

**BOROUGH OF PORTLAND
COUNCIL MEETING FEBRUARY 1, 2016**

The Borough Council Meeting of February 1, 2016 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

Council Members Present:

*Stephanie Steele * Bridget Kenna * Steve Knott *Heather Fischer *Brian Kardos

Others Present:

1. Mayor Lance Prator
2. Michael Gaul, Borough Solicitor
3. Carol Hummel, Borough Secretary
4. Nick DeFrank, Van Cleef Borough Engineer
5. Members of the Public

*Corrected 3/7/2016
CAH*

Resolution ~~2016-1~~

Commented [C1]: Correct to 2016-2

A motion was made by Steve Knott, 2nd by Heather Fischer adopting Resolution 2016-1 "In Recognition of Andrew Michael Caiazzo's Eagle Scout Court of Honor from Troop #41 Prince of Peace Evangelical Lutheran Church in Johnsonville, PA." Motion carried: 5-0-0

Commented [C2]: 2016-2

Appointment of Officials:

1. A motion was made by Steve Knott, 2nd by Bridget Kenna appointing Ott Consulting, Inc. as Alternate Sewer Engineer. Motion carried: 5-0-0
2. A motion was made by Bridget Kenna, 2nd by Heather Fischer appointing Harry Jack Bellis as the Portland Borough Representative to the Bangor Area School District Industrial Development Authority (BASD-IDA) to a term of five (5) years, 01-01-2016 to 12-31-2020. Motion carried: 5-0-0

Appointment of the Tax Collection Committee Representative: (TCC of Northampton County)

A motion was made by Bridget Kenna, 2nd by Steve Knott, for discussion, appointing the Borough Secretary, Carol Hummel.

Discussion: Council offered to pay the mileage of Ms. Hummel for travel to Bethlehem Township PA. Ms. Hummel declined because she stated that she travels to Easton PA every Thursday anyway on her day off. Solicitor Gaul replied that the meetings are held quarterly, 9:30 AM, second Thursday of the month.

- Councilwoman Lisa Prator entered the meeting at 7:08 PM.

The motion then carried: 5-0-1 (Lisa Prator abstained)

Action on Minutes:

A motion was made by Brian Kardos, 2nd by Steve Knott to approve the minutes of January 4, 2016, as presented. Motion carried: 6-0-0

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented for Payment:

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Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	57,954.16
Community Events Account	46.26
Sewer Operations & Sewer Operations Already Paid:	11,876.82
Sanitation Operations & Sanitation Operations Already Paid:	9,349.64
Portland Market Escrow	60.00
TOTAL	\$ 79,286.88

- a) add the payroll and payroll taxes: 6,000.00
- b) add Sunoco Fleet Gas: 350.00

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$85,636.88

A motion was made by Bridget Kenna 2nd by Heather Fischer approving the January 2016 financial report and the bills presented for payment in the amount of \$85,636.88.

Discussion called by Councilman Knott: Mr. Knott stated that the snow plowing bill received from Dirty Mac. LLC. will be discussed in executive session.

The motion was amended by Ms. Kenna, 2nd by Ms. Fischer approving the payment of invoice #1055, in the amount of \$705.00, for the December 2015 snow plowing services. The January 2016 snow plowing services bill will be discussed in executive session.

Motion then carried: 6-0-0

- c) Included, in the above bills presented for payment, was the Met Ed electric bill for the Portland Gymnasium in the amount of \$37.63.

Citizen's Agenda:

Application for two (2) Year Vacant Council Seat:

Ms. Yvonne Gumaer, 607 Delaware Avenue, has applied for the two (2) year vacant council seat. Ms. Gumaer has been a resident of Portland since 2008 and is a registered voter of Northampton County. Ms. Gumaer's occupation is in nursing with an associate's degree in marketing. Ms. Gumaer would like to be involved with the decision making of council which includes making Portland a safe place to live for all residents.

A motion was made by Heather Fisher, 2nd by Lisa Prator appointing Ms. Gumaer to the vacant two (2) year council seat.

Discussion: Ms. Gumaer is currently a member of the Zoning Hearing Board. Solicitor Gaul stated that Ms. Gumaer cannot be a member of both the Zoning Hearing Board and sit on the Borough Council. Ms. Gumaer agreed to resign from the Zoning Hearing Board.

The motion carried: 6-0-0

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After Ms. Gumaer has resigned from the Zoning Hearing Board, all the paperwork has been completed for the appointment to council and Ms. Gumaer has been sworn in by Mayor Prator, Ms. Gumaer can participate at the March 7, 2016 council meeting.

