

BOROUGH OF PORTLAND
COUNCIL MEETING FEBRUARY 6, 2017

The Portland Borough Council Meeting of February 6, 2017 was called to order at 7:00 PM by Bridget Kenna, Vice President of Borough Council.

Council Members Present:

* Bridget Kenna* Steve Knott *Heather Fischer *Yvonne Gumaer *Lisa Prator

- Council President Stephanie Steele was absent due to illness.
- Councilman Brian Kardos was absent due to illness.
- Borough Engineer Mark Bahnick was absent due to personal reasons.

Others Present:

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

Ordinance 2017-1:

Solicitor Gaul stated that the draft ordinance was advertised in the Pocono Record and sent to the Northampton County Law Library.

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer adopting Ordinance 2017-1, "An Ordinance of the Borough of Portland, County of Northampton, and Commonwealth of PA, Approving and Authorizing the Adoption of an Intergovernmental Cooperation Agreement By and Among Delaware Water Gap and Portland Boroughs and Upper Mount Bethel Township Establishing the Liberty-Water Gap Trail: PA Extension Alliance and Providing for the Organization, Powers, and Operation of the Alliance". Motion carried: 5-0-0

- a) Comment from Mayor Prator: Mr. Prator stated that Upper Mount Bethel Township (UMBT) will be discussing the Liberty-Water Gap Trail: PA Alliance at their monthly Supervisors Meeting on February 13, 2017.

Resolution 2017-1: PA One Call

A Resolution Designating the Month of April 2017 as Pennsylvania 811 Safe Digging Month.

A motion was made by Lisa Prator, 2nd by Heather Fischer adopting Resolution 2017-1, "Designating the Month of April 2017 as Pennsylvania 811 Safe Digging Month". Motion carried: 5-0-0

Resolution 2017-2: Eagle Court of Honor

Richard Krok, Scout Troop 46, Montgomery Township, New Jersey

Resolution 2017-3: Eagle Court of Honor

Avinash Boppana, Scout Troop 46, Montgomery Township, New Jersey

Resolution 2017-4: Eagle Court of Honor

Raj Bagaria, Scout Troop 46, Montgomery Township, New Jersey

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Resolution 2017-5: Eagle Court of Honor

Jeremy Bedient, Scout Troop 46, Montgomery Township, New Jersey

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer adopting the Eagle Court of Honor Resolutions 2017-2, 2017-3, 2017-4, 2017-5. Motion carried: 5-0-0

Action on Minutes:

A motion was made by Steve Knott, 2nd by Yvonne Gumaer approving the minutes of January 9, 2017, as presented. Motion carried: 4-0-1 (Heather Fischer abstained)

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid	42,469.29
Sewer Operations & Sewer Operations Already Paid:	17,904.84
Sanitation Operations & Sanitation Operations Already Paid:	4,997.82
Sandnes Land Development	370.50
TOTAL	\$ 65,742.45

a) add the February payroll and payroll taxes:	8,500.00
b) add Sunoco Fleet Gas:	350.00

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$74,592.45

A motion was made by Yvonne Gumaer, 2nd by Steve Knott approving the payment of the bills totaling \$74,592.45. Motion carried: 5-0-0

- a) included in the bills presented list is \$250.00 for the Mayor's yearly stipend.
- b) The secretary has applied to the PA-DCED for reimbursement of the remaining \$13,001.00 grant monies for the LSA Restroom Facility Grant.

Citizen's Agenda:

Pastor Phil Karasiewicz: Refiner's Fire Ministry

A prayer was offered up to council by Pastor Phil.

Sewer Matters:

1. Discussion requiring purchase orders for sewer expenses. No action was taken. Tabled until the March 6th council meeting.

2. Mayor Prator attended the informational MS4 storm water management meeting hosted by PA State Senator Mario Scavello. Mayor Prator stated that the Borough is exempt because of

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population but the MS4 storm water management will probably become mandatory for all in (10) years' time.

3. Mayor Prator stated that UMBT would be discussing adopting their Act 537 Plan at their monthly Supervisors Meeting of February 13, 2017.

Borough Engineer's Report: Mark Bahnick was absent but sent a written report.

1. Sewer Matters:

- Chemical solvent received at the plant
- Biomass damaged but recovering
- Waste Management Profile completed
- Chapter 94 Report due March 31st – presently working on it
- DRBC Report – completed by Portland Contractors

2. Park & Walk Restroom Facility:

- Water fountain adjusted by Portland Contractors to provide required clearance
- Custom Decorative Concrete has adjusted the threshold at the entrance
- Bollard will be removed by Van Cleef Engineering Associates

3. PA Bagel & Deli -Dunkin Donuts:

- A PennDot Scoping Meeting was held on December 29, 2016 at District 05 Headquarters
- The plan is being developed by the applicant
- They will request a meeting with the Borough to discuss the Scope and confirm the approval process.

Zoning Officer Report:

1. Ms. Serfass was absent but sent an email stating that there was no report and no invoice for the month of January 2017.

2. Mayor Prator reported that he asked the Police Department to investigate a huge "tipi" located behind the Riverview Cemetery at Maple and Washington Streets. Mr. Prator stated the "tipi" may be in UMBT.

3. President Steele notified council and the Zoning Officer about a complaint she received from Thomas Fish (307 State Street) concerning 305 State Street. The 305 State Street property has an RV sitting on it, with a drain hose running into Jacoby Creek. The home is a rental unit. Officer Sabatine and President Steele investigated and spoke with the tenants. The tenants have allowed a friend to park the RV on the property and connected a hose to their water spigot. The tenant also stated that Allstate Septic comes to empty the septic in the RV. When questioned, the tenant stated that the RV has been there for about (3) weeks and that the drain hose is for gray water from the sink and shower. Ms. Steele asked Ms. Serfass to investigate for any zoning violations and to resolve the situation.

UCC Building Inspectors Report:

None

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Zoning Hearing Board (ZHB):

No hearings scheduled.

Planning Commission:

None

Portland Borough Authority:

A letter of intent was received from Robert Waldron 504 Pennsylvania Avenue for the open seat on the Portland Borough Authority Board of Directors. A motion was made by Steve Knott, 2nd by Yvonne Gumaer appointing Robert Waldron to a (5) year term on the Portland Borough Authority Board. Motion carried: 4-0-1 (Heather Fischer abstained)

- a) The secretary was directed to send a letter of thank you to Steve Schoberl for his years of service to the Portland Borough Authority and to Robert Waldron notifying him that he has been appointed to a (5) year term on the Board.

Legal:

1. Mayor Prator updated council concerning municipal regulation of mini cellular telephone towers and antennas. Mayor Prator stated that Verizon, concerning the installation of these mini towers, has contacted nearly all surrounding municipalities. Mayor Prator stated that a mini cell tower/antenna could be installed on an existing telephone pole if the mini cellular telephone tower/ antenna are in the right of way of a telephone pole. Cellular phone transmission has been declared a public utility. Mayor Prator stated that an ordinance should be adopted to regulate mini cell towers. No action was taken.

2. Councilwoman Yvonne Gumaer stated that she attended a free program, sponsored by the Meyner Center at Lafayette College, on the Legalization of Marijuana and Its Effects on Municipalities on February 1, 2017. Council agreed that an ordinance should be adopted to regulate medical marijuana. Solicitor Gaul will prepare a draft ordinance for the March 6th council meeting.

Subdivision and Land Development:

None

Community Development, Slate Belt COG & Grants:

1. The minutes of the January 25, 2017 COG meeting was included in the council packet.
2. Mayor Prator reported that the COG is moving forward with the Regional Comprehensive Plan.
3. The Community Action Committee of the Lehigh Valley (CACLV) announced on Thursday, February 2, 2017, the first Rural, Multi-Municipal Neighborhood Partnership Program, "Slate Belt Rising". The Borough's of Portland, Bangor, Pen Argyl, and Wind Gap will jointly plan and implement community revitalization initiatives through this (6) year project. Corporate partners are Merchants Bank of Bangor, Waste Management, ESSA Bank & Trust and Lafayette

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Ambassador Bank who have pledged a total of \$775,000 to the project. In addition, the Northampton County DECED has committed \$20,000 in federal CDBG funding and \$50,000 in CIPP funding in the first year of the project.

4. Mayor Prator explained the Spay-Neuter Voucher Program that is being sponsored by the COG. This program is for feral felines and a \$15.00 co-pay is required per resident.

5. The Community Development Committee will contact and meet with Patricia Day concerning the Borough's participation as a member of "green communities".

6. The next meeting of the COG will be held on February 22, 2017.

Community Events/Recreation Board:

The annual Easter Egg Hunt will be held on Saturday, April 8, 2017 on the Portland Ball Field.

Police Report:

The January 2017 Police Report was provided in writing by Chief Mulligan:

1. Traffic citations issued 17 for \$17,018.50; Non-Traffic citations issued 0; Criminal Arrests 3; Parking Tickets 1. Incidents 38: Parking/Traffic 22; Theft 2; EMS 1; Criminal Mischief 1; Animal 1; Warrants 1; General Complaint 2; MVA 1; Suspicious Activities 1; Agency Assist 1; Harassment 1; Narcotics 2; Road Hazard 2. Vehicle mileage: Crown Ford Victoria 0, Ford Utility 1,057

- January was a busy month with several arrests and good traffic enforcement.
- Waiting for the graphics to be replaced on the Ford Utility police car.
- Has (3) resumes for a potential new police part-time hire.
- Officer Kiefer recovered a stolen vehicle and assisted in the arrest by bringing the suspect back to the area.
- Chief Mulligan was re-certified as a Taser Instructor for the next (2) year period.

2. Council discussed Chief Mulligan's recommendation for another part-time police officer who has their paperwork and physical completed. A motion was made by Heather Fischer, 2nd by Yvonne Gumaer to hire the recommended candidate. The motion was tabled while Mayor Prator contacted Chief Mulligan for the candidate's name.

Mayor's Report:

1. Mayor Prator reported on the Lehigh Valley Planning's Commission (LVPC) continued courses in community planning and land use regulations.

2. Mayor Prator met with the PennDot District 05 Regional Director and stated that Portland has a "voice" and is part of the bigger picture. Portland's voices were heard and plans are in the "works" to replace the State Street Jacoby Creek Bridge, which should be completed in 2019.

Back to Police Report:

The main candidate for part-time hire status has been identified as Larry Miller of Bangor, PA. The motion was amended by Heather Fischer, 2nd by Yvonne Gumaer to hire Larry Miller as a

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part-time police officer for up to (24) hours per week at the hourly rate of \$15.00, after he has been interviewed by the Personnel Committee and is deemed acceptable to the committee.
Motion carried: 5-0-0

Streets Department:

1. Report from Councilman Knott:

a) Freezing rain is forecast for later this evening. Super Heat has been in contact and will pre-salt the streets tonight.

b) Discussed again was a trash receptacle for the Restroom Facility at the Park & Walk Lot. Councilwoman Prator suggested that the maintenance man investigate what size trash can could be installed inside the restroom. Tabled until the March 6th council meeting.

c) 527 Delaware Avenue: Tree in front yard needs to be heavily pruned. Dead 2. branches are hanging over Delaware Avenue.

i. Pastor Phil commented that there is scientific evidence that trees slow down traffic; that salt dehydrates and stresses trees; that there are different diseases that are killing maple trees.

The secretary was directed to write a letter to the property owner, Richard Graessel 1703 Millard Street Bethlehem, PA stating that the above-mentioned tree is a safety hazard and needs pruning.

Sanitation:

1. Report from Councilwoman Lisa Prator:

a) The balance in the Garbage Account is \$17,000.00.

b) Numerous garbage customers have paid their garbage service in full for the year.

Building Committee:

The Pokey needs the front door replaced. Ms. Steele has contacted Jason Abbott, a Portland Hook & Ladder Fire Co. member, who has given the Borough a verbal estimate of \$785. Mr. Abbott does restoration work for the Monroe County Historical Society. The "Pokey" Fund has a balance of \$3,780.16. The proposal must be in writing with examples of period doors to choose from.

Budget, Finance, Insurance, & Cable TV Contract:

None

Ordinance Update Committee:

None

Personnel, Council Policy & Procedure Committee:

None

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Community Action Committee of the Lehigh Valley:

Done earlier under Community Development.

Correspondence:

None

Secretary's Announcements:

Ms. Hummel reminded council members that she has provided them with 2016 Ethics Forms that must be completed by May 1, 2017.

Old Business:

1. The council members present authorized the use of the new Borough Letterhead and Logo.
2. The draft tree ordinance was discussed again.
 - a) Pastor Phil stated that the ordinance should include International Standards.
 - b) The American National Standards should be adopted for tree pruning.
 - c) The ordinance is for basic street trees and cannot be used to tell property owners what they can do on their private property.
 - d) Three (3) residents will serve with no compensation.
 - e) Solicitor Gaul will conduct a legal review and the ordinance will be discussed again at the March 6th council meeting.

New Business:

1. The Portland Hook & Ladder Co. #1 2016 yearly report was presented.
2. Northampton County's initial e-cycle event is being hosted by the City of Easton on April 29th at their Public Works Garage from 9 AM to 12 noon.

Executive Session:

None

Adjourn:

The next council meeting will be held on March 6, 2017 at 7:00 PM. A motion was made by Heather Fischer, 2nd by Yvonne Gumaer to adjourn the meeting at 8:50 PM. Motion carried: 5-0-0

Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary