The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, June 28, 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
Terry Illig
Zachary Ambrisco, Junior Councilor

Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Terry Wyland, Chief of Police
Christine Strugala, Community Development Director
Matt Pfeil, Recreation Director
Jeff Evans, Public Works Director
Heath Long, Assistant Solicitor
Bernie Kozlovac, Plant Manager
Suzie McCombie, Mountaineer-Herald
David Hurst, Altoona Mirror
Kelly Urban, Tribune Democrat

Audience: 12

1. The Pledge of Allegiance was recited.
2. **Public Comments** – None
3. Mayor Datsko administered the oath of office to Junior Councilor Zachary Ambrisco.
4. **Consent Agenda**
   Mr. Lutz made a motion to approve the consent agenda containing the following items: (Illig)
   A. The solicitor will meet with Straw Construction concerning the underslab heating systems along the streetscape project.
   B. Hire Matthew Bopp for summer public works at the rate of $7.25/hr.
   C. Approval of the minutes of the May 24, 2010 regular monthly meeting of Borough Council.
   D. Approve the financial statement.
   E. Approve bills noting an abstention by Councilor Barber on amount owed to Barber Oil Company.

Miller	YES	Illig	YES	
Barber	ABSTAIN	Tusing	YES	
Lutz	YES	Nesbella	YES	
Kuhar	YES			Motion passes.

   F. Appoint Brian Strenko to an unexpired term on the Ebensburg Area Business Commission, term expires December 2010.
   G. Grant final approval to the Poborsky subdivision noting an abstention by Councilor Tusing.

Miller	YES	Illig	YES	
Barber	YES	Tusing	ABSTAIN	
Lutz	YES	Nesbella	YES	
Kuhar	YES			Motion passes.

H. Receipt of codes enforcement report.
I. Receipt of municipal authority meeting minutes.
J. The zoning hearing board granted a variance to Craig Pablic for construction of a deck at 109 North Phaney Street.
K. Receipt of Central Cambria Coalition meeting minutes.

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

6. **Mayor's Report**
Mayor Datsko presented the police department report and awarded a junior councilor pin to Zachary Ambrisco.

7. **Council President** – None.

8. **Water/Wastewater Committee**
A. Mr. Kozlovac said there were no excursions and they processed 13.5 dry tons of solids with 12 from outside sources. The average flow for the month was 9.5 mil gallons/day. He said routine repairs have been made at the plant.
B. Mr. Penatzer said that borough crews will soon be done smoke testing the sewage collection system on the west side of town. Of the issues found, about half of them would need repaired by the property owner and the other half by the borough. Property owners will have 90 days to make any necessary repairs. The central part of town will be tested next.
C. Mr. Penatzer said the Municipal Authority reviewed the list of problems detected in the wastewater collection system in the area of the industrial park, Mini-Mall Road and New Germany Road. Of the problems discussed, the authority felt that the following should be corrected immediately to help alleviate the problem of infiltration: direct infiltration, broken pipe, holes in pipe, grease deposits, leaking taps, wrinkles in the liner, and leaking manholes. The cost to fix these items is $113,275. Sagging pipes were also an issue, but were not considered to be important enough to correct the problem. The borough would undertake the repairs as a maintenance project and the project would be paid for from the wastewater reserve. Mr. Tusing made a motion to authorize the seeking of bids for repairs to the industrial park collection system. (Kuhar) Motion passes unanimously.
D. Council discussed if the decrease in water and sewage rates should be postponed due to the repairs needed at the industrial park collection system. Mr. Tusing made a motion to recommend to the Municipal Authority to proceed with the rate reduction. (Kuhar) Motion passes unanimously.

9. **Recreation Committee**
A. Mr. Illig said the fitness equipment at the YPCC is not commercial grade, and in effect, breaking down frequently because it is used so heavily. He said $300-$400 per month is being paid for repairs. The recreation board agreed that the equipment needs replaced and said that the funding generated monthly in memberships would help defray the cost. Ms. Nesbella said that the elliptical machine should have side bars. The equipment would be leased for 60 months and then we would own it. Mr. Illig made a motion to approve a lease of fitness equipment with G&G Fitness in the amount of $378.32/month for 60 months; this cost may slightly differ due to the change of the side bar model. (Miller) Motion passes unanimously.
B. Mr. Illig explained that at the joint workshop with the recreation board, the consensus was to move forward with the proposed swimming pool project. Costs and fundraising were discussed. Mr. Penatzer said that the Friends of the Pool committee want to start

fundraising and need to know the scope of the project. It was emphasized that just to bring the pool into compliance; the cost would be $600K. With local fundraising and available grants, the net cost to the borough for the entire proposed project would be around $800K. It will be known in September if a grant is approved. Mr. Penatzer emphasized the need for a firm commitment from Council to proceed with the full project 1) if the grant is eventually approved, and 2) so that the fundraising committee knew the scope of the project to promote. All Council members indicated strong support for the full project IF the grant was approved. All except Mr. Lutz supported the full project even without the grant.

10. **Street Committee**

Mr. Miller said the contractor has completed all of the work along North Center Street and East Highland Avenue as part of the sidewalk project ahead of schedule. PennDOT will inspect the work on Center Street in early July. The concrete bases for the streetlights have been poured and all wiring completed. New light poles and signage are currently being installed. Mr. Miller said banner arms, flag holders, wreaths, and banner arms need purchased for the new lights. Street trees were discussed and it was recommended that 37 Pioneer Elm trees be purchased for North Center Street and 32 Triumph Elm trees be purchased for East Highland Avenue. Mr. Miller made a motion to award a bid to Eisler Nursery for purchase of 69 elm trees in the amount of $31,905.00. (Illig) Motion passes unanimously. Mr. Miller then made a motion to award a bid to StreetSmart LLC for the purchase of banner arms and flag holders in the amount of $6,048.00. (Barber) Motion passes unanimously. Mr. Illig commended the contractor for the work done on the sidewalk project. Mr. Miller made a motion to award a bid to Project Graphics for the purchase of 16 sets of five banners in the amount of $5,054.40. (Barber) Motion passes unanimously. Mr. Miller made a motion to award a bid to Rileighs Outdoor Décor for the purchase of 16 wreaths and bows in the amount of $6,368.00. (Barber) Motion passes unanimously.

11. **Administration Committee**

Mr. Tusing said Ordinance #572, Elimination of Killed-In-Service benefit for police officers killed in the line of duty, was adopted at the last meeting with an error. Article VI, Section 6.04, establishing procedures for payment of survivor benefits, should not have been deleted. Mr. Tusing made a motion to grant final approval to Ordinance #572 eliminating the killed-in-service benefit under the Uniformed Pension Plan, correcting an error approved last month that inadvertently deleted payment of survivor benefits. (Miller) Motion passes unanimously.

12. **General Business**

A. Mr. Penatzer said the Central Cambria Coalition has developed coordinated land use ordinances under a joint planning committee. Ordinances #574 - #576 have been advertised. Mr. Lutz made a motion to grant final approval to Ordinance #574, the new zoning ordinance and map. (Barber) Motion passes unanimously. Mr. Lutz then made a motion to grant final approval to Ordinance #575, the new subdivision and land development ordinance. (Illig) Motion passes unanimously. Mr. Lutz made a motion to grant final approval to Ordinance #576, the new stormwater management ordinance. (Illig) Motion passes unanimously.

B. Mr. Penatzer said the PLCB exemption, related to the Borough enforcing the noise ordinance at establishments with liquor licenses, has expired. Mr. Illig made a motion to

adopt Resolution #2010-10 exempting licensed establishments in commercial areas from the Pennsylvania Liquor Control Board's regulations regarding amplified music being heard off licensed premises. (Miller) Motion passes unanimously.

C. The Cambria County Department of Emergency Services needs housing for the various vehicles utilized by the department. They currently are occupying two buildings at the borough's Babcock property and had intended to build a new storage building, but bids came in much higher than expected. Mr. Ron Springer, spokesperson for the county, was in attendance and asked if council would consider a lease of property with the county so they could house all of their equipment until a new building is built. He said this would allow them to have all of their items centrally located and easily accessible. There are security benefits of the location and all insurance would be covered by the county. Mr. Springer said only items used by Emergency Management would be housed in the building. The county will raze the existing 30'x 80' building and the proposed building is 60' x 100'. Mr. Tusing made a motion to authorize the solicitor to execute a lease for buildings at the Babcock site with the Cambria County Department of Emergency Services for $500/mo. (Illig) Motion passes unanimously. Mr. Tusing made a motion to authorize construction of a building at the expense of the county and subject to review by the solicitor. (Lutz) Motion passes unanimously.

D. Mr. Penatzer said the 2005 Ford Crown Victoria police car is unreliable and costly to maintain. Chief Wyland asked that the cruiser be replaced and suggested that a new Dodge Charger be purchased under the state bid list through Tri-Star Motors. Mr. Lutz made a motion to approve the purchase of a new police car from Tri-Star Motors under the state bid contract in the amount of $21,938.00. (Miller) Motion passes unanimously.

13. **Department Reports**

A. **Police**

Chief Wyland thanked council for the new police cruiser and said that they have been conducting drug awareness classes at Central Cambria Middle School. The department was approved for a grant from the Department of Justice for computers. Chief Wyland said there were no major problems for Wheels & Wings and that the Memorial parade went well.

B. **Public Works** - None.

C. **Community Development**

Mrs. Strugala said that Ebensburg flag merchandise is now for sale and proceeds benefit the EABC. She said the next newsletter will be mailed out next week. Council commended staff for their work on Wheels & Wings.

D. **Recreation**

Mr. Pfeil said two new camps were added and have been very successful. He thanked council for the new exercise equipment and said that people are coming from all over for the YPCC programs.

14. **Media Comments/Questions**

David Hurst of the Altoona Mirror asked for reaction to L. Robert Kimball & Associates being acquired by a Philadelphia firm.

15. **Public Comments**

June Fether asked if there would be security cameras and fencing around the Babcock property. Mike Illig thanked council for the reduction in utilities.

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

Meeting adjourned: 8:05 p.m.

Minutes Recorded by:

Christine M. Strugala
Community Development Director