

BOROUGH OF PORTLAND  
COUNCIL MEETING MARCH 2, 2020

The Portland Borough Council Meeting of March 2, 2020 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\* Kay Bucci\* William Godshalk\* Robert Ivancich\* Erin Long

- Council member Yvonne Gumaer was absent.
- Mayor Lance Prator was absent.

Others Present:

1. Michael Gaul, Solicitor
2. Mark Bahnick, Borough Engineer
3. Carol Hummel, Borough Secretary
4. Members of the Public

Ordinance 2020-1:

An Ordinance of the Borough of Portland, County of Northampton and Commonwealth of Pennsylvania, Authorizing the Retention of a Third-Party Collector for the Collection of Municipal Claims, and the Recovery of the Charges, Expenses, Commission and Fees of Such Third-Party Collector; And Providing for Other Miscellaneous Matters.

Solicitor Gaul stated the ordinance was advertised; allows for an 18% commission and recovery of the charges.

A motion was made by Kay Bucci, 2<sup>nd</sup> by Bridget Kenna adopting Ordinance 2020-1. Motion carried 6-0-0.

Resolution 2020-2: CREDITECH, Agreement for Collection Services

Solicitor Gaul explained that the agreement is for collecting municipal claims. The Borough already has an attorney fee schedule. This will start the process with general collection services. There are also payment plans available with CREDITECH.

A motion was made by Bridget Kenna, 2<sup>nd</sup> by Kay Bucci adopting Resolution 2020-2 "A Resolution Engaging CREDITECH, Inc., as a Third-Party Collector for Borough of Portland Municipal Claims". Motion carried 6-0-0.

Resolution 2020-3: Dunkin Donuts HOP State Route 611 and State Street

A Resolution Authorizing and Directing the Borough of Portland to Submit and Sign the Application for Traffic Signal Approval to Penn-DOT.

- Borough Engineer, Mark Bahnick, stated that action should be tabled because the PennDOT related improvements have not been completed. A site meeting with the owner should be requested to see what needs to be completed to close out the project. No action taken.



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Action on Minutes:

A motion was made by William Godshalk, 2<sup>nd</sup> by Bridget Kenna approving the minutes of February 3, 2020, as presented. Motion carried 6-0-0.

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations:	15,435.46
Sewer Operations:	19,271.76
Sanitation Operations:	5,012.87
Ultra-Poly Improvement Escrow - Van Cleef	1,395.50
Ultra-Poly Escrow – King, Spry	16.50
Community Events – Easter Egg Hunt	264.00
Real Estate Taxes to Fire Tax Account	3,665.40
March Payroll & Taxes	12,000.00
March Sunoco Fleet Gas	350.00
<b>TOTAL</b>	<b>57,411.49</b>

A motion was made by Kay Bucci, 2<sup>nd</sup> by Bridget Kenna approving the bills as presented in the amount of \$ 57,411.49. Motion carried 6-0-0.

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

WWTP Contractor monthly services:	2,590.00
Other Maintenance:	1,699.50
<b>TOTAL</b>	<b>4,289.50</b>

A motion was made by Bridget Kenna, 2<sup>nd</sup> by Kay Bucci approving the bills presented for payment to Portland Contractors, Inc. in the amount of \$ 4,289.50. Motion carried 5-0-1. (William Godshalk abstained).

3. A motion was made by Kay Bucci, 2<sup>nd</sup> by Bridget Kenna authorizing an early loan payment to Merchants Bank for the new 2020 Ford Explorer police car, Loan # 23593, in the amount of \$ 6,748.26. Motion carried 6-0-0.

Public Comment:

- None

Borough Engineers Report/Sewer Report: Mark Bahnick

- None
- Sewer Matters will be discussed in Executive Session.



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Zoning Officer Report: Keller Zoning & Inspection Services

- None

UCC Building Code Inspectors Report: Keller Zoning & Inspection Services

- None

Zoning Hearing Board (ZHB):

- No hearings are scheduled at the present time.

Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

- Councilwoman Bucci asked if the storage of the water company pipes at the Borough garage, 105 Division Street, has been resolved. No one knew. Ms. Bucci asked if they could be stored in the gymnasium or moved behind the garage instead of along the side of the building. Bill Godshalk replied that the pipes are 18 and 20 feet long and heavy. Ms. Steele stated that she agreed behind the building is better and will contact Jim Potter, Vice Chairman.

Legal:

- None

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants

1. The Slate Belt COG met on February 26, 2020.

2. According to the COG minutes the Leaf Vacuum is being stored in Lower Mount Bethel Township.

- i. The Leaf Vacuum Waiver Agreement is tabled.

3. Plan Slate Belt Steering Committee meets the first Wednesday of the month at the Pen Argyl PA Community Center. The next meeting is March 4, 2020 at 7 PM and open to the public

4. Councilwoman Bucci reported that she will be applying for a Wild & Scenic Grant from the Lower Delaware Wild & Scenic River Management Council Mini-Grant Program, for painting of the "Pokey". Wild & Scenic Grants are up to \$ 4,000 and due March 30, 2020. Ms. Bucci stated that previously she received (3) grants; for the "Pokey, and to restore the historic bridge that is behind the dumpster; the concrete pad under the dumpster should also be removed.



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5. Mark Bahnick questioned the Plan Slate Belt draft plan. Mr. Bahnick stated the draft plan shows a lot of growth everywhere. What is the reaction from the community? Ms. Steele replied it is very mixed. There are questions as to where the LVPC is getting their numbers. They are projecting growth for all the municipalities. Portland had the most growth and is the smallest municipality.

6. Northampton County Non-Profit Grant Writing Seminar is scheduled for Tuesday, April 28, 2020 from 8:30 AM – 10:30 AM. Ms. Steele is attending.

7. Chapter 102 Training Workshop is scheduling for Tuesday, March 24, 2020 from 8:00 AM – 3:30 PM; includes MS4 storm water. Ms. Steele stated that she cannot attend. Mr. Bahnick replied that Representatives from Van Cleef Engineering will be attending.

8. Ms. Steele and Ms. Bucci will be attending the Northampton County DECD instructional grant workshop on March 4, 2020 at the Wind Gap Fire Co. social hall from 8:30 AM to 10:30 AM

Community Events/Recreation Board:

1. Ms. Gumaer was absent. The list of 2020 events have not been provided.

2. Committee member Ms. Jessica Karasiewicz reported that the annual Easter Egg Hunt, sponsored by the Community Events Committee, will be held on Saturday, April 4, 2020, beginning at 1 PM. Prizes are for all age groups. Surrounding communities are welcome to attend.

Police Report:

1. The police report was provided in writing by Chief Mulligan.

2. Chief Mulligan reported that he met with the up fitter for the new 2020 police car and is waiting for the equipment to be delivered.

Mayor's Report:

- None

Streets:

- Bangor Borough will again provide street sweeping for Portland.
- The 2020 Liquid Fuels Allocation, in the amount of \$ 18,968.84, was received today.

Sanitation:

The Borough was in receipt of a bill from Waste Management, in the amount of \$ 176, for two dates in January 2020 of contaminated trash being thrown into the recycle dumpster. Ms. Hummel met with the route manager and driver who explained that the garbage trucks are equipped with cameras that take pictures every time a container is emptied. The Borough has requested the pictures. Ms. Steele spoke with Chief Mulligan; the Borough's camera does not retain pictures that far back. Waste Management stated that they would notify the Borough in



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the event more contaminated trash was placed in the dumpster. Ms. Steele has notified residents through the Borough newsletter what is and is not recyclable. Ms. Steele explained the recycle collection and the grants received back to the Borough for the amount collected. Ms. Steele stated the only other solution is to remove the container.

Building Committee:

- None

Playground Mulch Report: Kay Bucci

Kay Bucci stated that nothing has been done to the playground since she received a grant in 2011 for the playground's reconstruction; new wooden mulch was installed at that time. When mulch is installed it should be freshened up every year, that mulch now is deteriorated and hard as a rock. Some of the playground equipment is over eight feet tall, if a child falls onto the mulch that is now a liability issue. Probably grant money could be obtained but the Borough doesn't have the time since this needs to be fixed ASAP.

Ms. Bucci researched/contacted several companies. Cost for wood mulch is \$ 3,255.00, the other option is rubber mulch. Cost for rubber mulch is \$ 9,850 in basic black or colored \$16,850. The old mulch must be dug out and disposed of. Ms. Bucci asked if Avery Lohman, snow removal employee, could do the work with his equipment, which is already on site. Councilman Godshalk stated that he spoke with Mr. Lohman and Mr. Lohman stated that he was available and able to do the site work. The mulch is heavy, and a tractor trailer could never get up the Division Street hill; Ms. Bucci stated that the truck would have to use Main Street. The playground measures 64' x 114' and is (5) inches deep; (40) pallets at two thousand pounds each; the mulch is ground up tires that would last forever; (2) workers would be needed to unload the truck. Mr. Godshalk asked if the Borough has the money. Ms. Steele replied YES, since snow removal for the winter season was practically nil.

Pastor Phil Karasiewicz recommended the mulch since he knows a church that had it installed in 2005; the mulch is still going strong. Ms. Steele stated it will be hard to estimate the working time for Mr. Lohman but suggested it be on the high side. Ms. Steele also volunteered her time and the use of her tractor as a second tractor. The price quote was questioned, and Ms. Bucci replied that it is Co-Stars pricing. The work time was estimated at (3) or (4) days; the total estimated cost up to \$14K.

Solicitor Gaul questioned the bidding thresholds if all is done in one motion for the mulch and the site work. Ms. Bucci stated that she had (2) price quotes, one verbal and one paper. The estimate fell within the bidding threshold not to exceed \$ 11,300. Two motions will be made, one for the purchase of the mulch and one for the site work.

A motion was made by Kay Bucci, 2<sup>nd</sup> by Erin Long authorizing the purchase of (40) pallets of black rubber mulch from RubbeRecycle of Lakewood, NJ, at Co-Stars pricing of \$ 9,850. Motion carried 6-0-0.

A motion was made by William Godshalk, 2<sup>nd</sup> by Robert Ivancich authorizing the expenditure of up to \$ 4,000, excluding payroll, for the site/prep/mulch work of the municipal playground, to be done by employee Avery Lohman. Motion carried 6-0-0.



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Budget, Finance, Insurance, & Cable TV Contract:

1. Ms. Hummel will be attending the Northampton County Tax Collection Committee meeting, at the Bethlehem Township municipal building, on Thursday, March 12, 2020 at 8:30 AM.
2. Wi-Fi Connection Update at the Park & Walk Lot: None

Ordinance Update Committee:

- None

Council Policy & Procedure Committee:

- None

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

- Mr. Reider has requested a Borough Events list, and a list of commercial properties.
- Ms. Steele reported that the committee recently approved adding commercial facade improvements to be included in grant funding.

Air Liquide/Voltaix Safety Committee:

- No report. The safety committee meets on March 4, 2020 at 5:30 PM.

Liberty-Water Gap Trail Alliance: Cindy Fish

- The monthly meeting of the Alliance was held on Wednesday, February 19, 2020 at Teresa's Pizza, Mount Bethel PA at 5:30 PM. Ms. Steele and Mayor Prator attended.
- Northampton and Monroe Counties have signed their Memorandum of Understanding Agreement.

Correspondence:

- None

Secretary's Announcements:

- None

Old Business:

1. A motion was made by Kay Bucci, 2<sup>nd</sup> by Stephanie Steele adopting Resolution 2020-3, "Resolution Appointing Robert Ivancich, Bridget Kenna, and Erin Long, to Vacant Offices on Borough Council", effective February 3, 2020. Motion carried 6-0-0.



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2. Councilwoman Bucci stated that the Borough needs five new 3 x5 American flags for the downtown. Ms. Bucci donated three historical flags that can be hung between the American flags. New flagpoles were purchased in 2019. Ms. Bucci suggested that a flyer on the history of the flags be printed for the public and/or a news article can be printed in the local publications.

- A motion was made by William Godshalk, 2<sup>nd</sup> by Erin Long authorizing the purchase of five new 3x5 American non-glow flags. Motion carried 6-0-0.

3. William Godshalk stated that the municipal building needs painting and repair; someone should look at it. Ms. Steele stated that she and Ms. Bucci are attending the Northampton County DCED Instructional Grant Workshop on Wednesday, March 4<sup>th</sup>. Ms. Bucci replied that they are also looking into taking the front of the gymnasium off to make it a garage. They will inquire about grants for both.

4. Act 4 of 2020 will take effect April 6, 2020, which increases the threshold from \$ 1,500 to \$ 6,000 the value of municipal real property below which a Borough need not publicly advertise. Solicitor Gaul replied that real property is real estate,

5. Health inspections will be discussed in executive session.

New Business:

- None

Executive Session:

A motion was made by Kay Bucci, 2<sup>nd</sup> by William Godshalk to convene to executive session at 8:00 PM. Motion carried 6-0-0.

Discussion: legal issues with Solicitor Gaul.

A motion to reconvene from executive session at 8:33 PM was made by Bridget Kenna, 2<sup>nd</sup> by William Godshalk. Motion carried 6-0-0.

Action taken:

a) A motion was made by Kay Bucci, 2<sup>nd</sup> by Bridget Kenna authorizing Solicitor Gaul to advertise an ordinance of the Borough of Portland establishing a health office. Motion carried 6-0-0.

b) A motion was made by Bridget Kenna, 2<sup>nd</sup> by Kay Bucci authorizing the sending of a Notice of Violation of Portland Borough Sewer System Rules and Regulations to Ultra-Poly Corp. and Portland Industrial Park, LP, substantially in the form drafted by Solicitor Gaul, with such additions and modifications, which the President of Borough Council deems necessary, appropriate, and/or convenient, in consultation with the Solicitor. Motion carried 6-0-0.

c) A motion was made by Bridget Kenna, 2<sup>nd</sup> by William Godshalk increasing the hourly rate of Diann Eden, billing clerk, to \$ 16 per hour, effective March 2, 2020. Motion carried 6-0-0.



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Public Comment, Non-Agenda:

- Solicitor Gaul announced that the Mayor's Reception will be held on April 27, 2020 at Steel Stacks, Bethlehem PA. King, Spry, Herman, Freund & Faul are sponsoring the table. There are (8) seats available.
- The next Council Meeting will be held on Monday, April 6, 2020 at 7:00 PM.

Adjourn:

A motion was made by Kay Bucci, 2<sup>nd</sup> by Bridget Kenna to adjourn the meeting at 8:39 PM.  
Motion carried 6-0-0.

Respectfully Submitted,

*Carol A. Hummel*

Carol A. Hummel, Secretary