

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, April 26, 2010 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by Council President Deborah Nesbella.

Present: Deborah Nesbella, President  
Doug Tusing, Vice President  
Susan Barber  
V. Joseph Miller  
Dave Kuhar  
Joe Lutz  
Annie Takacs, Junior Councilor

Others: Daniel Penatzer, Borough Manager  
Randy Datsko, Mayor  
Christine Strugala, Community Development Director  
Blair Pawlowski, Assistant Solicitor  
Bernie Kozlovac, Plant Manager  
Matt Pfeil, Recreation Director  
Suzie McCombie, Mountaineer-Herald  
David Hurst, Altoona Mirror

Absent: Terry Illig

Audience: 6

1. The Pledge of Allegiance was recited.

2. **Public Comments** - None

3. **Consent Agenda**

Mr. Lutz made a motion to approve the consent agenda containing the following items:  
(Miller)

- A. Adopt Resolution #2010-03 authorizing signatures for documents related to the swimming pool grant application.
- B. Advertisements have been placed for the new Junior Council person. An appointment will be made at the May meeting.
- C. The following investment proposals were received on March 31<sup>st</sup>:

	<u>FNB</u>	<u>1<sup>st</sup> C'wealth</u>	<u>Northwest</u>	<u>Ameriserv</u>
Checking	0.17%	0.10%	0.55%	0.06%
Money Market	1.03%			1.51%
1-Yr CD	0.65%	0.90%		1.35%

D. Approve minutes of the regular meeting of March 22, 2010.

E. Approve the financial statement and fund transfers.

F. Approve bills noting an abstention by Councilor Barber on amount owed to Barber Oil Company.

Miller	YES	Kuhar	YES
Barber	ABSTAIN	Tusing	YES
Nesbella	YES	Lutz	YES

Motion passes.

G. Spring Clean-up is scheduled for May 26<sup>th</sup> & 28<sup>th</sup> on regular pick-up days.

H. Adopt Resolution #2010-05 authorizing signatures for documents related to the winter storm reimbursement.

- I. Adopt Resolution #2010-06 authorizing signatures for documents related to a \$300,000 downtown improvement grant through DCED on behalf of Ebensburg Downtown Partners.
- J. Receipt of codes enforcement report.
- K. Receipt of municipal authority meeting minutes.
- L. Receipt of Central Cambria Coalition's meeting minutes.

4. **Appointments to Address Council** –None.

5. **Mayor's Report**

Mayor Datsko presented the police department report and welcomed back Ms. McCombie from the Mountaineer-Herald. He reflected on former Police Chief David Matevish's passing and a moment of silence occurred.

6. **Council President** – None.

7. **Water/Wastewater Committee**

Mr. Kozlovac said there were no excursions and they processed 11 dry tons of solids. The average flow for the month was 1.2 mil gallons/day. The wet testing for the second quarter has been completed.

8. **Recreation Committee**

Aquatic Environmental Consultants of Scotland, PA submitted a proposal to conduct the herbicide treatment of the growth at Lake Rowena; this was cheaper than the actual chemicals would be if purchased by the borough. The permit from the PA Fish Commission has been amended to allow AEC to apply the treatment in early June. Ms. Barber made a motion to engage Aquatic Environmental Consultants for treatment of Lake Rowena, in the amount of \$2,477.00. (Kuhar) Motion passes unanimously.

9. **Street Committee**

- A. Mr. Miller said Rural Valley Construction is on schedule with the North Center Street/East Highland Avenue Sidewalk Project. He gave an update on the project and commended Mr. Evans for serving as the inspector on the project.
- B. Tri-County Tree Service has completed cutting of trees along North Center Street and East Highland Avenue. Borough crews are removing the stumps as needed. Mr. Miller said that staff proposed the idea of lining the streets with hybrid elm trees and that the majority of residents have been in favor of this.
- C. The streets proposed for paving in 2010 are Randolph Street between Spruce & Beech, Beech Street between Highland & Randolph, Maple Springs Court, and Ann Street from Julian Street west. This project is less than one-half the size that the borough would normally undertake. The combination of Liquid Fuels and County Aid will cover the cost of the project without need for general fund dollars. Bids for the project are due May 17<sup>th</sup>.
- D. Straw Construction has begun replacing failed sections of the streetscape project and are expected to complete work by May 31<sup>st</sup>.

10. **Administration Committee**

- A. Mr. Tusing recommended Michael Leary for the 20 hrs./week minimum wage maintenance position at Memorial Field. He said he has some experience with the Central Cambria fields. Mr. Tusing made a motion hire Michael Leary for maintenance of baseball fields at Memorial Field at the rate of \$7.25/hr. (Miller) Motion passes unanimously.

B. The following 12 applicants were recommended for summer lifeguard positions:

Monica Rudolph	Tanner Street	6 <sup>th</sup> yr.
Charles Marcinko	East Highland Avenue	5 <sup>th</sup> yr.
Emily Hansen	East Crawford Street	5 <sup>th</sup> yr.
Dominick Risaliti	East Highland Avenue	4 <sup>th</sup> yr.
Sarah Marcinko	East Highland Avenue	4 <sup>th</sup> yr.
Renee Risaliti	East Highland Avenue	4 <sup>th</sup> yr.
Brianna Gillin	North Julian Street	4 <sup>th</sup> yr.
Mariah Seymour	East Horner Street	3 <sup>rd</sup> yr.
Matthew Litzinger	South Phaney Street	1 <sup>st</sup> yr.
Chelsea Nelson	Jamesway Road	1 <sup>st</sup> yr.
Cody Slebodnick	Meadowview Court	1 <sup>st</sup> yr.
Luke Marcinko	East Highland Avenue	1 <sup>st</sup> yr.

Mr. Tusing made a motion to hire Monica Rudolph as the head lifeguard at the rate of \$8.25/hr. and hire the other eleven listed persons as lifeguards at the rate of \$7.25/hr. (Kuhar) Motion passes unanimously.

C. Seven applications were received for summer maintenance positions. Staff recommended that the following be hired for routine positions:

Brian Springer	West Lloyd Street	4 <sup>th</sup> yr.
Jordan Paterson	South Center Street	3 <sup>rd</sup> yr.
Luke Caroff	West Ogle Street	2 <sup>nd</sup> yr.
Robert Leary, Jr.	West Lloyd Street	1 <sup>st</sup> yr.

Mr. Tusing made a motion to hire Ron Jacobs as the summer work supervisor at the rate of \$11.50/hr. and hire Brian Springer, Jordan Paterson, Luke Caroff and Robert Leary for summer maintenance at the rate of \$7.25/hr. (Miller) Motion passes unanimously.

- D. Two of the summer workers have been assigned to the public works crew, with AFSCME approval. Mr. Tusing made a motion to hire Corey Faish (3rd year) and Kevin Adams (1<sup>st</sup> year) for summer public works at the rate of \$7.25/hr. (Kuhar) Motion passes unanimously.
- E. Charmaine Aurandt has held the landscaping position for the last few years to cover the YPCC, tennis center, swimming pool, Kimball Park, Penn Eben Park, Lake Rowena and all playgrounds. She was recommended to fill the 30 hrs./week position again this year. Mr. Tusing made a motion to hire Charmaine Aurandt as part-time landscaper at the rate of \$7.55/hr. (Kuhar) Motion passes unanimously.
- F. Mr. Penatzer explained that in 2006, Act 600 was amended to require a killed-in-service benefit to police officers killed in the line of duty. The benefit required continued payment of 100% of salary to dependants. Since payment of such a benefit would have had a devastating impact on the financial assets of a pension plan, many municipalities, including Ebensburg Borough, chose to insure the benefit. Act 51 of 2009 transfers the obligation for that benefit from municipal pension plans to the Commonwealth. Mr. Tusing made a motion to grant tentative approval to Ordinance #572 eliminating the killed-in-service benefit under the Uniformed Pension Plan, and advertise for public inspection. (Lutz) Motion passes unanimously.

11. **General Business**

- A. Mr. Lutz made a motion to grant final approval to Ordinance #571 deleting prohibition of firearms in parks. (Tusing) Motion passes unanimously.

B. Mr. Penatzer explained that in 1985 Ebensburg Borough entered into an agreement with Berkheimer Associates for collection of delinquent earned income, per capita and occupational privilege taxes. Since then, collection has been lax and Central Cambria School District approached the coalition to improve collection. Members at the coalition meeting last month agreed to seek strict compliance with tax collections and agreed that the same firm should be used by all three municipalities. All costs and fees of collection of the delinquent taxes are borne by the taxpayer and are paid directly to the delinquent tax collector. Mr. Tusing made a motion to adopt Resolution #2010-04 appointing Berkheimer Associates as the delinquent tax collector for Act 511 taxes. (Lutz) Motion passes unanimously. Mr. Tusing then made a motion to grant tentative approval to Ordinance #573 authorizing Berkheimer Associates to impose and retain costs and fees associated with delinquent tax collection, and advertise it for public inspection. (Lutz) Motion passes unanimously.

## 12. Department Reports

### A. Police

A report from Chief Wyland was distributed.

### B. Public Works

Mr. Penatzer said Public Works has been busy with water leaks and the North Center Street project.

### C. Community Development

Mrs. Strugala said Art in Bloom attracted the most visitors to date. She announced the sponsors for Concerts in the Park and said that the fire company will be selling food and drinks each week. Jamie Koshak and Monica Rudolph will be the summer interns. Volunteer Night will be held Friday, August 27<sup>th</sup> in conjunction with the final concert in the park.

### D. Recreation

Mr. Pfeil said the Friends of the Pool Committee raised \$3,200 with their craft fair over the weekend. He reviewed the quarterly financial report.

### E. Ebensburg Planning Commission

Mr. Penatzer said the three member municipalities of the Central Cambria Coalition have been working with Sutter & Associates to develop new zoning, stormwater and subdivision ordinances. Each municipality will adopt its own separate ordinances, but the ordinances in all three municipalities will be similar. A public hearing conducted by Borough Council will take place on Monday, May 3<sup>rd</sup> at 6:30 p.m. in council chambers. The Subdivision Ordinance will also be reviewed at the hearing. The Stormwater Management Ordinance is considered complete. All three ordinances will be presented to Borough Council for tentative approval in May.

## 13. Media Comments/Questions

David Hurst of the Altoona Mirror asked what the process was up until now with collecting delinquent taxes. He then asked what percentage of taxpayers in Ebensburg don't typically pay their taxes.

## 14. Public Comments

Mike Illig asked about the water/sewer rate reduction and asked if council could move the pedestrian crossing signs in the downtown.

There being no further business, Mr. Miller made a motion to adjourn (Barber) Motion passes unanimously.

Meeting adjourned: 7:05 p.m.

Minutes Recorded by:

Christine M. Strugala  
Community Development Director