

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, May 20, 2024, 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
Jeff Ball
Theresa Jacoby
Dave Kuhar, via phone
Robert Miller
Mike Murphy
Isaac Bradley, Junior Councilor
Abraham Remillard, Junior Councilor

Others: Kelly Cook, Borough Manager
Randy Datsko, Mayor
Joseph Loughran, Chief of Police
Dirk Johnson, Recreation Director
Danea Koss, Community Development Director
Josh Surkovich, Public Works Director
Luke Byrne, Inframark
Matt Gribler, Solicitor
Phil Woo, Recreation Board
Matt Churella, The Altoona Mirror
Julie Pittman, Mainline Newspapers

Audience: 3

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

Ms. Houser made a motion to approve the consent agenda containing the following items. (Ball)
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 April 22, 2024 regular monthly meeting.
4. Approve the financial statement for March and quarterly transfers.
5. Approve payment of bills for May.

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 shared that he received an invite to Council to attend Alternative Community Resource Program’s anniversary event on Friday, May 24th.

H. **Water/Wastewater Committee**

1. **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.

2. **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.

3. **Resolution #2024-03: Resolution authorizing the execution of documents**

Ms. Houser reported that 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.

Ms. Houser made a motion to grant approval to Resolution #2024-03. (Jacoby) Motion passed unanimously.

4. **Resolution related to Guaranty #2024-04**

Ms. Cook reported that 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.

Ms. Houser made a motion to grant approval to Resolution #2024-04. (Miller) Motion passed unanimously.

5. **Resolution #2024-05: Amending the Lease Agreement with the Authority**

Ms. Cook reported that 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."

Ms. Houser made a motion to grant approval to Resolution #2024-05. (Murphy) Motion passed unanimously.

6. **MOTION TO AMEND LEASE AGREEMENT**

Ms. Cook reported that consideration of Motion to approve and adopt the above amendment to the Agreement of Lease.

Ms. Houser made a motion to approve the Amended Lease Agreement. (Jacoby) Motion passed unanimously.

H. Recreation Committee

1. **Tennis Center** - Ms. Jacoby shared that the tennis center is experiencing moisture problems that are getting worse. It has been proposed to the Recreation Committee that the Borough put 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 29th, 2024 to discuss options. It is estimated that the cost of repairs 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.

Ms. Jacoby made a motion to approve the Recreation Director to prepare the bids and advertise accordingly. Motion passed unanimously.

2. **Agreement between the Borough and Ebensburg Youth League Baseball**

Ms. Jacoby reported that 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.

Ms. Jacoby made a motion to approve the Agreement between the Borough and Ebensburg Youth Baseball League. (Houser) Motion passed unanimously.

3. **Agreement between the Borough and Ebensburg Youth Softball Association**

Ms. Jacoby reported that 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.

Ms. Jacoby made a motion to approve the Agreement between the Borough and Ebensburg Youth Softball Association. (Houser) Motion passed unanimously.

I. Street Committee

1. **Resolution 2024-06**

Ms. Houser reported that 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.

Ms. Houser made a motion to Approve Resolution #2024-06. Roll call was taken:

Tusing	Yes	Ball	Yes	Kuhar	Yes
Houser	Yes	Miller	No		
Jacoby	Yes	Murphy	No		Motion passed 5-2.

2. Resolution 2024-07

Ms. Houser reported that a resolution to be submitted to the county for aid. Ms. Houser made a motion to 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. (Jacoby) Motion passed unanimously.

J. Administration Committee

1. Public Work's Director

Ms. Cook shared that 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. Council will enter into executive session to discuss.

2. Police Collective Bargaining Agreement

Ms. Jacoby shared that 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.

It is 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.

K. Human Relations & Diversity Committee – None.

L. General Business

1. Ebensburg Municipal Airport

Ms. Cook reported that 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 are willing to inspect the work. However, prior to the work being performed, RACRA is seeking to determine if completion of the remedial welding work will be enough to open the hangar for use.

2. Municipal Parking Lot

Mr. Tusing reported that 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. Council will discuss further in executive session.

M. Department Report

- 1. Police Department** – Chief Loughran reported that the department hosted training, once again, for local and area departments provided by the Institute for Law Enforcement Education. He

added that Assistant Chief Robert Sapp has retired and Anthony Cavazza has been hired as a full-time officer. Additionally, the department is preparing for the upcoming Wheels & Wings event.

2. **Public Works Department** – Public Works Director Josh Surkovich reported that the crew has been busy with the waterline project and recently completed the new lamp post banner and hanging basket installation. He also thanked the volunteers who worked towards beautifying the Kimball and Penn Eben Parks. He added that the public works department will be undertaking power-washing the downtown sidewalks.
 3. **Community Development** – Community Development Director Danae Koss reported that the mural installation will take place this week, May 23-24, and the 100 block of S. Cherry Street will be closed. She also reported that new business Sweet Mama Bee’s will host a grand opening/ribbon cutting on Friday, May 24th. She also gave an update on the Memorial Day Parade & Ceremony. Lastly, she reported that the Main Street Partnership has once again been named an accredited program by the National Main Street Center. They are one of 18 programs in the state to receive this accreditation.
 4. **Recreation Department** – Recreation Director Dirk Johnson gave an update on the recent Bingo event held at the YPCC and thanked Council for approving moving forward with the bidding for the Tennis Center ceiling repairs.
 5. **Ebensburg Planning Commission** – None.
 6. **Ebensburg Zoning Hearing Board** – None.
- N. **Media Comments/Questions** – Ms. Julie Pittman asked Ms. Koss if she could coordinate an interview at the mural site on Friday.
- O. **Public Comments** – None.
- P. **Executive Session** – Council entered into Executive Session at 7:13 pm and exited at 7:35 p.m.
- Q. **Adjournment** – There being no further business, Ms. Houser made a motion to adjourn. (Miller) Motion passed unanimously.

Meeting Adjourned 7:36 PM

Minutes Recorded by: Danae Koss, Community Development Director