

BOROUGH OF PORTLAND  
COUNCIL MEETING JANUARY 7, 2019

The Portland Borough Council Meeting of January 7, 2019 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

Council Members Present for Call to Order:

\*Stephanie Steele\* Brian Kardos\* Ralph Frasca\* William Godshalk

- Council members Bridget Kenna, Michael Sullivan and Yvonne Gumaer were absent.

Others Present:

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

Council Appointments:

Recreation Board:

A motion was made by Ralph Frasca, 2<sup>nd</sup> by William Godshalk appointing Philip Karasiewicz to a three (3) year term 01-01-2019 to 01-01-2022. Motion carried 4-0-0.

Planning Commission:

a) A motion was made by William Godshalk, 2<sup>nd</sup> by Ralph Frasca appointing William Zeman to a four (4) year term 01-01-2019 to 01-01-2023. Motion carried 4-0-0.

b) Michael Kovonuk resigned in November 2018 from the Planning Commission, effective 01-01-2019 with three (3) years remaining to the term. The vacant position will be announced in the Borough Newsletter and posted at the Portland Post Office.

Zoning Hearing Board:

A motion was made by William Godshalk, 2<sup>nd</sup> by Brian Kardos appointing Leeann Prator to a three (3) year term 01-01-2019 to 01-01-2022. Motion carried 4-0-0.

Resolution 2019-1:

A motion was made by Stephanie Steele, 2<sup>nd</sup> by William Godshalk adopting Resolution 2019-1, "Resolution Confirming the Appointment of Ralph Frasca to the Office of Member of Borough Council". Motion carried 3-0-1 (Ralph Frasca abstained).

Action on Minutes:

A motion was made by Ralph Frasca, 2<sup>nd</sup> by Brian Kardos approving the minutes of December 3, 2018, as presented. Motion carried 3-0-1 (William Godshalk abstained).

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented for Payment:

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Borough Operations:	20,624.28
Sewer Operations:	13,199.71
Sanitation Operations:	10,240.53
Dunkin Dunkin Land Development Escrow	48.00
Police Capital Account	532.50
Portland Redevelopment Plan (SBR)	3,512.50
January Payroll & Taxes	9,000.00
January Sunoco Fleet Gas	<u>500.00</u>
	57,657.52

A motion was made by William Godshalk, 2<sup>nd</sup> by Ralph Frasca approving the bills as presented for payment in the amount of \$ 57,657.52. Motion carried 4-0-0.

2. WWTP Bills Presented for Payment to Portland Contractors, Inc.:

WWTP Contractor monthly services:	2,440.00
WWTP Operations: plant not running; chemical clean	<u>1,071.00</u>
	3,511.00

A motion was made by Stephanie Steele, 2<sup>nd</sup> by Ralph Frasca approving the bills presented for payment to Portland Contractors, Inc. in the amount of \$ 3,511.00.

- Question from Brian Kardos: asked for an explanation of the chemical clean. Ms. Steele replied it was a membranes flushing.

Motion then carried 3-0-1 (William Godshalk abstained).

EMC Commercial Insurance Renewal 01-19-2019 to 01-19-2020:

President Steele reported that the Borough's insurance broker, Brown & Brown of the Lehigh Valley, has recommended that the Borough accept the proposal of workers' compensation coverage with AmTrust North America instead of the State Worker's Insurance Fund (SWIF). Ms. Steele stated that AmTrust North America is the same coverage and cheaper by \$ 3,400.

- A motion was made William Godshalk, 2<sup>nd</sup> by Stephanie Steele, authorizing the renewal of EMC Commercial Insurance; and authorizing AmTrust North America as the Borough's workers' compensation coverage; authorizing the total insurance package in the amount of \$ 39,246 and authorizing President Steele to sign the agreement. Motion carried 4-0-0.
- The Portland Hook & Ladder Co. # 1 workers' compensation coverage will remain with SWIF at the annual premium of \$ 8,620. The premium is paid by the Borough.

