

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, June 22, 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
Terry Illig
V. Joseph Miller
Dave Kuhar

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

Absent: Susan Barber

Audience: 15

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. Approve minutes of the regular meeting of May 18, 2009.
- B. Approve financial statement.
- C. Approve bills

Tusing	YES	Miller	YES
Lutz	YES	Nesbella	YES
Illig	ABSTAIN		

Motion passes.

4. **Appointments to Address Council**

Frank Catherine and Gary Hoover of L. Robert Kimball & Associates gave a presentation regarding the remediation project at Ebensburg Oil & Gas and its potential effect on Lake Rowena. They said contamination exists in the ground from the business to deep beneath the lake. DEP is concerned as to where the contamination keeps moving to and its extent. Preliminary samples of the lake show no contamination to the water or fish. DEP has collected more samples to investigate further.

5. **Mayor's Report**

Mayor Moyer reviewed the police report.

6. **Council President** – None.

7. **Water/Wastewater Committee**

- A. A copy of Severn Trent's monthly operations report was distributed.
- B. Mr. Penatzer said complaints have been received for the last few months about the odors being emitted from the wastewater treatment plant. He said the plant upgrade has nothing to do with the odor. Steps were taken to help eliminate odors; programming of the digesters was changed to run continuously, a two-week moratorium on acceptance of Portage sludge was put in place, and an odor-masking chemical was applied. DEP followed up on all complaints and found the plant to be functioning properly. Mr. Penatzer said all measures will continue to be taken to minimize the odors at the plant.
- C. Mr. Tusing discussed modifications to the Combined Sewer Overflow (CSO) Weirs. He said the municipal authority considered raising the level of the weir in the CSO's so that more flow would be directed toward the plant. The consensus of the authority was to allow the weirs to remain in place, and to continue to monitor the discharges while I & I controls are implemented this year.
- D. Mr. Tusing gave an update on the Water System Improvement Project and H2O grant application. He said things are starting to happen and we will hear more soon.
- E. Two clarifiers at the water plant need replaced because they are badly corroded. Mr. Tusing made a motion to approve a proposal from L. Robert Kimball & Associates in the amount of \$9,100.00 to evaluate the condition of the water plant clarifiers and recommend solutions, per the recommendation of the municipal authority. (Illig) Motion passes unanimously.
- F. Mr. Tusing said that the municipal authority wanted to make council aware of a proposal from L. Robert Kimball & Associates for "modeling" of the water distribution system. The project would cost \$20,000. The authority wishes to wait and see if the H2O grant is approved and then proceed from there.

8. **Recreation Committee**

Mr. Illig reviewed the requests from the recreation board for maintenance-related improvements to the borough's playgrounds. These included replacing trash receptacles, putting out new picnic tables and mulch, removing sand boxes and tree stumps, painting, and replacing damaged parts. All of these improvements have been completed and Mr. Illig commended staff for their work.

9. **Street Committee**

Mr. Miller said the project along West Ogle Street is progressing. Additional work will include a retaining wall along Center Street, curbing along Marian Street at Memorial Field, and curbing at the Babcock property. Work will be completed later this summer.

10. **Administration Committee**

Mr. Tusing made a motion to hire Stephen Suckenic and Kristy Vaught as part-time police officers effective June 22nd, subject to pre-employment examinations and background checks. (Lutz) Motion passes unanimously.

11. **General Business**

- A. Mr. Penatzer said lowering the water level at Lake Rowena for the last three years has not worked in the effort to get rid of the "coontail" and prohibit additional growth. He said Aquacide is recommended to get rid of this type of weed and would yield results

within 10 days after application. The cost of the material is \$2,550 and a permit from the Fish Commission would need to be obtained. Mr. Lutz made a motion to authorize an application to the Fish Commission for permission to use Aquacide to control growth of weeds at Lake Rowena. (Illig) Motion passes unanimously.

- B. Replacement of the bridge at Lake Rowena will begin on June 29th. The project requires the lake to be lowered one foot between July 6th and July 20th. It will be refilled in time for the Homecoming event on July 25th. Mr. Illig made a motion to authorize filing a permit application to the PA Fish Commission for drawdown of Lake Rowena for two weeks beginning July 6th. (Miller) Motion passes unanimously.
- C. Mr. Penatzer asked council to consider purchasing the former Babcock Lumber property. He said the buildings could be used for salt and equipment storage, anti-skid material, supplies storage, receiving, trail equipment, and as a compost site. Two of the buildings would need to be demolished. Mr. Penatzer showed pictures of the property. It was the consensus of council to pursue the purchase of the property.
- D. Consideration of the proposed ordinance regulating windmills was tabled pending completion of the new regional zoning ordinances.
- E. Mr. Penatzer said COG is revisiting the issue concerning the Hurley Holdings property at 307-309 West High Street. They were previously cited for violations of the property maintenance code and found guilty by Magistrate Creany. No work has since been underway at that location. Nine other properties were notified concerning violations for high grass, abandoned vehicles, storage of debris, etc. Mr. Penatzer said borough crews have been cutting the grass at 251 Lincoln Street and billing the owner. Hoover's Garage at 400 East High Street has failed to correct violations concerning a junk yard near his property; this case has gone to the District Magistrate. The Machuta property at 730 West Highland Avenue has asked for additional time to clear debris; this case has gone to the District Magistrate as well.

12. Department Reports

A. Police

Chief Wyland said two officers are out on sick leave and nine have been trained on the ENRADD system. They recently performed a seatbelt check and have an emergency management plan in place for the Thunder in the Valley events.

B. Public Works

Jeff Evans said they have been doing a lot of work on the playgrounds.

C. Community Development

Mrs. Strugala said everything is in place for Wheels & Wings and PotatoFest spots are over half full.

D. Recreation

Mr. Pfeil reviewed the upcoming programs and said a new class on Women's Self Defense is taking place. He said the Learning Lamp camps have been full of participants and the swimming pool memberships are coming in. A commercial that is currently running to promote the Ebensburg Tennis Center was played.

13. Ebensburg Municipal Authority

The monthly meeting minutes were distributed.

14. Ebensburg Zoning Board

A hearing concerning an appeal filed by Claudia Lipsinic of 321 East Highland Avenue will take place on July 22nd.

15. Central Cambria Coalition

- A. There will be three separate zoning ordinances for Ebensburg Borough, Cambria Township, and Jackson Township. Sutter & Associates is the consultant for the project and will be meeting with each planning commission to finalize the regulations. Training will be held for all zoning hearing boards.
- B. A heated asphalt trailer was purchased jointly and all three municipalities have received training on it. The cost of \$18,700 was divided equally and the trailer is registered under Jackson Township through an intergovernmental agreement authorized by Ordinance #554.

16. Media Comments/Questions

Dave Hurst of the Altoona Mirror asked when the aquacide would be applied to Lake Rowena.

17. Public Comments

- A. Tom Bortel asked about the cost of operations at the sewage plant, Babcock property taxation, the option of selling the borough garage, and if the salt building would remain at the lake.
- B. Mike Illig asked if the lake would need to be cut or raked after the weeds are killed.
- C. Bill Bumford asked when the Lake Rowena bridge project is expected to begin.

At 7:45 p.m., Mr. Illig made a motion to enter into an executive session. (Miller)

Meeting reconvened at 8:15 p.m.

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

Meeting adjourned: 8:15 p.m.

Minutes Recorded by:

Christine M. Strugala
Community Development Director