

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, March 23, 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  
Terry Illig  
Joe Lutz  
Susan Barber  
Dave Kuhar

Others: Jeff Evans, Maintenance Supervisor  
Blair Pawlowski, Solicitor  
Terry Wyland, Police Chief  
Bernie Kozlovac, Plant Manager  
Suzanne McCombie, Mountaineer Herald  
Theresa Chaffin, Recording Secretary

Absent: Christine Strugala, Community Development Director  
Charles E. Moyer, Mayor  
Joe Miller  
Chris Vella, Junior Councilor  
Matt Pfeil, Recreation Director

Audience: 8

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. (Barber) Motion passes unanimously.

- A. Approve minutes of the regular meeting of February 23, 2009.
- B. 2008 Chapter 94 Report completed and submitted by borough's engineer.
- C. Customers along Lovell Avenue and South West Street transferred to a newer and larger water line to prevent dirty water.
- D. Norm Berzonsky has completed installation of new drains in the baseball fields at Memorial Field as authorized last fall. He has been authorized to proceed with the leveling of the soccer field.
- E. Update on landscaping and draining of tennis center property along Lakeview Road.
- F. Direct the Ebensburg Civil Service Commission, Borough Manager, and Chief of Police to advertise for testing for hiring of an additional full-time officer, pending approval of the COPS grant.
- G. Approve application for COPS grant.

- H. The summer maintenance and lifeguard positions have been advertised. Applications due April 10<sup>th</sup>.
  - I. New position as field maintenance/YPCC worker advertised. Applications due April 10<sup>th</sup>.
  - J. Advertisements have been placed for interested applicants for Junior Council member.
  - K. Approve attendance of Council, Solicitor, and Manager at annual PELRAS Conference in State College on March 25-27.
  - L. Receipt of Codes Enforcement monthly report.
  - M. Receipt of Municipal Authority monthly minutes.
  - N. Planning Commission - No activity
  - O. Zoning Board - No activity
  - P. Receipt of Central Cambria Coalition monthly minutes.  
Next meeting is Thursday, April 9<sup>th</sup> at the Ebensburg Borough office.
  - Q. Approve Financial Statement.
  - R. Approve payment of bills list #1.
4. **Appointments To Address Council**  
Jim Link of RACRA and Joe Felix of L. Robert Kimball and Associates updated council on activities at the airport, funding status of the runway improvement project, and airport improvements in general.
5. **Mayor's Report** - None
6. **Council President** - None
7. **Water/Wastewater Committee**  
A. A copy of Severn Trent's monthly operations report was distributed. There were no excursions during the month from permit limits.  
B. Mr. Kozlovac noted that the average flow for the month was normal, and DEP held a routine inspection of the plant resulting in a good report. The average flow for the month was 1.4 mil. gallons/day and 23 dry tons of solids were processed.
8. **Recreation Committee** - Report covered on Consent Agenda.
9. **Street Committee**  
A. Mr. Lutz reported that bids for three separate contracts were opened on March 9<sup>th</sup>. Residents have been notified of the actual bid prices and what their cost will be. Tree removal will begin on April 13<sup>th</sup>. The contracted stormwater work will begin as soon as possible, and must be completed by April 24<sup>th</sup>. Borough crews will undertake a second stormwater installation project in the area of Beech

Street. The entire sidewalk project is scheduled for completion by July 31<sup>st</sup>. The planting of new trees will not occur until late fall.

**1) Sidewalk & Curb Contract**

The project involves 5,425 feet of new curb and 2,455 sq. yds. of new sidewalk. The project estimate was \$347,800. The following bids were received.

Fred Imler & Sons, Bedford, PA	\$235,868.41
DAC Enterprises, Julian, PA	\$297,899.50
Thomas DiDiano & Son	\$302,569.00
Kishmo, Inc., Apollo, PA	\$314,594.25
BCS Construction, Altoona, PA	\$374,798.50
D.C. Ventre & Sons, Duncansville, PA	\$425,101.00
Rural Valley Construction, Rural Valley, PA	\$445,869.82
RCC, Inc., Johnstown, PA	\$446,141.00
Leonard S. Fiore, Inc., Altoona, PA	\$458,162.25
CH&D Enterprises, New Stanton, PA	\$472,159.00
Gordon DeLozier, Inc., Hollidaysburg, PA	\$482,163.00
Glenn Hawbaker, State College, PA	\$496,201.00
HRI, Inc., State College, PA	\$516,355.00
Gulisek Construction, Mt. Pleasant, PA	\$535,523.75
Bobex, Inc., Altoona, PA	\$544,870.75
East Coast Paving, New Castle, PA	\$574,857.00
Lone Pine Construction, Bentleyville, PA	\$595,595.00

Mr. Lutz made a motion to award a contract to Fred Imler & Sons of Bedford in the amount of \$235,868.41 for sidewalk and curb construction related to the Ogle Street sidewalk project. (Illig) Motion passes unanimously.

**2) Stormwater Contract**

This contract involves installation of 885 LF of 24" stormwater pipe and 329 LF of 8" sanitary sewer pipe. Four new stormwater basins are included. The project estimate was \$23,000. The following bids were received:

K.F. Construction, Indiana, PA	\$11,750.00
Nagle Excavating, Ebensburg, PA	\$13,900.00
L&M Excavating, Johnstown, PA	\$20,365.00
DeTraglia Excavating, Mechanicsburg, PA	\$20,800.00
DAC Enterprises, Julian, PA	\$20,875.00
Oppy Construction, Johnstown, PA	\$22,184.00
Highland Excavating, South Fork, PA	\$23,400.00
Fred Imler & Sons, Bedford, PA	\$23,575.80

Cafeo Builders, Johnstown, PA	\$23,900.00
Snyder Excavating, Johnstown, PA	\$24,025.00
Maxwell Trucking, Bellefonte, PA	\$24,390.68
Kishmo, Inc., Apollo, PA	\$24,638.00
S&S Excavating, Shanksville, PA	\$24,700.00
Ray Winters & Sons, Indiana, PA	\$27,026.00
Altoona Contracting, Altoona, PA	\$28,890.90
Garman Excavating, Johnstown, PA	\$30,738.00
Borex Inc., Altoona, PA	\$34,202.00
Earth Shapers, Ebensburg, PA	\$35,700.00
Hillsdale Construction, Hillsdale, PA	\$39,188.30
Claycomb Excavating, New Enterprise, PA	\$39,490.00
HRI, Inc., State College, PA	\$39,909.00
Excavation Contracting Eveready, Apollo, PA	\$46,000.00
W.G. McClellan & Son, Fallentimber	\$51,746.00
D.C. Ventre & Sons, Duncansville, PA	\$51,780.00
Gulisek Construction, Mt. Pleasant, PA	\$76,967.00

Mr. Lutz made a motion to award a contract to K.F. Construction of Indiana in the amount of \$11,750.00 for stormwater line work related to the Ogle Street sidewalk project. (Kuhar) Motion passes unanimously.

3) **Tree Cutting Contract**

This contract involves removal of 21 trees along the project. The project estimate was \$5,000. The following bids were received:

Topnotch Logging, Ebensburg, PA	\$3,662.50
Charlie's Tree Service, Altoona, PA	\$4,500.00
Tri-County Tree Service, Ebensburg, PA	\$5,000.00
Borex, Inc., Altoona, PA	\$7,200.00

Mr. Lutz made a motion to award a contract to Topnotch Logging of Ebensburg in the amount of \$3,662.50 for tree removal related to the Ogle Street sidewalk project. (Illig) Motion passes unanimously.

4) **Stormwater Pipe**

The following quotes were received for stormwater pipe for the two projects on West Ogle Street:

Project #1

	<u>Chemung</u>	<u>L/B Water</u>	<u>Walsh</u>
1,000 LF 12" Pipe	\$3,680.00	\$3,750.00	\$3,790.00
380 LF 8" Pipe	\$ 535.92	\$ 542.08	\$1,370.60
Total	\$4,215.92	\$4,292.00	\$5,160.60

Project #2

	<u>Chemung</u>	<u>L/B Water</u>	<u>Walsh</u>
700 LF 24" Pipe	\$7,518.00	\$7,490.00	\$8,155.00
24" Elbows (3)	\$ 402.75	\$ 396.00	\$ 473.25
Total	\$7,920.75	\$7,886.00	\$8,628.25

Mr. Lutz made a motion to award a contract for Project #1 to Chemung Supply of New York for 12' and 8' stormwater pipe at a cost of \$4,215.92. (Illig) Motion passes unanimously.

Mr. Lutz made a motion to award a contract for Project #2 to L/B Water of Ebensburg for 24' stormwater pipe at a cost of \$7,886.00 (Illig) Motion passes unanimously.

**5) Crawford Street Stormwater Project**

Mr. Lutz reported on the surface water freezing on this street. The water is coming from a spring in the area of the county park and heavy icing conditions on Crawford Street. Borough crews will install new stormwater lines and basins in that area.

**10. Administration Committee**

**A. Civil Service Rules & Regulations**

Mr. Tusing reported that formal Rules & Regulations for the Ebensburg Civil Service Commission are required under the Pennsylvania Borough Code but have never been adopted. He explained that the Rules & Regulations prescribe how the business of the civil service commission is conducted and policies for promotion, hiring and discipline. Mr. Tusing made a motion to adopt Resolution #2009-01 adopting the Rules & Regulations for the Ebensburg Borough Civil Service Commission. (Kuhar) Motion passes unanimously.

**B. Investments**

Mr. Tusing explained to Council that the interest rate on the Borough's money market account has fallen to 1.07%. Proposals sought from other area banks are as follows:

<u>FNB</u>	<u>1<sup>st</sup> Commonwealth</u>	<u>AmeriServ</u>	<u>Northwest</u>	<u>Mainline</u>
2.15%	0.93%	2.53%	1.75%	2.75%

Mr. Tusing made a motion to approve transfer of \$1,000,000 from First National Bank money market account to Mainline National bank money market account. (Lutz) Motion passes unanimously. A balance of approximately \$500,000 will remain the FNB money market account, from which the borough will continue to manage day-to-day transactions.

**C. Loan Refinancing**

Mr. Tusing reported that interest rates on two existing loans (streetscape & YPCC) are relatively high compared to current market rates. The following proposals were received:

<u>Loan #1 \$416,000</u>	<u>Loan #2 \$94,500</u>
First National Bank 67% of Prime with floor 2.34%*	First National Bank 67% of Prime with floor 2.34% Fee: \$250.00
Mainline National Bank 4.65% fixed Fee: \$400.00	Mainline National Bank 3.06% fixed Fee: \$100.00
First Commonwealth Bank 3.95% variable capped at 6.95% Fee: \$250.00	First Commonwealth Bank 3.95% variable capped at 6.95% Fee: \$250.00

\*67% of Prime today is 2.18%, thus the floor rate is in effect.

It was recommended that both loans be refinanced through First National Bank. Assuming the borough continues to pay \$4,000/mo. on each loan, the change would result in a savings of \$63,000 on Loan #1 and \$3,000 on Loan #2. Loan #1 will be paid off in March 2018, four and one half years sooner than originally intended.

Mr. Tusing made a motion to grant tentative approval to Ordinance #564 authorizing refinancing of nonelectoral debt in the amount of \$94,500. (Kuhar) Motion passes unanimously.

**11. Old Business - None**

**12. New Business**

**A. Technology Update**

Brian Shrift of Precision Business Solutions reviewed several technology-related improvements to borough operations. Improvements included availability of on-line scheduling for recreation programs; installation of video cameras at the municipal building, YPCC and tennis center; installation of the 24-hour key fob access at recreation facilities; acceptance of credit card payments online and at borough offices; and automatic bank draft for utility payments.

- B. Mr. Shrift also explained the proposed change in telephone service and hardware to “VoIP”, which stands for Voice over Internet Protocol, a phone service that uses broadband Internet connectivity to dial instead of a regular (or analog) phone line. Mr. Illig urged council members to educate themselves on the VoIP system as there can be problems with the system.

Mr. Lutz made a motion to authorize staff to seek proposals for purchase and installation of telephone system. (Barber) Motion passes unanimously.

**C. Collection of Costs for Liens**

Act 1 of 1996 amended the Municipal Claim & Tax Lien Act to authorize inclusion of interest and attorneys’ fees in the collection of delinquent accounts under a municipal lien. The Act requires adoption of a schedule of fees and interest by Ordinance.

Mr. Tusing made a motion to grant final approval to Ordinance #563 adopting a schedule of attorney fees to be assessed on delinquent accounts under the Municipal Claims & Tax Liens Act. (Kuhar) Motion passes unanimously.

**D. Police Grant**

Chief Wyland reported that a Federal grant was successfully obtained in the amount of \$15,767. The grant has no local match requirement, and will be used to purchase the ENRADD Speed System and training, dash camera for new police vehicle, ID Card Reader, Intoximeter for portable breath tests, sniper rifle with scope & light, and taser cameras.

**13. Departments**

**A. Police**

Chief Wyland reported that \$2,000 grant was received for traffic control. He also warns citizens that several vehicles have been broken into. He urges everyone to lock their car doors.

**B. Public Works**

Jeff Evans reported Luke Byrnes was hired.

**C. Community Development**

A written report was distributed.

**D. Recreation**

A written report was distributed.

**14. Payment of Bills**

Mr. Tusing made a motion to approve payment of Bills List #2. (Lutz)

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

Motion passes.

**15. Press Conference - None**

**16. Residents' Comments:**

A. Randy Datsko inquired about the level of the reservoir.

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

Meeting adjourned: 7:45 p.m.

Minutes recorded by:

Theresa M. Chaffin  
Recording Secretary