Volunteer Accident Insurance:

President Steele re-capped a prior council meetings discussion of insurance for the Borough volunteers. Ms. Steele explained that there has never been an accident with a person who volunteers their time for various community sponsored events. A Portland Hook & Ladder Co. #1 volunteer was injured during a fire company sponsored event. Upon filing a claim with SWIF, the fire company and the Borough found that SWIF does not cover volunteers. Thus, there is a need for volunteer accident insurance. A quote was provided by the Borough's insurance

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broker, Brown & Brown of the Lehigh Valley, from the Philadelphia Insurance Companies for up to three hundred (300) volunteers at a cost of \$ 2.91 per volunteer for an annual premium of \$ 300.

- A motion was made by William Godshalk, 2<sup>nd</sup> by Stephanie Steele accepting the proposal of the Philadelphia Insurance Companies quote of \$300 annual premium for up to three hundred (300) volunteers for Volunteer Accident Insurance. Motion carried 4-0-0.

Heart & Lung Policy:

A Heart & Lung policy pays the additional portion of income replacement that workers' comp does not pay for injured police officers. Workers' comp benefits pay only 2/3 of salary but with coverage from Heart & lung the policy provides full income replacement for the additional 1/3 of salary. The annual premium is \$ 1,500.

- Question from Councilman Frasca: What are the pros and cons of the policy? The supplemental coverage was tabled until the next Council meeting agenda of February 4, 2019.

KS State Bank, Portland Hook & Ladder Co. # 1:

President Steele explained that the Borough Council enacted a two (2) mill increase in 2018 to pay a portion of the Portland Hook & Ladder Co. # 1 loan payment of their newly purchased fire truck. The Borough paid the amount of \$ 18,000 to the loan provider KS State Bank. The Borough Council enacted another two (2) mill tax increase for 2019, dedicated as a Fire Tax.

- Councilman Frasca asked from where the \$ 18,000 is being paid. Ms. Steele replied from the General Fund. Ms. Hummel stated the payment will be transferred from the Real Estate Tax Account to the General Checking Account for payment to KS State Bank.

A motion was made by Ralph Frasca, 2<sup>nd</sup> by Brian Kardos authorizing the transfer of \$ 18,000 from the Real Estate Tax Account to the General Checking Account for the payment to KS State Bank. Motion carried 4-0-0.

James Potter, Vice Chairman of the Portland Borough Authority (PBA):

Mr. Potter stated that there is a vacant seat on the PBA Board of Directors and asked Councilman Godshalk if he would be willing to accept the position. Mr. Potter stated that he and PBA board member Thomas Fish are both employed by PennDot and therefore must recuse from voting on the water relocation project, leaving the PBA with no quorum.

Hubert McHugh Comment:

Hubert McHugh commented to Council that his son, who lives on Pennsylvania Avenue, is satisfied with the berm being repaired around the salt pile behind his house.

Back to James Potter, PBA:

Councilman Godshalk agreed that he would accept the vacant position on the PBA. A motion was made by Ralph Frasca, 2<sup>nd</sup> by Brian Kardos appointing William Godshalk to the vacant seat

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on the Portland Borough Authority for a term of five (5) years. Motion carried 3-0-1 (William Godshalk abstained.)

Executive Session:

A motion was made by Brian Kardos, 2<sup>nd</sup> by William Godshalk to convene to executive session at 7:25 PM. Motion carried 4-0-0.

Discussion: personnel

A motion to reconvene from executive session at 7:47 PM was made by Ralph Frasca, 2<sup>nd</sup> by William Godshalk. Motion carried 4-0-0.

Action taken:

A motion was made by Stephanie Steele, 2<sup>nd</sup> by Ralph Frasca approving the draft ordinance amending and restating Borough Ordinance No 116 re-establishing the Portland Borough Police Department, for advertising and consideration at the next Borough Council Meeting of February 4, 2019. Motion carried 4-0-0.

