

**BOROUGH OF PORTLAND
COUNCIL MEETING JULY 6, 2015**

The Borough Council Meeting of July 6, 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.

Others Present:

1. Mayor Lance Prator
2. Solicitor Michael Gaul
3. Borough Secretary Carol Hummel
4. Edward J. Easterly, Esquire
5. Members of the Public

Action on Minutes:

A motion to approve the minutes of June 1, 2015, as presented, was made by Steve Knott, 2nd by Susan McKean. 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:	13,005.44
Community Events Account	242.29
Sewer Operations & Sewer Operations Already Paid:	11,934.54
Sanitation Operations & Sanitation Operations Already Paid:	4,807.29
Recreation Fund - electric service May 2015	29.80
Save Portland's Pokey Fund - new American Flag	29.10
TOTAL	\$30,048.46

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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: \$36,448.46

1. A motion was made by Susan McKean, 2nd by Steve Knott approving the June 2015 financial report and the bills presented for payment in the amount of \$36,448.46. Motion carried: 7-0-0

2. The Commercial Crime/Employee Dishonesty Policy will be renewed for \$25,000.00 coverage on July 15, 2015 at a cost of \$620.00 for the (3) three year term. Discussed was raising the coverage to \$50,000.00 at a cost of \$869.00. A motion was made by Lisa Prator, 2nd by Brian Kardos to renew the coverage of \$25,000.00 for the cost of \$620.00 for the three (3) year term. Motion carried: 7-0-0

Executive Session:

A motion was made by Susan McKean, 2nd by Lisa Prator to convene to executive session at 7:05 PM. Motion carried: 7-0-0

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Discussion: Pending legal matters with Solicitor Gaul.

A motion was made by Lisa Prator, 2nd by Heather Fischer to reconvene from executive session at 7:22 PM. Motion carried: 7-0-0

Citizens Agenda:

Edward J. Easterly, Esquire: Representing Dirty Mac, LLC, Mr. Mario Palmeri

Attorney Easterly responded to the correspondence that was sent to Mr. Palmeri by Solicitor Gaul with regard to Mr. Palmeri's job performance as the snow removal contractor for the Borough. The issues to be resolved is the communication between Mr. Palmeri and Mr. Steve Knott, chairman of the Street Department and Portland hiring a third party when Mr. Palmeri has left after the storm event and not completed the job to Mr. Knott's satisfaction.

Attorney Easterly stated that he wanted to give Mr. Palmeri the opportunity to fix the above issues. After discussion between Borough Council, Solicitor Gaul and Attorney Easterly council stated the expectations of Mr. Palmeri.

- a) Mr. Palmeri is required to work through Steve Knott, chairman of the Street Department.
 - b) Mr. Knott is the primary contact with regard to the snow removal contract.
 - c) Only one contact telephone number will be used for Mr. Palmeri.
 - d) Mr. Palmeri will begin work when (2) two inches of snow has accumulated.
 - d) Mr. Palmeri will be responsible for the plowing/removal of the snow and ice from the Borough streets, the Borough's municipal parking lots and the Portland Hook & Ladder Fire Company Social hall parking lot.
 - e) Streets must be plowed "curb to curb".
 - f) Mr. Palmeri will not leave the Borough until the snow event is over and when Mr. Knott has approved the job performance.
- Rick Fisher entered the meeting at 7:33 PM.
- g) Mr. Palmeri is asked to acknowledge and agree to the above expectations.

It was then agreed upon by Solicitor Gaul and Attorney Easterly to work out the details. Attorney Easterly left the meeting at 7:41 PM.

Young Son: 425 Delaware Avenue

Mr. Son was asked by Solicitor Gaul about his plans to renovate 425 Delaware Avenue. Mr. Son stated that he will not delay working on the building and will start as soon as he has acquired all the necessary permitting. Mr. Son plans to add a third floor. Zoning Officer Rick Fisher stated that the plan presented, by Mr. Son's architect, does not request any variances. The immediate issues are the weeds and the rear of the property needs to be blocked off by fencing to keep away anyone from entering the building from the rear. To address are the structural problems, roof and a sprinkler system for the third floor. Mr. Fisher stated that the flood plain may also be an issue.

- Cindy Fish entered the meeting at 7:50 PM.

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Policy for Water Meters:

President Steele had asked Solicitor Gaul, at the previous council meeting, 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. Solicitor Gaul stated that he doesn't feel the Borough needs a policy at this time. It was decided by the council members present that Borough Employee Bob Shaw can read the water meters at the Borough's expense. Mayor Prator stated that he would speak with the Portland Borough (Water) Authority members to see if this procedure is acceptable.

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. Mayor Prator reported about the repair/repainting of the merry-go-round and the purchase of certified playground mulch for the municipal building playground. Mayor Prator had asked the Borough Secretary to research the cost of the mulch from Green Pond Nursery in Easton PA. The playground is 4,728 square feet and needs (3) to (4) inches of mulch. (40) to (50) yards of mulch would be needed at \$19.50 per yard. Delivery is \$200.00 per tri-axle truck and two trucks would be needed. Cost for mulch and delivery is approximately \$1,180.00. Mayor Prator stated that he would like to get another price for mulch from another vendor. Mayor Prator asked that monies be allocated for the certified mulch in the 2016 budget. No action was taken.
2. Mayor Prator reported that the girls soft ball teams/games are done for the year.
3. The ball field porta-potty was discussed and council decided to let it remain through the August 15th Community Picnic.

Zoning Officer Report:

1. Mr. Fisher's June 2015 Report:

- a) Son Property at 425 Delaware Avenue. A full list of property maintenance code violations has been prepared by Mr. Fisher and is awaiting review/approval from Solicitor Gaul.
- b) Golden Property at 108 Division Street. A full list of property maintenance code and zoning violations has been prepared by Mr. Fisher and is awaiting review/approval from Solicitor Gaul.
- c) Harrison/Thomas Property at 505 Northampton Street. Mr. Fisher has been called numerous times with complaints about the ducks in the neighbors yard. Mr. Fisher is

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preparing a Notice of Violation for junk cars, wandering chickens and ducks and a recreational vehicle violation.

d) Woitsky Property at 108 Main Street and Housel Property at 202 Division Street. Mr. Fisher prepared Notices to Vacate because the water had been turned off. Mr. Fisher then waited (24) hours before posting the properties and then double checked with the Portland Borough (Water) Authority to confirm the shut-off. The water had been turned back on because of a partial payment of their bills.

e) Champion Assets (former Cramer's) at 394 Delaware Avenue. Notice sent to comply with weed and grass requirements.

f) Mike's Auto at 208 Northampton Street. Complaint that one or more persons may be living in a section of the garage. Correspondence was sent to Mr. Harman that this is a violation of the zoning ordinance. Mr. Fisher will schedule an inspection of the garage.

g) One (1) permit was issued to Hillcrest Property Development on Ruth Street for timber management. Owner, Joe Mackey, also needs approval from the Northampton County Conservation District.

h) John Tarello at 417 Delaware Avenue. Mr. Tarello has withdrawn his request to place an indoor flea market in his commercial building. He is now considering a Children's Party Rental Center.

i) Mayor Prator stated that he contacted Mr. Fisher concerning (2) properties for zoning violations.

- Rick Fisher left the meeting at 8:26 PM.

Planning Commission:

None

Portland Borough Water Authority:

None

Legal:

Solicitor Gaul stated that he has not finished the draft of a Rental Property Ordinance.

Subdivision and Land Development:

None

Community Development and GOG:

A motion was made by Susan McKean, 2nd by Steve Knott approving the contract and authorizing the President of Council to execute the Northampton County Department of

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Community & Economic Development Block Grant (CDBG) contract between the County of Northampton and Portland Borough for the FY 2016-2018. Motion carried: 7-0-0

Police Report:

The June 2015 Police Report was presented by Mayor Prator.

1. Traffic citations issued 3; Non-Traffic citations issued 0; Criminal Arrests 6; Incidents 20 ; Parking/Traffic 8; Parking Tickets 0; Theft 1; EMS 1; Warrants 3; MVA 1; Narcotics 3; General Complaint 1; Civil 1; Animal 1; Vehicle mileage: Crown Ford Victoria 74; Ford Utility 656

a) Chief Mulligan reported that the design graphics for the new police car are done.

b) Chief Mulligan was recently certified in truck weights and measures. The Chief stated that he will be checking with Ultra Poly to see if the Borough can utilize their scale for enforcement.

Mayor's Report:

1. Mayor Prator reported that Officer Pursell is away on training for three (3) weeks. Mayor Prator stated that advertisements have been placed for a part-time police position.

2. Chief Mulligan asked for partial reimbursement for the weights and measure class that he recently attended. Borough Council asked that Chief Mulligan present receipts for the August 3rd council meeting.

3. Mayor Prator discussed the possibility of paying Ultra Poly for use of their weight scale because the cost to buy a scale at \$5,000.00 would be prohibitive for the Borough. Council will discuss this further at the August 3rd council meeting.

Streets Department:

1. Mayor Prator stated that he spoke with Gordon Heller, the Northampton County Parks Director and Ms. Lori Zywensky of the CDBG, about signage for the county park property at the Portland Pedestrian Bridge. Mr. Prator stated that he was turned down by both.

2. Councilman Knott reported that Pastor Phil Karasiewicz has been working on the street department on an on-call basis. Mr. Knott suggested that council hire Mr. Gunner Eden for part-time employment at ten (10) hours per week. A motion was made by Lisa Prator, 2nd by Steve Knott to hire Gunner Eden for no more than ten (10) hours per week at \$10.00 per hour. Motion carried: 7-0-0

3. Mr. Knott reported that the Borough has opened a business charge account at the Sherwin Williams store in Stroudsburg PA. The signers on the account are Mayor Prator, Steve Knott, Robert Shaw and Carol Hummel.

4. Mr. Knott stated that he and Bob Shaw will meet with Devious Designs in Stroudsburg PA to compare prices for street signage.

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Sanitation:

Lisa Prator reported that she met with the driver of the Waste Management garbage truck concerning the complaint from Ms. Kay Bucci that the driver is backing up onto her property at 112 Main Street and making ruts in the yard. Councilwoman Prator stated that Waste Management has addressed the issue. Ms. Prator asked the secretary to write a letter to Ms. Bucci stating that the complaint has been addressed by council and Waste Management.

Insurance:

None

Building Committee:

Mayor Prator reported that Frank Communale Construction inspected the roof of the municipal building (old Portland School). Mr. Communale stated to Mayor Prator that the roof has a few shingles missing and would require less than a square of shingles (3 bundles). Mayor Prator was advised that it is not worth the amount of money it would cost for that small amount of work. The building could wait a couple of years for repair.

Budget/Finance:

CD #401108331, in the amount of \$20,178.68 matures on July 25, 2015 for the period of (12) twelve months. Council agreed that the CD should roll over.

Ordinance Update Committee:

Heather Fischer reported that she met with Bangor Borough to review their ordinance books. Ms. Fischer stated that Bangor does not have the pages in their books numbered but does use the required books for minutes and ordinances. Councilwoman Prator stated that the purchase price of the required books are very expensive. Ms. Prator stated that the Borough Office should have one set of books for the public and one set of books that are locked away for the Borough. Ms. Fischer and Ms. Prator will report back at the council meeting of August 3rd.

President Stephanie Steele stated that she is working on putting the council minutes on the Borough website.

- Mark Bahnick, Borough Engineer, arrived at the meeting at 8:50 PM.

Borough Engineer's Report:

1. Mark Bahnick reported that the Borough is still trying to get permission from Norfolk Southern Railway Company to complete the boring project near the Portland Walk Bridge/George Zalepa Property on Delaware Avenue.
2. Mr. Bahnick stated that he is still working on renewing the Waste Management #100469 PAE Profile for the sludge container at the WWTP.
3. Mayor Prator stated that the WWTP will need another reed-bed in the next two (2) years. Presently there are only two (2) and the WWTP Operator would like three (3) for

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when the reed-beds are down for cleaning, that way there is always one (1) in use. The clean-out is once every six (6) years.

4. 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 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. Mr. Bahnick stated that the grant was slashed by \$35,000.00 and that maybe Northampton County can restore the \$35,000.00 with the unused monies that were allocated for the demolition of the Werkheiser Building at 425 Delaware Avenue. Mayor Prator stated he would contact Ms. Lori Zywensky at the County CDBG.

a) Ms. Cindy Fish stated that the National 911 Trail isn't sure if it will be proceeding through Portland. A dividing line was painted between the states of Pennsylvania and New Jersey on the Portland Pedestrian Bridge.

Slate Belt Community Partnership (SBCP):

1. The Lehigh Valley Chamber of Commerce/Main Street Lehigh Valley has awarded a \$1,000.00 matching grant to Portland Borough for the purchase of street light pole hanging flower planters. A motion was made by Lisa Prator, 2nd by Steve Knott to proceed with the purchase of the flower planters, flowers and accessories. Motion carried: 7-0-0

2. Mayor Prator reported that the chairman of the SBCP has called a meeting for 3:00 PM tomorrow (Tuesday July 7th).

Council Policy & Procedure Committee:

None

Correspondence:

1. From the Lehigh Valley Planning Commission (LVPC): The Lehigh Valley Annual Development Review.

2. From the Central Westmoreland Council of Governments: Asking if Portland would like to become a member. No action taken.

3. From Met Ed: Energy savings through the Direct Install Program. No action taken.

Secretary Announcements:

None

Old Business:

1. Last month council approved \$60.00 for the tax collector webinar training for the appointed Real Estate Tax Collector. PA DCED failed to tell the secretary that the registration fee for each webinar is \$25.00. The total for the six (6) webinars is now \$260.00, \$25.00 per registration and

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\$10.00 per credit. A motion was made by Susan McKean, 2nd by Lisa Prator approving the expenditure of \$260.00 for the Real Estate Tax Collector credits and training. Motion carried: 7-0-0

2. The NIMS Testing and Certification: Zoning Officer Rick Fisher has registered to take the required test.

3. Act 164 requires the naming of a Deputy Tax Collector. This is tabled until the August 3rd council meeting.

New Business:

1. The Diana Woitsky property at 108 Main Street is delinquent with their sewer and garbage accounts and needs to have liens placed on the property. Solicitor Gaul informed council that his firm has a conflict of interest with Ms. Woitsky. A motion was made by Susan McKean, 2nd by Lisa Prator appointing Timothy McManus of Cramer, Swetz, McManus & Jordan, P. C. as the Alternate Solicitor for the Borough. Motion carried: 7-0-0

2. The oak school chair that is used by Mark Bahnick, for the council meetings, has been refinished by Roy Conrad of Mount Bethel PA. The Borough is waiting for the invoice at the cost of \$50.00.

Citizen's Non-Agenda:

1. Hubert McHugh 207 Market Street: Cecilio Rivera's sewer connection at 702 Hillcrest Drive is now complete. Mr. McHugh is waiting for the certificate of inspection from Blue Mt. Inspection Service.

2. Mayor Prator reported that the Community Daze Yard Sale Event was a huge success. The Mayor's Table did well selling donation items.

3. The special events committee will meet Sunday July 12th in the council chambers to firm up the Community Picnic and Free Movie Night to be held on August 15th beginning at 2:00 PM on the Portland Ball Field.

4. Councilman Steve Knott stated that Pastor Phil Karasiewicz, Refiner's Fire Ministry Church, would like to use the Portland Gymnasium over the 2015-2016 winter season for either martial arts or exercise classes. Discussed was the child abuse law for background checks and insurance liability. Solicitor Gaul advised council that if this is a Borough sponsored event then background checks are required. No action was taken.

5. Discussed again was the request from the Refiner's Fire Ministry Church, at 100-102 Division Street, to make the hill portion of Division Street that exits onto Main Street a one-way street down. Councilwoman Prator stated her concern are the food pantry customers that use the church. Solicitor Gaul and Mark Bahnick will be working on the request.

Executive Session:

None

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Adjourn:

A motion to adjourn the meeting at 9:41 PM was made by Lisa Prator, 2nd by Heather Fischer
Motion carried: 7-0-0

Respectfully Submitted By,

Carol

Carol A. Hummel, Secretary