Filo's Tree Service: Pastor Philip Karasiewicz

a) Pastor Phil presented two (2) proposals for the cutting down of various trees on Main Street, First Street and trees bordering the municipal lot playground. Option 1 in the amount of \$4,300.00 and Option 2 in the amount of \$3,600.00. The wood logs would stay but all brush will be chipped into mulch. Councilman Knott questioned whether a tree on First Street by the Charles Vaughn residence belongs to the Borough. Pastor Phil stated that the questioned tree sits between two (2) Borough trees and is the responsibility of the Borough. Pastor Phil was asked the time frame and replied the work would be done all in "one shot" probably in two (2) to three (3) weeks, sometime before March. Pastor Phil replied that the trees by the municipal building playground are a hazard and he prefers to do the work there when no children are present. Councilman Knott stated that he prefers Option 1, to take down all the diseased trees. A motion was made by Steve Knott, 2nd by Lisa Prator approving Option 1 of the proposal, in the amount of \$4,300.00. Motion carried: 6-0-0

b) Pastor Phil announced to council that National Day of Prayer will be observed on May 5, 2016. All are invited to attend. The times are 12 noon to 12:45 PM and 7 PM to 7:45 PM.

c) Pastor Phil offered up a prayer to council.

425 Delaware Avenue Property:

Gianni and Yudelky Schomberg were in attendance in the audience. Solicitor Gaul explained that Mr. & Mrs. Schomberg are interested in purchasing the property at 425 Delaware Avenue from Mr. Young Son. Mr. Gaul gave a history of the property and explained that Mr. Son had sent plans and a zoning application for the improvements needed. Mr. Son's zoning application was incomplete. The plans are pending due to the tapping fees owed on the property, in the amount of \$6,000.00 (4 EDU's). The sewer connection cannot be made until the tapping fee is paid. Solicitor Gaul told the Schomberg's that council wants to see the building occupied and to be successful.

The Schomberg's replied that they are closing on the property on Friday, February 5, 2016, and are going to use the plans that Mr. Son had presented to the Borough. Solicitor Gaul replied that the Schomberg's should submit a zoning application to the Borough for the intended use of the property. Mayor Prator stated to the Schomberg's that they should attend the Portland Borough Authority meeting on Monday February 15, 2016. Mayor Prator explained that the water lines at the property need to be separated because there is a business on the first floor and two (2) apartments on the second floor.

108 Division Street:

Kenny Golden was responding to the Zoning Officer's letter to Mr. Golden's father, Billie H. Golden, for property/garbage violations at 108 Division Street. Kenny Golden acknowledged that the property needed to be cleaned up. He stated that he would like a police officer to be available when he cleans up the property because his brother might become upset. Kenny Golden was advised to speak with the police department about his concern.

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Sewer Matters:

400 Jacoby Creek Road: David Keller

Mr. Keller was served by Constable Stan Smith, Jr. for failure to connect to the Portland Borough sewer system.

WWTP Insurance Claim:

- a) The Borough's insurance carrier is pursuing the damage claim to the WWTP from an electric power surge. An adjuster has been assigned to handle the claim.
- b) President Steele discussed with council that once the Borough can generate enough funds to replenish the sewer account a shed is needed at the WWTP for the storage of chemicals. The approximate cost is under \$5,000.00.
- c) President Steele reported to council that the WWTP is not operating correctly due to a computer program issue. Sludge was hauled out twice last evening.

Borough Engineer's Report: Nick DeFrank was in attendance for Mark Bahnick

Park & Walk Restroom Facility Grant:

- a) The contract is still in the legal process at the PA DCED.
- b) Mayor Prator stated that twelve (12) feet is needed for the sewer lateral.
- c) Mayor Prator stated that two (2) curb boxes are needed for the facility. One (1) for the facility and one (1) for John Vallance.
- d) Solicitor Gaul is waiting for the signed project and water extension agreement contract to be returned by Mr. Vallance.

A motion was made by Lisa Prator, 2nd by Bridget Kenna approving the substantial form of the Borough's Project Agreement with JOV, LLC, and authorizing Council President's execution of the Agreement, with such changes as the Council President may determine as necessary to conclude the matter, in consultation with the Solicitor. Motion carried: 6-0-0

A motion was made by Lisa Prator, 2nd by Bridget Kenna approving the execution and recording of the lot line adjustment consolidation plan and the water extension plan, subject to John Vallance's execution of the project agreement and water extension agreement. Motion carried: 6-0-0

- e) The question was asked if title insurance is wanted on the property. Council stated NO, but a title search is being done by Mt. Bethel Abstract.

Zoning Officer Report:

1. Mr. Freshcorn was absent but provided a January 2016 report.

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- a) Approved a fence permit for 207 State Street.
- b) A warning letter to Billie H. Golden, one (1) notice of violation PMC, one (1) notice of violation zoning ordinance at 108 Division Street.
- c) A letter to Joshua Son, 425 Delaware Avenue, that Mr. Son needs to send a formal written notice that he is abandoning the project.
- d) A letter to Mike's Auto, 208 Northampton Street, asking for clarification on the issue of Big Boy Towing.

2. Council stated they would discuss Mike's Auto in executive session.

3. In correspondence to council, Mr. Freshcorn stated that he cannot always attend the council meetings due to a conflict of his full time employment. Council agreed that when Mr. Freshcorn has a conflict council will arrange for him to give his report at the beginning of the meeting.

Zoning Hearing Board (ZHB):

1 After Ms. Gumaer submits her resignation from the Zoning Hearing Board council will advertise for the vacant position.

- Nick DeFrank left the meeting at 8:17 PM.

2. There are two members left on the ZHB, Hubert McHugh and George Zalepa. Councilman Knott questioned Mr. Zalepa's residency since he has been in Florida for the past several months. The secretary was directed to contact Mr. Zalepa to ask him to confirm that his primary residence is Portland Borough.

3. Amber and Costal Sarivan, in the audience, of 106 Division Street asked the criteria to be a member of the ZHB. Solicitor Gaul explained that if someone disagrees with a zoning decision then the independent panel (ZHB) will meet to make the decision. The ZHB also has an independent solicitor.

UCC Report:

No permits were issued for the month of January.

Recreation Board/Community Events:

None

Planning Commission:

None

Portland Borough Authority:

None

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Legal:

None

BAC-IDA:

None

Subdivision and Land Development:

None

Community Development & GOG: Mayor Prator

1. Hough Associates; Thomas C. Hough, is pursuing recycle grant services for the Slate Belt COG members. Mayor Prator will invite Mr. Hough to the Borough council meeting of March 7, 2016.

2. Mayor Prator has been elected as the President of the Slate Belt COG.

3. The Slate Belt COG is trying to get their own salt contract for the COG membership. Mayor Prator reported that the Co-Stars grant is now due. Salt is due to be ordered for the 2016-2017 winter season.

4. Mayor Prator reported that former Northampton County Councilman Scott Parsons has been hired as the Executive Director of the Slate Belt COG.

5. The Animal Control Officer position for the Slate Belt COG is going out to bid. A start-up grant has been received from Northampton County in the amount of \$10,000.00. The COG is still talking with Apple Blossom Village as a potential animal shelter site.

6. The next meeting of the COG will be held on February 24th.

Community Events Committee:

1. The committee, in conjunction with the Portland F & M Lodge #311, will be sponsoring an Easter Egg Hunt on March 19, 2016 on the Portland Ball Field. The secretary was directed to contact the Borough's insurance carrier for a certificate rider for the day of the event. Solicitor Gaul suggested that no one under eighteen (18) years of age be allowed to participate unless accompanied by a parent or adult. If not accompanied by a parent or adult the Borough volunteers would need background checks to comply with child abuse laws.

2. The next meeting of the committee will be held 7:30 PM on February 21, 2016 in the Borough council chambers.

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Police Report:

The January 2016 Police Report was presented by Mayor Prator.

1. Traffic citations issued 5; Non-Traffic citations issued 0; Criminal Arrests 1.
Incidents 11; Parking/Traffic 4; EMS 1; Disabled Motorist 3; MVA 1; DUI 1; Agency Assist 1.
Vehicle mileage: Crown Ford Victoria 0, Ford Utility 833.

2. Newly appointed Police Officer Ryan Sabatine was introduced to council. Officer Sabatine has been sworn in earlier by Mayor Prator.

3. Chief Mulligan reported that he is trying to get accepted into a three (3) week truck inspection course. Chief Mulligan's full time employer, East Bangor Borough, will pay for Chief Mulligan's salary for the three (3) week course. If Chief Mulligan is accepted into the course East Bangor Borough would like Portland to help with the cost of food and lodging. Chief Mulligan also stated that Officer Stephen Keifer has expressed interest in being certified for the truck weights and measures course. Councilwoman Prator suggested that police officers share the lodging rooms to save on costs. No action was taken.

4. Chief Mulligan asked council to consider a \$1.00 per hour raise for Officer Stacy Smith. Officer Smith had the opportunity to leave Portland and be hired by Bangor Borough at \$18.00 per hour but refused the offer out of respect for Chief Mulligan and the Borough. No action was taken at this time.

Mayor's Report:

Mayor Prator stated the he has been invited to deliver Meals On Wheels on March 14, 2016. The organization is to be announced later.

Streets Department:

1. Councilman Knott reported that Dirty Mac, LLC., snow plow contractor, job's performance has improved since last winter's season of 2014-2015.

2. President Steele stated that the vehicles parked at the Park & Walk Lot on Delaware Avenue are supposed to be moved for snow removal. Councilman Knott stated that there is a three (3) hour parking limit and the problem goes back to the police department. President Steele stated that landlord Joe Bonasara, owner of 421-423 Delaware Avenue, knows that his tenants are parking there. Ms. Steele stated that Dirty Mac, LLC did the best job they could do around the vehicles.

Sanitation:

The 2015 delinquent garbage list was presented to council in the amount of \$4,619.44. A motion was made by Steve Knott, 2nd by Lisa Prator authorizing the Borough Secretary to file civil complaints at District Court 03-3-03. Motion carried: 6-0-0

Insurance Committee:

None

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Building Committee:

None

Budget/Finance:

None

Ordinance Update Committee:

None

Council Policy & Procedure Committee:

None

Slate Belt Community Partnership (SBCP):

1. President Steele submitted the completed paperwork for the MSLV Grant for the flower box holders on the downtown streetlight poles. The Borough has received the grant reimbursement of \$1,000.00.

2. Councilwoman Heather Fischer and President Steele attended the SBCP January 2016 meeting with approximately twenty-six (26) in attendance. Ms. Fischer reported that PA State Senator Mario Scavello and PA State Legislator Marcia Hahn were in attendance. The meeting was very informative and lasted about two (2) hours. Each participating community was asked to hold a bi-annual fund raiser event to replenish the SBCP's bank account. The SBCP would like each community to fund the account by \$5,000.00.

*Corrected 3/7/2016
(CAH)*

Commented [C3]: Mayor Prator

Commented [C4]: Mayor Prator

Commented [C5]: Ms. Fischer and Ms. Steele attended the regular meeting.

Correspondence:

1. The Borough declared a Snow Emergency from 9:00 PM January 22, 2016 through 9:00 PM January 24, 2016.

2. Fire Chief Jim Potter presented council with the Portland Hook & Ladder Co. #1 2015 annual year-end report of calls.

3. Scott Amori, Amori Associates, LLC, presented council with their discounted rate of \$180.00 per hour for any work performed by them for the Zoning Hearing Board.

4. G-271, Hazardous Weather & Flood Preparedness forum will be held March 16 and 17, 2016 at the Monroe County Public Safety Center in Stroudsburg, PA 18360.

5. The Northampton County DCED will sponsor Household Hazardous Waste Events on May 21 and October 8, 2016 at the Northampton County Community College's Main Campus in Bethlehem Township PA from 8:30 AM to 2:00 PM.

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Secretary's Announcements:

None

Old Business:

None

New Business:

1. Stephanie & Jim Steele have reimbursed the Borough for the legal fees associated with their Petition to Vacate Unimproved Land, in the amount of \$1,345.40. These were legal fees invoiced from King, Spry, Herman, Freund & Faul, LLC.

2. President Steele stated that she will re-work the 2016 Committee List to add the newly appointed councilwoman Yvonne Gumaer.

Citizens Agenda:

Amber and Costal Sarivan, from the audience, asked who will be paying for the maintenance of the new restroom facility at the Park & Walk Lot. President Steele replied that the restroom facility will be very low maintenance. Everything is constructed of stainless steel. Insurance and minor supplies are being paid for by the Borough.

Executive Session:

A motion was made by Lisa Prator, 2nd by Brian Kardos adjourning to Executive Session at 9:25 PM. Motion carried: 6-0-0

A motion was made by Lisa Prator, 2nd by Heather Fischer to reconvene from Executive Session at 10:11 PM. Motion carried: 6-0-0

Discussion: Legal matters and personnel.

Action Taken:

A motion was made by Lisa Prator, 2nd by Heather Fischer raising the hourly rate of Police Officer Stacy Smith by \$1.00 per hour to \$16.00 per hour, retroactive to January 25, 2016. Motion carried: 6-0-0

A motion was made by Lisa Prator, 2nd by Bridget Kenna to pay Dirty Mac, LLC the January 29, 2016 snow plowing invoice #1052 minus \$2,000.00 of the total \$ 8,820.00, pending the damaged tree replacement at the Park & Ride Lot. Motion carried: 6-0-0

Adjourn:

The next council meeting is March 7, 2016 at 7:00 PM. A motion was made by Lisa Prator, 2nd by Brian Kardos to adjourn the meeting at 10:14 PM. Motion carried: 6-0-0

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Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary

