



**Ebensburg Borough Council Meeting**  
**Monday, January 25, 2010**  
**6:30 p.m.**

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**Borough Council**  
Deborah Nesbella, President  
Doug Tusing, Vice-President  
Susan Barber  
Terry Illig  
Dave Kuhar  
Joe Lutz  
V. Joseph Miller  
Annie Takacs, Junior Councilor  
**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 9A: Approval of the minutes of the December 21, 2009 regular monthly meeting of Borough Council and the January 4, 2010 reorganization meeting.

Item 9B: Approval of Financial Statement and Fund Transfers.

Item 9C: Approval of Bills  
Vote to be recorded reflecting abstention by Councilor Barber on amount owed Barber Oil Company.

Recommended Action – Approve the consent agenda.

**2. APPOINTMENTS TO ADDRESS COUNCIL**

**3. MAYOR'S REPORT**

**Item 3A: Report on Police Department.**

**4. COUNCIL PRESIDENT COMMENTS**

**5. WATER & WASTEWATER COMMITTEE**

**Tusing & Kuhar**

**Item 5A: Report From Severn Trent Services on Wastewater Plant Operations.**

Plant Supervisor Bernie Kozlovac will provide a verbal report on projects and activities at the wastewater plant during the month.

Recommended Action – No action required.

**Item 5B: Industrial Park Infiltration**

A great deal of inflow and infiltration (I&I) exists in the industrial park collection system. It is believed that leaking private laterals and tapping tees are the main cause. That collection system was slip-lined approximately ten years ago, and the tapping tee joints were chemically grouted six years ago. It is necessary to decrease the amount of I&I in the park, or begin consideration of upgrading the pumps in the pump station.

In October Council approved videotaping and cleaning those sewage collection lines. That process will allow for all leaks to be detected, and they will be rated from least to worst. All sources of I&I will be documented and the exact locations known. The borough system is responsible for any leaks in the mains, the tapping tees, and the portion of the service lateral between the tap and the property line. The customer will be responsible for any leaks detected in the service lateral inside of the property line.

The project has been advertised for bids, and the following bids were received:

Mr. Rehab	Mechanicsburg, Pa	\$ 9,536.10
HydroTech	Elizabeth, Pa	\$ 9,808.90
Pipe Eye	Bradford, Pa	\$ 9,996.90
Insight Pipe Contracting	Harmony, Pa	\$15,709.25
Robinson Pipe Cleaning Co.	Pittsburgh, Pa	\$15,725.00
State Pipe Services	Cranberry, Pa	\$19,578.50
Tri-State Grouting	Bear, De	\$20,870.00

Recommended Action – Award a contract in the amount of \$9,536.10 to Mr. Rehab Sewer System Rehabilitation for videotaping and cleaning sewage collection lines in the industrial park.

**6. RECREATION COMMITTEE**

**Illig & Barber**

**7. STREET COMMITTEE**

**Miller & Lutz**

**Item 7A: East High Street Sidewalk Project**

Staff is continuing attempts to secure transportation enhancement funds for completion of a sidewalk project along East High Street and Rowena Drive. In August 2008 Council approved moving ahead with design of the project, in the hope that funding would become available. The design of that project was completed by Kimball & Associates in early 2009 and submitted to PennDOT for approval. In September, funds did become available for such projects that were “shovel ready”. Since PennDOT had not yet completed all of the required

reviews, the project was not considered ready and therefore was not eligible for funding. Those reviews include not only the design specifications but also historical, archaeological and environmental clearances. PennDOT was reluctant to move ahead with those clearances as our project was not considered to be active.

PennDOT has since agreed to move our project through channels, making it eligible for the release of any future enhancement funds, and possibly future stimulus funds. That funding could develop at any time, and it is important that the project be ready to go to bid immediately.

While waiting for PennDOT's review process, staff intends to present the project to the property owners. There are many business entrances along the route and it would be beneficial to have their input early rather than later. A meeting for property owners is scheduled for Monday, February 1<sup>st</sup>. It is being made clear to the property owners that the project is dependent on funding and may not occur for a year or two.



