

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

The Portland Borough Council Meeting of October 3, 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 \* Lisa Prator\* Yvonne Gumaer\* Brian Kardos

Absent was Councilwoman Heather Fischer and Borough Engineer, Mark Bahnick.

Others Present:

1. Michael Gaul, Borough Solicitor
2. Mayor Lance Prator
3. Carol Hummel, Borough Secretary
3. Dave Mattei, Candidate for PA House of Representatives, 137<sup>th</sup> District

Action on Minutes:

1. A motion was made by Steve Knott, 2<sup>nd</sup> by Bridget Kenna approving the minutes of September 12, 2016 as presented. Motion carried: 6-0-0
2. A motion was made by Lisa Prator, 2<sup>nd</sup> by Bridget Kenna approving the minutes of September 26, 2016 as presented. Motion carried: 5-0-1 (Steve Knott abstained)

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	6,538.08
Sewer Operations & Sewer Operations Already Paid:	13,432.08
Sanitation Operations & Sanitation Operations Already Paid:	4,752.82
Portland Hook & Ladder Co. #1 Fire Relief	3,416.71
Air Liquide/Voltaix Escrow	144.00
<b>TOTAL</b>	<b>\$ 28,283.69</b>
a) add the October payroll and payroll taxes:	9,050.00
b) add Sunoco Fleet Gas:	500.00
<b>TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT:</b>	<b><u>\$37,833.69</u></b>

A motion was made by Lisa Prator, 2<sup>nd</sup> by Yvonne Gumaer approving the payment of the bills, as presented, in the amount of \$37,833.69. Motion carried: 6-0-0

Snow/Ice (2) Year Contract: 2016-2018 Proposals:

The secretary stated that the Borough has not received any snow/ice removal proposals. Bid proposals were given out to (4) contractors but none was returned. Council discussed advertising in the Express-Times daily publication. Mr. Knott stated that he would contact the (4) contractors for any concerns they might have with the specifications. Mayor Prator stated he would contact Upper Mount Bethel Township and ask if there would be any interest from their supervisors.

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

A motion was made by Lisa Prator, 2<sup>nd</sup> by Yvonne Gumaer authorizing the advertisement of the specifications of the Snow/Ice Removal Services in the Express-Times. Motion carried: 6-0-0  
The Snow/Ice (2) Year Contract; 2016-2018 Proposals will be placed on the November 7, 2016 council agenda.

**Draft Ordinance 2016-1:**

An Ordinance of the Borough of Portland, Northampton County, PA, Amending Borough Ordinance 2005-6, Which Adopted the PA Uniform Construction Code; Providing That the Requirements of the PA Uniform Construction Code Shall Apply to Alterations and Repairs to Residential Buildings; And Requiring Permits for Such Alterations and Repairs, Except As Provided.

a) Solicitor Gaul stated that the UCC Inspector, Carl Faust, has replied to Mr. Gaul's concerns. Council must hold a public meeting for the ordinance. President Steele replied that some council members are not in favor of the ordinance. Councilwoman Kenna stated that Borough residents are already "nickel and dimed" enough. Councilwoman Gumaer agreed. Ms. Kenna replied this is the reason that the Borough appoints a zoning officer.

A motion was made by Bridget Kenna, 2<sup>nd</sup> by Brian Kardos to not move forward now with the adoption of the ordinance. Motion carried: 5-1-0 (Lisa Prator voted NO).

**Solicitation Ordinance:**

No action was taken.

**Public Comment:** The (5) minute rule applies to all speakers.

**1. Dave Mattei:**

Mr. Mattei introduced himself to council as a candidate for the PA State House of Representatives, 137<sup>th</sup> District. Mr. Mattei stated that it is a time for a change in Harrisburg, PA.

- Mr. Mattie left the meeting at 7:32 PM

**2. Property Maintenance Code PMC Violations:**

**Ms. Lauren Lebkuecher, PMC Violation:** 519 Delaware Avenue

Ms. Lebkuecher was not in attendance. The Zoning Codes Officer has closed this matter since compliance has been met. A motion was made by Lisa Prator, 2<sup>nd</sup> by Bridget Kenna to dismiss the violation hearing of Ms. Lebkuecher. Motion carried: 6-0-0.

**3. Duckloe Brothers:** 427 Delaware Avenue

Mr. Fred Duckloe was absent but telephoned the Borough Office asking the status of 425 Delaware Avenue. There was nothing to report.

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

**Sewer Matters:**

**1.** The secretary reported that the sewer reservation invoices, of Ultra-Poly Corp. and Olav Sandnes Land Development are now payable. They will be mailed tomorrow

**2. Innovative Control Solutions Proposal for the automatic feed at the WWTP:**

Update from the last council meeting that Innovative Control Solutions agreed to a (1) year manufactures warranty on materials and a (2) year warranty on labor from installation. The proposal, in the amount of \$1,258.16, was approved at the September 12, 2016 council meeting provided a (2) year warranty was included.

**3. Waste Water Treatment Plant:**

Portland Contractors, Inc., WWTP Operator, discussed with the sewer committee the need for (3) fire extinguishers at the WWTP. Mr. LaBarre will contact Dacer Fire Equipment, Mr. Dave Bellis, for the installation.

**Borough Engineer's Report: Mark Bahnick, Van Cleef Engineering**

Mr. Bahnick was absent but sent his monthly report.

- a) The sewer treatment plant operations have been good over the last (30) days. There was an electrical malfunction that occurred this week that required a haul out of one truck load, but the system did what it is supposed to do.
- b) The concrete steps and pad for the WWTP facility will be built over the next (30) days by Custom Concrete (Todd Constantine).
- c) Barry Hoffman has accepted the Added Terms and Conditions for the electrical installation at the Park & Walk Restroom Facility.
- d) Custom Concrete (Todd Constantine) has accepted the Added Terms and Conditions for the concrete walks at the Park & Walk Restroom Facility.
  - i. Mr. Bahnick reported that the concrete work will be performed next week and the electrical work should follow shortly thereafter.
  - ii. The Restroom Facility should be operational for the upcoming Community Day Event.

**Zoning Officer Report: Bettina Seafass, Keller Zoning & Inspection Services**

**1.** Ms. Serfass has been on vacation from September 22<sup>nd</sup> through October 3<sup>rd</sup>.

**2. Mike's Auto: 208 Northampton Street**

a) Mayor Prator stated that there are (2) parking issues concerning Mike's Auto. The first issue appears to be a "paper road" between the Mike's Auto property and the adjacent property of Ron Angle at 206 Main Street. Solicitor Gaul replied that usually "paper roads" are shown on the tax maps. The RKR Hess boundary retracement survey of 2012 does not show any "paper roads" either. The second issue is the parking of cars from Mike's Auto on Borough property on Main Street.

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

b) Solicitor Gaul explained that Mike's Auto is an allowed non-conforming commercial use located in a residential zoning district. The use pre-dated the Borough's Zoning Ordinance and thus cannot be taken away by a zoning regulations. There has been litigation in the past which recognizes the auto repair business as an allowed non-conforming use. However, expansion of the business is regulated by the zoning ordinance.

c) Mayor Prator stated that the pins from the 2012 boundary retracement survey cannot be located on the Borough's property. Councilwoman Prator asked Solicitor Gaul how to proceed. Solicitor Gaul replied that council should call the engineer to find the pins. The Borough should establish where the line is and then proceed to zoning action. A motion was made by Lisa Prator, 2<sup>nd</sup> by Bridget Kenna to contact RKR Hess Associates for a cost estimate to establish the Borough's property line on Main Street, to have the line re-pinned and re-flagged, and for a Borough official to be there to take pictures for confirmation, and the cost to the Borough is not to exceed \$500.00. Motion carried: 6-0-0

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.

4. A motion was made by Lisa Prator, 2<sup>nd</sup> Yvonne Gumaer appointing Amber Sarivan, 106 Division Street, to the existing vacancy on the Zoning Hearing Board. Motion carried: 6-0-0

UCC Building Inspectors Report:

The secretary provided the report of (3) permits issued by Mr. Faust.

