

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

The Borough Council Meeting of May 4, 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
*Heather Fischer.

Others Present:

1. Mayor Lance Prator
2. Solicitor Michael Gaul
3. Borough Secretary Carol Hummel
4. Zoning Officer, Rick Fisher
5. Members of the Public

Draft Ordinance 2015-3:

A motion was made by Susan McKean, 2nd by Steve Knott authorizing Solicitor Gaul to advertise the draft Ordinance 2015-3. Motion carried: 7-0-0

Resolution 2015-3:

A motion was made by Susan McKean, 2nd by Bridget Kenna adopting Resolution 2015-3 "Confirming The Appointment Of Heather Fischer To The Office Of Member Of Borough Council". Motion carried: 7-0-0

Resolution 2015-4:

A motion was made by Steve Knott, 2nd by Susan McKean adopting Resolution 2015-4 "Establishing New Permit Fees Under The Building Code". Motion carried: 7-0-0

Resolution 2015-5:

A motion was made by Bridget Kenna, 2nd by Brian Kardos adopting Resolution 2015-5 "In Honor Of The Thirty Year Anniversary Of The Mount Bethel-Portland American Legion Post 216 Portland PA". Motion carried: 7-0-0

Resolution 2015-6:

A motion was made by Susan McKean 2nd by Heather Fischer adopting Resolution 2015-6 "Resolution In Honor Of American Cancer Society Relay For Life Of The Slate Belt May 16, 2015". Motion carried: 7-0-0

Action on Minutes:

A motion to approve the minutes of April 6, 2015 as presented was made by Steve Knott, 2nd by Bridget Kenna. Motion carried: 6-0-1 (Lisa Prator abstained)

A motion was made by Brian Kardos, 2nd by Susan McKean to approve the minutes of April 27, 2015 with the following correction. Page 2, 4th paragraph, strike the last sentence and re-word

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

"now the new owner has a plan for the building but is not making any effort to fix it". Motion carried: 7-0-0

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented For Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	7,883.72
Sewer Operations and Sewer Add-On Bills:	18,148.98
Sanitation Operations & Sanitation Operations Already Paid:	9,952.01
TOTAL	\$35,984.71
a. Add the payroll and taxes for the month of April	6,000.00
b. Add the Sunoco Fleet Gas for the month of April	400.00

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$42,384.71

2. A motion was made by Susan McKean, 2nd by Steve Knott to table the QuickBooks Pro (3) user purchase until the next council meeting of June 1, 2015. Motion carried: 7-0-0

3. A motion was made by Susan McKean, 2nd by Steve Knott approving the \$7,000.00 budget allocation of \$7,000.00 to the Portland Hook & Ladder Co. No. 1. Motion carried: 7-0-0

4. A motion was made by Steve Knott, 2nd by Lisa Prator approving the set-up of payroll Direct Deposit with Merchants Bank, Mount Bethel PA office. Motion carried: 7+0-0

Citizens Agenda:

None

Sewer Matters:

Decks & More LLC:

Discussed was the final payment to Decks & More LLC for the construction of the 5' by 12' building at the Waste Water Treatment Plant. A motion was made by Susan McKean, 2nd by Steve Knott approving the final payment of \$550.00 upon the following conditions.

- a) Council will send a letter to Mr. Derek Spence stating that the considerable amount of garbage left behind after construction must be removed.
- b) After inspection by the Borough that the garbage has been removed the final payment will be forwarded to Mr. Spence.

Motion carried: 7-0-0

Anat Schor: 305 State Street

Mr. Schor requests that the late fee on his sewer bill be removed (letter in packet). Mr. Schor mailed his sewer bill before the due date but forgot to date it. Ms. Eden, Sewer Clerk, mailed the check back to him but then Mr. Schor received a late fee because the sewer payment was now

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

late to the Borough. A motion was made by Steve Knott, 2nd by Susan McKean deleting the late fee from Mr. Schor's account. Motion carried: 7-0-0

Sharon Angle: 501 Northampton Street (rental unit)

Ms. Angle was not present. No action was taken on the late fee of her sewer account.

Sewer Envelopes:

President Steele presented to council a price quote from the Envelope SuperStore.com for peel and seal double window envelopes for the sewer billing mailing. The current pre-gummed envelopes are purchased at Staples in boxes of 500 each for approximately \$.15 each. The pre-gummed envelopes dry out and then each envelope has to be moistened separately for mailing. The Borough can purchase 2,500.00 peel & seal envelopes, enough for one (1) year at \$.12 each. The peel & seal would also save time with the billing. A motion was made by Lisa Prator, 2nd by Susan McKean authorizing the purchase of 2,500 peel & seal envelopes from the Envelope SuperStore.com for the approximate cost of \$305.00. Motion carried: 7-0-0

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

Mr. Bahnick was absent.

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.

UCC Building Inspectors Report: Blue Mt. Inspections, Mr. Carl Faust

None

- Rick Fisher entered the meeting at 7:30 PM.

Recreation Board:

1. No action was taken concerning the Bangor Sting Soft Ball Team and their use of the Portland Gymnasium.
2. President Steele reported to council about the porta-potty that is currently in use on the Portland Ball Field. Ms. Steele stated that the secretary contacted Hicks Septic & Portable Toilets and questioned them about the rental of a porta-potty for \$50.00, per the advice of Upper Mount Bethel Township (UMBT) Manager J. Robert Cartwright. Hicks Septic quoted to the secretary that the cost to the Borough would be \$130.00 per unit rental. UMBT pays \$50.00 per unit rental because they have purchased in bulk. Hicks Septic did not have the cost of a damage waiver available and did not call the secretary back with a price quote. They also did not have any handicapped porta-potty's available. Based on that information the secretary was directed to bill UMBT \$135.00 monthly, for the months of April, May and June respectively, for the cost of one (1) porta-potty per month rental from Allstate Septic.

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

Zoning Officer Report:

1. Mr. Fisher presented the draft zoning fees to Solicitor Gaul. There was no report.
 2. Mr. Fisher reported on the violations at 505 Northampton Street.
 - a) Frank Sevek, 508 Northampton Street, complained that the resident of 505 Northampton Street, Mark Thomas, has chickens that run loose on other people's property, has old vehicles, old tires and trash laying around. There are also about sixty (60) vultures living in the area picking at the garbage.
 - b) Mr. Fisher has made several visits to the property and issued the violations
 - c) Mr. Fisher is also investigating a complaint of garbage at 545 High Street.
- Frank Sevek left the meeting at 7:45 PM.

Planning Commission:

None

Portland Borough Water Authority:

None

Legal:

None

Subdivision and Land Development:

None

Community Development and GOG:

1. Mayor Prator reported that he has been attending the State Belt Council of Governments (COG) meetings. The COG is acquiring a tar machine that can be used by the municipalities for a rental fee. There was no interest by Portland Council.
2. The secretary sent a recycling report to the COG, for their review, to see if there is any possibility that the Borough could receive more grant monies back if all the COG municipalities participated together.

Police Report and Mayor's Report:

The March 2015 Police Report was presented by Mayor Prator.

1. Traffic citations issued 17; Criminal Arrests 4; Incidents 22; Parking/Traffic 11; Parking Tickets 3; warrants 1; Theft 1; criminal mischief 2; Trespassing 2; Warrants 2; MVA 1; Agency Assist 1; Harassment 1; Narcotics 1; Vehicle mileage: Crown Ford Victoria 0; Ford Utility 740

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

- a) Chief Mulligan and Officer Keifer attended ESU (East Stroudsburg University) criminal justice day. They were well received by the students.
- b) The Police Committee interviewed Leighton Pursell on April 29, 2015 as a potential new part-time police officer. Officer Pursell was recommended by Chief Mulligan. Councilman Knott stated that he would like to discuss the new police officer position in Executive Session.
- c) Chief Mulligan asked for approval to purchase new officer trousers for himself and Officer Kiefer. The approximate cost is \$250.00. No action was taken.
- d) Council discussed making a payment this year towards the Merchants Bank police car loan. Chief Mulligan would like council to make the extra payment so that the loan stays on a (5) year schedule. A motion was made by Lisa Prator, 2nd by Steve Knott to make the 2015 budgeted loan payment in the amount of \$6,800.00. Motion carried: 7-0-0
- e) Chief Mulligan is investigating two (2) quotes for design graphics for the new police car. Tabled until the next council meeting of June 1, 2015.
- f) Mayor Prator stated that he attended a Mayors Conference sponsored by Congressman Matt Cartwright. Mayor Prator stated that there are many grants available but Portland Borough residents are above the median income guidelines. Residents are not eligible for USDA Grants either.

Streets Department:

1. Mr. Mario Palmeri, Principal of Dirty Mac LLC, Snow Removal Contractor entered the meeting at 7:59 PM. Discussed was the job performance of Dirty Mac, LLC and how the issues can be resolved between the Borough and the Contractor. The issues are not plowing the Borough streets "curb to curb", not removing piles of snow on Delaware Avenue and in the Wm. Pensyl Social Hall parking lot, failing to plow Borough parking lots, use of alternate telephone numbers instead of a single contact number, Mr. Knott then being unable to reach Mr. Palmeri. Dirty Mac LLC leaving the Borough before the snow removal is completed and the Borough having to employ a third party to complete the unfinished snow removal. Mr. Palmeri replied that he is unfamiliar with the Borough streets and would like to continue with the contract but he requested that Mr. Knott be replaced as the contact liaison. Borough Council discussed terminating the Dirty Mac LLC snow removal contract but Solicitor Gaul instead was directed by council to send Dirty Mac LLC a letter outlining what is expected from his company during the snow removal process. Solicitor Gaul stated that this matter would be discussed further in Executive Session.

2. Councilman Knott presented a proposal from FarmTek for a fabric structure over the salt pile, in the amount of \$6,141.16. This cost does not include installation. No action was taken.

Sanitation:

The secretary presented the 2014 delinquent garbage accounts. Solicitor Gaul stated that the Borough cannot file a civil complaint against Salvatore Catalano because of his declared bankruptcy. A motion was made by Susan McKean, 2nd by Heather Fischer authorizing the

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

secretary to file civil complaints for the 2014 delinquent garbage accounts, as listed below, at District Court 03-3-03.

• Wm. Bies	705 Hillcrest Drive	\$148.09
• Jeremy Caesar	110 Division Street	\$289.69
• Katherine Futchko	104 Ruth Street	\$289.50
• Melissa Knox	609 Washington Street	\$289.69
• David & Wm. Lane	529 Delaware Avenue	\$289.69
• Louis Mayer, Sr.	403 Jennings Street	\$289.69

Motion carried: 7-0-0

Insurance:

1. The secretary reported that insurance coverage for the extra equipment of the new police car has been included in the price of the vehicle.

2. There has been no communication from the State Worker's Insurance Fund (SWIF) with regard to the workers' compensation policy application for the Portland hook & Ladder Co. #1.

Building Committee:

No response from any contractor.

Budget/Finance:

- None

Ordinance Update Committee:

President Steele presented the new committee assignments. Heather Fischer was assigned to the Ordinance Update Committee.

Council Policy & Procedure Committee:

- None

Slate Belt Community Partnership (SBCP):

1. Mayor Prator reported Ms. Sharon Davis has made the PA Bagel & Deli her headquarters when working in Portland. Ms. Davis is in the Borough every Wednesday.

2. The SBCP meets every Wednesday 6:30 PM on a rotating schedule.

3. James Kresge and Michelle Rowe, President and Vice President respectively, have resigned their positions.

Correspondence:

From: Advance Business Equipment, no action taken

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

From: The Mount Bethel-Portland American Legion Post #216 announcing the annual Memorial Day service, which will be held this year in Portland.

From: RENEWLTV, a campaign to renew Lehigh Valley PA, no action taken.

Secretary Announcements:

- None

Old Business:

- None

New Business:

1. NIMS, National Incident Management System: Lisa Prator, Heather Fischer, Rick Fisher will take the test on-line to be certified for the Borough.

2. Alarm Monitoring Contract: Jeff Manzi is leaving Twenty First Century Security and partnering with a new company, Select Security. The secretary stated that she spoke with Mr. Manzi about concerns of a price increase and the cost to switch. Mr. Manzi assured the secretary that there will be no rate increase and no cost to switch to a different company. No action was taken because the secretary was directed to contact Mr. Manzi about the annual billing.

3. Borough Website: President Steele stated that the domain name for portlanboroughpa.com is expiring and needs to be renewed. Councilwoman Fischer stated that when the services are bundled together the rate package usually decreases. Ms. Fischer suggested a (5) to (7) year renewal.

Citizen's Non-Agenda:

Mark Thomas of 505 Northampton Street was recognized by council. This property was discussed earlier in the meeting with regard to property violations that were issued by the Zoning Officer. Mr. Thomas addressed those issues. Councilwoman Prator questioned Mr. Thomas about the RV that is parked on the public street. Mr. Thomas stated that the RV is licensed and inspected.

Executive Session:

A motion was made by Susan McKean, 2nd by Steve Knott to convene to executive session at 8:45 PM. Motion carried: 7-0-0

Discussion: Personnel and legal advice from the Solicitor

A motion was made by Susan McKean, 2nd by Steve Knott to reconvene from executive session at 9:25 PM. Motion carried: 7-0-0

Action Taken:

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 4, 2015

1. A motion was made by Steve Knott, 2nd by Lisa Prator approving the hire of Leighton J. Pursell as a part-time police officer for not more than (20) hours per week at the hourly rate of \$15.00 per hour. Motion carried: 7-0-0

2. Solicitor Gaul outlined what is expected from Dirty Mac LLC , the snow removal contractor.

a. Steve Knott is the contact liaison for snow removal and is also the chairman of the Street Department. Dirty Mac LLC is required to be responsive to Mr. Knott's communications.

b. The Borough will only use one telephone number to contact Dirty Mac LLC. Dirty Mac LLC personnel must be reachable through that telephone number. The Borough will not be responsible for tracking Dirty Mac LLC personnel down through various alternative numbers. If Dirty Mac LLC needs to change the single telephone number, it can do so after notifying the Borough, but then the old telephone number will no longer be used.

c. Mr. Palmer needs to be pro-active.

d. Mr. Palmeri must agree to plow the Borough lots, and fire company social hall lot, or the work will not be considered part of the contract, and the Borough will hire someone else to do it. In the future, it will not be acceptable for Dirty Mac LLC to excuse poor performance on the lots by stating it is not part of their contract.

e. Dirty Mac LLC must plow Borough streets "curb to curb".

f. Once Dirty Mac LLC begins work in the Borough, it is not to leave until done. If for some reason the work cannot be completed as required, Mr. Palmeri is responsible to contact Mr. Knott and discuss solutions with him.

g. If Mr. Palmeri leaves the Borough with the work not completed, and without contacting Mr. Knott, then the Borough will consider Mr. Palmeri as having abandoned the job.

Solicitor Gaul stated to Mr. Palmeri that there had been complaints by residents about the plowing, not just from Borough Council members. Dirty Mac LLC needs to seriously consider whether they want to do the contract. If Mr. Palmeri does not do the snow removal job well then he is at risk for not being paid.

Solicitor Gaul will send correspondence to Mr. Palmeri asking him to confirm these expectations. Based on Mr. Palmeri's response to the letter the Borough Council will then decide whether the snow removal contract will be terminated or not. Mr. Palmeri replied that the parking lots are not specified in the contract. He will provide a telephone number that is not his cell phone number.

3. A motion was made by Steve Knott, 2nd by Susan McKean approving the payment of invoice #1027 in the amount of \$5,535.00 to Dirty Mac LLC. Motion carried: 7-0-0

Adjournment:

A motion to adjourn the meeting at 9:35 PM was made by Lisa Prator, 2nd by Brian Kardos
Motion carried: 7-0-0

Respectfully Submitted By,

Carol

Carol A. Hummel, Secretary