

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

The Portland Borough Council Meeting of September 10, 2018 was called to order at 7:02 PM by Stephanie Steele, President of Borough Council.

Council Members Present for Call to Order:

Stephanie Steele Bridget Kenna* Heather Fischer* Yvonne Gumaer*

i. Council members absent were Lisa Prator, Michael Sullivan and Brian Kardos.

Others Present:

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

Action on Minutes:

A motion was made by Bridget Kenna, 2nd by Heather Fischer approving the minutes of August 6, 2018 as presented. Motion carried: 4-0-0

Secretary/Treasurer's Report:

Carol Hummel

1. Bills Presented for Payment:

Borough Operations	8,406.32
Sewer Operations	12,981.66
Garbage Operations	4,874.82
Dunkin Donuts Escrow	1,826.00
Ultra-Poly Escrow	1,406.25
Portland Contractors, Inc., WWTP	2,845.00
September Payroll & Taxes	11,500.00
August Sunoco Fleet Gas	750.00
	<u>44,590.05</u>

A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna approving the bills presented for payment in the amount of \$44,590.05. Motion carried: 4-0-0

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer authorizing the pre-payment amount of \$10,000 to Woodpecker's Firewood Services, LLC, (Jake Taylor), per Article Three of the Snow-Ice Removal Contract 2018-2019, contingent upon an updated insurance certificate from Mr. Taylor. Motion carried: 3-1-0 (Stephanie Steele opposed)

A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna authorizing the secretary to contact Ultra-Poly Corp. asking for an additional \$10,000 to their escrow account. Motion carried: 4-0-0

i. The balance in the account after payment of the above bill is \$90.29.

Public Comment:

John Morganelli, Northampton County District Attorney:

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

The secretary received a telephone call earlier today that DA Morganelli is unable to attend. He will be rescheduled.

John Bermingham, Sr: Executive Director of the Slate Belt COG

Mr. Bermingham is unable to attend due to a scheduling conflict. He will be rescheduled.

Barry Schweitzer: Bangor Borough Council and Slate Belt COG Member

Mr. Schweitzer was absent due to a scheduling conflict but sent correspondence requesting a letter from Borough Council to be sent to the DEP concerning contaminate standards for clean fill.

- A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna authorizing President Steele to sign the attached letter to these minutes; and send the letter to George Hartenstein, DEP Deputy Secretary for Waste, Air, Radiation & Remediation, asking the DEP to change the contaminate standards for clean fill and regulated fill to match that of New Jersey, New York and the EPA. Motion carried: 4-0-0

Stephen Reider: Director, Slate Belt Rising (SBR)

Mr. Reider explained that SBR will be hosting "The Slate Belt Bash" at 111 State Street on Sunday, September 30, 2018. The event will include a road rally scavenger hunt throughout the Slate Belt. Mr. Reider requests two (2) Portland police officers present at the event from 8 AM to 5 PM. Mayor Prator replied that officers are already on the police schedule.

A special meeting of the Slate Belt Rising Committee will be held on Monday, September 24, 2018 at 7 PM with Triad Associates. The plan process runs through April 2019.

Patrick McHugh: 405 Pennsylvania Avenue

Mr. McHugh stated that water run-off from the Borough's salt pile, located on Borough property behind his yard, has washed out his yard since last spring. Councilwoman Kenna stated that the berm around the salt pile should be repaired. A motion was made by Heather Fischer, 2nd by Yvonne Gumaer to repair the berm around the salt pile and Borough dumpster with the cost not to exceed \$1,000. Motion carried: 4-0-0

Sewer Matters/Engineers Report: Mark Bahnick, Van Cleef Engineering

1. Dunkin Donuts Land Development:

Dhru Acharya, developer of Dunkin Donuts located at 398 Delaware Avenue, stated that he is planning to be open by Christmas.

Solicitor Gaul stated that council will possibly approve the preliminary-final land development plan at the October 1, 2018 council meeting.

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

2. UMBT Act 537 Plan:

Mr. Bahnick reported that he spoke with Rick Fisher, manager of UMBT, concerning areas of the township that are planned for sewer service from Portland Borough. Mr. Bahnick should know in about a month the sewer capacity that is needed.

3. LamTec Corp.:

LamTec is still working with the DEP to abandon their failing septic system and connect to the Portland WWTP. Mr. Bahnick continues to work with them to coordinate the approval process.

4. Ultra-Poly Corp. Land Development:

a) New plans were submitted to the Portland Borough Planning Commission for review at their July 16, 2018 meeting. Their attorney, Peter Layman, Esquire, has submitted a conditional use application to reduce parking requirements at the site.

- i. Hubert McHugh, in the audience and the chair of the Zoning Hearing Board, questioned the approval process. Solicitor Gaul replied that the main development plan is a separate approval process.

A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna authorizing the advertisement for the scheduling of the Portland Industrial Park conditional use application hearing for reduced parking requirements at the October 1, 2018 council meeting.

- i. Hubert McHugh questioned the application for conditional use before the request of a waiver hearing was heard by the Zoning Hearing Board. Solicitor Gaul replied that Ultra-Poly is not wrong in their requests, they are just not doing it in sequence.

Motion then carried: 4-0-0

b) President Steele stated that Ultra-Poly submitted their sewer connection application with (1) EDU tapping fee payment of \$1,500. Engineer Mark Bahnick replied that Ultra-Poly will require (10) EDU tapping fees for their land development expansion. This will be discussed further at the next sewer committee meeting.

c) Ultra-Poly has applied to the DEP to fill in the on-site quarry.

5. Tellus Underground Technologies Land Development:

Tellus Underground is moving forward.

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

7. A motion was made by Yvonne Gumaer, 2nd by Heather Fischer authorizing the pump repair work at the WWTP Pump Station by Xylem Water Solutions USA, Allstate Septic Systems and Portland Contractors, Inc. Motion carried: 4-0-0

8. A motion was made by Heather Fischer, 2nd by Yvonne Gumaer authorizing the replacement of the chemical pump at the WWTP, not to exceed the cost of \$1,000. Motion carried: 4-0-0

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

9. President Steele stated that a question arose at the Sewer Committee Meeting about the handling of emergency repairs at the WWTP. Ms. Steele asked Solicitor Gaul if she could do a telephone poll of council for emergency repairs and cap the cost not to exceed a certain amount. Solicitor Gaul replied YES.

10. There are no sewer shut-offs.

- Mr. Bahnick left the meeting at 7:45 PM.

Zoning Officer Report: Bettina Serfass

- Ms. Serfass was absent.

a) Enforcement Notices were sent to the following properties.

- i. 104 Ruth Street
- ii. 615-617 Washington Street

b) Councilwoman Fischer reported the tree located on the corner property of 501 Pennsylvania Avenue is dropping branches. Ms. Fischer's concern is that this corner is used as a school bus stop by the Bangor Area School District. President Steele stated she would contact Ms. Serfass.

Zoning Hearing Board (ZHB):

- No hearings are scheduled.

UCC Building Inspectors Report:

- One (1) permit was issued to 603 Delaware Avenue.

Planning Commission:

Mayor Prator stated that the Slate Belt Multi-Municipal Comprehensive Plan is moving forward.

A motion was made by Bridget Kenna, 2nd by Stephanie Steele adopting Resolution 2018-10, "A Resolution Authorizing an Application to the Pennsylvania Local Share Grant Account – Monroe County" undertaking the creation of the Slate Belt Comprehensive Plan to address the evolving needs of this region of the Lehigh Valley. Motion carried: 4-0-0

Portland Borough Authority (PBA): Lance Prator, Chairman

a) Chairman Prator reported that a PBA seven-foot sign was stolen and was found under the Northampton County Bridge on Northampton Street. Councilwoman Kenna replied that she had a picture of the sign. Ms. Kenna stated that she was driving on Northampton Street and saw the sign and took a picture of it. Chairman Prator stated another sign was found at National Park Drive with a bullet hole through it.

b) Chairman Prator reported that he has been searching the Northampton County Courthouse archives for the dedication of Hester Street to the Borough. The information is needed for the replacement of the PBA water line. Mr. Prator stated that he has been unable to find any information.

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

Legal:

- None

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants:

- Mayor Prator stated that every COG municipal member must vote on the Articles of Agreement between and among the governments of the townships and the boroughs.
- The COG is still looking to fill the position of Animal Control Officer. Mayor Prator stated that an applicant was approved for hire but was slandered by the Slate Belt Advocacy Group. The applicant resigned before he started. The COG is in the process of hiring another ACO, a local person from Nazareth PA.
- Back to the Articles of Agreement: Changes to the articles of agreement are stylistic. The Bangor Area School District is out of the agreement because they are no longer a member of the COG.
- There have been no comments to the articles of agreement from any of the COG membership.

