

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 1, 2020

The Portland Borough Council Meeting of June 1, 2020 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

The meeting was held via video and audio advanced communication technology (“ACT”), using ZOOM internet communication, due to the national COVID-19 Pandemic emergency. Each Council member and other attendees of the meeting were able to hear each other attendee and be heard by each other attendee. The public could also participate in the meeting via ACT, using the ZOOM internet application.

Council Members Present for Call to Order:

**Stephanie Steele* Kay Bucci* Bridget Kenna* Yvonne Gumaer * Robert Ivancich*
* William Godshalk**

- Council member Erin Long was absent.

Others Present:

1. Michael Gaul, Solicitor
2. Lance Prator, Mayor
3. Carol Hummel, Borough Secretary
4. Fred Farleigh, Maintenance

Action on Minutes:

A motion was made by William Godshalk, 2nd by Kay Bucci approving the minutes of May 4, 2020, as presented.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

Secretary/Treasurer’s Report: Carol Hummel

1. Bills Presented for Payment:

- Approve the May 2020 Financial Report.
- Approve Payments of Bills Presented:

Borough Operations & Operations Already Paid:	16,599.70
Garbage Operations & Operations Already Paid:	4,774.82
Sewer Operations & Operations Already Paid:	10,250.74
Dunkin Donuts Streetscape Escrow: Van Cleef	142.00
Ultra Poly Improvements Escrow: Van Cleef	799.25
Fire Tax Account payment to KS State Bank	25,000.00
June 2020 payroll and taxes, approximate:	9,000.00
June 2020 Sunoco Fleet Gas, approximate:	<u>400.00</u>

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66,966.51

A motion was made by William Godshalk, 2nd by Yvonne Gumaer approving the payments of bills as presented, in the amount of \$ 66,966.51.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

- Bills Presented for payment to Portland Contractors Inc.:
 - i. WWTP monthly services: 2,590.00

A motion was made by Kay Bucci, 2nd by Robert Ivancich approving the payments of bills to Portland Contractors, Inc., as presented, in the amount of \$2,590.00.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, S. Steele

ABSTAIN: W. Godshalk

Motion Carried 5-0-1

A motion was made by Kay Bucci, 2nd Yvonne Gumaer authorizing the transfer of \$ 519.60 from the Real Estate Tax Account of the Fire Tax Account, collection of May 2020 (2) mill tax.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

Public Comment:

- None

Sewer Matters and Borough Engineers Report: Mark Bahnick

- Mr. Bahnick was absent.
- President Steele reported that the Sewer Committee met and are ready to discuss the EDU request from UMBT. A workshop meeting will be held on Monday, June 22, 2019 at 7:00 PM via video and audio advanced communication technology (“ACT”), using ZOOM internet communication, due to the national COVID-19 Pandemic emergency. Mr. Bahnick will provide the documentation for Council’s review; there will be no voting by Council; an informational meeting only.

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- Since a resolution must be adopted, Ms. Bucci suggested that the workshop be changed to a voting meeting so that Council can vote on the police car transaction and the Borough can receive their money sooner.
- Ms. Steele stated that the fourth Monday of every month has been advertised in the annual public notice of meetings. No official action will be taken.
- Ms. Bucci replied that the public should be made aware that there is a workshop meeting in case a taxpayer would like to attend and comment.

Zoning Officer Report:

Keller Zoning & Inspection Services

- None

Zoning Hearing Board (ZHB):

- No hearings are scheduled at the present time.
- Correspondence was received from Amber Sarivan of 106 Division Street resigning her position as a member of the Zoning Hearing Board. A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna accepting the resignation with regret.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

UCC Building Code Inspectors Report: Keller Zoning & Inspection Services

- None

Planning Commission:

- None

Portland Borough Authority (PBA):

Lance Prator, Chairman

Chairman Prator stated that there will be a special meeting of the PBA, Wednesday, June 3, 2020 at 6 PM, concerning matters of the Portland Industrial Park (PIP).

Legal:

Solicitor Gaul stated an executive session is needed to discuss the Ultra-Poly Notice of Violations.