- a) Timothy Hess – 406 Bruce Street, reconstruct a new deck.
- b) PNC Bank – 401 Delaware Avenue, new roof.
- c) Lauren Lebkuecher – 519 Delaware Avenue, front porch reconstruction.

Planning Commission:

None

Portland Borough Authority:

1 A motion was made by Steve Knott, 2<sup>nd</sup> by Yvonne Gumaer authorizing the removal of John McKernan, 502 Pennsylvania Avenue, from the Portland Borough Authority Board for unexcused absences. Motion carried: 6-0-0

2. A motion was made by Lisa Prator, 2<sup>nd</sup> by Yvonne Gumaer appointing Costel Sarivan, 106 Division Street, to the Portland Borough Authority Board to fill the unexpired term of John McKernan, which expires January 1, 2018. Motion carried: 6-0-0

3. The Portland Borough Authority has submitted a Local Share Grant (LSA) of Monroe County PA, in the Borough's name, for \$400,000.00 to relocate a water line which runs through the State Street Bridge over the Jacoby Creek. PennDot has designated the bridge for repair or

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

replacement in 2017.

Legal:

None

Subdivision and Land Development:

None

Community Development, COG & Grants:

Comments from Mayor Prator:

1. The Slate Belt COG met on September 24, 2016.
2. The approximate cost for the Regional Comprehensive Plan is \$1,000.00 for Portland, other members cost would be higher.
3. The COG received the 2016 Lehigh Valley Awards for Multi-Municipal Planning for the Slate Belt COG Animal Control Program. The COG is also working on a cat ordinance.
4. The next meeting is October 26, 2016.

Community Events/Recreation Board:

1. Community Day will be held on October 15<sup>th</sup> from 11 AM to 4 PM.
2. The Ribbon Cutting for the new Restroom Facility at the Park & Walk Lot will be held at 11 AM during Community Day.
3. "Trick or Treat" will be held in the Borough on Saturday October 29<sup>th</sup> from 4 to 6 PM. Following will be refreshments, a costume contest and a Halloween themed movie at the Refiner's Fire Ministry, 100 Division Street.

Police Report:

The September 2016 Police Report was provided, in writing, by Chief Mulligan:

1. Traffic citations issued 13, in the amount of \$5,816.00; Non-Traffic citations issued 0; Criminal Arrests 2; Parking Tickets 1. Incidents 32: Parking/Traffic 12; EMS 1; Warrants 2; Criminal Mischief 2; Civil 1; Weapons 1; MVA 1; Disabled Motorist 3; Suspicious Activities 2; Agency Assist 4; Fire Company 1; Harassment 1; Narcotics 1. Vehicle mileage: Crown Ford Victoria 15, Ford Utility 1,146
2. Officer Kiefer was productive with firearms and drug arrests.
3. Chief Mulligan would like to purchase a police scanner for the office. Cost approximate \$100.00.

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

4. Chief Mulligan would also like to purchase a 40-caliber hand gun as a backup. Cost approximate \$649.00. A motion was made by Lisa Prator, 2<sup>nd</sup> by Bridget Kenna authorizing the police department to purchase a 40-caliber hand gun, the cost not to exceed \$650.00 and to purchase a police scanner, the cost not to exceed \$125.00. Motion carried: 6-0-0

Mayor's Report:

a) The National Park Service Conservation met in the council chambers with approximate (25) in attendance.

b) Mayor Prator picked up a Grant Resource Guide from PA State Senator Mario Scavello's District Office.

c) The Liberty-Water Gap Trail Alliance, the committee working on the Liberty-Water Gap Trail Extension, expects that it will take another (15) years to see the trail come to fruition. It will cost \$1 million dollars for the trail to extend the (6) miles from Portland to Delaware Water Gap. Bryon Cope, Northampton County Open Space Coordinator, found the money to complete the walking trail from Route 611 in Upper Mount Bethel Township to Portland and onto Delaware Gap. At the moment, there is a "big" legal issue. The National Park Service wants to be partners with the Liberty-Water Gap Trail Alliance. Mayor Prator stated that the former Portland Train Station may be an acquisition for the trail project.

Streets Department:

1. Report from Councilman Knott:

a) The Borough received a notice of estimated Liquid Fuels 2017 allocation in the amount of \$17,784.00.

b) The annual Leaf Vacuum pick up was discussed by council. It is estimated that only 35 per cent of Borough households participated last year, with the Borough spending more than \$1,000.00 on leaf vacuum rental, labor and rental of a dump truck from Ultra-Poly. It was suggested that the Borough purchase (30) gallon paper recycle bags for residents to bag their own leaves, with the Borough maintenance to pick them up for controlled burning at the WWTP by the Fire Department.

- Councilwoman Prator left the meeting at 8:29 PM.

This would be more cost effective than the Leaf Vacuum and rentals. President Steele has been researching the cost of the (30) gallon paper bags and the best price was found at the Target Department Store. It was not decided how many (30) gallon recycle paper bags would be given free to residents, that would be determined later.

- Councilwoman Prator re-entered the meeting at 8:35 PM.

A motion was made by Bridget Kenna, 2<sup>nd</sup> by Yvonne Gumaer to purchase (200) two hundred (30) gallon leaf recycle paper bags from the Target Department Store. Motion carried: 6-0-0

c) Mr. Knott reported that crack sealing with the tar buggy will begin Wednesday, October 5th, on Delaware Avenue. Mr. Knott stated that the Portland Borough Authority employee, Austin Jones, would be able to help the Borough maintenance. A motion was made by Lisa Prator, 2<sup>nd</sup>

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

by Bridget Kenna to hire Austin Jones as a temporary employee of the Borough at \$10.00 per hour for the months of October and November 2016. Motion carried: 6-0-0

d) President Steele reported that she has completed the Hazard Mitigation Forms for the Winter Storm "Jonas" reimbursement funds.

e) Mr. Knott stated that he is ordering more de-icing salt.

Sanitation:

1. The Sanitation/Garbage Account has borrowed \$5,000.00 from the General Checking Account to pay the October Waste Management invoice. A motion was made by Lisa Prator, 2<sup>nd</sup> by Yvonne Gumaer authorizing the Sanitation Account to borrow the \$5,000.00 from the General Checking Account. Motion carried: 6-0-0

2. Ms. Diann Eden, Billing Clerk, asked the committee if the structure of the Sanitation/ Garbage Account could be changed. There are (22) outstanding accounts. Councilwoman Prator replied that a "Payment Due" stamp be purchased for stamping onto the outside of the mailing envelope. The cost would be approximately \$6.00. The committee will investigate a PayPal Account and setting up an account at Merchants Bank where sanitation/garbage payments can be paid.

3. \$420.00 was received from the PA-DEP for the Borough's 2014 Act 101 Recycling Performance Grant.

4. Councilman Kardos asked the account status of 425 Delaware Avenue. The secretary replied that the Schomberg's have stopped paying their sewer and garbage bills.

Building Committee:

Correspondence was received from Ms. Karen Hollis, Executive Director of the Northampton County Gaming Revenue and Economic Redevelopment Authority, that the application submitted by Portland Borough Council for the Municipal Building repairs was not awarded funding.

Budget, Finance, Insurance, & Cable TV Contract:

1 A motion was made by Brian Kardos, 2<sup>nd</sup> by Lisa Prator to renew CD #401110360, in the amount of \$20,218.69, for another (12) months. Motion carried: 6-0-0

2 The secretary reported that the Borough's 2017 insurance renewal is a work in progress.

Ordinance Update Committee:

None

Council, Policy & Procedure Committee:

None

**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

Slate Belt Community Partnership (SBCP):

Solicitor Gaul sent correspondence to the SBCP Advisory Board regarding additional information about the structure of the SBCP program. Correspondence was received back to council stating that Mr. Jim Gloria would be happy to meet with council and open their books for review. Ms. Steele stated that the SBCP will be taken over by the CACLV on January 1, 2017. Ms. Steele stated this will be discussed in Executive Session.

Correspondence:

The Bangor Area School District IDA 2015 Audit and May 2016 minutes were received to the Borough and placed in the council packets.

Secretary's Announcements:

- The secretary will be out off for Columbus Day, October 10, 2016 and Election Day, November 8, 2016.

Old Business:

1. A letter of interest was received from Alexis Lamont for the position of cleaning lady for the municipal building. Miss Lamont address is 607 Delaware Avenue. Discussed were the duties of the position and Councilwoman Prator stated that "absolutely the use of no ladders". A motion was made by Lisa Prator, 2<sup>nd</sup> by Brian Kardos to hire Ms. Lamont at the hourly rate of \$10.00 per hour for (4) hours work every two weeks or (2) hours work once a week. Motion carried: 6-0-0

- a) The Personnel Committee will meet with Ms. Lamont before she begins her duties.

2. Discussed was changing the title of Police Officer, Stephen Kiefer, to Senior Patrolman. Solicitor Gaul suggested that Chief Mulligan could decide what Officer Kiefer's actual work duties were, so long as they were within the scope of patrolman, and he did not have supervisory authority over any other patrolman. In other words, it was up to the Chief to decide how patrolmen work was divided up. Also, the Solicitor did not think it would be a problem to allow the use of the honorific "senior" in connection with Officer Kiefer based on his longevity at the Borough, with the understanding that the Borough Council was not making such honorific title a factor in his job duties and compensation.

. A motion was made by Lisa Prator, 2<sup>nd</sup> by Yvonne Gumaer authorizing Chief Mulligan to use the title senior patrolman with Officer Kiefer based on Officer Kiefer's longevity. Motion carried: 6-0-0

The secretary stated that per the contract of Old Castle Precast, who installed the Restroom Facility at the Park & Walk Lot, the company is to be paid for their work (30) days after their work has been certified and the funds approved for payment which was at the September 12, 2016 council meeting. Ms. Hummel stated that October 12, 2016 is next week and asked permission to transfer the funds to make the payment if the LSA Grant funding is not received by then.

A motion was made by Lisa Prator, 2<sup>nd</sup> by Bridget Kenna authorizing the secretary to transfer funds from the Real Estate Tax Account to the General Checking Account, in the amount of



**BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 3, 2016**

\$71,503.00, to pay Old Castle Precast if the LSA Grant funds are not received by October 12, 2016 and when the LSA Grant funds are received to return the \$71,503.00 to the Real Estate Tax Account. Motion carried: 6-0-0

New Business:

None

Executive Session:

A motion was made by Yvonne Gumaer, 2<sup>nd</sup> by Steve Knott to adjourn to executive session at 9:35 PM. Motion carried: 6-0-0

Discussion: personnel matters discussed with Solicitor Gaul.

A motion was made by Lisa Prator, 2<sup>nd</sup> by Steve Knott to reconvene from executive session at 10:15 PM. Motion carried: 6-0-0

Action Taken from Executive Session:

A motion was made by Lisa Prator, 2<sup>nd</sup> by Steve Knott authorizing President Steele to execute letters of support to the Community Action Committee of the Lehigh Valley (CACLV) for applications for funding for use in multi-municipal community initiatives.

- a) to Northampton County, PA for Community Investment Partnership Program (CIPP) funding in the amount of \$80,000 to improve residential facades and sidewalks through the Slate Belt Community Partnership (SBCP).
- b) to the PA-DEP Community and Economic Development for Keystone Communities funding of \$50,000 for improving residential facades through the Slate Belt Community Partnership (SBCP).

Motion carried: 6-0-0

Other Business:

1. Councilwoman Prator asked about the COG's e-cycle event for COG municipalities and stated that only (3) municipalities were participating. President Steele explained that the reason Portland did not participate was that municipalities were asked to contribute \$150.00 each but residents would still be charged for each item they e-cycled.

2. The next meeting of the Portland Borough Council will be on November 7, 2016 at 7:00 PM.

Adjourn:

A motion to adjourn the meeting at 10:20 PM was made by Steve Knott, 2<sup>nd</sup> by Brian Kardos. Motion carried: 6-0-0

Respectfully Submitted by,

*Carol A. Hummel*

Carol A. Hummel, Secretary