

**BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015**

The Borough Council Meeting of March 2, 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 * Lisa Prator * Brian Kardos.

Councilwoman Bridget Kenna was absent due to illness.

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

Action on Minutes:

- The secretary reported that she had a correction to the minutes with regard to the bills presented for payment. The correct amount reported should have been "\$79,996.12".

a. Correction on Page (7) under Council Policy & Procedure Committee, Mayor Prator wanted clarification that council committees are members of the Borough Council and Advisory Committees are made up of Borough Residents. This is correct. Councilwoman Lisa Prator questioned the committee list and thought that the establishment of committees had to be a council decision. Ms. Prator questioned the wording of the minutes with regard to the Council Policy & Procedure Committee.

b. A motion was made by Lisa Prator, 2nd by Susan McKean to accept the prepared minutes with the following revisions: (1) strike the incorrect bill amount of \$71,801.12 and add the correct amount of "\$79,996.12" and (2) on page (7) under Council Policy & Procedure Committee, add to the 2nd sentence "Solicitor Gaul stated that committees could be rolled together with a decision of council", move the 5th sentence that states that "Ms. Steele stated she would re-work the committee appointments" to the 3rd sentence before "Mayor Prator asked if residents can be committee members". Motion then carried 5-0-0 to approve the revised minutes, as revised.

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented For Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	17,826.31
Sewer Operations and Sewer Add-On Bills:	17,358.41
Sanitation Operations & Sanitation Operations Already Paid:	9,711.82
Blue Ridge Realty Escrow: King, Spry invoice #98133; Cramer, Swetz & McManus invoice #37134; & Van Cleef Engineering invoice #66001404-3	1,842.00
Recreation Fund: (Met Ed- January 2015 electric)	31.35

2. There was additional \$21.00 shipping for the Spike Set for the Police from last month. That amount is already included in the total Borough Operations above.

3. Add the approximate expenses for the March 2015 payroll and payroll taxes (\$6,000.00)

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

and Sunoco Fleet Gas (400.00).

4. Add \$500.00 for the Merchants Bank Loan fees for the new police car.
5. Add the remaining balance of \$3,689.00 to Steig, LLC for the installation and purchase of the lights for the new police car.
6. TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: **\$57,358.89**

A motion was then made by Steve Knott, 2nd by Lisa Prator to approve the total bills presented for payment. Motion carried: 5-0-0

Citizens Agenda:

- Application for (2) two year vacant council seat.

Heather Fischer of 504 Pennsylvania Avenue was recognized by President Steele. Ms. Fischer is registered as Independent/No Party and has been a resident of Portland since 2006. Councilman Knott questioned Ms. Fischer's registered affiliation and was under the impression that Independent/No Parties could not be a member of Borough Council. Solicitor Gaul replied that "that is not the case". Solicitor Gaul reminded Ms. Fischer that she would need to be on the ballot for the November 2015 general election. A motion was made by Steve Knott, 2nd by Lisa Prator appointing Ms. Fischer to the vacant (2) two council seat. Motion carried: 5-0-0

Mayor Prator administered the Oath of Office to Ms. Fischer after which Ms. Fischer was welcomed to council and instructed to fill out the 2014 Ethics Form.

Blue Ridge Realty Townhomes: Nicholas Sabatine, Esquire

- Mr. Sabatine was not present.

Per a telephone conversation that the secretary had with Mr. Sabatine, Mr. Sabatine asked for a refund of the balance in the Blue Ridge Realty Escrow Account. The balance today after the bills approved for this evening have been paid is \$2,523.90. The new 2015 Zoning Ordinance Book that Mr. Sabatine took from the last council meeting has still not been paid for by Mr. Sabatine. The printing cost is \$43.50. A motion was made by Susan McKean, 2nd by Steve Knott approving the refund of the balance in the Blue Ridge Realty Escrow Account minus the cost of the zoning ordinance book for a total of \$2,480.40. Motion carried: 6-0-0

Sewer Matters:

- The Sewer Committee asked direction from council as to whether or not the council would like to have the Borough create one Authority with water and sewer or look for an outside company to purchase the Waste Water treatment Plant.

a.) Councilwoman McKean said it was not beneficial to the Borough when the Portland Borough Authority (Water) alone was considered to be sold. Ms. McKean stated that she is unclear on the procedure to combine the sewer and the water.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

b). The Borough Engineer stated it will be a challenge to provide sewer service into Upper Mount Bethel Township and questioned what the rate structure would be for residents.

c). President Steele stated that the sewer committee has met with PA American Water.

d). Ms. McKean asked Solicitor Gaul about the Borough's debt with PENNVEST. Solicitor Gaul replied that PENNVEST is experienced in these matters and may like the loan paid off. If this avenue is pursued by the Borough, Solicitor Gaul advised council to contact the Sewer Solicitor, Timothy McManus, for advice.

e). Councilwoman Lisa Prator stated she would like more information before taking any action.

f). The appointments to the Portland Borough Authority (Water) are made by the Borough Council. Solicitor Gaul stated that if the Borough decides to create an authority and the Portland Borough Authority (Water) says NO than the Borough can terminate the Portland Borough Authority (Water) and create a new authority to provide sewer and water service.

g). Councilman Knott stated that he would only like to sell the WWTP not the Portland Borough Authority (Water).

h). President Steele will contact PA American Water to ask them to meet with council on Monday March 23, 2015 at 7:00 PM. This fourth (4th) Monday is a meeting night for the Borough Council, being duly advertised with the annual meeting schedule of the Borough.

- Billie Golden 108 Division Street

Mr. Golden contacted Councilwoman McKean concerning the billing cycle of the sewer service. Mr. Golden asked Ms. McKean if the late charges on his account could be deleted. The billing cycle of the sewer and Mr. Golden's receiving his social security check make his payments late and thus a late charge accrues on his sewer account. President Steele stated that if the Borough made any changes it would throw off the sewer billing cycle. No action was taken.

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 for the past (11) eleven months.
2. Plant operations were normal for the month of February.
3. Re-piping of the effluent pumps has been completed.
4. The Chapter 94 Report data from the WWTP Operator has been received.

Borough Engineer's First and Ruth Streets Report:

1. The stop signs and parking in the area of Ruth and (1st) First Streets has been reviewed.
2. Study required justifying the signs so that the Magistrate's Office enforcement can continue.
3. Feedback at the next council meeting.

Zoning Officer Report:

- Mr. Fisher provided a written report on the following properties.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

a). The Werkheiser Property at 425 Delaware Avenue has been sold at judicial sale to Young Son of Norwood, NJ. Mr. Fisher has met with Mr. Son, Northampton County and Portland Borough officials concerning the condemnation status and/or need to either stabilize or demolish the building. Mr. Son's engineer has been in touch with Mr. Fisher and has recommended that Mr. Son make specific repairs to make the building safe.

b). Complaints concerning the general living conditions at 505 Northampton Street. The owners have (30) days to abate the violations.

c). Mr. Fisher reported an increase in zoning permits issued from a total of (4) four for year end 2014 to (6) six for January/February 2015 alone. There were (2) two certificate of occupancy permits issued in January/February 2015 equaling all of 2014.

d). No report on a District Court MPOETC Filing Number for Borough Council.

e). Mr. Fisher issued a certificate of occupancy permit to Billie Golden, 108 Division Street, for the conversion from a (2) two family residence to a (1) one family residence, effective January 30, 2015.

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.

- Mark Bahnick left the meeting at 7:53 PM.

Recreation Board:

1. The "Bangor Sting" girl's soft ball team has only used the Portland Gymnasium once during January and February.

2. The Portland Masonic Lodge is sponsoring an Easter Egg Hunt, to be held at the Portland Ball Field, with a tentative date of March 28, 2015.

3. The Inter-Municipal Soft Ball Agreement between Upper Mount Bethel Township and Portland Borough was presented for review and approval. Discussed were dates that cannot be used for soft ball per use of the ball field for the March 28th egg hunt and the town picnic for August 15th. Portland Borough must be named as additional insured. There was no action taken. To be reviewed again at the April 6, 2015 council meeting.

Planning Commission:

None

Portland Borough Water Authority:

1. Chairman Lance Prator reported that a fire in Upper Mount Bethel Township required the tapping of a fire hydrant at the Ultra Poly site in the Industrial Park. So much water was used that it turned the water brown for Portland Borough Authority customers.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

2. Mr. Prator stated that there is a problem with the SWIFT Reverse 911 Emergency Call System that is used jointly by the Borough and the Portland Borough Authority.

Legal:

1. Solicitor Gaul recommended that Borough Council review its various fee requirements for Zoning, SALDO and Certificate of Occupancy. Solicitor Gaul suggested that the Borough start with the zoning officer Mr. Fisher and the Uniform Construction Code Official Carl Faust.

2. President Steele asked Solicitor Gaul the procedure for setting up the Borough Real Estate Taxes to be paid quarterly. Solicitor Gaul stated that he would have to look at how it is done, but recommended that the Borough first contact the PA State Association of Boroughs (PSAB). Ms. Steele stated that she was asked by a resident.

Subdivision and Land Development:

- None

Community Development and GOG:

- None

Police Report:

The February 2015 Police Report was presented by Mayor Prator.

Traffic citations issued 7; Criminal Arrests 2; Incidents 11; Parking/Traffic 7; warrants 1; General Complaint 1; Harassment 1; DUI 1. Vehicle mileage: Crown Ford Victoria 728; Dodge Durango 50.