Staff will review several details of this project with Council during the meeting.

Recommended Action – No action required.

**Item 7B: North Center Street/East Highland Avenue Sidewalk Project**

In August 2009 Council selected North Center Street and East Highland Avenue as the 2010 sidewalk project and authorized design. That design was completed and has since been approved by PennDOT.

The project is currently advertised for bids, with bids due on March 8<sup>th</sup>. Residents were informed of the details of the project at a meeting on September 14<sup>th</sup> and appear to be supportive of the work. The work is expected to occur during April through July.



A separate component of this project is a proposal to extend the Victorian streetlights north on Center Street as far as Highland Avenue. The cost of the streetlight portion of the project would be for materials only, as the installation can be done by borough crews. Bids have been advertised for those materials, with a due date of February 15<sup>th</sup>. Even if the cost of materials is too high, at a minimum we will install the conduits behind the new curbing so that Victorian lights could be added at a later time.



The project would be funded in the same fashion as all previous projects, in that the property owners would be assessed the actual bid cost of the sidewalk and the borough would pay for the balance of the project from the sidewalk reserve.

Recommended Action – No action required.

## 8. ADMINISTRATION COMMITTEE

Tusing, Barber & Lutz

### Item 8A: Tax Collector

Charlene Remillard has resigned as Ebensburg Borough Tax Collector effective December 31<sup>st</sup> due to personal reasons. The new 4-year term would have begun in January and expired at the end of 2013.

The tax collector collects earned income taxes, emergency service taxes and real estate taxes on behalf of the borough, county and school district. The position earns approximately \$28,000 annually. That will decrease to approximately 16,400 in 2011 when EIT will be collected by a single collector county-wide.

Council has 30 days from December 31<sup>st</sup> to fill the vacancy. The position has been advertised, and the administrative committee has interviewed the applicants. The only requirements for the position are that the applicant be registered, a resident for at least one year and be bondable. It is important that the position be filled no later than the January meeting, as the tax collector name, office address and hours must be known for printing of the bills in February. The county will perform an audit of the former tax collector. The new appointment will be for two years until the next municipal election.

The new tax collector is required to maintain an office in the municipal building. The tax collector will still establish his or her own hours, and those hours may even be outside of the borough's regular office hours. The office staff will accept tax payments during regular hours, a much more convenient schedule for the residents. A separate telephone number (846-4764) and e-mail address ([taxcollector@ebensburgpa.com](mailto:taxcollector@ebensburgpa.com)) has been established for the tax collector desk. A networked PC with restricted access has been setup.

Recommended Action – Appoint a new tax collector, effective immediately, term to expire December 2011.

## 9. GENERAL BUSINESS

- \* Item 9A: Minutes of Previous Meeting(s).  
The minutes of the previous meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting.

- \* Item 9B: Financial Statement  
The financial statement for November 30, 2009 is presented for approval. A 12-month fund balance analysis is also included.

At the end of each quarter, fund transfers are made in order to process transfers made to and from reserve accounts, and to distribute the cost of routine and capital expenses among the proper accounts. Fund transfers made for the 4<sup>th</sup> quarter are attached.

Recommended Action – Approve the financial statement and fund transfers.

\* Item 9C: Bills  
 A list of bills totaling \$306,877.56 is submitted for approval.

The list of bills includes an account in the amount of \$299.84 payable to Barber Oil Company. An abstention will be recorded in the minutes on behalf of Councilor Barber on that particular bill.

Recommended Action – Approve payment of the bills as submitted.

**Item 9D: Floodplain Management Ordinance**

FEMA is in the process of publishing revised floodplain maps. Heretofore, Ebensburg Borough and Westmont Borough were the only municipalities in Cambria County declared free of flooding hazards. The revised floodplain maps however designate areas near Howell’s Run and Lake Rowena as floodplains. Because of the map revisions, Ebensburg Borough is required to create floodplain regulations in order for property owners to be able to participate in the National Flood Insurance Program.

FEMA is requesting that the new Ordinance be completed by April. The absolute deadline for adoption is December 2010. Ordinance #568 is proposed to satisfy the need for floodplain regulations. It is based on a model ordinance provided by FEMA.

The proposed Ordinance was tabled last month pending a map date required in Section 4.01. FEMA has since said that the date will be 6 months after the “letter of final determination” is issued by FEMA (a step in the flood map approval process). The date will be filled in later.

Recommended Action – Grant tentative approval to Ordinance #568, the Floodplain Management Ordinance, and advertise it for public inspection.

**Item 9E: Airport Grants**

The final pieces of new snow removal equipment for the airport have been received. All equipment has been paid for by FAA and PennDOT grants. RACRA has provided the local matching funds. This latest equipment is a Farmall tractor purchased from Hines Equipment on the State bid list. It includes a front loader and snow plow.

All funds advanced by the borough to RACRA for payment of various vendors have been reimbursed 100% by grant funds.

Recommended Action #1 – Approve purchase of snow removal equipment consisting of a Farmall tractor, loader and snow plow in the

amount of \$43,361.00 (State bid) from Hines Equipment.

Recommended Action #2 - Approve the following payments from the Airport Projects Fund associated with the various airport projects:

Tri-Star Motors	\$20,074.00
Cambria Tractor	\$59,545.00
Borough of Ebensburg	\$59,545.00
Kimball & Associates	\$ 1,751.67
Hines Equipment	\$43,361.00
Borough of Ebensburg	\$ 841.80



**Item 9F: Babcock Property**

Staff has been working on a design for improvements at the Babcock property, and wish to present some ideas to Council.



A CDBG blight-removal grant is expected to cover the cost of demolition of the former office and kiln building at the front of the property. The county redevelopment authority is currently conducting and paying for a phase II environmental study at the property, a required step before grant approval.

Recommended Action – No action required.

**Item 9G: 2009 Budget**

While Ebensburg Borough remains in excellent financial condition, there are some areas of the 2009 budget results that require an explanation. The Borough Manager will review those budget results from last year.

Recommended Action – No action required.

**10. DEPARTMENT REPORTS**

**Item 10A: Police Department**

Chief Wyland will provide a verbal report on the police department’s activities during the month. A written report was e-mailed to Council separately.

**Item 10B: Public Works Department**

Public Works Director Jeff Evans will provide a verbal report on the public works department’s activities during the month.

**Item 10C: Community Development**

Community Development Director Christine Strugala will provide a verbal report on the community development department’s activities during the month.

**Item 10D: Recreation Department**

Recreation Director Matt Pfeil will provide a verbal report on the recreation department’s activities during the month.

Manager’s Comment:

The tennis center was budgeted to have a \$25,000 operating loss in 2009. During budget preparation in October that deficit was expected to be trimmed to only \$8,000. When the \$5,000 capital reserve is added, the tennis center actually ended 2009 with an \$8,900 surplus!

That surplus is due to meeting the membership goal and exceeding expectations for court rental and lessons. Jamie Taylor and Matt Pfeil worked very hard to achieve those numbers and are to be congratulated.

- \* Item 10E: Codes Enforcement  
Awaiting first report from MDIA.
- \* Item 10F: Ebensburg Municipal Authority  
A copy of the minutes of the last municipal authority meeting is included in Council’s packet.
- \* Item 10G: Ebensburg Planning Commission  
No activity.
- \* Item 10H: Ebensburg Zoning Board
  - 1) **Berzonsky Special Exception**  
The zoning hearing board granted a special exception for the construction of a residence at 127 Lovell Avenue. The area is zoned commercial, and residential construction requires a special exception.
  - Action – No action required.
- \* Item 10I: Central Cambria Coalition  
Discussion this month was limited to the regional codes enforcement program.

**11. 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.*

**12. PUBLIC COMMENTS**

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

**13. 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](http://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](mailto:eburg@ebensburgpa.com). Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.*