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants

- The Slate Belt COG met on May 27, 202 via ZOOM internet communication.
- Plan Slate Belt Sub-Group met today, June 1, 2020, at 4 PM via eventbrite.com.

Community Events/Recreation Board:

a) Ms. Gumaer stated the committee has put all 2020 events on hold. Sunday Sundaes are up in the air for the moment, but a senior event has been planned for June 12 at 6 PM at Refiners Fire Ministry.

b) The annual 4th of July Parade will be held but there will be no marching; everyone will stay in their vehicles. The route has been lengthened.

c) Ms. Steele stated because of the COVID-19 Pandemic there was no clean-up day by the Bangor Middle School students. Usually money is donated for purchase of annuals. Ms. Steele stated that the committee can thin out the flower beds and ask for donations of perennials. The annuals can be planted in the hanging pole baskets. Ms. Steele stated that she would donate the cost of mulch. Ms. Gumaer volunteered to help with planting of the flower beds.

d) Ms. Steele reported that “partying” by individuals is taking place in the Ball Field Concession Stand. Ms. Steele stated that it was suggested that the stand be torn down but that would be a cumbersome undertaking. Councilwoman Kenna suggested that a contractor could be hired to block the window openings with concrete blocks to keep the animals out.

- i. Ms. Steele replied that she has asked Todd Constantine for a quote.
- ii. Charlie Nansteel can also be contacted for a quote.

e) Ms. Bucci replied that she visited the site and stated that the stonework is beautiful, which was built through the WPA (Works Progress Administration). Grant money is available. Ms. Bucci stated that the restoration of the stone wall, the ball field and the removal of the lavatories are worth pursuing. Ms. Bucci suggested that since there are many dead trees in center field they could be removed, permits could be issued for their removal and offered to anyone who burns wood. Ms. Bucci stated that if Council is agreeable, she will pursue grant funding.

e) Ms. Gumaer stated that she and her husband will donate \$100 for the purchase of flowers for the 2021 spring planting season for downtown.

Police Report:

a) The police report was provided in writing by Chief Robert Mulligan. President Steele read the report to Council.

b) Muni-Bid to sell 2005 Crown Victoria Police Car:

- i. Ms. Steele stated that photos need to be taken and the car has to be cleaned out by the police department.

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- ii. Councilman Godshalk stated that Brian McCartney, owner of MacMoblie has expressed interest in purchasing the car for \$1,500.
- iii. Solicitor Gaul asked the mileage; Fred Farleigh stated 73K.

A motion was made by Kay Bucci, 2nd by William Godshalk to adopt a resolution at the July 6, 2020 Council meeting to accept the purchase offer of \$1,500 from MacMobile for the Crown Victoria police car.

- i. The secretary was directed to contact MacMobile to find out if Mr. McCartney is still interested.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

Mayor's Report:

- None

Streets:

Quotes for Trucks for Snow-Plow Removal:

a) Ray Price Ford: Hydroelectric	\$ 68,564
Ray Price Ford: Electric/Hydroelectric	\$ 62,306
b) Ray Price Dodge Hydroelectric	\$ 72,904
Ray Price Dodge: Electric	\$ 68,889
c) Koch Ford: Hydroelectric	\$ 76,656
d) Brown Daub Chevy: Electric	\$ 61,608.52
e) Reagle Dodge Ram: Electric	\$ 58,221

Councilman Godshalk and maintenance man Fred Farleigh explained the quotes. Mr. Godshalk stated he would like to spend a little more money and purchase the central hydraulics; the Borough could get about (15) years of service from the vehicle but he would want the color of the cab to be red instead of white. Mr. Godshalk stated that he preferred Koch Ford 2019 in the amount of \$ 76,656, which is sitting on the lot.

Mr. Farleigh explained the quotes from Brown Daub, Reagle Dodge and Ray Price Ford, which would have to be ordered. Ray Price Dodge has a Dodge at East Penn sitting on the lot and could be purchased immediately.

Councilwoman Bucci has many questions.

- i. who will be driving this truck, Mr. Farleigh stated Mr. Godshalk.
- ii. who plows for the PBA, Mr. Farleigh stated Mr. Godshalk.
- iii. what happens when Mr. Farleigh is called to work for the PBA

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- iv. How will the truck be loaded with anti-skid, rent a loader replied Mr. Godshalk.
- v. Ms. Bucci replied that the PBA has a red dump truck, Mr. Godshalk replied that the PBA truck only has a plow, there is no spreader.
- vi. Ms. Bucci stated that the Borough cannot afford the purchase of a truck that will not be in use for (7) months out of the year. How can Mr. Farleigh be expected to do all this work when he also works for the PBA? Mr. Godshalk replied that the truck will be in use all year long.

Ms. Steele stated that she spoke with Avery Lohman, the 2019 snow removal contractor, who is still interested in the position for the 2020-2021 season. Mr. Lohman is satisfied with the agreement that he has had with the Borough.

Mr. Godshalk stated the cost several years ago for snow removal year was about \$80,000; the secretary replied the cost was approximately \$60,000 and that included the de-icing salt and cinders. Ms. Bucci asked, "how will the Borough finance this purchase?"

Solicitor Gaul explained the cost and contract associated with Mr. Lohman's 2019-2020 contract. Solicitor Gaul replied that the driver should be part of the contract. Last year the Borough signed a lease agreement with Mr. Lohman and the agreement was not resolved until late in the season.

Ms. Gumaer stated that it will cost a lot of money in the beginning but feels it will be better than four years ago. Ms. Bucci stated as long as it does not raise taxes.

Ms. Steele replied that 20% of the Borough's Liquid Fuels allocation can be used toward the purchase but that would only amount to \$2,000; the Council could reach out to the bank for information to set up a loan agreement where the Borough's payments are made annually. Mr. Godshalk stated that he was told by the dealer salesman that most agreements are lease to purchase.

Solicitor Gaul stated that. If the cost of the leasing is under \$10,000, the Borough will not have to secure bids. The Borough needs to find out the cost of the vehicle including interest and financing.

Ms. Gumaer suggested a used vehicle; Mr. Farleigh stated there are a lot of used vehicles out there, but they will not be equipped with the equipment that the Borough needs; you will spend more money to retrofit the used vehicle. Ms. Gumaer stated there should be used vehicles that are several years old. Mr. Farleigh stated that you will not find a used vehicle that is 2 or 3 years old. Mr. Farleigh stated that most used vehicles are 6 or 7 years old with approximately 60,000 miles. Mr. Godshalk stated that he would not buy used. Ms. Bucci asked, "where are we going to store the vehicle", there are already several vehicles sitting in the parking lot.

Solicitor Gaul estimated a \$20,000 annual payment for a (5) year loan of \$80,000 and \$10,000 annual payment for \$40,000 loan. The Borough has not budgeted for this amount.

Ms. Steele stated that the Borough would need at least a (2) mill increase for the purchase; this issue needs more discussion than this evenings Council meeting.

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Ms. Steele stated that the Borough needs grant funding, she does not know the grant schedule, and most grants have dried up with the COVID-19 pandemic. Councilwoman Kenna also suggested a used vehicle; a cinder spreader and plow could be added. Ms. Steele replied that Council should take a better look at the budget and financials.

Snow Removal Bids:

President Steele stated that the snow removal bids need to be updated and added to the Borough's website; the sealed bids should be returned to the Borough the Friday before the July 6, 2020 Council meeting. Solicitor Gaul replied that the sealed bids do not have to be opened at a Council meeting. The bids can be opened by Council representatives and then scanned by the secretary and emailed to Council. Ms. Steele added that if the Borough holds a ZOOM meeting the bidders could be in attendance to witness the sealed bids opening.

- Council agreed to hold the truck quotes.
- Table the snowplow truck for discussion until the July Council meeting, per Councilwomen Kenna, Gumaer, Bucci, Steele and Councilman Ivanchich.
- See if any bids are received for snowplow removal for the July 6, 2020 Council meeting.

Co-Stars Salt Supplier:

The secretary reported that she called the de-icing salt supplier, Riverside Construction, and was told that unless the Borough takes possession of their remaining salt supply by August 1, 2020 the Borough will then receive a bill for storage. Ms. Hummel contacted the Borough's PennDOT representative and was told to do nothing because PennDOT is still negotiating their 2020-2021 contract.

Storm Drain Inspections:

The drain box by Mike's Garage on Main Street had a sinkhole which was filled in by the maintenance man; another drain box on Main Street was inspected by Councilman Godshalk and he stated the drainpipe is not in bad shape. Mr. Farleigh stated that he had done some research and found that there are grants available. Ms. Steele stated that dollar amount estimates are needed for grant funding. Ms. Bucci replied that there are numerous drainage problems in the Borough.

Ms. Steele stated the Borough engineer had been asked to inspect the drain boxes to give an estimate for replace/repair but believes there was never a follow-up. Ms. Bucci stated an estimate is needed for the drain box on lower Division Street by the Borough lot; it was made a mess during sewer construction; a drain box is also needed on Weidman Street.

Councilman Ivanchich reported that a small girl got her foot caught in the grate on Main Street across from the "Pokey"; Mr. Ivanchich suggested that that drain be looked at as well. Ms. Steele stated that all the grates should be inspected, then all could be purchased together. Ms. Steele asked the maintenance man to inspect all the grates and provide an estimate for the July 6, 2020 Council meeting.

Part-Time Maintenance Position:

A part-time maintenance position is needed to help Fred Farleigh. The Borough already has two applications. Council will create a job description and application for the position; interviews will take place before the July 6, 2020 Council meeting.

Ms. Gumaer suggested that the hourly wage could be \$10 per hour. Ms. Gumaer suggested the new employee could take care of the lawn mowing, trimming, etc. Mr. Farleigh stated duties would be the lawn mowing and trimming, to keep the parking lots and downtown area clean, WWTP lawn mowing. Ms. Steele replied that there are other duties, i.e., painting curbs, cleaning the Park & Walk restroom, etc., that would be included if the employee finishes lawn duties. Ms. Steele stated that previously Council has approved that the Personnel Committee will interview and hire the selected candidate, with the official vote of Council to be taken at the next Council meeting.

Mayor Prator stated that the former hourly rate was \$11:00 per hour. The secretary reminded Council that the pervious maintenance person was paid \$11.50 per hour.

A motion was made by William Godshalk, 2nd by Robert Ivancich to advertise the position at \$11.50 per hour, 10 to 15 hours per week, until October 31, 2020; to advertise in the Borough newsletter, Facebook, and with the snow removal ad, stating the duties required.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele
Motion Carried 6-0-0

Demi Road Garbage Problem:

Mr. Godshalk reported there has been a lot of garbage on Demi Road. Mr. Godshalk stated he visited the site, and all has been all cleaned up. Mr. Godshalk stated that he thinks the lower part of Demi Road belongs to the Borough. Solicitor Gaul replied that there is an intermunicipal agreement between Portland and UMBT; UMBT is to maintain the road; Mr. Farleigh stated that it is the truckers who wait for the Industrial Park to open; they park in the cul-de-sac and throw their garbage away; the east side of Demi Road belongs to the Borough and the west side of Demi Road belongs to UMBT. Ms. Bucci stated the garbage issue was brought before the Portland Borough Authority Board Meeting, at which John McCallum, Vice President of Ultra-Poly Corp. was in attendance. Ms. Bucci replied that Mr. McCallum stated that he would take care of the problem. Ms. Bucci stated that Mr. McCallum should be reminded with a letter.

Sanitation:

Creditech:

There are (7) delinquent garbage accounts remaining for the calendar year 2019. It was discussed by Solicitor Gaul and Council which accounts to be sent to Creditech for collection, once the Creditech agreement is finalized, and which to file property liens.

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Solicitor Gaul advised Council to avoid additional costs and send all (7) delinquent accounts to Creditech for collection.

A motion was made by Kay Bucci, 2nd by Yvonne Gumaer to send all (7) delinquent accounts to Creditech for collection.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

Building Committee:

a) A quote was received from Bangor Cork, Wind Gap, PA, for a new corkboard for the municipal building bulletin board. The cork needs replacing and rain leaks in from the top. Fred Farleigh will repair the bulletin board and add a roof over the top to keep the rain out.

3/8-inch	59.99	black-olive-tan
1/2-inch	56.97	natural

A motion was made by Kay Bucci, 2nd by Yvonne Gumaer approving the purchase of the 1/2-inch natural corkboard at the cost of \$56.97.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

b) **Secure Lock Payment Mailbox:**

Ms. Steele discussed with Council an outside secure mailbox for Borough payments. Also discussed was an inside lock and a mail slot in the foyer door.

- i. Solicitor Gaul asked if the outside box is vandal proof. Ms. Steele replied that nothing is vandal proof.
- ii. Ms. Kenna suggested a mail slot in the front door of the municipal building; No, because the building is historic.
- iii. The window behind the Council table was mentioned but any motion seen through the window may trigger the security monitor.
- iv. The approximate cost is \$400 for both the box and the mount.

A motion was made by Kay Bucci, 2nd by Yvonne Gumaer authorizing the purchase of the outside secure lock payment mailbox at the approximate cost of \$400.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

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Motion Carried 6-0-0

Budget, Finance, Insurance, & Cable TV Contract:

- None

Air Liquide/Voltaix Safety Committee:

- None

Liberty-Water Gap Trail Alliance: Cindy Fish

- The meeting is tentative for June 17, 2020. The committee is looking for a meeting site.

Ordinance Update Committee:

- None

Personnel, Policy & Procedure Committee:

- None

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

- The committee continues with web-based meetings; the next meeting will be held on June 4, 2020 to disperse their budget funds to benefit COVID-19 relief efforts within the four Boroughs.
- Cigarette mountable ashtrays have been delivered by SBR for mounting in the downtown business area.

Correspondence:

- None

Secretary's Announcements:

- The Borough secretary will be out of the office, Tuesday, June 2, 2020.

Old Business:

a) The Jacoby Creek State Street Bridge, SR 1032, will begin construction on June 23, 2020 and end on June 23, 2021.

b) There have been numerous complaints about the motorcycle club that meets at 415 Delaware Avenue. Ms. Steele has voiced her concerns with Solicitor Gaul and Zoning Official Tina Serfass. Ms. Steele suggested a meet and greet or invite the group to attend a Council meeting.

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c) Discussed again was the failure of Portland Market to pay for their 2020 health license inspection. Solicitor Gaul reported that he has been in contact with the Health Officer and will speak with her again tomorrow. A Notice of Violation will be filed, per Solicitor Gaul.

New Business:

- Ms. Gumaer asked if the zoning officer has been in town recently. Ms. Steele stated that with the COVID-19 pandemic the zoning office has been closed but has now resumed office hours. Ms. Gumaer complained that the Terrance Jarrett property at 615 Delaware Avenue should be reported for failure to cut the grass. Ms. Steele stated that she would contact Ms. Serfass.

Executive Session:

- A motion was made by Yvonne Gumaer, 2nd by Kay Bucci to convene to executive session at 9:38 PM.

Roll call of votes,

YES: B. Kenna, K. Bucci, Y. Gumaer, R. Ivancich, W. Godshalk, S. Steele

Motion Carried 6-0-0

- Ms. Gumaer left the meeting at 9:45 PM.

Discussion: legal advice from Solicitor Gaul concerning Ultra-Poly Corp.

- A motion was made by Robert Ivancich, 2nd by Kay Bucci to reconvene from executive session at 9:53 PM.

Roll call of votes,

YES: K. Bucci, B. Kenna, W. Godshalk, R. Ivancich, S. Steele

Motion Carried 5-0-0

Action Taken:

- None

Public Comment Non-Agenda:

- None

Adjourn:

a) A workshop meeting will be held on the fourth Monday, June 22, 2020, at 7:00 PM.

b) The next Council Meeting will be held on Monday, July 6, 2020 at 7:00 PM.

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c) A motion was made by Kay Bucci, 2nd by Robert Ivancich to adjourn the meeting at 9:54 PM.

Roll call of votes,

YES: K. Bucci, B. Kenna, W. Godshalk, R. Ivancich, S. Steele

Motion Carried 5-0-0

Respectfully Submitted,

Carol A. Hummel, Secretary