Public Comment:

None

Sewer Matters and Borough Engineers Report:

Mark Bahnick

- Mr. Bahnick was absent. There was no activity to report.

Ms. Sharon Angle, non-resident but a multiple property owner in Portland Borough, has requested that the late fees attached to her sewer accounts (8 units at \$ 8 each = \$ 64) be waived. The sewer payments were due for payment on 12-31-2018 and Ms. Angle's payment was received on 01-03-2019 (copies were provided to Council members in their packet).

- Questioned by Councilman Frasca: Ms. Hummel explained that the Portland's general mail delivery is no longer postmarked in Portland but being sent to the Lehigh Valley PA post office for post marking and then being returned to Portland.

The secretary stated that she and Ms. Eden, the billing clerk, researched Ms. Angle's prior payment history. Ms. Angle has never been granted a waiver on her sewer account but was granted a waiver on her garbage accounts on February 6, 2012 for her 2011 garbage bill.

- Ms. Steele stated her opinion was that Ms. Angle owns multiple properties and has the means to pay her bills; she should pay her bills on time.

No action was taken.

Zoning Officer Report:

Ms. Serfass' was absent.

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A letter of interest was received from the office of Keller Zoning and Inspection Services which was discussed at the December 3, 2018 Council meeting, with Ms. Serfass requesting to continue as the Borough's Zoning/Code Officer for 2019, at an hourly rate of \$ 61.50. The secretary researched the Borough Council minutes and reported that Ms. Serfass' firm was appointed to the position in 2016 at the hourly rate of \$ 51.50. The rate of \$ 51.50 per hour has remained the same since Ms. Sefass was appointed in 2016.

A motion was made by William Godshalk, 2<sup>nd</sup> by Stephanie Steele approving the increase of the hourly rate of the Zoning/Code Officer, Keller Zoning and Inspection Services, to \$ 61.50 per hour. Motion carried 4-0-0.

UCC Building Inspectors Report: Carl Faust

a) Mr. Faust provided the 2018 yearly report (attached to these minutes).

b) Discussed by Council was the unavailability issue of the UCC Official, Mr. Faust. Complaints were received to Council from Dhruv Acharya, principle of Dunkin Donuts and Amber Sarivan of 106 Division Street. Mr. Acharya was present and stated that he had made an appointment for an inspection so that Dunkin Donuts could officially open. Mr. Faust failed to show up or contact Mr. Acharya that he was then unable to keep the appointment. President Steele then intervened on Mr. Acharya's behalf with the Zoning Code Officer. Ms. Sarivan was present and complained that she has called and emailed Mr. Faust for the past several months concerning her desire to open a business in the downtown business district. Mr. Faust has not returned her calls or emails. Ms. Sarivan stated her frustration that Mr. Faust only seems to want to make an appointment with her when he can coordinate her appointment with an appointment to Dunkin Donuts.

c) Hubert McHugh, from the audience, asked about third party inspectors. Ms. Steele replied that Mr. Faust is a one-man operation therefore no one else is available when Mr. Faust is ill or on vacation.

d) The secretary was directed to place the UCC Inspector issue on the February 4, 2019 Council meeting agenda.

Zoning Hearing Board (ZHB):

- No hearings are scheduled at the present time.

Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

a) Correspondence was received from the PBA respectfully declining the offer of the Borough to be included in the purchase of a replacement propane heater for the PBA office.

b) Correspondence was received from the PBA requesting that Council appoint a fifth board member to the PBA beginning January 1, 2019. The appointment was taken care of on page (3) earlier in the meeting under the paragraph, James Potter, PBA.

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c) Mayor Prator stated that the PBA is moving forward with the water line relocation project. The PBA did very well securing grants to fund the project.

d) Mayor Prator stated that if Upper Mount Bethel Township (UMBT) connects the Route 611 corridor to the Portland sanitary sewer system the PBA will need more wells.

Legal:

- None

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants:

1. The balance in the Northampton County Gaming Revenue & Economic Development Authority Grant checking account is \$ 21,690.

2. Proposal to repair the municipal building handicapped ramp.

i. Trimper Construction, LLC, John Trimper: \$ 975

ii. Hubert McHugh, General Contractor: \$ 675

Proposal to remove shingles and repair the roof on the police car garage in the municipal parking lot.

i. Hubert McHugh, General Contractor:	\$ 2,100	shingle roof
	\$ 2,775	metal roof

There were no other estimates presented for the above two (2) projects, although there were other contractors contacted.

A motion was made by William Godshalk, 2<sup>nd</sup> by Ralph Frasca accepting the proposal of Hubert McHugh, General Contractor, using a portion of the Northampton County Gaming Revenue & Economic Development Authority Grant monies, to repair the handicapped ramp in the amount of \$ 675 and to remove shingles and repair the roof on the police car garage in the amount of \$ 2,100. Motion carried 4-0-0.

3. Appoint a Grant Committee:

a) President Steele stated that there have been numerous changes to council members since appointing committees in 2018. She will review the committee list and make appointments at the February 4, 2019 Council meeting.

b) Mayor Prator stated that the COG is in need of an executive director. The position does not pay very well. The problem the COG is having is that a director cannot hold an elected position anywhere in the state of PA.

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4. The PBA has grant money left over from the installation of an electric line to their garage in the municipal parking lot. Mayor Prator stated that the PBA could install an electronic garage door opener so that police officers could park their cars inside while on duty. That way no one would know when the police are here. Mayor Prator stated that not only is this a safety issue but a win-win for the Borough; no taxpayer monies would be used.

i. The street committee will secure estimates.

5. It was noted that Vanderpool Masonry was at the Borough to give a proposal for re-pointing a portion of the bricks on the municipal building. Mr. Vanderpool never submitted an estimate.

Community Events/Recreation Board:

- Councilwoman Gumaer was absent.
- The committee received a \$ 300 donation from Tellus Underground Technology.
- Mayor Prator reported that a committee meeting is scheduled for Sunday, January 13, 2019 at 7 PM.

Police Report:

The December 2018 Police Report and the annual 2018 police report was provided in writing by Chief Mulligan:

- Both reports are attached to these minutes.
- There were 669 incidents for 2018 due to a police officer being on duty patrolling every day of the week.
- Chief Mulligan is preparing a thank you letter to Northampton County District Attorney, John Morganelli, for the \$ 1,500 check from drug seizure monies for the purchase of a breathalyzer and two (2) body cameras. Chief Mulligan is working on Standing Operation Procedure (SOP) for the body cameras.
- Councilman Frasca asked about training. President Steele stated that Brown & Brown of the Lehigh Valley, the Borough's insurance broker, hosts webinars. If there is enough interest Brown & Brown could give physical training at the Borough.
- Solicitor Collins stated their law firm, King, Spry, offers training at no cost to their clients. A defense against claims to the Borough.

Mayor's Report:

- Received a thank you from Tyler Lee for the Mayor's attendance at his Eagle Scout Award.
- Correspondence from the Coalition for Appropriate Transportation.
- Correspondence from Annual Pipeline Safety.
- Correspondence from the LV-EDC Real Estate Report which provides the region's economic data.
- The Northern Tier Trail study has been completed.
- Correspondence from DA Morganelli thanking the Mayor and Council for meeting with him on November 5, 2018. DA Morganelli included a complimentary copy of "A History of the Northampton County District Attorney's Office".

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- Attended the LVPC "A Call for Projects". For the past twelve (12) years, the Liberty-Water Gap Trail has been in the works, which will extend from Portland to Delaware Water Gap PA. The Liberty Trail, at Liberty State Park, extends from Jersey City, NJ to Portland where it ends. Mayor Prator stated that the Liberty-Water Gap Trail could be announced in the Transportation Improvement Program (TIP), a twenty (20) year improvement plan. Mayor Prator completed the form for the Liberty-Water Gap Trail and sent it to TIP.
- Correspondence from Northampton County Executive Lamont McClure inviting all to celebrate Northampton County at the Northampton County Memorial Day Festival on Saturday, May 25, 2019, 10 AM to 6 PM, at Louise Moore Park, 151 Country Club Road, Easton, PA.

