

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 5, 2018

The Portland Borough Council Meeting of March 5, 2018 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

Council Members Present for Call to Order:

Stephanie Steele Bridget Kenna* Yvonne Gumaer* Lisa Prator* Michael Sullivan

- Councilman Brian Kardos and Mayor Lance Prator were absent.

Others Present:

1. Michael Gaul, Borough Solicitor
2. Mark Bahnick, Borough Engineer
3. Carol Hummel, Borough Secretary
4. Ultra-Poly Corp. Representatives
5. Rick Fisher, UMBT Manager
6. Members of the Public

Action on Minutes:

A motion was made by Michael Sullivan, 2nd by Bridget Kenna approving the minutes of February 5, 2018, as presented. Motion carried: 4-1-1 (Lisa Prator opposed, Heather Fischer abstained)

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented for Payment:

| | |
|--|---------------------|
| Borough Operations, Borough Add-On Bills & Borough Operations Already Paid | 15,325.73 |
| Sewer Operations & Sewer Operations Already Paid: | 17,632.78 |
| Sanitation Operations & Sanitation Operations Already Paid: | 5,138.51 |
| Community Events | 310.46 |
| Ultra-Poly Escrow | 6,272.50 |
| Liquid Fuels Account | 11,750.00 |
| TOTAL | \$ 56,429.98 |

- | | |
|---|-----------|
| a) add the March payroll and payroll taxes: | 10,000.00 |
| b) add Sunoco Fleet Gas: | 650.00 |

TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT: \$ 67,079.98

A motion was made by Bridget Kenna, 2nd by Heather Fischer approving the payment of the bills totaling \$67,079.98. Motion carried: 4-1-1 (Stephanie Steele opposed; Michael Sullivan abstained due to invoices from Portland Contractors)

Citizen's Agenda:

1. Use of Portland Gymnasium: Rich McGuinness:

- Not in attendance.

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2. UMBT Act 537 Plan: Rick Fisher, Manager

Mr. Fisher reported that electrical power is still out to about 50% of the residents of UMBT since the Nor'easter Storm of March 2, 2018. There are 30 to 40 people without power staying at the UMBT firehouse. Hot meals are being served and anyone is welcome.

Mr. Fisher requested that he and the Upper Mount Bethel Township engineer be allowed to have a conference telephone call with the Portland Borough engineer, Mark Bahnick, concerning the Act 537 Plan. Mr. Fisher requested a copy of Portland's plan which has been reviewed by Mr. Fisher and the engineer of UMBT. Mr. Fisher stated that UMBT would reimburse Portland for the cost of the Borough engineer's time. Mr. Bahnick suggested that all should meet at the next Borough monthly sewer meeting of March 28, 2018. This would be more cost effective.

3. James Steele: 422-428 Delaware Avenue

Mr. & Mrs. Steele have recently purchased the railroad station on Delaware Avenue. Since that time, the Steele's have been contacted by the Portland Police Department that they have not shoveled the sidewalks. Mr. Steele stated that in 2009 seventy-eight feet (78) of the sidewalk was condemned by the Borough. The rest is in the PennDOT right of way. Mr. Steele questioned, "Who is responsible to shovel the sidewalks since they are owned by the Borough". Councilwoman Prator replied that the former owner, Donna Zalepa, paid someone or shoveled the sidewalks herself up to and after 2009.

Solicitor Gaul stated that the fact that the Borough condemned the area where the sidewalks are located does not mean that the Steele's are not required to maintain the sidewalks. Adjacent property owners are required to maintain sidewalks, even when they are in the public right of way. The only possible issue was whether the condemnation was for an easement or for a fee simple interest in the land. Mr. Gaul did not recall the history off hand.

Ms. Steele questioned who is responsible for the flower beds, street light lights which are on the Steele property? Ms. Steele stated that when Route 611 was reconfigured back in the 1950's the Delaware River Joint Toll Bridge Commission (DRJTBC) installed the streetlights. Mr. Bahnick replied that it sounds like the Borough condemned the sidewalks out of the PennDOT right-of-way. Public monies from the DRJTBC funded the streetscape project. Didn't the \$1,000 payment from the Borough to Ms. Zalepa solve this, asked by Councilwoman Heather Fischer. Solicitor Gaul replied that the motion at that time only concerned authorization to paying Ms. Zalepa the \$1,000 in compensation.

