitted a written report on the recreation department's activities during the month.

* Item 12E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

* Item 12F: Ebensburg Municipal Authority

A copy of the minutes of the last municipal authority meeting is included in Council's packet.

Item 12G: Ebensburg Planning Commission-No Activity

Item 12H: Ebensburg Zoning Hearing Board – No Activity

13. MEDIA COMMENTS/QUESTIONS

Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.

14. PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda.

15. EXECUTIVE SESSION – discussion of personnel and real estate issues

16. ADJOURNMENT

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at www.ebensburgpa.com.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or eburg@ebensburgpa.com. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.