

BOROUGH OF PORTLAND
COUNCIL MEETING AUGUST 6, 2018

The Portland Borough Council Meeting of August 6, 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* Lisa Prator* Heather Fischer* Yvonne Gumaer* Michael Sullivan
* Brian Kardos

Others Present:

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

Ordinance 2018-2:

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer adopting Ordinance 2018-2, "Authorizing the Borough to Establish, Charge and Collect Fees for the Certification of the Status of Borough Accounts; And Providing for Other miscellaneous Matters. Motion carried: 7-0-0

Resolution 2018-9:

A motion was made by Heather Fischer, 2nd by Michael Sullivan adopting Resolution 2018-9, "Establishing Borough Certification Fees" with the following schedule of Borough Accounts.

- (a) Sewer - \$ 10.00
- (b) Garbage - \$ 10.00
- (c) Real Estate Taxes - \$ 10.00
- (d) Any other tax or account - \$10.00

Motion carried: 7-0-0

Action on Minutes:

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer approving the minutes of July 2, 2018 with the following correction.

- Page 6 under Street Department, Israel Colon, second sentence, after "near his residence" add "that Mr. Colon was made aware that the handicapped sign is not specific to him or for his use only".

Motion carried: 7-0-0

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations	14,435.04
Sewer Operations	20,435.86
Garbage Operations	5,044.62
Dunkin Donuts Escrow	418.00
Ultra-Poly Escrow	132.00

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Community Events	239.29
Community Events	485.27
Telco, Inc.	1,680.20
August Payroll & Taxes	11,300.00
August Sunoco Fleet Gas	<u>750.00</u>
	54,920.28

- Councilwoman Prator explained that she contacted Telco, Inc. concerning the bill to repair the traffic signal at Route 611 and State Street. The additional charges were for travel time.
- Councilwoman Fisher questioned the bills for Community Events. Ms. Hummel replied \$239.29 was for the movie license renewal; \$485.27 was for the community picnic supplies and the purchase of a Peavy Amp.

A motion was made by Bridget Kenna, 2nd by Lisa Prator approving the bills presented for payment in the amount of \$54,920.28. Motion carried: 6-0-1 (Michael Sullivan abstained)

Portland Contractor's Inc. Bills Presented for the WWTP:

(1) invoice totaling \$3,706.

A motion was made by Bridget Kenna, 2nd by Lisa Prator approving the bill presented from Portland Contractors, Inc. in the amount of \$3,706. Motion carried: 6-0-1 (Michael Sullivan abstained)

2. Electrician Estimate:

A motion was made by Heather Fischer, 2nd by Michael Sullivan accepting the \$150 estimate of Dennis Werner to move the electric outlet in the Borough Office to accommodate the new air conditioner. Motion carried: 7-0-0

Public Comment:

Synagro Technologies: Adrienne Fors, Waste Management Community Relations

A hand-out was provided by Ms. Fors.

Presentation by Ms. Pamela Racey, Vice President of Business Development, Synagro Technologies

- Synagro proposes taking sewage sludge and converting it to Class A biosolids to be used as fertilizer or fuel.
- The process would harness waste heat from the adjacent Green Knight Energy Center, which burns gas generated by waste decomposition at the Waste Management landfill to generate electricity.
- Land approvals and PA DEP are in the process.
- Approximate 100 temporary, permanent and administrative jobs will be created.
- Questions from council:
 - i. Is it harmful when dried and released into the air? Condenses out a vent, evaporates.
 - ii. Testing? multiple testing. Synagro has been in operation since 1991. Extensive studies have been done at waste water treatment plants; a well-established operation.

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- iii. What is the product form that is used as fertilizer on farmer fields? In pellet form, as seen from the sample that was brought along tonight.
- iv. Councilman Sullivan stated that there are standards in place. At waste water treatment plants testing is done weekly. If there is a problem the waste water operator would get to the problem before it went out to the public.
- v. How much truck traffic would be generated? (25) daily.

Kim Hennings: 2185 No. Delaware Drive, Mount Bethel PA

Ms. Hennings is a hot dog vendor and asked council how she could apply to set up in the downtown. Ms. Hennings stated that she and her husband moved to Pennsylvania five years ago. They are presently set up at the Johnsonville PA Farm & Garden every Friday and Saturday through Thanksgiving.

President Steele informed Ms. Hennings that vendors cannot set up in the PennDot right of way along Route 611 in the downtown business district. Ms. Steele stated that Ms. Hennings would have to work with a private business owner to be set up on private property. A zoning permit is required, applied for by the private business owner.

Sewer Matters:

1. LamTech Corp:

Rich Villone called the Borough Office to set up an escrow account for a proposed sewer connection to the facility at 5010 River Road, Mt. Bethel PA. The Borough engineer recommends \$5K. A motion was made by Bridget Kenna, 2nd by Lisa Prator authorizing the secretary to open a sanitary sewer escrow account in the amount of \$5,000. Motion carried: 7-0-0

2. Ultra-Poly Corp:

The Borough received a letter of request to provide sewer service to their land development expansion. The Borough engineer is taking care of this on behalf of the Borough.

3. The final sewer insurance claim invoices have been submitted to EMC Insurance for reimbursement.

4. There are no sewer shut-offs.

Borough Engineers Report: Mark Bahnick

- Mr. Bahnick was absent but sent a written report.

1. Ultra-Poly has requested another (90) day extension for their land development expansion plans.

- A motion was made Brian Kardos, 2nd by Lisa Prator approving the extension from the August 6, 2018 council meeting to November 5, 2018 for the Building Two Preliminary/Final Land Development Plan. Motion carried: 7-0-0.

2. Dunkin Donuts Escrow Agreement for Sidewalk/Streetscape Improvements: 398 Delaware Avenue

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Attorney Chris McLean who represents Dhruv Acharya, developer of the proposed Dunkin Donuts, has prepared an escrow, construction and permit agreement for Solicitor Gaul and Borough council's review. President Steele stated that Mr. Acharya is very receptive to adding the streetscape project to the plan. The UCC Building Inspector is reviewing the plans and a zoning permit is forthcoming from the zoning officer.

- A motion was made by Michael Sullivan, 2nd by Heather Fischer authorizing conditional approval of the agreement subject to the review and any modifications made by Solicitor Gaul.
 - i. Question: Kay Bucci, from the audience, asked where the sidewalks would be located. President Steele showed Ms. Bucci the location on the plan map.
- Motion then carried: 7-0-0

3. Tellus Underground Technologies Land Development:

No response from Tellus Underground to set up an escrow account with the Borough and to submit a waiver request to eliminate the requirement for a land development plan.

4. The engineer's written report is attached to these minutes.

Zoning Officer Report: Bettina Serfass

- Ms. Serfass was absent. There was no report. Councilwoman Prator questioned whether Ms. Serfass has driven around the Borough checking on properties. Ms. Steele stated that she would contact Ms. Serfass.
- Ms. Steele stated that she spoke with Ms. Serfass concerning a property on Washington Street. The issues with the property are at the rear of the house.

Zoning Hearing Board (ZHB):

- No hearings are scheduled.

UCC Building Inspectors Report:

- No permits issued.

Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

- Mr. Prator stated that the PBA is applying for (2) more grants in connection with the replacement of the State Street Jacoby Creek Bridge.

Legal:

- None

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Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants:

- Mayor Prator reported that no seats are available for the Free Grant Workshop scheduled on September 12, 2018. The workshop is hosted by the Northampton County Department of Human Services. Another workshop is scheduled for October 2018.
 - i. Solicitor Keely Collins replied that King, Spry, Herman, Freund & Faul offer workshops to their clients. Ms. Collins stated that she would add Portland to the mailing list.
- The COG is in the process of interviewing an applicant for the position of Animal Control Officer.
- The COG is investigating the purchase of a street sweeper.

Community Events/Recreation Board:

- The free movie of Saturday, July 21st, was held inside at Refiners Fire Ministry.
- The Sundae Sunday of July 22nd was held at the Park & Walk Lot on Delaware Avenue. About (60) people were in attendance.
- The next committee meeting will be held on Sunday, August 12, 2018.

Police Report:

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

- The police report is attached to these minutes.
- Recently hired police officer, Austin Jones, is doing very well.
- Citations issued were (31).
- President Steele added that there was another drowning in the Delaware River. Officer Kiefer was on-duty and responded. The police department now has a toss bag (bag of rope and a personal flotation device) for their police vehicle.

Mayor's Report:

- Attended the Joint Meeting of the Northampton County Council of Governments on July 25th.
- Merchant Expo, hosted by Northampton County, will be held on Wednesday, October 10, 2018 at the Department of Human Services Building 2801 Emrick Blvd., Bethlehem PA.
- Local Share Account (LSA) Grants for Northampton and Lehigh Counties are available.

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- Attended the Lehigh Valley General Assembly that met Tuesday, July 31st, discussing the Transportation Improvement Program, the Hazard Mitigation Plan, Livable Landscapes, Law Changes for Fireworks, Regional Comprehensive Plan, Walk/Bike Active Transportation Plan.
- The Lehigh Valley Government Academy discussing education, talent supply and why young people leave the Lehigh Valley after college.
- The LVPC is calling for nominations for the 2018 Lehigh Valley Awards to be held on October 10, 2018 at DeSales University.

Streets Department: Lisa Prator

1. Snow-Ice Removal Contract:

- The deadline for the option to renew the additional service term with the current contractor, Woodpecker's Firewood Services, LLC, is September 15, 2018, provided the Borough provides the contractor with written notice of renewal.
- The (4) hour minimum call out time was the concern of council. After discussion between the contractor, Jake Taylor, and council the (4) hour minimum was clarified. Mr. Taylor stated that it takes him about (3) hours to salt the roads.
- Mr. Taylor stated that he would like to use sand along with the cinders. Councilman Michael Sullivan questioned Mr. Taylor about the sand, not just pure sand but to mix it with the de-icing salt.
- President Steele asked council if they would like to make a decision tonight on the contract or wait until the September 10, 2018 council meeting. Councilwomen Fischer and Gumaer stated that they had no reservations about deciding tonight to renew the contract.

A motion was made by Lisa Prator, 2nd by Heather Fischer to renew the Snow-Ice Removal Agreement for an Additional Service Term of October 15, 2018 through May 15, 2019 with the current contractor, Woodpecker's Firewood Services, LLC. Motion carried: 6-1-0 (Stephanie Steele opposed)

- i. After advice from Solicitor Collins, Councilwoman Lisa Prator will continue to be the contact person.

2. Ms. Prator was notified of sinkholes at 701 and 704 Delaware Avenue by the maintenance man.

- Councilwoman Yvonne Gumaer left the meeting at 8:26 PM.

3. There is reported digging and drilling at the Jacoby/State Street Bridge. Issues were found with the bridge. The bridge is closed not only to vehicular traffic but also to pedestrian traffic. Councilman Sullivan stated that it is a liability to the State of PA even if people are using it as a pedestrian bridge. A "closed to pedestrian" traffic sign should also be posted.

4. Councilwoman Prator reported that she discussed schedule changes with maintenance workers Bob Shaw and Steve Blume, where they would "swap" hours, upon Mr. Shaw's request to work fewer hours per week.

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Solicitor Collins replied that council could wait until the November council meeting to check the maintenance hours of Mr. Shaw and Mr. Blume and/or they could try a trial period to see how it works out. This will be re-evaluated at the November council meeting.

5. Ms. Prator stated that vandalism is still happening at the restroom facility at the Park & Walk Lot. Ms. Prator reported that she spoke with Chief Mulligan about the issue.

6. Councilman Sullivan asked the status on the drain boxes that need repair. Ms. Prator replied that she would contact Portland Contractors for an estimate.

Sanitation:

1. Kay Bucci, from the audience, asked the status of her complaint concerning her property at 112 Main Street. When Waste Management makes the turn into Coffin Alley the sanitation truck is running their tires over Ms. Bucci's property and damaging the yard. The secretary had sent a complaint to the Borough's Waste Management Representative, Bill Buskirk, who was to come and inspect the damage. Ms. Steele stated that she would personally contact Tom Stang, the WM Public Sector Solutions Manager, to have the issue resolved.

2. Hubert McHugh, from the audience, asked why council does not sponsor a recycle event. Ms. Steele replied that there are other communities in our area that sponsor events that Portland can use. These events cost money to operate and with others in the area there is no reason for Portland to hold one.

Building Committee:

- The secretary reported that when she arrived this morning the bathroom mirror was laying all over the floor in pieces. Ms. Hummel asked if she could have the mirror replaced. Council agreed and said no motion was necessary.

Budget, Finance, Insurance Committee & Cable TV Contract: Stephanie Steele

- President Steele reported that the final version of the Service Electric Cable TV Contract was signed. Ms. Steele stated that the contract provides a free internet connection. Ms. Steele suggested a WiFi connection at the Park & Walk Lot on Delaware Avenue.

Ordinance Update Committee:

- None

Personnel, Policy & Procedure Committee:

- None

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

1. Ms. Steele reported that Mayor Prator, Councilman Kardos and Ms. Steele attended the July 19, 2018 monthly Slate Belt Rising Regional Cooperation and Vibrant Economic Development Climate Committee meeting with representatives from Triad Associates to present and discuss their proposal for the Neighborhood Redevelopment Plan.

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Question:

- i. Councilwoman Prator questioned the revised plan budget amount from \$38,950 to \$30,000. Ms. Steele replied that it is only a budget plan, not a contract plan.
- ii. Ms. Bucci, from the audience, asked if the monies are guaranteed. Ms. Steele replied NO, nothing is guaranteed. The funds have to be spent by September 30, 2018. Slate Belt Rising has a deadline to have their funding reimbursed.

A motion was made by Michael Sullivan, 2nd by Heather Fischer authorizing council to enter into a contract, in the budgeted amount of \$30,000, with Triad Associates for the completion of the Portland Redevelopment Plan as presented, subject to review of the terms and conditions by Solicitor Gaul and Stephen Reider, Director of Slate Belt Rising and further authorizing Borough Council President, Stephanie Steele, to sign the contract. Motion carried: 6-0-0

Question:

- i. Kay Bucci asked the scope of the plan. Ms. Steele explained the grant and façade program. Ms. Bucci replied that the Borough has lost another downtown business due to the Borough Council and the Portland Borough Authority not addressing the issue of Steve Schoberl adding an illegal apartment to 501 Delaware Avenue.

2. Ms. Steele reported to council that the committee is working very hard to add events to Slate Belt Rising. A Road Rally Scavenger Hunt is planned for September 30, 2018.

Liberty Water-Gap Trail Alliance:

- The quarterly meeting of the Alliance met on Wednesday, July 18th at 5:30 PM in the Portland Borough Council Chambers.
- The National Park Service was in attendance.
- A new brochure was designed.

Correspondence:

- The CACLV is conducting the annual Municipal Fund Appeal of the Valley's 59 municipalities to support people experiencing the crisis of homelessness across the Lehigh Valley. No action was taken.

Secretary Announcements:

- None

Old Business:

- None

New Business:

1. John Morganelli, District Attorney, would like to meet with council concerning council's views on how his office can be helpful with crime prevention and education. DA Morganelli will be invited to the September 10, 2018 council meeting.

2. Police Officer Kiefer was contacted by the DRJTBC concerning the large amounts of trash that the Delaware River boaters/canoers are leaving at the pedestrian bridge. Councilwoman Prator

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suggested that the cost of a dumpster could be split three or four ways to alleviate the problem. Councilman Sullivan replied that he is against spending any money for a dumpster. Mr. Sullivan stated it is not the Borough's responsibility to clean up the trash or provide a dumpster for the DRJTBC property.

Air Liquide/Voltaix Safety Committee:

Councilman Kardos reported that the new facility on Route 611, the former Wildon Products Formica plant, has not begun operations.

Public Comment: Non-Agenda:

- Ms. Bucci stated that she has not received a letter of correspondence concerning the complaint she filed about the chicken problem at 502 Coffin Alley. The problem seems to have solved itself, the residents and chickens have moved from the property.
- Ms. Bucci questioned the proposed sewer connection to Portland's WWTP by LamTec Corp. Their facility is located on River Road in Upper Mount Bethel Township (UMBT) and UMBT has not completed their Act 537 Plan. Ms. Steele replied that LamTec has a failing septic system and is willing to spend the money to connect to Portland.

Executive Session:

- None

Adjournment:

- The next council meeting will be held on September 10, 2018 at 7:00 PM.
- A motion was made by Lisa Prator, 2nd by Heather Fischer to adjourn the meeting at 9:28 PM. Motion carried: 6-0-0

Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary