

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

Call to order: The meeting was called to order by Mayor Lance Prator at 7:00 PM.

Swearing in Of Public Officials: Mayor Lance Prator

Mayor Prator presided over the Oath of Office to Stephanie Steele, Bridget Kenna, Heather Fischer and Brian Kardos at 6:30 PM, prior to this council meeting.

All were congratulated by Mayor Prator. The meeting was opened with the Pledge of Allegiance to the American Flag and the roll call of members.

Members Present: Stephanie Steele, Steve Knott, Bridget Kenna, Brian Kardos and Heather Fischer. Councilwoman Lisa Prator was absent.

Others Present: Solicitor Keely Collins, attending in the absence of Solicitor Michael Gaul, Mark Bahnick, Van Cleef Engineering Associates and members of the public.

State Of The Borough Address: Mayor Lance Prator

Mayor Prator welcomed everyone to the Reorganization Meeting of the Portland Borough Council. Mayor Prator stated that it has been a bittersweet 2015 and he is looking forward to the future. Mayor Prator stated that there is a vacant council seat; a new store has opened in the downtown. Activities include the Community Events Committee and the Annual Tree Lighting Ceremony. The Borough has seen some financial hardships and struggles but the place the Borough can only go is "Up". There is a new public bathroom facility in the planning process for the downtown. Mayor Prator thanked council for working so well together.

Reorganization Of Council:

Mayor Prator presided over the election of the Council President and Vice President.

President: A motion was made by Steve Knott, 2<sup>nd</sup> by Brian Kardos electing Stephanie Steele as the President of Council. Motion carried: 4-0-1 (Stephanie Steele abstained)

Vice President: A motion was made by Heather Fischer, 2<sup>nd</sup> by Brian Kardos electing Bridget Kenna as Vice President of Council. Motion carried: 4-0-1 (Bridget Kenna abstained)

Mayor Prator turned the gavel over to the elected President of Council to run the remainder of the meeting.

Secretary/Treasurer: A motion was made by Bridget Kenna, 2<sup>nd</sup> by Steve Knott appointing Carol Hummel. Motion carried: 5-0-0

Assistant Secretary-Treasurer: A motion was made by Bridget Kenna, 2<sup>nd</sup> by Steve Knott appointing Diann Eden. Motion carried: 5-0-0

Solicitor: A motion was made by Bridget Kenna, 2<sup>nd</sup> by Heather Fischer appointing the law firm of King, Spry, Herman, Freund & Faul, LLC., Michael Gaul. Motion carried: 5-0-0

Alternate Solicitor: A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing the law firm of Cramer, Swetz, McManus & Jordan, Timothy McManus. Motion carried: 5-0-0

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

**Sewer Solicitor:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing the law firm of Cramer, Swetz, McManus & Jordan, Timothy McManus. Motion carried: 5-0-0

**Borough Engineer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer appointing Van Cleef Associates, Mark Bahnick. Motion carried: 5-0-0

**Borough Alternate Engineer:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Steve Knott appointing Ott Consulting, Inc. Motion carried: 5-0-0

**Borough Sewer Engineer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Brian Kardos appointing Van Cleef Associates, Mark Bahnick. Motion carried: 5-0-0

**Sewage Enforcement Officer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing Ott Consulting, Inc. Sewage Enforcement Officer.

a) Discussion: Since there are (2) properties that have on-lot septic systems and have not connected to the public sewer system the Borough Engineer recommended that a Sewage Enforcement Officer be appointed. Solicitor Collins advised council to make the appointment based on the engineers' recommendation. Motion carried: 5-0-0

**Zoning Officer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing Larry Freshcorn.

a) Councilman Knott questioned if a liaison needs to be appointed from council. Mr. Freshcorn stated that he has been working with the Borough Secretary and that has been working out well. Council agreed that if a problem arises, a liaison could then be addressed. Motion carried: 5-0-0

**Code Enforcement Officer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer appointing Larry Freshcorn. Motion carried: 5-0-0

