

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

The Borough Council Meeting of January 5, 2015 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

Council Members Present:

*Stephanie Steele *Susan McKean *Steve Knott * Bridget Kenna * Lisa Prator * Brian Kardos

Others Present:

1. Mayor Lance Prator
2. Solicitor Michael Gaul
3. Borough Secretary Carol Hummel
4. Borough Engineer Mark Bahnick
5. Members of the Public

Application for Open Seat on the Zoning Hearing Board:

George Zalepa 502 Delaware Avenue submitted his name for consideration for the open seat on the Zoning Hearing Board. Mr. Zalepa has been a resident of Portland for over (3) years and a former member of the Zoning Hearing Board. A motion was made by Susan McKean, 2nd by Steve Knott appointing Mr. Zalepa to the open Zoning Hearing Board seat. Motion carried: 6-0-0

Blue Ridge Realty Townhomes:

1. Solicitor Gaul advised council that it is important the requirements of the Municipal Planning Code and Borough Ordinances be followed or a deemed approval of the plan can occur. One of the requirements is that the Borough Council take final action on the Plan no later than (90) days from the first meeting of the Portland Planning Commission after the Plan was filed. The first meeting of the Portland Planning Commission, after receiving the application on October 14, 2014, was October 20, 2014. Solicitor Gaul stated to council that (90) days from October 20, 2014 is January 18, 2015 and that council should take some type of formal action on the Plan before January 18th.

2. Daniel Wilkins, Chairman of the Portland Planning Commission, stated that the Blue Ridge Realty application is not considered a real application until the required check list has been completed. Mr. Wilkins stated that the last (2) items on the check list have not been provided, letters from the Portland Borough Authority and the Portland Sewer that water service and sewer service, respectively, are available to the subdivision. Mr. Wilkins stated that at the December 15, 2014 meeting of the Planning Commission action was taken not to accept the plans. Mr. Wilkins recommended that Borough Council reject the Plan tonight.

3. Borough Engineer Mark Bahnick presented a report of (15) comments on the deficiency of the Plan, based on the Portland Subdivision Ordinance of 1973. Mr. Bahnick advised council that the Plans should be reviewed for compliance with other Borough Ordinances including but not limited to the Borough Zoning Ordinance, Stormwater Management Ordinance and Floodplain Ordinance.

A motion was made by Susan McKean, 2nd by Lisa Prator denying the Plan as submitted. The motion was amended by Ms. McKean, 2nd by Ms. Prator denying the Plan as submitted with reference to the Borough Engineer's review letter of the (15) points of deficiency by the Borough Engineer. Motion carried: 6-0-0

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

A motion was made by Susan McKean, 2nd by Steve Knott directing Solicitor Gaul to prepare a written decision of Borough Council denying Blue Ridge's application for subdivision approval for delivery to Blue Ridge. Motion carried: 6-0-0

Daniel Wilkins left the meeting at 7:15 PM.

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

1. The WWTP is in compliance for total nitrogen and nitrogen ammonia and all other discharge.
2. Operations were affected in December by fouling of the treatment membranes. An investigation will be conducted to determine chemicals in use by commercial/industrial customers to attempt to solve the issue.
3. Re-piping of the effluent pumps continue.
4. The DRBC Borough's Docket D-2003-009 CP-4 was renewed on December 10, 2014 for the WWTP's Discharge to Special Protection Waters (Delaware River).
5. The updated version of the SALDO Ordinance has been prepared.
6. Comments were received from the LVPC.
7. Adoption of the ordinance should be scheduled.
8. Solicitor Gaul stated he will review the procedure for the adoption of the SALDO Ordinance.

Mark Bahnick left the meeting at 7:25 PM.

Action On The Minutes:

1. A motion was made by Lisa Prator, 2nd by Susan McKean to approve the minutes of the regular meeting of December 1, 2104 as revised. Page 7, strike out "Old Business" and change to "Council Policy Procedure Committee"; first sentence, strike out "guideline" and change to "list"; add after recommendations "that were developed in the Council Policy Procedure Committee meeting"; second sentence, strike "Policy Committee" and change to "Council Policy Procedure Committee" and add after council meeting "to review the list"; add to the agenda an "Old Business" line item. Motion carried: 5-0-1 (Stephanie Steele abstained)
2. A motion was made by Susan McKean, 2nd by Brian Kardos approving the minutes of the council meeting of December 22, 2104, as presented. Motion carried: 6-0-0

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented For Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	10,268.38
Sewer Operations and Sewer Add-On Bills:	24,441.41
Sanitation Operations & Sanitation Operations Already Paid:	4,705.45
TOTAL	\$ 39,415.24

2. Add the approximate expenses for the January 2015 payroll and payroll taxes (\$8,000.00) and Sunoco Fleet Gas (300.00).
3. **TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$ 47,715.24**
(includes payroll taxes and fleet gas)
4. The secretary stated that the 2015 dues of the Slate Belt Chamber of Commerce in the amount of \$110.00 and the 2015 dues of the Slate Belt COG in the amount of \$700.00 were included in the above presented bill list. Councilwoman Prator questioned the Council of

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

Government dues. Solicitor Gaul stated that the Borough should consider maintaining COG membership if the Borough is still participating in the grant for the SALDO Ordinance.

A motion was made by Susan McKean, 2nd by Bridget Kenna to approve the total bills presented for payment. Motion carried: 5-0-1 (Lisa Prator abstained due to the payment of Mayor Lance Prator's 2014 mayoral stipend).

5. President Steele explained to council the expenses incurred at the WWTP due to the re-piping of the effluent pumps. Bills submitted by Portland Contractors will be paid by the Borough to the vendor first. The remaining balance will be paid in (3) monthly installments (January, February, March 2015) to Portland Contractors.

Citizen's Agenda:

Christmas Tree Recycle: Phil Karasiewicz, Filo's Tree Service

Pastor Phil stated that if the trees were put at a central location it would be easier for him to pick up. It would be less costly to the Borough than picking up individual trees at residents homes. Councilman Knott stated that Waste Management will pick up the trees but asked council if they would rather recycle. Council decided to work out a plan for the next years Christmas Season.

Sewer Matters:

1. A motion was made by Susan McKean, 2nd by Lisa Prator approving the withdrawal of \$8,400.00 from the Sewer Saving Account and depositing it into the Sewer Checking Account to pay current sewer bills. Motion carried: 6-0-0

2. The Act 94 Report is due to be submitted by March 31, 2015.

3. Correspondence was received from PENNVEST regarding an adverse condition that was noted by PENNVEST's certified public accountants in the Borough's 2013 financial statements. A reply must be submitted in writing within (45) business days of December 15, 2014. The secretary stated that she has forwarded the correspondence to the Borough Auditor for a reply.

4. Mr. Lance Walter, 113 Main Street, asked if council would remove the late fee on his sewer account for the month of August 2014. Mr. Walter stated he was away on military duty and his payment arrived (4) days late. A motion was made by Steve Knott, 2nd by Lisa Prator removing the late fee from Mr. Walter's sewer account. Motion carried: 6-0-0

Zoning Officer Report:

1. Mr. Fisher provided a written report on the following properties.
 - a. Portland Hardware Store inspection at 405 Delaware Avenue.
 - b. Remove all Mike's Garage signs on right-of-ways.
 - c. Email correspondence on Catalano Property 108-112 State Street.
 - d. Zoning Ordinance Update: phone calls, emails for posting; attend hearing.
 - e. Inspect 505 Northampton Street for complaint.

2. Mr. Fisher stated that the posting of properties for the zoning notices changes, for the Draft Zoning Ordinance, will begin tomorrow January 6, 2015 at 4:00 PM.

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

3. Mr. Fisher stated he received a complaint about chickens running around at 505 Northampton Street.

4. Mayor Prator reported on the Werkheiser Building at 425 Delaware Avenue. Mayor Prator stated that he received a telephone call from Fred Duckloe concerning the status of the building. An email correspondence was sent to Mayor Prator from Ms. Lori Sywensky, Northampton County CDBG, stating that the Borough is about (30) days away from approval to use CDBG funds for demolition of the building. Mayor Prator, Solicitor Gaul, Rick Fisher, Susan McKean and Ms. Sywensky will meet at the Werkheiser Building on January 20, 2015 at 10:00 AM.

Lisa Prator asked how a sheriff sale would affect the demolition of the building. Councilwoman McKean explained the procedure for a judicial sale by Northampton County. After the demolition the property would be owned by the Borough. Mr. Fisher stated that the property has already been condemned and all he is waiting for is the county to set aside funds for demolition prior to issuing the demolition order to the Borough.

Zoning Hearing Board:

1. There are no applications at the present time.
2. There are no hearings scheduled for the present time.
3. No applications have been received for the (1) vacant seat of the Zoning Hearing Board.

Recreation Board:

None

Planning Commission:

None

Portland Borough Water Authority:

Chairman Lance Prator reported that a new telephone one-call system has been put in place.

Legal:

None

Subdivision and Land Development:

None

Community Development:

None

Police Report:

1. The December 2014 Police Report was presented by Mayor Prator.

Traffic citations issued 8; Non-Traffic Citations issued 0; Criminal Arrests 1; Incidents 15; Parking Tickets 0; Parking/Traffic 9; warrants 1; Thefts Reports 2; Animal 1; Robbery 1; General

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

Complaint 1; Suspicious Activities 1; Vehicle mileage: Crown Ford Victoria 803; Dodge Durango 22.

a. A 2014 Yearly Report was also presented by Chief Mulligan and placed in the Police Report File.

b. Chief Mulligan presented the financing and lease options for the new police car.

Mayor Prator reported that Officer Alfred Behr has accepted another part-time police position with the potential of being hired full time. Advertising for another part-time police officer was discussed. No action was taken,

Merchants Bank Loan and Purchase of the New Police Vehicle:

Solicitor Gaul explained the procedures for a bank loan and a lease/purchase agreement. The Merchants Bank loan interest rate is 4.15% and the lease/purchase agreement interest rate is 6.54%. Solicitor Gaul explained there is no difference in the financing except for the paperwork. Councilwoman McKean stated that she preferred that the Borough do the financing with the local bank.

A motion was made by Susan McKean, 2nd by Steve Knott that the loan financing paperwork be processed at Merchants Bank Bangor PA. Motion carried: 6-0-0

A motion was made by Susan McKean, 2nd by Lisa Prator authorizing the purchase of the equipment and camera by Chief Mulligan, subject to the approval of the Merchants Bank loan. Motion carried: 6-0-0

Mayor's Report:

Mayor Prator discussed with council Body Cameras with a microphone for the police department. Chief Mulligan stated that he would research the body cameras for more information and look for more donations. Chief Mulligan stated he would continue investigating for part-time officers and inquire at the Police Academy.

Streets Department:

1. Councilman Knott reported on the written complaint from Kelly Caflin 707 Hillcrest Drive. Ms. Caflin was not pleased with the placement of the new street sign in front of her residence. Mr. Knott stated that the sign has been moved and Ms. Caflin is satisfied.

2. Mr. Knott reported that a load of de-icing salt arrived today.

Sanitation:

A written complaint was received from Ron Mazur 203 State Street. Mr. Mazur stated that after his recycle container is placed on the curb for pick-up someone is taking the recycle contents of the can. Mr. Mazur is upset that the recycling may be sold for someone else's profit. Chief Mulligan stated that he would investigate and report back to the next council meeting of February 2, 2015.

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

Back to the New Police Vehicle:

Chief Mulligan asked council to vote on the color of the new police car. A motion was made by Bridget Kenna, 2nd by Brian Kardos to order the new police car in the color Black. Motion carried: 6-0-0

Insurance:

Councilwoman McKean stated that the Borough's renewed insurance policy is not too bad except for the workers' comp insurance. Ms. McKean stated she will begin the paperwork tomorrow for the separation, into (2) policies, of the Borough and the Portland Hook & Ladder Co. #1 workers' comp insurance.

A motion was made by Steve Knott, 2nd by Bridget Kenna accepting the insurance proposal, as presented, by Brown & Brown of the Lehigh Valley in the amount of \$46,469.00 for the policy period January 19, 2015 through January 19, 2016 and authorizing the President and Vice President of Council to separate the Workers' Comp policies of the Borough of Portland and the Portland Hook & Ladder Co. #1 into (2) policies if more cost effective for the Borough. Motion carried: 6-0-0

Building:

Councilwoman Prator discussed with council the repairs that are needed for the roof of the municipal building. Ms. Prator stated that after speaking with former Mayor Kay Bucci the roof has a (30) year guarantee and was replaced approximately (10) or (15) years ago. Ms. Prator stated that the minutes will be researched for the probable years 1990's. Solicitor Gaul replied that someone should come and inspect the roof to identify the problem. Mayor Prator stated he would contact the Borough Building Inspector, Carl Faust, to inspect the roof.

Budget/Finance:

The secretary reported that CD #401112216, in the amount of \$20,125.42, will mature on January 25, 2015. The consensus of council was to let the CD roll over.

Ordinance Update Committee:

Councilwoman Prator reported that she and Councilwoman Kenna met between Christmas and New Year to review the binders with the ordinances. The secretary reported that new leather binders will cost approximately \$150.00 each. Ms. Prator stated that the committee will continue to work on the ordinances until the next council meeting of February 2, 2015.

Correspondence:

None

Secretary Announcements:

None

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**

Old Business:

1. The delegates to the Slate Belt Community Partnership (SBCP) meetings are Susan McKean and Mayor Prator with Stephanie Steele as the alternate. They will meet 6:30 PM Tuesday January 13, 2015 at the Bee Hive Community Center in Bangor Borough. It was discussed that the SBCP may change the meeting night from Tuesdays. Councilman Knott asked for information on the committee. President Steele responded how the delegates, to the SBCP, are chosen by the President of Council of each member municipality. Councilwoman Prator stated that she was glad that Northampton County has paid the initial fee of \$10,000.00 to join the SBCP but was not sure that the Borough would pay the \$10,000.00 in the next year.

2. Ms. McKean and Ms. Prator stated that they preferred no murals being done in the downtown. Council would rather have access to the Northampton County property for a boat launch, a bathroom for the downtown or a tree for the Christmas Tree Lighting ceremony.

Citizens Non-Agenda:

None

Executive Session:

None

Action Taken:

None

Adjournment:

A motion to adjourn the meeting at 8:45 PM was made by Susan McKean, 2nd by Bridget Kenna. Motion carried: 6-0-0

Respectfully Submitted By,

Carol

Carol A. Hummel, Secretary

**BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 5, 2015**