1. The lights were installed in the new police car.

2. Chief Mulligan is enrolled in a (3) three weeks Weights and Measures Class in Harrisburg PA. East Bangor Borough, the chief's full-time employer, is paying for the class. Chief Mulligan asked if Portland Borough would consider contributing travel and meal monies. Councilman Kardos asked about a weigh station. Mayor Prator stated that Ultra-Poly has the scales and that they are certified. Also permitted is traveling up to (1) one mile to a weigh station. Councilwoman Lisa Prator gave examples of travel and meals reimbursements that are used at Pocono Hospital. Ms. Prator suggested that council should have the criteria before agreeing. Mayor Prator stated that he would investigate the procedure.

Mayor's Report:

- None

Streets Department:

1. Councilman Knott stated that he would like to talk about the stop signs at Delaware Avenue and First Street and Delaware Avenue and Ruth Streets in Executive Session.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

2. Mr. Knott stated that the Borough has used (64) sixty-four tons of salt for this winter season.

3. A business charge account will be opened at Capitol Ace Hardware Bangor PA, per the suggestion of Councilman Knott. Council members in attendance agreed.

4. Tracy Steele of 203 Ruth Street complained to President Steele that Ruth Street is not being plowed. Mr. Steele was told to address council but Mr. Steele is not in attendance at this time.

5. Mr. Knott received a telephone call from Ed Anthony of Erdman Engineering, who is a sub-contractor for PENNDOT, with regard to State Street and the closed State Street Bridge. Mr. Anthony inquired about Borough Ordinances that would close a Borough street. Solicitor Gaul replied that State Street is a PENNDOT road and that the Borough probably could not close it. Councilman Knott stated that PENNDOT Supervisor Jim Potter is investigating the inquiry.

6. It was reported that the closed State Street Bridge is scheduled for repair in 2016 at a cost of \$1.5 million. A meeting is scheduled with Mr. Anthony on March 16, 2015.

7. Employee raises were discussed. No action was taken. The secretary was directed to place on the April 6th agenda.

Sanitation:

- None

Insurance:

- None

Building Committee:

1. Mayor Prator called (3) three contractors for estimates for the municipal building roof repair. Mayor Prator was told to call back when all the snow has melted.

2. Mayor Prator reported that the water line that runs from the Portland Gymnasium to the bathroom in the Municipal Building froze. The water line was thawed out by Portland Contractors.

Budget/Finance:

- None

Ordinance Update Committee:

- None

Council Policy & Procedure Committee:

- None

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

Slate Belt Community Partnership (SBCP):

1. The committee meets on March 4, 2015 at the Totts Gap Art Institute at 6:00 PM.
2. Bangor Borough's 140th anniversary celebration continues with a tour of Bray's Newstand and the Broadway Pub.
3. Councilwoman Lisa Prator stated that the Borough is in its third month of membership with the SBCP and asked if Ms. Sharon Davis, administrator, has been seen working in Portland. The secretary replied that Ms. Davis has not been to the municipal building. Ms. Prator stated her concern was that Ms. Davis is not accessible to the Borough or to the Borough Business Community.
4. Newly appointed councilwoman Heather Fischer asked for an overview of the program and Ms. Prator obliged. It was noted that the Chairman of the SBCP, James Kresge from Bangor Borough, resigned his position today.
 - Zoning Officer Rick Fisher entered the meeting at 8:48 PM.

Correspondence:

Received from Northampton County a Community Development Block Grant (CDBG) information and application that is due April 10, 2015.

Secretary Announcements:

- None

Old Business:

- None

New Business:

- None

Zoning Officer:

1. Mr. Fisher reported on the former Werkheiser building at 425 Delaware Avenue. Mr. Fisher stated that the new owner, Young Son, has hired a structural engineer to inspect the building to make sure it is safe.
2. Mr. Fisher and Solicitor Gaul discussed the various fee requirements for Zoning, SALDO and Certificate of Occupancy.

Citizens Non-Agenda:

- None

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 2, 2015

Executive Session:

A motion was made by Susan McKean, 2nd by Brian Kardos to convene to executive session at 8:57 PM. Motion carried: 6-0-0

Discussion: Personnel and possible litigation.

A motion was made by Lisa Prator, 2nd by Susan McKean to reconvene from executive session at 9:17 PM. Motion carried: 6-0-0

Action Taken:

- None

Streets Department:

Council discussed that the snow plow contractor, Dirty Mac, LLC, is not plowing curb to curb. Council discussed that they are not pleased with the contractor's work. Solicitor Gaul replied that the contract can be terminated for poor performance, but that council should first put the contractor on notice as to the problem and give them an opportunity to correct the problem.

Adjournment:

A motion to adjourn the meeting at 9:31 PM was made by Susan McKean, 2nd by Steve Knott
Motion carried: 6-0-0

Respectfully Submitted By,

Carol

Carol A. Hummel, Secretary