

BOROUGH OF PORTLAND  
COUNCIL MEETING OCTOBER 5, 2020

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The Portland Borough Council Meeting of October 5, 2020 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

The meeting was held in-person at the Portland Hook & Ladder Co. No. 1, William Pensyl Social Hall, 111 State Street.

Council Members Present for Call to Order:

Stephanie Steele\* Kay Bucci\* Robert Ivancich\* William Godshalk\*

- Council member Yvonne Gumaer was absent.

Others Present:

1. Michael Gaul, Solicitor
2. Lance Prator, Mayor
3. Mark Bahnick, Borough Engineer
4. Carol Hummel, Borough Secretary
5. Police Chief Robert Mulligan
6. Timothy Hess, 406 Bruce Street
7. Mary Stewart, 609 Delaware Avenue
8. Darlene Gladstone, 613 Washington Street
9. Portland Hook & Ladder Co. No.1 members
  - i. Jim Potter, Ashley Potter, Jack Bellis, Rob Shoemaker, Michael Sullivan
10. Cindy Fish, 307 State Street

Resolution 2020-8:

A Resolution Supporting the NJ-DOT Fix the S-Curve Problem Statement Request.

- Mayor Prator explained that the Rockwall Mitigation Project will cause a lot of traffic and problems for the police department; the fix should be the S-Curve, not the rock wall. No action was taken.

Resolution 2020-9:

A Resolution in Honor of the 125<sup>th</sup> Anniversary of the Portland Hook & Ladder Co. No. 1.

- President Steele questioned “does Council need to change the number on the fire company resolution since 2020-8 was not used”? Solicitor Gaul explained that if the resolution is mentioned in the minutes as no action then Council can move on to the next number in sequence.

A motion was made by Kay Bucci, 2<sup>nd</sup> by William Godshalk adopting Resolution 2020-9. Motion carried: 4-0-0

Action on Minutes:

A motion was made by William Godshalk 2<sup>nd</sup> Kay Bucci approving the minutes of September 14, 2020, as presented. Motion Carried 4-0-0

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Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

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

Borough Operations & Borough Operations Already Paid:	4,887.91
Sewer Operations & Sewer Operations Already Paid:	10,187.04
Garbage Operations & Garbage Operations Already Paid:	4,966.82
General Account to Portland Hook & Ladder Co. #1 Fire Relief Allocation 2020	2,965.34
General Account to Fire Tax Account: 2019 Taxes in Trust delinquent from Northampton County	47.40
Real Estate Tax Account to Fire Tax Account – September (2) mills	79.60
Real Estate Tax Account to William Godshalk – reimburse penalty amount	79.60
October 2020 payroll & Taxes, approximate	10,000.00
October 2020 WEX Sunoco Fleet Gas, approximate	250.00
Suburban EMS – Annual Budgeted Amount	550.00
<b>APPROVE</b>	<b>34,013.71</b>

A motion was made by Kay Bucci, 2<sup>nd</sup> by William Godshalk approving the bills presented for payment in the amount of \$34,013.71. Motion Carried 4-0-0

Bills Presented for payment to Portland Contractors Inc.:

- |                          |                 |
|--------------------------|-----------------|
| • WWTP monthly services: | 2,590.00        |
| • Maintenance issues:    | <u>382.50</u>   |
| <b>APPROVE</b>           | <b>2,972.50</b> |

A motion was made by Kay Bucci, 2<sup>nd</sup> by Robert Ivancich approving the bills presented to Portland Contractors, Inc., in the amount of \$2,972.50. Motion Carried 3-0-1  
William Godshalk abstained.

Public Comment:

Timothy Hess, 406 Bruce Street: Vacating a Portion of Zeman Street

Mr. Hess stated that he understood that Council would provide the review maps. President Steele responded that she does not feel that she should do the work for Mr. Hess. Ms. Steele stated to Mr. Hess that she emailed the Borough zoning map with an explanation of what was needed. Mr. Hess needs to do the mark-ups on the map of the property owners. Mr. Hess stated that he did not receive the email and would have complied. Vice President Bucci replied that the burden is on the property owner. Mr. Hess stated that he was of the understanding that it was his responsibility to acquire letters from adjacent property owners that there are no objections to the vacation.

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Solicitor Gaul replied that a Borough map is available at the Municipal Building and on the Northampton County website; Located on the map, Mr. Hess should have his property lines marked; the map should have adjacent lot numbers marked with the names of the property owners and a place for them to sign, those that have no objections. An ordinance is needed to vacate the property and Mr. Hess is responsible for the cost of the legal and the advertising. Ms. Bucci asked Mr. Hess if he had a property survey and knew where his property pins were located; Mr. Hess replied YES; Who owns the property that abuts Bruce Street; Mr. Hess could not remember the gentleman's name but it is 300 acres and he has no interest in the property; the other person is a Mt. Bethel resident at the cul-de-sac adjacent to his back lot who also has no objections; this is also is a dead end. The Borough Engineer, Mark Bahnick, stated that a legal description of the area vacated by Borough Council would be part of the ordinance; Mr. Bahnick asked whether the adjacent property owners had any objections to the road being vacated or any interest if the vacation takes place. Mr. Hess replied there is no interest on either. Solicitor Gaul replied that if the road is vacated Mr. Hess will only get the portion of the road to the center line.

Mr. Hess stated that he wanted to know Council's viewpoint before he spends any money. Solicitor Gaul stated there should be a description of the property to be vacated or a survey. The property needs to be depicted where it is being vacated and must be filed in the courthouse with a copy of the plan attached. Ms. Steele stated that the zoning map can be downloaded on the Borough website. Solicitor Gaul replied It is not unusual for a person in your position to hire an attorney to help with vacation, the burden is all on you and not the Borough.

Mary Stewart, 609 Delaware Avenue:

Ms. Stewart stated that she had issues with a neighbor's dog. The neighbor is Councilman William Godshalk. Ms. Stewart stated that she grew up in Portland, moved away and returned about a year ago. Ms. Stewart stated that Mr. Godshalk has two dogs at his home that are aggressive.

Ms. Stewart stated that she installed fencing and cameras on her property; that she was knocked down to the ground on the first attack and came to speak with Council because she wants her account on record. President Steele instructed Ms. Stewart to call 911 or a police officer during an incident. Neighbor, Darlene Gladstone, stated that residents in the area are afraid to walk the streets. Ms. Bucci replied, "that residents should keep calling the dog warden, because she is tough".

Solicitor Gaul stated that dogs must be restrained in public areas. Ms. Bucci replied that Section One of the Nuisance Ordinance applies; that they are vicious dogs. Ms. Gladstone stated that the dogs need to be trained. Mr. Godshalk replied that he purchased a heavier dog choker and that his friend came to see if Ms. Stewart was okay after she was knocked down; that his dog is not a nasty animal. Ms. Stewart replied YES, it is.

- Hubert McHugh entered the meeting at 7:40 PM.

Ms. Stewart stated that Mr. Godshalk's friend came to see her a week and a half later not immediately after the incident. Solicitor Gaul stated that if a dog bites someone there are state consequences and liability issues.

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Sewer Shut Off Notices:

None

Sewer Matters and Borough Engineers Report: Mark Bahnick

a) The Borough Sewer Committee received a request from Ultra-Poly for 13,000 gpd of additional sewer capacity to serve a proposed wash line they hope to install. The new process would clean post-consumer recyclables that would generate higher strength waste than the plant was designed for. Is this a good idea to encourage it? if it is what requirements should be in place to pretreat the sewer. This is being reviewed by the sewer committee.

i. Ms. Bucci replied that the Riverkeepers network has become involved with the proposed warehouse development in White Township NJ. The Riverkeepers are paying attention.

b) A request was received from the developer of the proposed 300,000 square foot industrial building proposed for the east end of Demi Road. The developer was instructed to contact UMBT to discuss this request because the property is in UMBT. Mr. Bahnick replied that UMBT may modify their sewer service area. Mayor Prator stated that the Riverfront developer will take care of their own water service. Ms. Bucci replied the developer could drill wells for each of their parcels that they plan to sell.

d) Mr. Bahnick and Ms. Steele met last week with the owner of Dunkin Donuts to review what needs to be installed to comply with Borough and PennDOT approvals.

- Mr. Bahnick left the meeting at 7:50 PM.

Zoning Officer Report: Keller Zoning & Inspection Services

- None

Zoning Hearing Board (ZHB):

- No hearings are scheduled at the present time.
- There are no applications for the ZHB vacant seat.
- Ms. Bucci asked if the invoice submitted by Ms. Serfass has been paid. Ms. Hummel replied NO. Ms. Hummel informed Ms. Serfass that she could not present the invoice without itemization.

