

BOROUGH OF PORTLAND
COUNCIL MEETING APRIL 4, 2016

The Portland Borough Council Meeting of April 4, 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 *Yvonne Gumaer *Lisa Prator
*Brian Kardos

Others Present:

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

Resolution 2016-6:

A motion was made by Bridget Kenna, 2nd by Lisa Prator adopting Resolution 2016-6, "In Honor of Palmer Michael Raisner, Scout Troop #41 Prince of Peace Evangelical Lutheran Church, Eagle Scout Project for the Restoration and Refurbishing of the Miller Cemetery, located in Washington Township, PA." Motion carried: 7-0-0

Resolution 2016-8:

A motion was made by Steve Knott, 2nd by Brian Kardos adopting Resolution 2016-8 "To adopt the FEMA-4267-DR, Commonwealth of Pennsylvania, DAP-2 Form, Severe Winter Storm and Snowstorm of January 22-23, 2016, which authorizes Borough Council President Stephanie Steele, as the Borough's Agent, to sign the DAP-01 Form, Public Assistance Application and Agreement for Financial Assistance Form." Motion carried: 7-0-0

Action on Minutes:

A motion was made by Heather Fischer, 2nd by Bridget Kenna approving the minutes of March 7, 2016, as presented. Motion carried: 6-0-1 (Lisa Prator abstained)

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented for Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	8,163.47
Sewer Operations & Sewer Operations Already Paid:	15,692.08
Sanitation Operations & Sanitation Operations Already Paid:	7,536.59
Community Events	193.66
TOTAL	\$ 31,585.80

a) add the April payroll and payroll taxes:	7,000.00
b) add Sunoco Fleet Gas:	350.00

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$38,935.80

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A motion was made by Lisa Prator, 2nd by Bridget Kenna approving the payment of the bills totaling \$38,935.80. Motion carried: 7-0-0

Citizen's Agenda:

Bangor Area Middle School: Jacob Dietzler, Student and Teacher, Alan Byerley

Jacob Dietzler stated that this year marks the BASD Middle School 13th Annual Community Pride Clean-Up Day which will be observed on Wednesday May 25, 2015 from 10:30 AM to 1:30 PM. The Borough Council again agreed to provide the supplies that are needed.

- Mayor Prator, snacks.
- Borough, purchase flowers and mulch.
- Borough, safety vests and gloves.
- King, Spry, Herman, Freund & Faul (Solicitor Gaul), bottled water.

Mayor Prator thanked Mr. Dietzler and Mr. Byerley and stated the Borough appreciates their volunteering in the Borough.

John Vallance, JOV, LLC: 106 State Street

RE: Restroom Facility at the Park & Walk Lot:

Mr. Vallance reviewed the plans previously and came to Council tonight with questions concerning the utility easement. Mr. Vallance stated that he may want to add onto his existing building with either a garage or an office and felt that the easement provided was not adequate. Mayor Prator stated that the purpose of the easement is to have access to the water line. After discussion between all parties, the Borough Engineer, Mark Bahnick, will modify the plan for Mr. Vallance's review and signature.

- Mr. Vallance left the meeting at 7:30 PM.

Penny Conway.: 502 Delaware Avenue

Ms. Conway stated that she recently became a member of TAM, The Addicts Mom, a network of recovering addicts. September is National Recovery Month and TAM is holding a national event on September 10, 2016 called "The Lights of Hope". Ms. Conway is looking to host an event here in Portland which is the same day as Portland's Town Wide Yard Sale Event. President Steele invited Ms. Conway to the next Community Events Committee Meeting that is being held on Sunday, April 10, 2016 at 7:30 PM. No action was taken.

- Ms. Conway left the meeting at 7:35 PM.

Sewer Matters:

1. The Borough Engineer, Mark Bahnick, reported that the WWTP is operating fine at one-third capacity.

2. President Steele reported that the billing clerk's computer should be replaced preferably with a desktop model. Ms. Steele stated that Diann Eden's computer is very slow. Staples has a Dell computer on sale for \$450.00 and the monitor for \$160.00. Councilwoman Fischer asked if the

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present laptop computer had been looked at. Ms. Steele replied YES, by Jim Steele. Ms. Steele replied that Ms. Eden's computer can be used for the "Outdoor Free Movies" events instead of recycling it. To save on costs Councilwoman Yvonne Gumaer replied that she had a (19) inch screen monitor that she would donate therefore council only needs to purchase the actual computer. Ms. Steele stated that the computer is a Dell, on sale and has Windows 10. Councilman Knott questioned whether the Borough computers are secure. Ms. Steele replied YES. Mr. Knott was concerned about the police computers. Ms. Steele replied that all the computers are secure and WI-FI accessible. The police computers are WI-FI secure. Ms. Steele asked if council wanted WI-FI secure for the Borough office. Council replied No, not now.