**Building Code Official:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Steve Knott appointing Carl Faust, dba Blue Mt. Inspection Services. Motion carried: 5-0-0

**Uniform Construction Code Inspector:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Bridget Kenna appointing Carl Faust, dba Blue Mt. Inspection Services. Motion carried: 5-0-0

**Planning Commission:** A motion was made by Bridget Kenna, 2<sup>nd</sup> by Heather Fischer appointing the current members with the following staggered terms:

a) Robert Tust	(1) year term	01/01/2016 – 12/31/2016
b) Michael Kovonuk	(2) year term	01/01/2016 – 12/31/2017
c) William Zeman	(3) year term	01/01/2016 – 12/31/2018
d) Daniel Wilkins	(4) year term	01/01/2016 – 12/31/2019
e) Harry Jack Bellis	(4) year term	01/01/2016 – 12/31/2019

Motion carried: 5-0-0

**Zoning Hearing Board:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing George Zalepa to a (3) year term, 01/01/2016 – 12/31/2018.

a) Question from Councilman Knott. Mr. Knott asked if Mr. Zalepa has moved to Florida. President Steele replied that Mr. Zalepa told her that he was contemplating wintering in Florida. The secretary stated that Mr. Zalepa has been sending his sewer payments to the Borough with a return address listed as Florida. Solicitor Collins was asked if this a problem for the ZHB? Solicitor Collins advised that as long as Mr. Zalepa is responsible to attend the ZHB

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

meetings when needed the appointment could be made. If Mr. Zalepa's attendance becomes a problem the issue can then be addressed. Mr. Freshcorn commented that an alternate could be appointed. Motion then carried: 5-0-0

b) Confirming the other current members of the ZHB are:

- i. Hubert McHugh 01/01/2014 – 12/31/2016
- ii. Yvonne Gumaer 01/01/2015 – 12/31/2017

**Zoning Hearing Board Solicitor:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Steve Knott appointing Amori & Associates, Scott Amori.

a) Mr. Knott asked if Mr. Amori had sent a fee schedule. The secretary replied No, but that she would request one. Motion then carried: 5-0-0

**Health Officer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing John Blick. Motion carried: 5-0-0

**Recreation Board:** A motion was made by Bridget Kenna, 2<sup>nd</sup> by Brian Kardos appointing Philip Karasiewicz to a (3) year term, 01/01/2016 – 12/31/2018. Motion carried: 5-0-0

a) Confirming the other current members of the Recreation Board are:

- i. Stephanie Steele & Lance Prator (2) year term  
01/01/2015 – 12/31/2016
- ii. Evan Senay & Patrick Howarth, Jr. (3) year term  
01/01/2015 – 12/31/2017

**Right-To-Know Officer:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Brian Kardos appointing Carol Hummel. Motion carried: 5-0-0

**Assistant Right-To-Know Officer:** A motion was made by Steve Knott, 2<sup>nd</sup> by Brian Kardos appointing Diann Eden. Motion carried: 5-0-0

**Tax Collection Committee Representative:** Tabled for discussion at the February 1, 2016 council meeting.

**Alternate Tax Collection Committee Representative:** Tabled for discussion at the February 1, 2016 council meeting.

**Council of Government Representative:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Steve Knott appointing Mayor Lance Prator. Motion carried: 5-0-0

**Alternate Council of Government Representative:** A motion was made by Heather Fischer, 2<sup>nd</sup> by Steve Knott appointing Lisa Prator. Motion carried: 5-0-0

**BASD-IDA:** The secretary has not been contacted about any member's term that may have expired. BASD-IDA tabled until the February 1, 2016 council meeting, while the secretary researches the current terms.

**Slate Belt Community Partnership (SBCP) Representatives:** A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna appointing Mayor Lance Prator and Stephanie Steele. Motion carried: 5-0-0

**Alternate Slate Belt Community Partnership (SBCP) Representative:** A motion was made by Bridget Kenna, 2<sup>nd</sup> by Steve Knott appointing Heather Fischer. Motion carried: 5-0-0

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

a) The next meeting of the SBCP will be held on Thursday January 14, 2016 at 6:30 PM in the Borough Council Room.

**Determination of the Bond Amount for the Borough Treasurer and Assistant Treasurer:**

1. The Treasurer's Bond is \$100,000.00. Cost is \$250.00 per year.
2. The secretary stated that there is no Assistant Treasurer's Bond, only a crime policy covering theft by an employee in the amount of \$25,000.00. The secretary stated that she has contacted the Bonding Agent. A \$100,000.00 bond will cost \$250.00 per year.
  - a) Solicitor Collins advised council that it is standard procedure and good practice to bond the Assistant Treasurer. The \$250.00 cost will be added to the bill list for approval.

**Borough Real Estate Tax Collector:** Resolution 2016-1

A motion was made by Heather Fischer, 2<sup>nd</sup> by Bridget Kenna adopting Resolution 2016-1 "A Resolution Authorizing And Directing The Borough Secretary To Act As Tax Collector For The Borough During The Pendency Of A Vacancy In The Office Of The Tax Collector For The Borough". Motion carried: 5-0-0

- a) The Tax Collector's Bond is \$155,000.00.

**Portland Borough Authority:** A motion was made by Bridget Kenna, 2<sup>nd</sup> by Brian Kardos appointing James Potter to another (5) five year term. 01/01/2016 – 12/31/2020  
Motion carried: 5-0-0

**Action On Minutes:**

A motion was made by Bridget Kenna, 2<sup>nd</sup> by Heather Fischer to approve the minutes of the regular council meeting of December 7, 2015 as presented. Motion carried: 5-0-0

**Secretary/Treasurer Report:** A motion to pay the bills, in the amounts of

\$10,987.85 - Borough  
\$11,026.75 - Sewer  
\$5,017.82 - Sanitation  
\$360.00 - Sandnes Escrow  
\$250.00 - Assistant Secretary's Bond  
\$350.00 - Sunoco Fleet Gas  
\$6,000.00 - Payroll & Taxes  
\$95.00 - LVPC Application – Restroom Facility  
\$110.00 - Slate Belt Chamber of Commerce dues  
\$700.00 - Slate Belt COG dues  
\$250.00 - Mayor Prator 2015 stipend  
\$35.75 - Portland Gymnasium electric bill

for a total of **\$35,183.17** was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer. Motion carried: 5-0-0

**Citizen's Agenda:**

1. Larry Freshcorn, the newly appointed Zoning/Codes Officer, introduced himself to Borough Council. Mr. Freshcorn stated that he is a resident of Delaware Water Gap PA and has been a

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

Zoning/Codes Officer at the Borough of Delaware Water Gap PA for the past (8) years.

a) Kay Bucci, 104 Division Street, suggested that Mr. Freshcorn be paid to "look around" the Borough to become familiar with the problem properties. Mr. Freshcorn stated that he had been to the Borough Office today and pulled those files for review.

2. Big Boy Towing is not attending tonight's meeting, as requested. Mayor Prator stated that Big Boy Towing should be addressed by the Zoning Officer. President Steele stated that Big Boy Towing is a non-conforming use if the towing company is using Mike's Auto address of 208 Northampton Street as its business address. Mr. Freshcorn stated he would follow through with an investigation.

3. Portland Upper Mount Bethel Food Pantry (PUMP) is not in attendance. Ms. Steele and Mr. Knott both received telephone calls from PUMP stating that they have decided not to proceed with the use of the Borough Lot at 105 Division Street, to relocate the food pantry. PUMP has decided to move on to another location.

4. Daniel Deshler, Eagle Scout nominee, presented council with an overview of his proposed Eagle Scout Project. Mr. Deshler is a member of Scout Troop #41 headquartered at the Prince of Peace Lutheran Church in Johnsonville PA. Mr. Deshler would like to rebuild the Portland Ball Field Dug Outs. Mr. Deshler was advised by council that the dug-outs had been vandalized in the past and was asked if he could somehow install fencing around them. A motion was made by Heather Fischer, 2<sup>nd</sup> by Bridget Kenna authorizing Daniel Deshler to proceed with the Eagle Scout project, as presented, with Mayor Prator as the liaison to council.

a) A comment from Hubert McHugh, from the audience, that no tax dollars are used to finance the project. Mr. Deshler is responsible to raise all monies to pay for the project.

Motion carried: 5-0-0

- Mr. Deshler left the meeting at 8:04 PM.

Borough Engineer's Report:                    Mark Bahnick, Van Cleef Engineering Associates

1. The Act 94 Report is to be submitted by March 31, 2016.

2. A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna approving the substantial form of a Water Extension Agreement, with the Portland Borough Authority and JOV, LLC, with regard to the Park & Walk Restroom Facility on Delaware Avenue, authorizing the President of Council to execute a final agreement, with such modifications as are approved by the President, in consultation with the Solicitor. Motion carried: 5-0-0

3. A motion was made by Bridget Kenna, 2<sup>nd</sup> by Heather Fischer approving a Lot Line Adjustment/Consolidation Plan for the Park & Walk Restroom Facility on Delaware Avenue, subject to the concerns of the Portland Planning Commission, which will be addressed at their next meeting of January 18, 2016. Motion carried: 5-0-0

a) Mr. Bahnick will attend the Planning Commission meeting.

4. A motion was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer approving the submission of applications, and payment of fees, to the Borough and the LVPC for review and approval of the Lot Line Adjustment/Consolidation Plan. Motion carried: 5-0-0

a) The secretary stated that the \$95.00 application fee to the LVPC was approved for payment in tonight's bill list.

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

5. Mr. Bahnick reported that the WWTP operations are working fine.

- Mr. Bahnick left the meeting at 8:10 PM.

Zoning Officer Report:

1. 425 Delaware Avenue: Mr. Freshcorn stated that he has sent a letter to Mr. Son asking for clarification of his most recent submitted plan.

2. Duckloe Brothers Sign on Delaware Avenue: The sign issue has been resolved with Mr. Fred Duckloe applying for a zoning permit for a new sign.

3. 425 Delaware Avenue: Mayor Prator asked Mr. Freshcorn to follow up on the re-posting of the property for condemnation.

a) President Steele stated to council that Solicitor Michael Gaul had spoken with Mr. Son today about following through with the list stated as follows:

- i. to file an amended zoning permit
- ii. to pay the Building Permit fees
- iii. to pay the sewer tapping fees, in the amount of \$6,000.00

If payments are not made by the end of this week the Borough, could take action and authorize Solicitor Gaul to file action with Northampton County Court for failure to connect to the Borough's WWTP and to enforce the Property Maintenance Code. Mr. Freshcorn will begin working on the PMC violations.

4. Billie Golden Property at 108 Division Street:

The garbage problem at the Golden property was discussed. Kay Bucci, 104 Division Street, stated that Mr. Golden is in contempt of court. Ms. Bucci stated that when Ed Yale lived on Division Street, next to the Golden's, Mr. Yale filed suit against Mr. Golden and won in the Court of Common Pleas. Ms. Bucci stated that someone should make the President Judge of the Northampton County Court aware of what is going on.

5. Back to 425 Delaware Avenue:

A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna authorizing Solicitor Gaul to file action in the Northampton County Court, against Mr. Young Son, for failure to make the sewer connection to 425 Delaware Avenue. Motion carried: 5-0-0

Zoning Hearing Board:

None

Planning Commission:

None

Recreation Board:

None

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

Portland Borough Authority:

None

Legal:

None

Subdivision and Land Development:

None

Community Development:

The next Slate Belt Community Partnership (SBCP) meeting is 6:30 PM January 14, 2016 at the Broadway Pub.

Police Report & Mayor's Report:

December 2015: Traffic Citations issued 9; Non-Traffic Citations issued 2; Criminal Arrests 0; Parking Tickets 1. Incidents: 20: parking/traffic 11; theft 2; criminal mischief 1; animal 1; general complaint 1; suspicious activity 2; harassment 1; alarm 1; Mileage 0 Crown Victoria; 729 Ford Utility.

Officer Kiefer is back on the road; Officer Sabatine's paperwork is almost complete; Chief Mulligan will qualify him on the range as soon as the test results are in; Chief Mulligan weighed trucks on December 10, 2015, with positive results and issued \$10,000.00 in fines.

Streets Department:

1. Councilman Knott reported that Best Buy will recycle up to (3) computers. The Police Department will recycle what they have in storage.
2. Mario Palmeri, dba Dirty Mac, LLC., salted the Borough streets December 28<sup>th</sup> and 29<sup>th</sup> during a minor snow event.

Sanitation:

The 2016 sanitation bills were mailed on January 2, 2016.

Insurance Committee:

The secretary presented the insurance renewal package for payment, in the amount of \$46,895.00. The term is January 19, 2016 to January 19, 2017. The secretary stated the increase in the Workers' Comp premium was due to a large claim filed by Michael Sullivan in 2012. Paul Pugielli, Senior Vice President, stated to the secretary that effective 2017 there should be at least a 25% reduction in the workers' comp premium. A motion was made by Bridget Kenna, 2<sup>nd</sup> by Steve Knott approving the renewal application, procurement and payment of the premium \$46,895.00. Motion carried: 5-0-0

**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

Building Committee:

None

Budget/Finance:

A motion was made by Brian Kardos, 2<sup>nd</sup> by Bridget Kenna approving the roll-over of CD #401112218, in the amount of \$20,175.80 for a (12) month term, beginning January 25, 2016. Motion carried: 5-0

Ordinance Update Committee:

None

Correspondence:

Northampton County Conservation District quarterly newsletter.

Secretary's Announcements:

None

Old Business:

1. Geotourism Meeting:

The deadline for 2016 nominations of your business, local attraction, and/or event for inclusion on the site [www.DelawareRiver.natgeotourism.com](http://www.DelawareRiver.natgeotourism.com) is due January 16, 2016. The next meeting will be held in the Portland Borough Council Room at 7:30 PM on Friday, January 8, 2016.

2. Report of the Street Vacation Ordinance:

- a) The King, Spry, Herman, Freund & Faul invoice #102930, in the amount of \$187.50, was reimbursed back to the Borough by Jim & Stephanie Steele.
- b) Certified mailing to Lebkuecher, L. Rivera and Lehigh & New England Dev. Corp, in the amount of \$20.22, was reimbursed back to the Borough by Jim & Stephanie Steele.

New Business:

1. PA Federal Surplus Three (3) Year Update:

A motion was made by Heather Fischer, 2<sup>nd</sup> by Brian Kardos to maintain Portland's eligibility to participate in the PA Federal Surplus Program and authorizing the President and Vice President of Council as the authorized representatives. Motion carried: 5-0-0

2. The Council Committee Appointments for 2016 will be announced at the February 1, 2016 council meeting. Until then the current committee's will stand.

3. A motion was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer authorizing the secretary to advertise for (1) vacant Council Seat and (2) vacant Zoning Hearing Board seats, in "The Press" of general circulation. Motion carried: 5-0-0



**BOROUGH OF PORTLAND**  
**REORGANIZATION MEETING JANUARY 4, 2016**

Citizen's Non-Agenda:

1. Fire Chief Jim Potter stated that PUMP and the Portland Hook & Ladder Co. #1 have been in discussion for the possible use of a portion of the Wm. Pensyl Social Hall for their food pantry.
2. Kay Bucci, 104 Division Street, stated that she would be researching the records of the Northampton County Law Library, with regard to the Court of Common Pleas decision of the Golden property at 108 Division Street.

Executive Session:

None

Adjourn:

A motion was made by Steve Knott, 2<sup>nd</sup> by Heather Fischer to adjourn the meeting at 8:48 PM.  
Motion carried: 5-0-0

Submitted by,

*Carol A. Hummel*

Carol A. Hummel, Secretary