

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, July 27, 2009 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
Joe Lutz
Susan Barber
Terry Illig
V. Joseph Miller
Dave Kuhar
Annie Takacs, Junior Councilor

Others: Charles Moyer, Mayor
Daniel Penatzer, Borough Manager
Christine Strugala, Community Development Director
Matt Pfeil, Recreation Director
Terry Wyland, Police Chief
Blair Pawlowski, Solicitor
Jeff Evans, Public Works Director
Bernie Kozlovac, Plant Manager
Dave Hurst, Altoona Mirror
Suzanne McCombie, Mountaineer-Herald

Audience: 10

1. The Pledge of Allegiance was recited.
2. **Public Comments** -None
3. Mayor Moyer administered the oath of office to Junior Councilor Annie Takacs.

4. **Consent Agenda**

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

- A. Approve minutes of the regular meeting of June 22, 2009.
- B. Approve financial statement & quarterly fund transfers
- C. Approve YTD Budget Analysis
- D. Approve bills noting abstention by Councilor Barber on amount owed to Barber Oil Company and abstention by Councilor Illig on amount owed to Erica Illig and Illig Telephone.

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

Motion passes.

- E. Approve hiring of Doug Cherry as a Tennis Instruction Assistant.
- F. Approve the purchase of the Babcock Lumber Company property on South West Street for \$100,000.
- G. Approve transfer of \$1,000,000 (plus earned interest) from Mainline National Bank to a money market account at First National Bank.
- H. Approve advertising of 2001 Dodge Durango police vehicle for sale.

5. Appointments to Address Council

Ronald Yeaglin thanked council for providing an area to legally get rid of grass clippings, etc. He said to not make the area at the former Babcock property a compost site due to the smell and limitations on what could be dumped there.

6. Mayor's Report

Mayor Moyer reviewed the police report.

7. Council President – None.

8. Water/Wastewater Committee

- A. A copy of Severn Trent's monthly operations report was distributed. Mr. Kozlovac said there were no excursions and the average flow for the month was .837 mil gallons/day. He said they processed 31 dry tons of solids (7 from outside sources). The plant received the 2008 Class 1 Facility Safety Award from the Pennsylvania Central Water Quality Association.
- B. Mr. Tusing said DEP has followed-up on the complaints regarding the odors from the wastewater treatment plant. He said on the third follow-up DEP noticed an odor along Rt. 22 but could not specify where it was originating from; there was no odor when they arrived at the plant. Some complaints have continued. Staff is arranging to meet with the local inspector and superiors from the Pittsburgh DEP office to review the NOV and overall situation.
- C. Mr. Tusing gave an update on the Water System Improvement Project and the H2O grant application. He said the project was not chosen for funding and Kimball will resubmit another application for the next round of funding.
- D. Mr. Tusing said a new tractor mower is needed for mowing the breast of the large reservoir because of its slope. DEP requires regular cutting of the breast. A new mower would also be much safer for crews to use. The cost of the tractor and mower is \$21,406 from Hines Equipment on the state bid list. The purchase price was included in the 2009 capital budget. Mr. Tusing made a motion to approve purchase of a Ventrac tractor mower from Hines Equipment Company, in the amount of \$21,406.70 per the state bid list. (Kuhar) Motion passes unanimously.

9. Recreation Committee – None.

10. Street Committee

Mr. Penatzer said the pace of work on the West Ogle Street sidewalk project has been slow and will not meet the July 31st deadline. A few items were added after the execution of the contract and are not subject to that deadline. The project had been delayed in the beginning due to an unforeseen need to construct a retaining wall at the Swope building on Center Street. Mr. Penatzer said a contract extension for the ten days it took to erect the retaining wall is needed and liquidation damages in the amount of \$200/day should be assessed for work remaining after August 10th. He said that Burns Concrete, one of the sub-contractors, did not comply with prevailing wage regulations and is working with the Department of Labor to bring his records into compliance. In the meantime, the borough will not be able to process further payments for the concrete work until compliance is achieved. A letter detailing several issues with the contractors was reviewed. The project is expected to be

complete in mid-August. Bid results for the new trees are expected in August. Mr. Illig made a motion to approve a contract extension to August 10, 2009 for Fred Imler & Sons. (Miller)

Tusing	YES	Miller	YES
Lutz	NO	Nesbella	YES
Illig	YES	Barber	YES
Kuhar	YES		

Motion passes 6-1.

11. **Administration Committee** – None.

12. **General Business**

- A. Mr. Penatzer said the Tanner Street Compost Site has been closed due to abuse. Mr. Pawlowski said closing on the Babcock property will occur by early August; this will be the new compost site. In the meantime, a dump bed has been placed at the rear of the municipal building for composting.
- B. Mr. Penatzer explained the costs incurred when filing a zoning appeal or variance. The borough has not increased the fee since 2005 and costs have increased an average of \$180. Mr. Tusing made a motion to authorize an increase in fees for zoning appeals and variances from \$175 to \$200. (Illig) Motion passes unanimously.
- C. Mrs. Strugala said a professional display is needed to market the borough at events like the Small Business Expo and Saint Francis University Student Involvement Fair. A trade show display was created by Kimball for \$700 and showed to council. Mr. Penatzer explained the need for a marketing campaign to get the message across that Ebsburg is a great place to live, work, and play. He discussed placing an ad in real estate sections of the newspaper. Discussion concerning the use of billboards and additional media outlets was discussed. It was the consensus of council to place three ads in the real estate guide and proceed with putting together a proposed schedule and marketing budget.

13. **Department Reports**

A. **Police**

Chief Wyland said there were no major problems during Wheels & Wings. He said the new cruiser will arrive soon.

B. **Public Works**

Jeff Evans said the elevated storage tank has been inspected and all is fine. Mr. Tusing commended the public works crew for their work at the lake.

C. **Community Development**

Mrs. Strugala explained the plans for Homecoming and said 10 vendors will participate in the Farmers Market. Advertising will start soon for the concerts in the park and volunteer night will be held Thursday, August 27th at Lake Rowena.

D. **Recreation**

Mr. Pfeil said more teams have registered for the adult hockey league than last year. The second wedding for the year will be held at the YPCC in August. The pool passed inspection. Mr. Illig commended Mr. Pfeil for his work on the programs and fitness center.

14. Central Cambria Coalition

Mr. Penatzer said they are still working on the zoning regulations and trainings will be held in the next few weeks.

15. Media Comments/Questions

Dave Hurst of the Altoona Mirror asked for a comment concerning the pro's of the Babcock requisition.

16. Public Comments - None.

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

Meeting adjourned: 7:34 p.m.

Minutes Recorded by:

Christine M. Strugala
Community Development Director