UCC Building Code Inspectors Report: Keller Zoning & Inspection Services

- None

Planning Commission:

- The Planning Commission met on Monday, September 21, 2020 at 7 PM. The plans were tabled on the Weidman Minor Subdivision Plan for the property at 503-509

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Delaware Avenue until October 19, 2020 due to the planning commission waiting on the review from the Borough engineer. Ms. Steele will follow up with Mr. Bahnick.

Portland Borough Authority (PBA):

Lance Prator, Chairman

a) Chairman Prator reported that the Authority is applying for grant monies from USDA and PennVest to expand water lines to Turkey Ridge Road and Boulder Drive and to Church Street and Turkey Ridge Road so there are two ways of maintaining water flow into the town.

b) Ms. Bucci asked about the locations. Mayor Prator replied Boulder and Turkey Ridge to expand the water flow down to Church Street into Mt. Bethel. Ms. Bucci asked if this was important to be done; Mayor Prator replied as important as bridge location water.

c) Ms. Bucci stated that the garage at 106 Division Street still has two piles of gravel; the concrete is poured; the lot looks a lot better.

Legal:

- None

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants

- The Slate Belt COG met on September 23, 2020. Mayor Prator and President Steele were unable to attend due to prior commitments. There is no alternate COG representative.
- The crack sealer and the storm jetty has arrived, the only drawback is that both are one-man operations. Rental agreements are needed for the equipment as are required for the leaf vacuum.
- Ms. Bucci stated that there is a grant writer for Smithfield Township, who is from Pottstown PA. The URDC will be sending Ms. Bucci a proposal for grant writing. Ms. Sara Pandl, retired planner from Macungie PA, may also be a possibility.

Community Events/Recreation Board:

a) Halloween will be kept small with Trick or Treat observed on Saturday, October 31, 2020 from 4 to 6 PM. There will be no advertising done by the Borough, just word of mouth for residents. A costume party contest will be held outside at the Train Station Lot, 422-428 Delaware Avenue. The Borough will observe the 250 people or less and social distancing rules per COVID-19.

b) An ice cream social was held on Saturday, September 26, 2020 beginning at 6:30 PM at the Park & Walk Lot on Delaware Avenue; the social went well. Not so well for the free outdoor movie which began at 7:45 PM, only five people attended.

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Police Report:

- a) The September 2020 police report was provided in writing by Chief Robert Mulligan.
- b) The 2020 police car graphics were sent to the committee of Ms. Steele, Ms. Bucci, Mayor Prator, Chief Mulligan and Mr. Godshalk. Mayor Prator and Chief Mulligan approved the graphics. Ms. Bucci did not like the police version of the flag in the rear window.
  - i. Ms. Steele stated that the Borough is using a new vendor.

A motion was made by William Godshalk, 2<sup>nd</sup> by Robert Ivancich to proceed with the graphics as presented by Chief Mulligan. Motion carried: 4-0-0

Mayors Report:

- The Nurture Nature Center Hazard Mitigation meeting is working to have children involved concerning flooding, pandemics, etc.
- Attended numerous NJ-DOT Rockfall meetings.
- Signed up to attend the Lehigh Valley Gala.
- Participated in the Slate Belt Rising Road Rally and Scavenger Hunt.
- Emceed the Refiner's Fire Ministry charity softball fund raiser that was held on the Portland Ball Field for a (16) year old teen girl battling cancer. There were approximately (75) in attendance.

Streets:

Leaf Vacuum Pick-Up by Slate Belt COG:

- a) Dates available for the Borough are November 9, 10, 23, & 24. Waiting on a response from Ultra-Poly Corp. for use of their dump truck and driver since their truck is out for repairs. Mayor Prator was asked to contact East Bangor Borough. Portland could share employees and fuel costs.
- b) There were no estimates for the cost of drain grate repairs. Ms. Steele asked if the drain grates could be repaired like the drain that was repaired in front of Yvonne Brodt's house. William Godshalk will secure several telephone estimates.
  - Ms. Bucci asked which of the two grates on Main Street is the worst. Mr. Godshalk replied the one downtown at the bottom of the hill.
- c) Mr. Godshalk stated that crack sealing is not an expensive project. Ms. Bucci asked what streets needed to be done. Mr. Godshalk replied ALL. The use of the tar buggy is free until the end of the year. Mr. Godshalk stated an air compressor would be needed for use with the tar buggy to blow out the cracks for sealing.

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d) A purchase quote was received from Central Jersey Equipment for a backhoe and utility tractor. Mr. Godshalk stated that he spoke with Richard Moyer Excavating, but he does not have a machine. Ms. Hummel replied that John Deere will not give a lease quote to the Borough unless we complete a credit application.

A motion was made by Kay Bucci, 2<sup>nd</sup> by Robert Ivancich authorizing President Steele to complete the credit application. Motion carried: 4-0-0

e) The weedwhacker needs a new head attachment. The streets department borrowed the Portland Borough Authority's today to finish up the grass.

Sanitation Committee:

- The recycle dumpster was removed from the Borough property at 206 Division Street.

Building Committee:

The committee has ordered a dry erasable board for placement in the hallway. It will be used for street department work notices.

Budget, Finance, Insurance, & Cable TV Contract:

a) Creditech: The Borough was asked by Creditech if payment plans would be accepted for delinquent accounts. Council replied, "do fees apply to the Borough". Creditech replied there are NO fees for the Borough, consumer fees only apply. Creditech can be notified to begin collection of delinquent garbage accounts.

b) The Budget Committee has met and starting their review for the 2021 budget.

Ordinance Update Committee:

- None

Council, Policy & Procedure Committee:

- None

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

a) The SBRC met virtually on October 15, 2020 at 6 PM. No one has volunteered to fill the vacant position of Mayor Prator. Ms. Steele stated that the volunteer can also be a Portland resident.

b) The WELCOME TO PORTLAND signs were removed from their posts by Jim and Stephanie Steele. The new signs will be arriving in the next week.

Air Liquide/Voltaix Safety Committee:

- The safety committee will hold a virtual meeting on Wednesday, October 7, 2020 at 6 PM.

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Liberty-Water Gap Trail Alliance:

Cindy Fish

- Cindy Fish reported that the Alliance meets the third Wednesday of every month
- No update on the Fall Cleanup along Route 611 from Portland to Delaware Water Gap scheduled for October 24, 2020.

Correspondence:

- None

Secretary's Announcements:

- The secretary will be out of the office on Friday, October 9, 2020.

Old New Business:

Portland Waterfront Park:

a) Ms. Bucci reported that she attended the virtual meeting of the Lower Wild & Scenic River Management Council on Thursday, September 24, 2020 at 10 AM. The Management Council complained that this was the worst summer they ever had with the record number of visitors. Ms. Bucci stated that discussion concerning Portland's Waterfront Park was highlighted about the Northampton County sheriff's department not doing their job. The council is undertaking a river user capacity study.

b) Christmas Decorations:

1. Ms. Steele and Ms. Bucci have been investigating the purchase of new Christmas decoration/lights from Rileighs Outdoor Décor, Allentown, PA. Currently there is a 15% discount on all products. The cost for six (6) wreaths is \$565 each and eighteen (18) banners at \$55 each. The Borough will use their existing poles. Total coast for all is \$4,380. If the banners and lights are taken care of properly the Borough should be able to get twenty (20) years use out of them.

2. There is a winter sale at Rileighs during January and February for 33% off with no delivery or billing until April or May 2021. Ms. Steele stated if the above proposal is ordered now the Borough can have the decorations in a few weeks.

A motion was made by William Godshalk, 2<sup>nd</sup> by Kay Bucci authorizing the purchase of the banners and wreaths from Rileighs Outdoor Décor, Allentown, PA, not to exceed the cost of \$5,000.

- Hubert McHugh asked if the wreaths and banners would be here in time for the holiday season. Ms. Steele replied that the decorations are in stock.

Motion carried: 4-0-0

Ms. Steele stated that she must measure for tinsel.



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New Business:

- None

Public Comment Non-Agenda:

Ms. Cindy Fish asked if the Borough could experiment with a Christmas decorating contest, like is done in the Borough of Bangor with their yard of the month contest. A gift card could be given as the prize.

Executive Session:

- None

Adjourn:

The next Council Meeting will be held on Monday, November 2, 2020 at 7:00 PM at the William Pensyl Social Hall.

A motion was made by William Godshalk, 2<sup>nd</sup> by Robert Ivancich to adjourn the meeting at 8:52 PM. Motion Carried 4-0-0

Respectfully Submitted,

*Carol A. Hummel*

Carol A. Hummel, Secretary