Streets Department:

- Mayor Prator reported that he ordered a load of bulk de-icing salt through Co-Stars,

Sanitation:

- a) There was no response from Waste Management Solutions Manager, Tom Stang, concerning the invitation to attend tonight's Council meeting.
- b) A motion was made by William Godshalk, 2<sup>nd</sup> by Ralph Frasca authorizing the secretary and billing clerk to file civil complaints with the District Magistrate for the 2018 delinquent garbage accounts in the amount of \$ 3,648.52.
- i. Mayor Prator stated that the delinquent list presented are the same property owners that appear every year.

Motion carried 4-0-0.

Building Committee:

- The new propane heaters for the Borough office, Council room and police station have been installed by Super Heat, Inc.

Budget, Finance, Insurance, & Cable TV Contract:

- None

Ordinance Update Committee:

- None

Council Policy & Procedure Committee:

- None

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

- Director Reider was present and reported on the activity.



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- Triad Associates LLC is the planner for the Re-development Plan of Portland and will provide a presentation at the February 4, 2019 Council meeting.
- There is grant money available this year for residential façade improvements. There are no applications for Portland to date. The property must be owner occupied.
- Any commercial or residential facades owners may apply. The application and qualifications can be downloaded at [slatebeltrising.org](http://slatebeltrising.org).
- Mr. Reider is in residence at the Borough office every Wednesday from 10:30 AM to 3:30 PM.
- The SBR committee meets on Thursday, January 10, 2019, at Bangor Borough, 6 PM.

Air Liquide/Voltaix Safety Committee:

Ms. Steele asked Mr. Kardos if he is attending the safety committee meeting of Air Liquide/Voltaix. Mr. Kardos replied YES. Ms. Steele stated there should be an alternate.

A motion was made by Ralph Frasca, 2<sup>nd</sup> by Brian Kardos appointing Stephanie Steele as the alternate representative to the Air Liquide/Voltaix Safety Committee. Motion carried 3-0-1 (Ms. Steele abstained).

- The committee meets the first Wednesday of the month at 5:30 PM with dinner at 6:00 PM.

Liberty-Water Gap Trail Alliance:

Cindy Fish

- The Liberty-Water Gap Trail Alliance public meeting is scheduled for January 16, 2019 at the Delaware Water Gap (DWG) municipal building at 5:30 PM.
- The Alliance is waiting on grant monies from multi-county and multi-state.

Correspondence:

- A thank you was received from the Bangor Public Library for the 2018 budget allocation of \$ 250.

Secretary's Announcements:

- None

Old Business:

- None

New Business:

- Rich Scott, 107 Main Street, addressed Council. Mr. Scott is a personal trainer and looking for a physical location to open up a business in Portland. Ms. Steele replied that Council can help with commercial property locations. Mr. Scott asked the status of the Portland Gymnasium and if it was available. Ms. Steele replied that Council cannot afford to keep the gymnasium. Mayor Prator stated that the gym has been vacant for the past three (3) years. Mr. Scott asked if he could make arrangements to look at the inside of the gym. Ms. Steele replied to contact the Borough office.

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- Ms. Steele stated to Mr. Scott that is what Slate Belt Rising is trying to accomplish. Bringing businesses to Portland.

Public Comment, Non-Agenda:

None

Adjourn:

The next Council Meeting will be held on Monday, February 4, 2019 at 7:00 PM.

A motion was made by Brain Kardos, 2<sup>nd</sup> by Ralph Frasca to adjourn the meeting at 8:55 PM.  
Motion carried: 4-0-0.

Respectfully Submitted by,

*Carol A. Hummel*

Carol A. Hummel, Secretary