- a) A motion was made by Bridget Kenna, 2nd by Lisa Prator authorizing the purchase of a new Windows 10 Dell computer, in the amount of \$450.00, for the sewer billing clerk.
Motion carried: 7-0-0

Borough Engineer's Report: Mark Bahnick

Park & Walk Restroom Facility Grant:

- a) The plan will be modified for Mr. Vallance's review and signature.
- b) The plan needs to be signed by Borough Officials and notarized.
- c) President Steele will see that the plan is forwarded to either Solicitor Gaul's office or Mark Bahnick's office for signatures by the LVPC and that the plan is recorded in the Northampton County Courthouse.
- d) A purchase order from the Borough is required.
- Mark Bahnick left the meeting at 7:45 PM.

Zoning Officer Report:

1. Mr. Freshcorn was absent but provided a March 2016 report.
- a) Notice of Violation letters were sent to Billie H. Golden of 108 Division Street. Certified, postal mail and hand delivered.
- b) Investigations: photos of the Golden property and Mike's Auto.
2. An application was received from Ms. Bettina Serfass, President of Keller Zoning and Inspection Services, Nazareth, PA., to provide zoning and codes enforcement services for the Borough at the rate of \$51.50 per hour. Ms. Serfass provided a resume along with the application. A motion was made by Steve Knott, 2nd by Heather Fischer appointing Keller Zoning and Inspection Services as the primary Zoning/Codes Official for the Borough of Portland, at the rate of \$51.50 per hour, and appointing Larry Freshcorn as the Alternate Zoning/Codes Official.
Motion carried: 7-0-0

Zoning Hearing Board (ZHB):

1. No hearings scheduled.
2. The number required for the ZHB is three (3) members.
3. There is one (1) vacant seat on the ZHB.

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BCO & UCC Building Inspectors Report:

1. One (1) permit was issued for 708 Delaware Avenue.
2. Discussed by council was the on-going construction at the Lance Walter residence at 113 Main Street and that Mr. Walter did not apply for any permits. Solicitor Gaul will contact the BCO Inspector, Mr. Carl Faust.

- Councilman Kardos left the meeting at 7:55 PM.

President Steele and council discussed the issuing of electrical and plumbing permits especially for safety reasons.

- Councilman Kardos returned to the meeting at 8:00 PM.

Planning Commission:

None

Portland Borough Authority:

None

Legal:

No reply was received from Dirty Mac, LLC, the current snow plow/removal contractor with regard to the damaged tree at the Park & Ride Lot on Delaware Avenue. A motion was made by Bridget Kenna, 2nd by Lisa Prator authorizing Councilman Knott to proceed with the purchase of a replacement tree, in the amount of \$850.00, from Ross Nursery Cresco, PA. Ross Nursery will plant, mulch and stake the tree. Motion carried: 7-0-0

Subdivision and Land Development:

None

Community Development, COG & Grants:

1. The minutes of the March 23, 2016 COG meeting was included in the council packet.
2. Mayor Prator reported that a select group from the COG will travel to Harrisburg, PA tomorrow to meet with the group who are providing the \$10,000.00 grant for the Regional Comprehensive Plan.
3. Mayor Prator is meeting with Washington Township PA on April 13, 2016 to speak with them about the benefits of joining the COG.
4. Mayor Prator explained that by being a member of the COG any UCC Hearings are supported through the COG. Mayor Prator stated that the COG dues are well worth the cost if Portland would need to have a UCC Hearing.

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Community Events/Recreation Board:

1. Resolution 2016-7: Child Protective Clearance Policy

The policy was discussed by council. Questions asked were:

- a) What to do if an employee/volunteer refuses the background check.
 - i. Cannot have any interaction with children.
- b) The cost is \$45.00 for employees for PA State Police check and \$8.00 for the child abuse check. Volunteers are free.
- c) Does the police department need the background checks.
 - i. Councilwoman Fischer stated that it was a good idea so as not to get sued.
- d) Solicitor Gaul explained the difference between volunteer and employee.
 - i. Volunteer is interaction and supervision.
 - ii. Employee is interaction or supervision.
- e) The background check is done every (5) years. The rule is that a background check is needed for every organization, photocopies are not acceptable.
- f) An Employee/Volunteer who has lived in the state for the past (10) years has to sign an affidavit of residency or complete an FBI background check. Those who haven't lived in the state for more than (10) years are required to have an FBI check.

A motion was made by Bridget Kenna, 2nd by Heather Fischer adopting Resolution 2016-7, "Hereby Adopting a Child Clearance Policy for the Borough of Portland, Northampton County, Pennsylvania". Motion carried: 7-0-0

2. Portland Borough and UMBT Inter-Municipal Softball Agreement:

The agreement was discussed by Council. Per correspondence from Ronold Karasek, Solicitor to UMBT, there should be an ordinance in place to enter into inter-municipal agreements pursuant to the PA Inter-Governmental Cooperation Act. The topic of enacting an ordinance was tabled. A motion was made by Lisa Prator, 2nd by Yvonne Gumaer adopting the "2016 Inter-Municipal Softball Agreement with UMBT beginning March 14, 2016 and expiring on January 31, 2017". Motion carried: 7-0-0

3. A motion was made by Lisa Prator, 2nd by Heather Fischer giving approval to President Steele to order a Porta-Potty for the Portland Ball Field, for the months of April, May and June 2016, at the cost of \$135.00 per month and that UMBT will reimburse Portland Borough after being billed for the three (3) month costs. Motion carried: 7-0-0

Police Report:

The March 2016 Police Report was presented by Mayor Prator:

1. Traffic citations issued 10; Non-Traffic citations issued 0; Criminal Arrests 2; Parking Tickets 0. Incidents 29: Parking/Traffic 13; Theft 1; EMS 1; Criminal Mischief 1; Warrants 1; General Complaint 1; Domestic 2; Disabled Motorist 2; Suspicious Activities 1; Found Property 1; Agency Assist 2; Fire Company 1; Narcotics 1; MVA 1. Vehicle mileage: Crown Ford Victoria 22, Ford Utility 1,312.

2. A new Dell model computer for Chief Mulligan was discussed at the cost of \$850.00. The Chief's computer is running out of storage space.

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3. It was brought to everyone's attention that PA House Bill 709 would create the State Police Municipal Patrol Services Act, which would establish a fee structure for municipalities to pay for the routine state police patrol services that some municipalities are currently receiving for free. This would restore an estimated \$450 million to the Motor License Fund. A yearly fee of \$156 would be assessed annually per capita and billed annually to municipalities who fully rely on state police coverage. Municipalities with part-time local police and part-time local state police coverage would be assessed a discounted rate of \$52 per capita annually. Municipalities with full-time police coverage would not be charged a fee.

Mayor's Report:

1. Mayor Prator received a thank you for participating in the 2016 March for Meals Community Champions week for the Meals on Wheels program.

2. Mayor Prator thanked Solicitor Gaul and Firm, King, Spry, Herman, Freund & Faul, for sponsoring the Mayor's table at the annual LVCC Mayor's Awards.

3. Mayor Prator received correspondence from Turning Point of Lehigh Valley for their "Champagne and Chocolate" Event.

Streets Department:

1. Report from Councilman Knott:

- a) The date for street sweeping has not yet been confirmed by the DRJTBC but Councilman Knott stated that it would be at the end of April.
- b) The traffic light signal bulbs on Route 611 and the bulbs that have blown out at the Park & Ride Lot have been replaced by the DRJTBC.
- c) The tree at the Park & Ride Lot that was damaged during the January 2016 snow event had been taken care of previously in the council meeting.
- d) Mr. Knott secured an estimate from Wind Gap Electric for the repair of the following:
 - i. Train Station electric pole light - \$585.00
 - ii. Park & Ride Lot lighting - \$596.00
 - iii. Sewage Treatment Plant lighting upgrade - \$1,560.00
- e) May 15, 2016 is the expiration of the (2) year snow/plowing/removal contract. Mr. Knott will start looking for a new contractor for the 2016-2017 season.
- f) Discussed was the addition of a handicapped parking spot in front of Janet's Jems at 511A Delaware Avenue. No action was taken.

Concerning the electric estimate from (d) above, a motion was made by Lisa Prator, 2nd by Bridget Kenna authorizing Councilman Steve Knott to get the WWTP Lighting Upgrade done at a cost not to exceed \$1,600.00 and to get the Train Station light pole repaired at a cost not to exceed \$600.00. Motion carried: 7-0-0

Sanitation:

1. Report from Councilwoman Lisa Prator:

- a) The balance in the Garbage Account is \$17,000.00.
- b) The garbage Account is repaying the General Account \$2,000.00.
- c) Ms. Prator suggested that the color green on the garbage bills be changed to yellow.

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- d) Garbage and Sewer stampers will be purchased for the mailing envelopes because both envelopes look the same.
- e) The balance due will be highlighted on the bills so they pop out to be seen better.
- f) Numerous garbage customers have paid their garbage service in full for the year.

Building Committee:

None

Budget, Finance, Insurance, & Cable TV Contract:

1. A motion was made by Lisa Prator, 2nd by Brian Kardos approving the renewal of the Christmas Fund CD #40112887 to a term of (27) months at 1.40 %. Motion carried: 7-0-0
2. CD #401113927, in the amount of \$21,851.00, will renew on April 26, 2016 for a term of (12) months. A motion was made by Lisa Prator, 2nd by Brian Kardos to change the term of the CD to (8) months at the rate of .50%. Motion carried: 7-0-0
3. A motion was made by Lisa Prator, 2nd by Steve Knott authorizing President Steele to execute the Representation Letter, to the Borough Auditor, Kirk, Summa & Co., LLP, with regard to the 2015 Annual Audit and Financial Report. Motion carried: 7-0-0
4. A motion was made by Lisa Prator, 2nd by Heather Fischer authorizing the Secretary to advertise the Annual Audit and Financial Condensed Statement for the year ended December 31, 2015 in the Pocono Record publication.

Ordinance Update Committee:

The committee is moving forward.

Personnel, Policy & Procedure Committee:

None

Slate Belt Community Partnership (SBCP):

1. Ms. Sharon Davis, SBCP Main Street Manager, is looking for projects for Scout Troops. Mayor Prator suggested the refurbishing of the storage room in the upstairs of the municipal building.
2. Funding for the SBCP "All Hands On Deck" meeting will be held at the Bangor Community Bee Hive Center on April 14, 2016 at 6:30 PM.
3. Mayor Prator discussed the invitation to Turning Point of the Lehigh Valley with regard to domestic violence.
4. Alan Jennings of the Community Action Committee of the Lehigh Valley (CACLV) will be the speaker at the "Hands On Deck Meeting". Discussion will be membership and how it will work for the SBCP. CACLV will eventually oversee the SBCP.

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Correspondence:

1. An invitation from the Slate Belt Heritage Center, Bangor PA for their 2016 Spring Opening Reception on April 10, 2016. Mayor Prator and President Steele will attend.
2. May 5, 2016 from 5:30 PM to 8:00PM Turning Point of the Lehigh Valley will host a fundraiser for domestic violence.
3. The Lehigh Valley Planning Commission (LVPC) is pleased to continue to offer the PA Municipal Planning Education Institute course in Community Planning and Land Use Regulations. Mayor Prator will be attending,

Secretary's Announcements:

1. Ms. Hummel will be out of the office on Tuesday April 26, 2016, primary election day.
2. Ms. Eden will be out of the office April 18, May 4 through May 13, 2016 for personal reasons.
3. The Secretary asked if council would approve a cut-off date to be placed on the Citizen's Agenda portion of the council meeting, because of persons calling at 4:00 PM the day of the council meeting and asking to speak. Councilwoman Prator objected. Citizen's Non-Agenda will be deleted from the council meeting agenda and Public Comment will be added under Citizen's Agenda.

Old Business:

None

New Business:

1. Wild & Scenic Lower Delaware River: Council discussed adopting a Memorandum of Understanding Implementing the Designation of the Lower Delaware River and Selected Tributaries as a Component of the National Wild and Scenic Rivers System. Tabled, no action taken.
2. An invitation was received to the annual Memorial Day Service, sponsored by the Mt. Bethel-Portland Memorial Post 216 American Legion, to be held on Monday, May 30, 2016 at 11:00 AM at the Mt. Bethel War Memorial next to the cemetery on Route 611 in Mt. Bethel, PA.

Citizens Non-Agenda:

Councilwoman Prator's concern was the trees in the Borough. During the recent high wind storm a tree was blown over in the area by the Portland Walk Bridge. Ms. Prator stated that many trees are (100) feet tall and too big for a small town. All property owners should be held accountable to the same standard and maintain their trees. Solicitor Gaul replied that nothing can be done about trees that are on private property. An adjacent property owner can trim a tree if it hangs over onto their property. Solicitor Gaul said that there may be something in the Property Maintenance Code that addresses trees.

Executive Session:

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A motion was made by Lisa Prator, 2nd by Heather Fischer adjourning to Executive Session at 9:47 PM. Motion carried: 7-0-0

Discussion: Personnel and discussion of pending legal matters with the Solicitor.

A motion was made by Lisa Prator, 2nd by Steve Knott to reconvene from Executive Session at 10:10 PM. Motion carried: 7-0-0

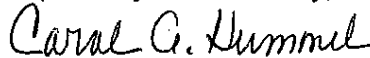
Action Taken:

A motion was made by Steve Knott, 2nd by Yvonne Gumaer authorizing the hiring of David Gonzalez as a part-time Street Department Maintenance Laborer at the rate of \$10.00 per hour for up to (10) hours per week during the months of May 1, 2016 through to September 30, 2016. Motion carried: 7-0-0

Adjourn:

The next council meeting will be held on May 2, 2016 at 7:00 PM. A motion was made by Lisa Prator, 2nd by Steve Knott to adjourn the meeting at 10:12 PM. Motion carried: 7-0-0

Respectfully Submitted by,



Carol A. Hummel, Secretary