- Stephen Reider entered the meeting at 7:36 PM.

Ms. Steele stated that the issue is not just shoveling the sidewalk but a long-term maintenance issue.

A motion was made by Lisa Prator, 2nd by Heather Fischer authorizing the Solicitor and the Borough Engineer to spend one (1) hour of their time to review and determine who is responsible to shovel the sidewalk. Motion carried: 5-0-1 (Stephanie Steele abstained)

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Borough Engineers Report: Mark Bahnick

- a) The engineers report is attached to these minutes.
- b) Report of the Ultra-Poly Lot Line Adjustment Plans:
- i. The lot line adjustment plans were approved at the February 5, 2018 council meeting.
 - ii. At the time, Solicitor Gaul questioned the separate parcel on the other side of the rail line. Mr. Bahnick replied that a new plan for Lots 6B and 6C has been prepared to address the issue.
 - iii. Borough Council agreed that the condition added to the adopted Resolution 2018-3, from the February 5, 2018 council meeting, could be dispensed with based on a revision to the lot line adjustment plan.
 - iv. Solicitor Gaul stated that he wanted the Ultra-Poly representatives to attend tonight's council meeting, so everyone could address the expected process for consideration of Ultra-Poly's land development plan. David Lopatka, Ultra-Poly Engineer, replied that they intend to keep the plan at the Planning Commission level until all the Borough Engineer's comments are satisfied.
- The Ultra-Poly representatives left the meeting at 8:00 PM.
- c) Tellus Underground Technology, Inc.:
- i. The existing commercial property is located at 200 Hester Street.
 - ii. The company wants to add a 1,500 square foot expansion to their already existing building.
 - iii. Mr. Bahnick explained that, while commercial construction constitutes land development under the SALDO, in this particular case it may not make sense to require a plan be prepared and approved. President Steele asked if the expansion was for storage. Mr. Bahnick replied that he did not know. It is so close to Jacoby Creek that the building will have to be in compliance with the Borough's floodplain ordinance.
 - iv. Tellus Underground has submitted a waiver request to eliminate the requirement for a land development plan. Councilwoman Prator replied that the Borough would be setting a precedent since the Borough has a SALDO Ordinance. Solicitor Gaul stated that there is no one from Tellus Underground present tonight to question.
- James Steele left the meeting at 8:08 PM.

The waiver request was tabled. Solicitor Gaul stated that a site plan will be required for zoning and building permit approval.

- Mr. Bahnick left the meeting at 8:09 PM.

Zoning Officer Report:

1. Ms. Serfass was absent, but a February report was provided. The report is attached to these minutes. There was no invoice for services.

UCC Building Inspectors Report:

None

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Zoning Hearing Board (ZHB):

No hearings are scheduled.

Planning Commission:

None

Portland Borough Authority:

None

Legal:

Solicitor Gaul stated that tax certifications for sewer and garbage should be reviewed for current standards and adopted as an ordinance. A motion was made by Michael Sullivan, 2nd by Bridget Kenna authorizing Solicitor Gaul to review the existing Borough resolutions and to draft an ordinance to be adopted at the next council meeting of April 2, 2018. Motion carried: 6-0-0

Subdivision and Land Development:

None

Community Development, Slate Belt COG & Grants:

1. The secretary spoke with Taylor Munoz, Chief of Staff to PA Senator Mario Scavello, about the LSA Grant Opportunities for this year. The window for applying is July 15 through September 30, 2018. The secretary has the link to the website. No action was taken.
2. The secretary asked whether there was interest in cleaning up and renovating the one classroom upstairs to preserve it as a heritage room. No action was taken.
3. Councilwoman Prator reported to council on the Economic Development Committee of UMBT.
 - The meeting is open to Portland because we are neighbors.
 - UMBT has shown interest in the Borough's Act 537 Plan.
 - Ms. Prator stated that she would like to attend these meetings as a citizen.
 - There is no vote by Portland.
 - The committee does not vote, their interest is in promoting our area.
 - The official meetings are conducted the fourth ~~Wednesday~~ *Thursday* of the month. *corrected 4/2/2018 (CAH)*
4. PASAB's website, www.boroughs.org, has a section that features state, federal, and private grant opportunities. Click on the grants tab on the homepage.
 - Mayor Prator entered the meeting at 8:21 PM.

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5. COG Report from Mayor Prator:

- The Executive Director position is advertised in all local news publications. Mayor Prator attended the Washington Township Zoning Hearing Board prior to arriving at this council meeting. Three (3) approvals were given for the Slate Belt COG's proposed animal shelter at 872 Lower South Main Street, Bangor PA.
- ~~Suggested the winter salt contract be done collectively. There was no interest.~~
STRIKE 4/2/2018 (CAH)

6. Northampton County DCED: CIPP Grant for Downtown Master Plan

- Solicitor Gaul was reviewing the draft contract during this conversation.
- Stephen Reider, Slate Belt Rising Committee (SBRC), is the director of the SBRC.
- President Steele and Mr. Reider are working together.
- Reports are due twice a year.
- Vouchers are presented for payment.
- The plan requires prevailing wage.
- There is no construction involved, only a master plan.
- As soon as the contract is signed by Northampton County the committee can start spending the money.

Portland Borough Authority: Lance Prator, Chairman

- Mr. Prator met with the National Park Service to possibly drill a new well.
- Mayor Prator stated that the Borough and the Authority have everything that UMBT wants, sewer, water, police.
- The Authority is running on generators because of no electrical power from the Nor'easter of March 2, 2018.

Community Events/Recreation Board:

- Intermunicipal Softball Agreement with UMBT:
 - i. The secretary reported that there has been no contact from UMBT. signed
 - ii. Mayor Prator reported that Bangor and Roseto Borough's have adopted an ordinance along with an agreement. CORRECTED 4/2/2018 (CAH)
- The next committee meeting is Sunday, March 11, 2018 at 7:00 PM.
- Black Balloon Day is scheduled for March 6, 2018.
- The annual Easter Egg Hunt will be held on Saturday, March 24, 2018 on the Portland Ball Field. There is no partnering this year with the Masonic Lodge.

Air Liquide/Voltaix Safety Committee:

- Councilman Kardos was absent. The monthly Air Liquide/Voltaix Safety Committee meeting has been rescheduled to March 14, 2018 at 6:30 PM.

Police Report:

The February 2018 Police Report was provided in writing by Chief Mulligan:

- The report is attached to these minutes.

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- Peter Melan, Councilman for the City of Easton PA, is requesting support in the form of a resolution for our local police departments to be allowed uninterrupted access to the Lehigh County Regional Intelligence and investigation Center (RIIC).
 - i. Chief Mulligan entered the meeting at 8:40 PM.
 - ii. Councilman Sullivan asked if there was a cost. Chief Mulligan replied NO.
 - iii. Chief Mulligan stated that local police departments can access their computers for local arrests information.

A motion was made by Michael Sullivan, 2nd by Yvonne Gumaer adopting Resolution 2018-4 "A Resolution in Support of the Portland Borough Police Department to Allow Uninterrupted Access to the Lehigh County Regional Intelligence and Investigation Center (RIIC)". Motion carried: 6-0-0

- Chief Mulligan reported that the police car lap top computer crashed completely today. The chief has ordered a Dell Latitude 14 Rugged 5414 with a Dell Auto-Air DC Adapter – 90 Watt at the cost of \$2,727.07. The computer should arrive in a few weeks. An amount of up to \$3,000 was approved at the February 5, 2018 council meeting.

Executive Session:

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to convene to executive session at 8:44 PM. Motion carried: 6-0-0

Discussed: personnel and legal advice from Solicitor Gaul.

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to reconvene from executive session at 9:11 PM. Motion carried: 6-0-0

a) Solicitor Gaul left the meeting at 9:11 PM.

Mayor's Report:

- Mayor Prator's reported on his bet with the Mayor of Portland, ME., with regard to the winner of the Super Bowl.

b) Solicitor Gaul re-entered the meeting at 9:14 PM.

- UMBT is still interested in collaborating with the Borough on a Regional Police Force and ambulance service.
- Met with officials of UMBT to prepare for the second annual 4th of July Parade 2018.
- Community Roundtable for Rails to Trails at Sycamore Grill, DW Gap and LVPC Regional Hazard Mitigation Plan meeting on March 8th.
- Liberty-Water Gap, Northern Tier Trail Tour on March 9th.
- Attending the Lehigh Valley Economic Development (LV-EDC) on March 14th.
- PennDOT Connects Initiative outreach session on March 16th in Stroud Township.
- Will deliver Meals on Wheels of Northampton County on March 23rd.
- Lehigh Valley Annual Mayor's and Municipal Officials Reception on April 17, 2018 at the Musikfest Café at SteelStacks. The Mayor's table is sponsored by Solicitor Gaul.
- April 22nd the 911 Trail Ride is traveling through Portland.

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CORRECTED 4/2/2018
CAH

UPCOMING

- Attending the 2018 Eastern PA Greenways and Trail Summit on October 1 & 2, 2018 at the ArtsQuest Center at SteelStacks, Bethlehem PA.

Back to Police Report:

Action from Executive Session:

A motion was made by Michael Sullivan, 2nd by Lisa Prator to hire Austin Jones as a patrolman, contingent upon his graduation and certification from the Allentown PA Police Academy, but with no guarantee of hours, and with hourly rate to be determined later once he is eligible to work. Motion carried: 6-0-0

CORRECTED 4/2/2018

CAH

LAUREL UNIVERSITY COLLEGE AND MPOETC

CERTIFICATION

Streets Department:

Lisa Prator

1. The Borough received their 2018 Liquid Fuels Allocation on March 1st in the amount of \$19,041.77.
2. The secretary will contact Martins Power Sweeping to set up a date in April to sweep the Borough streets.
3. The GMC Dump Truck has no brakes and is costing the Borough too much in repair bills. A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to ask the Portland Borough Authority (PBA) if they would consider purchasing back the 1998 GMC Dump Truck for \$1.00 and authorizing the President of Council to sign the title if the PBA agrees. Motion carried: 6-0-0
4. A motion was made by Lisa Prator, 2nd by Michael Sullivan approving the quotation of \$915.20 from TELCO, Inc. to repair the controller at the traffic signal light at the intersection of State Route 611 and State Street and authorizing President Steele to execute the quotation. Motion carried: 6-0-0
5. Councilwoman Prator reported that Portland Contractors, Inc. will repair the four (4) manhole/drains at Market Street, Coffin Alley, Main Street and Jim Ginn Alley. The snow plow contractor will be made aware of the repairs.
6. A motion was made by Lisa Prator, 2nd by Michael Sullivan to order thirty (30) bags of cold patch from the Slate Belt COG. Motion carried: 6-0-0
 - i. The Borough is waiting for the quote.

Sanitation:

1. The secretary reported that the civil complaints for the 2017 delinquent garbage accounts have been filed at District Court 03-3-03. All delinquents will be served by the constable.
2. Councilwoman Prator asked if the Schomberg property at 425 Delaware Avenue should be inspected by the Zoning Officer. Ms. Prator provided the history of the property. President Steele stated that the Schomberg's are not paying any of their sewer or garbage bill accounts. Solicitor Gaul replied that he will speak with the zoning officer and the building inspector.

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Slate Belt Rising Committee (SBRC): Stephen Reider, Director

- Mr. Reider handed out copies of what the street banners will look like that will be installed downtown along Route 611. The banners are heavy vinyl material and will be completed by June 1, 2018. There is no cost to the Borough (\$1,500).
- The gateway signage of two (2) each will be installed by the company (\$1,300). There is an option to purchase additional signage if council wants to install any on Route 611 coming into Portland from UMBT. The gateway signage and the street banners are part of the regional branding of the SBRC.

Request for Proposals RFP) for Portland Redevelopment Plan 2018 – Slate Belt Rising:

Solicitor Gaul remarked that the RFP was very detailed.

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer authorizing Mr. Reider to circulate the RFP for the Portland Neighborhood Redevelopment Plan. Motion carried: 6-0-0

A motion was made by Lisa Prator, 2nd by Heather Fischer authorizing President Steele to execute the RFP for the Portland Neighborhood Redevelopment Plan. Motion carried: 6-0-0

- Mr. Reider left the meeting at 9:55 PM.

Building Committee:

1. Pokey Door:

The one-year anniversary of the installation and painting of the new door on the Pokey is approaching (May 2018). Mr. McHugh stated to the secretary that he will re-paint the door at no cost. This was included in the original price of installation.

- Councilwoman Heather Fischer left the meeting at 9:57 PM.

2. Proposals to repair the roof of the municipal building and the gymnasium per the direction of the Borough's insurance carrier are listed below.

| | | |
|-----------------------|----------|--------------------------------------|
| a) Brian Phelps | 875.00 | school & gymnasium |
| b) Lobb's Roofing | 6,500.00 | school & gymnasium |
| c) Fleischer Brothers | 850.00 | school gymnasium 0 |
| d) John Beresch | 0 | school - recommends full replacement |

- Heather Fischer returned to the meeting at 9:59 PM.

The secretary reported that the insurance carrier, EMC Insurance, has agreed to extend the deadline for the repairs. Repairs to be completed into the month of April 2018.

- i. President Steele asked Solicitor Gaul about the Borough's responsibility of the gymnasium. Solicitor Gaul replied that it is the Borough's responsibility to keep it in safe condition.

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ii. Councilman Michael Sullivan asked about the Borough's liability for someone working on the roof. Solicitor Gaul replied that the matter would be covered by the Borough's liability insurance, and not its property insurance.

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to accept the proposal of Brian Phelps to repair the roofs of the municipal building and gymnasium at the cost of \$875.00.

Motion carried: 5-0-1 (Stephanie Steele abstained)

i. The secretary was directed to contact Mr. Phelps asking him to provide a certificate of insurance.

3. Proposals to repair the ceiling in the upstairs hallway of the municipal building, per the direction of the Borough's insurance carrier.

i. None

Budget, Finance, Insurance, & Cable TV Contract:

1. The secretary stated that she would like to replace the CD that was cashed in in January 2018, after most of the real estate tax monies have been paid to the Borough. Tabled until the May 2018 council meeting.

2. The Service Electric Cable TV Contract expires May 5, 2018.

Ordinance Update Committee:

Mayor Prator reported that he met a gentleman from General Codes at a meeting in UMBT. The company would organize ordinances into binders. The downside is that the cost would be approximate \$30 to \$60K and take two (2) years to complete. Solicitor Gaul explained that the ordinances would be collected and organized into different codes sections based on the content of the ordinances, i.e., taxes, streets, etc. Councilwoman Prator suggested the Borough could hire an intern. Solicitor Gaul explained that having an intern is usually in connection with a university. The intern would either need to be paid, or be part of a supervised credit program that the Borough would need to be involved in.

- Councilwoman Kenna left the meeting at 10:23 PM.

President Steele suggested that the Ordinance Update Committee be removed from the committee list since there is no interest. Councilwoman Prator stated that she would volunteer to chair the committee rather than have it removed from the committee list.

Council Policy & Procedure Committee:

None

Correspondence:

The Borough has received correspondence from Met Ed concerning the replacement of an existing aerial crossing of the Delaware River located between the Borough of Portland, Northampton County, PA and Knowlton Township, Warren County, NJ. The project proposes to replace an existing electrical conductor line with a fiber communication line. The purpose of the project is to increase communications and security between the Kittatinny and Portland

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electrical substations, thereby improving electric service and reliability. All correspondence was forwarded to Solicitor Gaul who stated it does not affect the Borough and council does not need to take any action.

Secretary's Announcements:

Council members were reminded to complete their 2017 ethics forms and return them to the secretary.

Old Business:

- The Street Committee will work on "no long-term parking signage" for the parking spaces on Route 611 in the business district. It will soon be boating and canoeing season.
- Mayor Prator stated that the Slate Belt COG is still working on their comprehensive plan. The state grant has not come through. Mayor Prator will be meeting with the LVPC on Thursday, March 8th to work on a contingency plan.
- Cindy Fish has been appointed as Vice Chair of the Liberty-Water Gap Trail Alliance. Ms. Fish is the Borough's representative. UMBT Manager Rick Fisher has been appointed the chair.

Health Officer, John Blick:

The secretary spoke with the PA Board of Health on February 9th. Boroughs are not mandated to have a health inspector, it is optional. More municipalities are having the Department of Agriculture inspect instead of a borough health officer. Does council want the Department of Agriculture to inspect instead of the health officer? It would save the businesses money by not paying for (2) inspections.

a) Discussion:

- Councilwoman Prator was in favor of not employing a health officer and letting the Department of Agriculture do the inspections.
- Solicitor Gaul stated that local Borough health ordinances would not then be enforced.
- Solicitor Gaul wondered what standard of regulations John Blick can enforce. He can enforce the Borough ordinances and he may be able to enforce some state regulations.
- A search of the Borough ordinances is necessary to find the health ordinance.
- No action was taken.

New Business:

Junior Scout Troop 8855: Judy Trigg

Ms. Trigg is the leader for the Junior Scout Troop of the Slate Belt Service Unit of Eastern PA Council and would like permission to use the vacant Girl Scout room in the municipal building. The previous troop, under the direction of Pam Bossert, has returned the keys to the room and the front door.

- i. Due to roof and ceiling repairs on the second floor of the municipal building the secretary was directed to contact Ms. Trigg and relate to her that we cannot accommodate the scout troop at this time.

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Public Comment, Non-Agenda:

None

Adjourn:

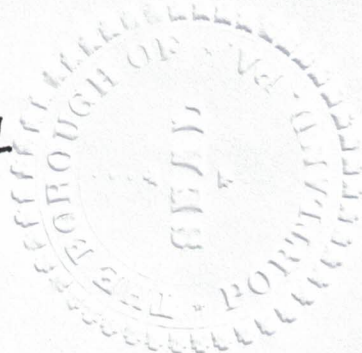
The next council meeting will be held on Monday, April 2, 2018 at 7:00 PM.

A motion was made by Lisa Prator, 2nd by Heather Fischer to adjourn the meeting at 10:44 PM.
Motion carried: 5-0-0

Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary



3 5 18 PORTLAND BOROUGH COUNCIL

- **Ultra Poly**
 - Lot Line Adjustment Plans were approved by Borough Council at our February meeting.
 - We need to review the status of the lot north of the rail line to confirm it is in the sewer service area of the WWTP, etc.
 - Land Development Plans for the new Ultra Poly building have been submitted and are being reviewed by the Planning Commission.
- **Wastewater Plant**
 - The mixer in one of the treatment tanks was damaged and has since been replaced. We believe the mixer was damaged due to stray electric current issues.
 - Stray current investigation is ongoing. Separate conduits will be provided for individual motors.
 - Reed beds maintenance procedures have begun.
- **Upper Mount Bethel Township**
 - Act 537 Plan Update - We have not been contacted by the Township or their Engineer.
- **Tellus Underground Technology**
 - 200 Hester Street.
 - 1500 sq ft expansion of existing building; not located close to the property line or any adjacent uses. Applicant will need to demonstrate that the building will be in compliance with our floodplain ordinance.
 - Applicant has submitted a waiver request to eliminate the requirement for a Land Development Plan.

OTT CONSULTING INC.

CIVIL ENGINEERS · SURVEYORS · LANDSCAPE ARCHITECTS

JEFFREY L. OTT, P.E., M.B.A., S.E.O.
REYNOLD E. PETRE, P.L.S., P.D.C.
BLASE B. MINOR, P.L.S.
JASON W. BUCHTA, R.L.A.
MICHAEL J. KUKLES, P.E.

LEHIGH VALLEY OFFICE
222 MAIN STREET
EMMAUS, PA 18049

TELEPHONE (610) 928-4690
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A.TUTI 1701

March 5, 2018

Borough of Portland
206 Division Street
Portland, PA 18351
Attn: Borough Council

**Re: 200 Hester Street
Tellus Underground Technology, Inc.
Borough of Portland, Northampton County, Pennsylvania**

Dear Members:

On behalf of the Applicant, Tellus Underground Technology, Inc., we respectfully request the following waiver from the Borough's Subdivision & Land Development Ordinance:

1. Section 104 – No land development of any lot shall be made, and no improvements shall be constructed, and no building that first needs land development approval shall be constructed, except in accordance with this Ordinance. A waiver is requested from this Section to allow the construction of a building expansion without the need for land development approval and without the requirement for a boundary survey. The proposed building expansion occurs next to an existing structure that is currently stoned on a large parcel with the closest boundary being approximately one-hundred (100') feet to the proposed building expansion area. An Aerial Plan is enclosed indicating the approximate proposed building expansion area.

Thank you for your assistance in this matter. Please feel free to contact the undersigned with any questions or comments.

Sincerely,

OTT CONSULTING INC.



Jason W. Buchta, R.L.A.
Senior Landscape Architect

Cc: Frank Russo
File

Untitled Map

Write a description for your map.

Legend



APPROXIMATE
BOUNDARY
LOCATION

AREA OF
PROPOSED
BUILDING
EXPANSION

Tellus Underground
Technology

Jacoby Creek

S.R. 0611



Keller Zoning & Inspection Services

Zoning Report February 2018

No zoning permits issued.

Dennis and I went and did a site visit at Ultra Poly and met with the business owner and his Engineer to address the noise issue that the Planning Commission brought up. We have that Ultra Poly is well with the noise level as allowed by the Noise Ordinance for the Borough. A report was generated and copies were sent to Mark Bahnick and the Planning commission. Attached is a copy for your review.

Keller Zoning and Inspection Services

UCC/Zoning
Code Enforcement

21 N. Broad St
Nazareth, Pa 18064
Phone: 610-759-8227
Fax: 610-365-2954

February 7, 2018

Mark Bahnick
Borough of Portland Engineer
520 N. New St.
Bethlehem, PA 18018

Re: Ultra Poly Noise Reduction

Dear Mark:

On February 5, 2018 our office met with Ultra Poly's President and the Engineer to review the noise reduction plans and progress at their 102 Demi Rd. industrial facility. We reviewed their measurements and also took our own measurements. We were able to confirm that their records were within 1 dba of our readings. During our meeting they reinforced their willingness to reduce facility noise.

Recently, on 2 of the silos, they have installed insulation and modified the air circulation system that allows the closing of the doors when operating. We measured between 6 - 10 dba decrease a few feet from the renovated silos with the doors closed. (79 dba with doors closed.) Because some of the silo doors were open due to operations, it is reasonable to believe that the total reduction after all silos are renovated and all doors are closed, we will see a greater total decrease. We also took readings of 75-79 dba standing on their railroad siding located approximately 35 feet from the silos. They do plan to proceed with the same fix for the other silos now that they know the fix has reduced the noise.

Ultra Poly also identified a steam vent, located high on the wall of the building in the silo area, contributing noise. They have identified a suitable muffler device and plan to install on the steam vent.

They are still considering options for the rail car loading noise reduction.

We also took a peak measurement of approximately 55 dba at the Portland Industrial Park property line, which is believed to be the same as the dirt access road paralleling the Rt. 611 ramp. The noise provisions of the Borough of Portland Zoning Ordinance provide for a maximum of 70 dba at the receiving land limits for an MC Zoning District and 60 dba for R-1, R-2 and RO Zoning Districts. Therefore, it would appear that the facility is NOT in violation of the standard.

Sincerely Yours,



Bettina Sciffano

Borough of Portland Zoning Officer

Cc. Carol Hummel, Borough Secretary

Police Report for February 2018

Traffic Citations Issued: 45 for \$5533.00

Non-Traffic Citations Issued: 0

Criminal Arrests: 2

Parking Tickets: 0

Incidents: 53

| | | |
|-----------------------|----------------------|----------------------------|
| Parking/Traffic-41 | Warrants- 0 | DUI-1 |
| Theft Reports- 0 | General Complaint- 1 | Disorderly Conduct-0 |
| Curfew Violation-0 | Noise Complaint- 0 | Suspicious activities-0 |
| Ems-2 | Underage Drinking-0 | Furnishing Alcohol-0 |
| Criminal Mischief- 0 | Public Drunk- 0 | Found Property- 0 |
| Civil- 0 | Domestic- 0 | Agency Assist- 4 |
| Prisoner Transports-0 | MVA-0 | Fire Company-2 |
| Animal-0 | Disable/Motorist- 0 | Harassment-1 |
| Burglary-0 | Pursuit-0 | Narcotics-1 |
| Trespassing-0 | Mental Health-0 | Alarm-0 |
| Attempted Suicide-0 | Assault-0 | Counterfeit -0 |
| Road hazard- 0 | 911 Hang-up- 0 | Foot patrol/Building cks-1 |

Vehicle Mileage:

Ford Utility: 1109

Ford Car: 0

Other:

We had a really good month for February. We were highly visible with traffic enforcement. We also had a decent month with call volume. We appreciate your approval on the laptop so, we are ordering one for the vehicle ASAP since ours is completely unusable. The cost is \$2727.07 and should be here in a couple weeks. We will then send it to County for software. I would like to hire Austin Jones as a patrolman with no guarantee of hours. He will be graduating the academy next month. If you want any questions answered, please ask me.

Respectfully Submitted,

Chief Robert Mulligan