

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 1, 2015

The Borough Council Meeting of June 1, 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 *Heather Fischer.

- Brian Kardos was absent.

Others Present:

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

Ordinance 2015-3:

Solicitor Gaul stated that the ordinance was advertised, and presented the proof of publication to the secretary. A motion was made by Susan McKean, 2nd by Steve Knott to enact Ordinance 2015-3, "An Ordinance of the Borough of Portland, County of Northampton and Commonwealth of Pennsylvania, Establishing An All Ways Stop Intersection At The Intersections of Delaware Avenue and Ruth Street and Delaware Avenue and First Street, And Providing For Other Miscellaneous Matters". Motion carried: 6-0-0

Draft Resolution for Discussion:

Mayor Prator discussed with council an agreement that was presented by the Slate Belt Council of Governments (COG) with regard to authorizing Hough Associates to Collect Residential and Commercial Data and To Prepare the Recycle Grant Applications for Participating Members of the Slate Belt COG. Mayor Prator stated there would be no cost to the Borough. By joining with the other members of the Slate Belt COG, the Borough might be able to double or triple their recycling income. Mayor Prator would like council to review the proposed agreement and to meet with Hough Associates at the next council meeting of July 6, 2015. All were in agreement. The resolution was tabled until the next council meeting.

- Councilman Brian Kardos entered the meeting at 7:05 PM.

Action on Minutes:

A motion to approve the minutes of May 4, 2015, as presented, was made by Susan McKean, 2nd by Bridget Kenna. 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:	12,187.40
Community Events	107.26
Sewer Operations and Sewer Add-On Bills:	15,847.87
Sanitation Operations & Sanitation Operations Already Paid:	4,746.21

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TOTAL	\$32,888.74
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- a. Add the payroll and taxes for the month of June 6,000.00
- b. Add the Sunoco Fleet Gas for the month of June 400.00

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$39,288.74

1. A motion was made by Steve Knott, 2nd by Lisa Prator approving the May 2015 financial report and the bills presented for payment in the amount of \$39,288.74. Motion carried: 7-0-0

2. A motion was made by Susan McKean, 2nd by Lisa Prator authorizing the purchase of QuickBooks Pro 2015 for each of the Borough Office computers in the amount of \$189.99 each, for a total of \$379.98. Motion carried: 7-0-0

3. The Secretary reported that there is a mistake on the part of the vendor, URDC, with regard to the invoice for the "Best Practices" part of the Community Development Block Grant (CDBG) FY 2011. The secretary was directed to ask for a new invoice.

Citizens Agenda:

425 Delaware Avenue: Fred Duckloe, 427 Delaware Avenue

Mr. Duckloe asked for an update on the progress of the condemned property at 425 Delaware Avenue. Solicitor Gaul stated that the Zoning Officer is making a list of the safety issues and will be filing new citations. The new owner, Youn Son, has not applied for any permits to fix the building. The secretary informed council that the architect for Mr. Son did purchase a 2015 Zoning Ordinance Book.

Refiner's Fire Ministry: Steve Frei and Alex Waldron

Mr. Frei and Mr. Waldron stated that there is a parking issue at the church at 100-102 Division Street. Mr. Frei and Mr. Waldron asked if the hill portion of Division Street that exits onto Main Street could be made one-way down. That portion of Division Street can only accommodate a single lane of traffic. Solicitor Gaul replied that the Borough Engineer should be contacted. Mr. Frei will speak with the neighbor on the hill to see if they have any objections or comments.

Mr. Frei asked if a yellow line could be painted in the road by the fire hydrant that states "No Parking". Mr. Frei stated that parking is congested not only at church service time but also when the food pantry is open. Councilman Knott replied that state law prohibits parking within (15) fifteen feet of a fire hydrant. Chief Mulligan will investigate.

Sewer Matters:

702 Hillcrest Drive: Hubert McHugh

Mr. McHugh reported to council that the sewer connection at the Cecilio Rivera property at 702 Hillcrest Drive is almost completed. The Rivera's have been making their contract connection payments to Mr. McHugh on a regular basis.

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Tenant at 108 Main Street: Bethany Karinja

Ms. Karinja was not present.

Policy for Water Meters:

President Steele asked Solicitor Gaul advice on the reading of a water meter when the property owner has had their water turned off due to non-payment of sewer service. Ms. Steele stated that after the water was turned off on a residential property, that property owner turned the water back on by himself. Ms. Steele would like a policy put in place so that the water meter is read when the water is turned off. Solicitor Gaul agreed with Ms. Steele that the water meters should be read and stated that no amendment to the sewer ordinance is needed.

Zoning Officer Rick Fisher entered the meeting at 7:26 PM.

A motion was made by Steve Knott, 2nd by Susan McKean authorizing Solicitor Gaul to prepare a written policy for council.

Councilwoman Fischer asked if someone goes back to check the meter. Ms. Steele replied YES.

Motion then carried: 7-0-0

- Rick Fisher and Carol Hummel exited the meeting from 7:31 PM to 7:33 PM.

Zoning Officer Report:

A motion was made by Lisa Prator, 2nd by Susan McKean adopting Resolution 2015-7, "A Resolution of the Borough Council Establishing the Fee Schedule for Zoning Applications, And Providing For Other Miscellaneous Matters". Motion carried: 7-0-0

1. Mr. Fisher's May 2015 Report:

- a) Golden Property at 108 Division Street. Mr. Golden will be cited for Property Maintenance Code (PMC) violations and Zoning violations for garbage.
- b) Son Property at 425 Delaware Avenue. There are numerous safety issues and Property Maintenance Code (PMC) violations. Mr. Fisher will be compiling a list of PMC violations to send to Mr. Son.
- c) Mike's Auto at 208 Northampton Street. Mike's Auto can have a fence but not a storage yard. Mr. Fisher stated that this is not a denial but not a permit. The storage yard would be a separate business and is not an approved use in its location.
- d) Portland Hardware Store at 405 Delaware Avenue should not have a blinking Open Sign but a standard Open Sign.
- e) There have been no more complaints about the chickens at 505 Northampton Street.

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2. President Steele reported that 108-112 State Street (Catalano Property) and 202 Division Street (Housel Property) will have their water shut-off tomorrow for delinquent sewer accounts. 108 Main Street has had their water shut-off by the Portland Borough (Water) Authority. Mr. Fisher replied that if there is no water at the properties then it is unsanitary and the inhabitants must vacate the property. Mr. Fisher stated that the PMC is very specific on this issue. Mr. Fisher stated his concern of who is responsible to notify him when the water is shut off and the premises must be vacated. Mayor Prator stated that Ms. Diann Eden, the Portland Borough billing clerk notifies the Portland Borough (Water) Authority secretary, by a work order, to shut the water off. After discussion by Solicitor Gaul, Council and Mr. Fisher it was agreed upon that the Portland Borough (Water) Authority secretary, Nina Cerulli, will notify Mr. Fisher when the water is shut off and the properties must be vacated.

3. Hubert McHugh, from the audience, questioned why the Mike's Auto fencing issue is different than the Andrew Madej Auto downtown. Mr. Fisher replied that Mr. Madej is in the business district and Mike's Auto is not.

4. Mayor Prator reported that the Rental Inspection Classroom Training, through the PSAB, has been cancelled. Mr. Fisher was registered to attend, paid for by the Borough.

5. Mayor Prator spoke about a "Quality Of Life Ordinance" that he stated would work well for the Borough. No action was taken.

6. Solicitor Gaul stated that the Borough was in need of a Rental Property Ordinance if the Borough intended to regulate rental properties. Mr. Gaul was directed to prepare a draft ordinance for council's review.

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

Recreation Board:

1. President Steele reported to council that a porta-potty was delivered to the Park & Walk Lot for the free movie night of May 23, 2015. Ms. Steele asked if council would want to keep it there for the town wide yard sale of June 27, 2015. All were in agreement. Ms. Steele stated that the William Pensyl Social Hall will be open for the flea market vendors. Ms. Steele stated that the porta-potty rental will be paid by the Community Events Committee.

2. Mayor Prator reported that the repair of the ball field fence by the third base line has been taken care of.

a) Mayor Prator stated, that in the 2016 soft ball agreement between Upper Mount Bethel Township (UMBT) and Portland Borough, secondary parking along the third base

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line should be included. Councilwoman Lisa Prator added that the porta-potty rental, that is being paid for by UMBT, should also be included.

b) Mayor Praor stated that Pat Howarth has (50) fifty wiffle ball teams for the Wiffle Ball Tournament. Mr. Howarth thanked Portland for the offer of use of the Portland ball field but stated to Mr. Prator that the ball field is too small.

c) Mayor Prator also stated that if the "The Sting" girls softball team would want to use the Portland Gymnasium for the 2016 season then the Borough has to discuss the expectations of the softball team, with regard to heating the gymnasium.

- Mark Bahnick, Borough Engineer, arrived at the meeting at 8:17 PM.

Planning Commission:

None

Portland Borough Water Authority:

None

Legal:

Will be discussed in executive session.

Subdivision and Land Development:

None

Community Development and GOG:

1. The secretary discussed with council the purchase of a new American Flag for the "Pokey". Resident Bill Wade suggested a historic period flag. The secretary was directed to purchase a new American Flag for the "Pokey" with payment being made from "Save Portland's Pokey" Account.

Borough Engineer's Report:

1. Mark Bahnick reported that the raw sewage leak at the Portland Walk Bridge/George Zalepa Property on Delaware Avenue is not a sewer main but a sewer lateral. The line is under the Norfolk Southern railroad tracks. Mr. Bahnick stated that Portland Contractors, Inc. will bore a test pit where the leak is coming from, next to the railroad tracks on the shoulder of PA Route 611. Portland Contractor's Inc. is researching the extension of the lateral line and will shut it off on the back side of the line. Solicitor Gaul asked Mr. Bahnick if he could tell whether it is a public or private line. Mr. Bahnick replied NO because the same material was used for both.

2. Portland Borough was awarded a \$110,000.00 PA Race Horse Development and Gaming Act's Local Share Grant generated solely by Mount Airy Casino Resort in Monroe County PA, and distributed among the five counties contiguous to Monroe

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County. The grant monies will be used for a restroom facility for the Liberty-Portland Trail users and erected at the rear of the Park & Walk Lot on Delaware Avenue. Mayor Prator and Mark Bahnick will meet to go over the plan.

3. Mr. Bahnick was asked by President Steele to look into the request made by Refiner's Fire Ministry to make the hill portion of Division Street by the church one-way down.

4. Mayor Prator reported that the WWTP Pump Station was not working due to (1) one pump being plugged-up. It was hard for Portland Contractors, Inc. to get inside the fence, that surrounds the pump station, to remove the pump for cleaning. Allstate Septic, Inc. was hired and removed the pump using a crane. Mayor Prator asked if the fence could be moved to make it easier to get inside to work on the pumps. The suggestion was either to add a gate to the fence or move the fence. Mayor Prator stated that it would be easier to move the fence. A motion was made by Steve Knott, 2nd by Lisa Prator authorizing Mayor Prator to secure telephone estimates to move the fence back to the pump station a minimum of (3) three feet. Motion carried: 7-0-0

Police Report:

The May 2015 Police Report was presented by Mayor Prator.

1. Traffic citations issued 9; Criminal Arrests 0; Incidents 34 ; Parking/Traffic 16; Parking Tickets 2; warrants ; Theft 1; EMS 1; Warrants 3; MVA 1; Agency Assist 1; Narcotics 2; DUI 1; Suspicious Activities 1; General Complaint 2; Disabled Motorist 1; Pursuit 1; Vehicle mileage: Crown Ford Victoria 0; Ford Utility 941

a) The new part-time police officer, Leighton Pursell, is working on his own and doing fine.

b) Chief Mulligan suggested that council hire (1) one more part-time officer so there is ample week-end coverage.

c) Chief Mulligan presented the design graphics for the new police car and reviewed them with council. After discussion, a motion was made by Lisa Prator, 2nd by Heather Fischer accepting the proposal from Klavers Auto for the description of "ghost lettering" in the amount of \$535.00. On the back of the proposal, graphic chosen is the third picture down in the left hand column. Motion carried: 7-0-0 (copy attached to these minutes)

d) A motion was made by Lisa Prator, 2nd by Susan McKean approving the contract for Metro Alert, the recurring alert care annual licensing and maintenance in the amount of \$1,056.00. Motion carried: 7-0-0

e) Discussed was the Suburban EMS Squad which services Portland and vicinity. Hubert McHugh stated that when he called for service the squad went to Market Street in Bangor instead of his residence, Market Street in Portland. It took (35) thirty-five minutes for the squad to respond. Mayor Prator has notified the EMC Coordinator, Jim Potter, and Mr. Potter will relay the complaint. It was also stated that the Suburban EMS is the only service available and that they are spread "real thin".

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Mayor's Report:

Mayor Prator spoke again about the Local Share Grant for the restroom facility in the rear of the Park & Walk Lot. Mayor Prator speculated that the grant was awarded due to a letter of support from the Rails To Trails Committee. Mr. Prator stated that a vacant Borough Garage located at the rear of the Park & Walk would probably be demolished to erect the restroom. James Kenna, from the audience, asked who would own the restroom. Mr. Prator replied the Borough. Mr. Kenna complained that the taxpayers would then have to pay for its maintenance.

Streets Department:

1. Dirty Mac LLC, Snow Removal Contractor, will be discussed in Executive Session.
2. Councilman Knott suggested that signage be posted at the Northampton County Park area, by the Portland Walk Bridge, where canoeists enter and exit the Delaware River. Solicitor Gaul stated that the police can patrol the area but Northampton County would have to regulate the rules. No action was taken. Mr. Knott will contact Gordon Heller, Director of Parks of Northampton County.
3. Mr. Knott stated that the Bangor Middle School students did a good job with the annual clean-up day.
4. Mr. Knott discussed the licensing of dogs and proof that dogs have their required shots in order to receive a license. Councilwoman Fischer stated that she was not asked for proof when she licensed her dog at the animal hospital. Solicitor Gaul asked about a policy on stray animals and was told that Portland has none. Mayor Prator replied that the Council of Governments (GOG) is working on a plan to hire a regional animal control officer.

- Pastor Phil Karasiewicz entered the meeting at 8:59 PM.

Sanitation:

None

Insurance:

The Portland Hook & Ladder Co. #1 worker's compensation policy, State Worker's Insurance Fund (SWIF), has arrived to the Borough.

Building Committee:

Mayor Prator reported that Frank Communale Construction has agreed to give an estimate for the roof repair of the municipal building (old Portland School).

Budget/Finance:

CD #401112887, in the amount of \$10,045.31, matures on June 8, 2015 for the period of (9) nine months. Council agreed that the CD should roll over.

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Ordinance Update Committee:

None

Council Policy & Procedure Committee:

None

Slate Belt Community Partnership (SBCP):

The committee will meet on Thursday June 11, 2015 at Wind Gap, PA. It was stated that Ms. Sharon Davis, Manager SBCP, asked John Vallance 106 State Street about painting a mural on the side of his building. It was stated that Ms. Davis was specifically told by the Portland Committee that Portland did not want a mural.

Correspondence:

None

Secretary Announcements:

None

Old Business:

1. The NIMS Testing and Certification: Lisa Prator reported that she has taken and passed the first test with one more to go.

2. Twenty-First Century Alarm Company is partnering with Select Security Alarm Monitoring. The secretary reported that the annual billing will stay the same. A motion was made by Susan McKean, 2nd by Steve Knott authorizing President Steele to execute the new alarm monitoring contract with Select Security. Motion carried: 7-0-0

New Business:

1. Act 164 requires the Acting Tax Collector to earn (6) six credits of continuing education which must be completed by November 15, 2015. The cost for each credit is \$10.00. A motion was made by Susan McKean, 2nd by Lisa Prator approving the total cost of (6) six credits or \$60.00 for the continuing education of the Acting Tax Collector. Motion carried: 7-0-0

a) Act 164 requires the naming of a Deputy Tax Collector. Solicitor Gaul suggested that this be tabled until the next meeting of July 6, 2015.

2. The Frontier Communications (3) three year service agreement for (2) two telephone lines, internet and security for the police department expired May 30, 2015. The secretary renewed the agreement for another (3) three years. The cost is \$199.96 plus taxes and charges. A motion was made by Lisa Prator, 2nd by Susan McKean authorizing President Steele to execute the (3) three year Frontier Communications Contract. Motion Carried: 7-0-0

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Citizen's Non-Agenda:

None

Executive Session:

A motion was made by Lisa Prator, 2nd by Steve Knott to convene to executive session at 9:21 PM. Motion carried: 7-0-0

Discussion: Personnel and pending legal matters with Solicitor Gaul.

A motion was made by Brian Kardos, 2nd by Lisa Prator to reconvene from executive session at 9:51 PM. Motion carried: 7-0-0

Action Taken:

A motion was made by Steve Knott, 2nd by Susan McKean authorizing Mayor Prator to apply for a COPS Grant. Motion carried: 7-0-0

The 2015 COPS Hiring Program (CHP) is a competitive grant program that funds the hiring or rehiring of law enforcement officers. CHP provides 75% of the approved entry-level salaries and fringe benefits of each newly hired and/or rehired full time officer, up to \$125,000.00 per officer position, over the (3) three year grant program.

Adjourn:

A motion to adjourn the meeting at 9:53 PM was made by Lisa Prator, 2nd by Susan McKean Motion carried: 7-0-0

Respectfully Submitted By,

Carol

Carol A. Hummel, Secretary