Community Events/Recreation Board:

- The committee reported there was a good turnout for the free movie night of Saturday, August 18th.
- Trick or Treat will be held on October 27th from 4 to 6 PM. An after-costume contest/party will be held.
- The committee met last evening, September 9, 2018. There will no Community Day Event held this October. Their priority will be the Halloween event and the Christmas Tree Lighting ceremony. Permission was asked by Ms. Gumaer to James Steele about using his property and the large tree on 422-428 Delaware Avenue for the Christmas Tree Lighting. There has been no reply from Mr. Steele.

Police Report:

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

- The police report is attached to these minutes.
- Mayor Prator reported that the chairs in the police station are falling apart. President Steele suggested a larger chair because of the police officer's duty belts taking up extra space. A motion was made by Heather Fischer, 2nd by Bridget Kenna to purchase one (1) chair for the police department office not to exceed the cost of \$250. Motion carried: 4-0-0

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

- Mayor Prator stated that the air conditioner in the Crown Victoria police car is not working. The Mayor suggested that the car be evaluated by MacMobile before any work is done to the car.

Mayor's Report:

- Mayor Prator was approached by Eagle Scout nominee, Trebor Maitin, Scout Troop 300, Stroudsburg PA concerning an Eagle Scout Project for the Borough. Mayor Prator suggested that the project could be the restoration of the second-floor storage room of the municipal building.
- Ms. Cindy Fish, Liberty-Water Gap Trail Alliance, stated to council that the committee is looking for Eagle Scout nominees for potential projects. Ms. Fish stated that their interest is erecting a kiosk downtown. Ms. Fish stated that the committee has a plan prepared but needs a scout to do the project.
- Mayor Prator stated that he spoke with a representative from File Bank, Inc, an Enterprise Management Company, concerning managing all the Borough past, present and future documents into a one place, a file bank cloud. Mayor Prator stated he would investigate the cost.
 - i. Solicitor Gaul replied that the Borough could purchase special insurance for all municipal records.
- Correspondence from:
 - i. Lehigh Valley EDC, the Lehigh Valley Commercial & Industrial real Estate Report.
 - ii. Lehigh Valley Homeless Veterans Task Force asking for funding. No action taken.
- There were no comments from anyone on the final Lehigh Valley Mitigation Update Plan. The plan was reviewed by PEMA and sent back with no corrections. It is now being reviewed by FEMA. There has been no lapse in the 2015 Lehigh Valley Mitigation. A resolution will be prepared for adoption at the October 1, 2018 council meeting.

Streets Department: Lisa Prator

- Ms. Prator was absent.

1. Tree Work:

- i. The maintenance department reported that a hazardous tree needs to be taken down on Goble Street at the entrance to the ball field.
- ii. A tree has fallen behind the Veterans Monument on State Street. Pictures were provided by Councilwoman Kenna.
- iii. Hubert McHugh, in the audience and a resident of Market Street, reported that a tree needs to be removed on Market Street. Mr. McHugh stated that he would donate \$500 toward the removal of the tree.
- iv. Filos Tree Service will be contacted for an estimate to remove the three (3) trees.

2. A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna authorizing the replacement of the drain across from Mike's Auto on Main Street, in the amount of \$2,900; the estimate includes equipment, labor and materials. Motion carried: 4-0-0

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

3. Mr. McHugh stated that the second manhole on Crestmont Street needs repair. The manhole cover is up in the air above street level and will bust a snow plow this winter. Council will obtain an estimate for possible repair.

4. There was no response back to the street committee from Portland Contractors, Inc for the repair of the remaining street drain basins at:

- i. Market/PA Avenue corner
- ii. Market/Coffin Alley corner
- iii. State Street/Route 611 corner
- iv. Crestmont/Northampton
- v. Ruth Street/Delaware Avenue sink hole
- vi. 704 Delaware Avenue in front of Kovonuk home
- vi. 605 Delaware Avenue in front of Domotor home

Sanitation:

- The recycle issue on Main Street has been resolved.
- The sanitation truck using Division Street instead of Jim Ginn Alley has been resolved. Waste Management has instructed the driver to enter and exit Jim Ginn Alley to collect the garbage on the 200 block of Division Street.
- The problem at 112 Main Street has not been resolved with the sanitation truck running on the property edge exiting/entering Coffin Alley. The secretary has contacted Waste Management again.

Building Committee:

- None

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

1. The budget committee will begin meeting and reviewing coverage for the 2019 budget.

2. State Workers' Insurance Fund (SWIF):

Workers' Compensation insurance for the Portland Hook & Ladder Fire Company:

- i. In August 2018 there were two (2) injuries reported. One (1) honorary member and one (1) active member. The honorary member claim was denied since SWIF had changed their policy on workers' compensation a few years ago. The change was unbeknown to the Borough or the fire department. Chief Jim Potter has since acquired a policy for volunteers from Provident Insurance Company in the amount of \$1,500. Since the Borough also has volunteers for many of their committees, the Borough's insurance carrier has provided Ms. Steele with information to provide coverage for 100 volunteers for a premium of \$300. Ms. Steele stated that this would be supplemental coverage in addition to SWIF.
- ii. With the present SWIF policy no coverage is provided to fire company volunteers, exempt members or honorary ladies members. You must be an active fire company member for coverage. Ms. Steele stated that the \$300 for coverage of Borough volunteers will be worked into the 2019 Borough budget.

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

Ordinance Update Committee:

- None

Personnel, Policy & Procedure Committee:

- None

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

- Done earlier under Public Comment.

Air Liquide/Voltaix Safety Committee:

Councilman Kardos was absent but called earlier in the day to report that he was discussing with Air Liquide/Voltaix officials to include Portland Borough in their annual donation schedule that they disburse every year in October. Mr. Kardos is trying to secure a \$3K or \$4K donation to the Borough.

Correspondence:

- None

Secretary Announcements:

- The secretary asked if she could ask for an estimate from electrician, Dennis Werner, to have two (2) electrical outlets installed in the floor under the work desks of the secretary and billing clerk in the Borough office. There were no objections from the council members present.

Old Business:

- None

New Business:

1. Police Officer Stacy Smith would like to purchase the no longer used soap dispenser from the second floor Boy Scout room of the municipal building. The consensus of Council was that the dispenser had no value, and that no one else would have any interest in the item. There were no objections from the council members present to allowing Officer Smith to have the item, but all agreed that it would be nice if Officer Smith would make some small, reciprocal gesture to support a Borough cause. Council agreed that President Steele would ask Officer Smith to make a \$25 donation to Save The Portland Pokey Fund.

Public Comment: Non-Agenda:

- The resignation of Councilwoman Lisa Prator, effective September 11, 2018, was presented to council by Mayor Prator. A motion was made by Bridget Kenna, 2nd by Stephanie Steele to accept the resignation with regret. Motion carried: 2-0-2 (Heather Fischer & Yvonne Gumaer abstained).

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 10, 2018

- Liberty Water-Gap Trail Alliance: Cindy Fish
 - i. Delaware Water Gap has not signed the Memorandum of Understanding (MOU).
 - ii. New brochures have been printed.
 - iii. Suggests that each municipality have a tab on their web-site for the LW Gap trail.
 - iv. The next committee meeting of the Alliance is September 12th at the Delaware Water Gap Municipal Building.

Ms. Fish reported that the Alliance is not allowed to accept monetary contributions/donations. Solicitor Gaul replied that the Borough could set up a bank account for public purposes of the Liberty Water-Gap Trail Alliance.

- A motion was made by Heather Fischer, 2nd by Yvonne Gumaer in support of the Liberty Water-Gap Trail Alliance to accept contributions/donations for public purposes of the Liberty Water-Gap Trail Alliance. Motion carried: 4-0-0
 - i. An account name would have to be supplied by the Alliance.
- A Geo-Tourism Workshop will be held on September 19, 2018 in Blairstown NJ. Ms. Fish would like to attend and would be representing the Liberty-Water Gap Trail Alliance.

Executive Session:

- None

Adjournment:

- The next meeting of the Portland Borough Council will be held on Monday, October 1, 2018 at 7 PM.
- A motion to adjourn the meeting at 8:57 PM was made by Heather Fischer, 2nd by Yvonne Gumaer. Motion carried: 4-0-0

Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary