

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, May 24, 2010 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by Council Vice President Doug Tusing.

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

Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Terry Wyland, Chief of Police
Christine Strugala, Community Development Director
Jeff Evans, Public Works Director
Blair Pawlowski, Assistant Solicitor
Bernie Kozlovac, Plant Manager
Suzie McCombie, Mountaineer-Herald
David Hurst, Altoona Mirror

Absent: Deborah Nesbella, President

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. Recind the hiring of Corey Faish and hire Benjamin Peacock for summer public works at the rate of \$7.25/hour.

B. Approval of the minutes of the April 26, 2010 regular monthly meeting of Borough Council and the May 3, 2010 public hearing.

C. Approve the financial statement.

D. 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		

Motion passes.

E. Appoint Carol Rummel as alternate to the Ebensburg Zoning Hearing Board, term expires 12/31/10.

F. Receipt of codes enforcement report.

G. Receipt of municipal authority meeting minutes.

H. The zoning hearing board granted a variance to Bill Carlisle for construction of a garage addition at 130 Truman Street.

I. The Central Cambria Coalition's May meeting was cancelled.

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

5. **Mayor's Report**

Mayor Datsko presented the police department report and said the Memorial Day parade will be held on the holiday at 10am. He presented a plaque to Junior Councilor Annie Takacs in recognition of her service.

6. **Council President** – None.

7. **Water/Wastewater Committee**

Mr. Kozlovac said there were no excursions and they processed 18 dry tons of solids. The average flow for the month was .75 mil gallons/day. He distributed the annual report.

8. **Recreation Committee**

- A. A joint workshop was recommended for Council and the Recreation Board to discuss the proposed pool project. It was the consensus of council to have the session on Monday, June 21st at 6:30 p.m. at the swimming pool. In the event of rain, the meeting will be held in council chambers.
- B. Patrick Shell resigned from the recreation board due to a new job. Mr. Illig made a motion to appoint Charles Marcinko to an unexpired term on the Ebensburg Recreation Board, term expires December 2013. (Miller) Motion passes unanimously.

9. **Street Committee**

- A. Mr. Miller said Rural Valley Construction began work on East Highland Avenue on May 11th. Borough crews have replaced four catch basins, installed all conduit for the streetlights, and removed tree stumps on Highland Avenue. Letters have been mailed to residents that wished to keep their brick sidewalks informing them that they have 90 days to complete the work. Bid results for purchase of new trees were reviewed and Mr. Penatzer will look further into the types of trees and report back to council next month.

Mr. Kuhar entered the meeting at 6:42 p.m.

- B. Mr. Miller reviewed the following bids for the 2010 street paving project:

Grannas Brothers	\$54,781.55
New Enterprise Stone & Lime	\$57,703.30
Quaker Sales Corp.	\$57,471.00
HRI, Inc.	\$63,246.25

The unit cost for pavement is \$71/ton and the project will be paid for with a combination of Liquid Fuels and County Aid. Proposed streets to be paved are Randolph Street between Spruce and Beech, Beech Street between Highland and Randolph, Maple Springs Court, and Ann Street from Julian Street westward. Mr. Miller made a motion to award a bid in the amount of \$54,781.55 to Grannas Brothers for street resurfacing. (Lutz) Motion passes unanimously.

- C. Straw Construction has completed all repairs to the streetscape project. There is a dispute over two areas where heating systems were located. Straw does not wish to pay for this portion of the work. It was the consensus of council to have Mr. Pawlowski take this issue before Judge Creany for a decision.

10. **Administration Committee**

- A. Mr. Lutz said this was Annie Takacs' last meeting as Junior Councilor and commended her involvement. He recommended Zachary Ambrisco of 411 West Sample Street as the new junior council member. Mr. Lutz made a motion to appoint Zachary Ambrisco as this year's Junior Councilor. (Kuhar) Motion passes unanimously.
- B. Ms. Barber reviewed the killed-in-service benefit for police officers killed in the line of duty and explained the changes over the last few years. She then made a motion to grant final approval to Ordinance #572 eliminating the killed-in-service benefit under the Uniformed Pension Plan. (Lutz) Motion passes unanimously.

11. General Business

- A. Mr. Penatzer said Coalition partners Jackson Township and Cambria Township are also appointing Berkheimer Associates as the collector of delinquent taxes. Mr. Illig made a motion to grant final approval to Ordinance #573 authorizing Berkheimer Associates to impose and retain costs and fees associated with delinquent tax collection. (Barber) Motion passes unanimously. Mr. Illig then made a motion to adopt Resolution #2010-07 naming the Borough Manager as the primary contact for taxpayer confidential information. (Miller) Motion passes unanimously. Mr. Illig made a motion to adopt Resolution #2010-08 appointing Berkheimer Associates as the Tax Hearing Officer per the Taxpayer Bill of Rights. (Miller) Motion passes unanimously.
- B. Mr. Penatzer said a joint planning committee through the Central Cambria Coalition has been working for nearly two years on drafting coordinated land use ordinances; these are under the guidance of Richard Sutter & Associates and in consultation with the three local planning commissions. Mr. Penatzer reviewed the amendments to the proposed zoning ordinance #574 that were also reviewed at a public hearing on May 3rd; these were made with the intent to clarify the language. Mr. Lutz made a motion to grant tentative approval to the new Zoning Ordinance & Map and advertise it for public inspection. (Barber) Motion passes unanimously. A public hearing was also conducted on May 3rd to review details of the proposed Subdivision & Land Development Ordinance #575. Mr. Lutz made a motion to grant tentative approval to the new Subdivision & Land Development Ordinance and advertise it for public inspection. (Barber) Motion passes unanimously. The proposed Stormwater Management Ordinance #576 was reviewed. Mr. Lutz made a motion to grant tentative approval to the new Stormwater Management Ordinance and advertise it for public inspection. (Barber) Motion passes unanimously.
- C. Mr. Penatzer said the office copier needs replaced. Mr. Illig made a motion to approve the purchase of a Konica Minolta digital copier/printer/fax/scanner from Document Solutions in the amount of \$8,750.00 on the State bid list. (Kuhar) Motion passes unanimously.

12. Department Reports

A. Police

Chief Wyland said a Wheels & Wings meeting was held and more people are expected to be in town and at the fairgrounds. He said they will have extra crews on duty.

B. Public Works

Mr. Evans said they have been busy on Center Street and that smoke testing will begin next week in the southwest area of town.

C. Community Development

Mrs. Strugala introduced the new intern, Jamie Koshak. 13 wing vendors will be participating in Wheels & Wings and she gave a general event update. An additional \$30,000 in façade funding has been approved from DCED. Ebensburg Flag merchandise will soon be sold at events throughout the year as a fundraiser for the EABC.

D. Recreation

A report was distributed.

13. Media Comments/Questions

David Hurst of the Altoona Mirror asked why the special workshop was being held and if the killed-in-service benefit change will save the borough money.

14. **Public Comments** – None.

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

Meeting adjourned: 7:29 p.m.

Minutes Recorded by:

Christine M. Strugala
Community Development Director