

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

The Portland Borough Council Meeting of November 05, 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* Yvonne Gumaer* Michael Sullivan* William Godshalk*
i. Council member Brian Kardos was absent.

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 William Godshalk approving the minutes of October 22, 2018 as presented. Motion carried: 5-0-0

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations	11,836.68
Sewer Operations	13,617.17
Garbage Operations	4,823.55
Dunkin Donuts Escrow	1,265.00
Ultra-Poly Escrow	8,220.21
Community Events Account	488.85
November Payroll & Taxes	15,000.00
November Sunoco Fleet Gas	<u>600.00</u>
	55,851.46

A motion was made by Bridget Kenna, 2nd by Michael Sullivan approving the bills presented for payment in the amount of \$ 55,851.46. Motion carried: 5-0-0

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

WWTP Contractor Services:	2,440.00
WWTP Operations:	<u>2,900.00</u>
	4,907.76

A motion was made by Bridget Kenna, 2nd by Yvonne Gumaer approving the bills presented for payment to Portland Contractors, Inc, in the amount of \$ 4,907.76. Motion carried: 3-0-2 (Michael Sullivan and William Godshalk abstained)

3. A motion was made by Michael Sullivan, 2nd by Bridget Kenna approving the bill presented from Mac Mobile for maintenance to the Ford Explorer police car in the amount of \$ 232.64. Motion carried: 5-0-0

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

4. A motion was made by Yvonne Gumaer, 2nd by William Godshalk authorizing the secretary to contact Dhruv Acharya, Principle of Dunkin Donuts Land Development, for an additional \$ 3,000 for the Dunkin Donuts escrow account. Motion carried: 5-0-0

Liquid Fuels Checking Account:

The secretary stated that she spoke with the Liquid Fuels auditor this past week. I can deposit \$ 148.61 in the Liquid Fuels Account from the General Checking Account to make the balance \$ 1,000. The account will then generate interest, a requirement of Liquid Fuels. The General Account will not be reimbursed. Permission for the secretary to deposit the \$ 148.61 in the Merchants Bank Liquid Fuels Account.

i. A motion was made by Michael Sullivan, 2nd by Yvonne Gumaer to deposit \$ 148.61 in the Liquid Fuels Checking Account from the General Checking Account to make the balance \$ 1,000 and generate interest, a requirement of Liquid Fuels. Motion carried: 5-0-0

CD #401110360:

Merchants Bank CD 401110360 will mature on November 24, 2018 in the amount of \$ 20,517.42 at 1.0900%. Permission to roll-over the CD with a new maturity date of December 24, 2019. A motion was made by Yvonne Gumaer, 2nd by Michael Sullivan authorizing the roll-over of CD 401110360 with a new maturity date of December 24, 2019. Motion carried: 5-0-0

Public Comment:

District Attorney (DA), John Morganelli: Keeping Our Communities Safe

The Northampton County DA's Office has launched a new community Outreach Program using funds from a record year of dug money forfeitures in Northampton County. DA Morganelli stated that he is visiting every municipality in Northampton County seeking municipalities views about how his office can be helpful.

DA Morganelli stated that he has great admiration for Borough Councils, since he was a former Solicitor for local government before he became the District Attorney. Detective Andre Stevens of the Northampton County Drug Task Force accompanied DA Morganelli. In connection with its enforcement/investigatory operations, the Drug Task Force sometimes makes seizures of cash, and other property, used in criminal activity. The seized cash then becomes subject to use by the DA's office through a process known as forfeiture. The DA also uses the cash to enforce drug laws, including distribution to local municipalities for funding police operations. The DA also encourages block watch programs in neighborhoods. The DA also sponsors an Outreach Program, which is a presentation to citizens, including teenagers, so that parents can be informed and see what drug paraphernalia looks like. The Outreach Program also addresses bullying. DA Morganelli stated that he will be following up with a mailing to Portland public officials. DA Morganelli wants to make sure that all benefit from the county wide effort to share the seized drug monies.

DA Morganelli stated that his philosophy is to let local government alone; the local municipalities, police departments, state police, etc. should make their own decisions. DA Morganelli stated that he is available for any concerns that Council may have.

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

A letter from Police Chief Mulligan was presented to DA Morganelli asking for financial assistance for the purchase of a new field breath testing device and (2) police body cameras (letter attached to these minutes).

Sewer Matters and Borough Engineer's Report: Mark Bahnick

- a) The NPDES renewal application was submitted to the DEP on October 30, 2018.
- b) New Land Development Plans have not been received from Ultra-Poly Corp.

Zoning Officer Report: Bettina Serfass

- None

Zoning Hearing Board (ZHB):

- No hearings are scheduled.

UCC Building Inspectors Report:

- One (1) permit was issued to 400 Bruce Street.

Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

- The Authority still has a vacant seat on the PBA Board of Directors.

Legal:

- None

Subdivision and Land Development:

- The contractors for the Dunkin Donuts Land Development are working every day at the site.

Community Development, Slate Belt COG & Grants:

- a) Curbside leaf pick-up is scheduled for November 26 and 27, 2018. The signed rental agreement for the COG leaf vacuum has been sent to the Slate Belt COG. Ultra-Poly has agreed to provide the truck and driver to pull the leaf vacuum for the street department employees.
- b) The monthly meeting of the Slate Belt COG was held on October 24, 2018.
 - i. Mayor Prator reported that Pen Argyl Borough will not renew their membership/participation with the Slate Belt COG. UMBT Supervisors are meeting tonight to discuss whether they will remain with the COG.

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

- c) Mayor Prator stated that Bangor Borough is receptive to sweeping the Portland Borough streets. Council needs to reach out with a letter to the Bangor Borough Manager, Nate Dysard.
- d) Mayor Prator stated he attended the Bangor Borough Council meeting on October 29, 2018.
- e) The Northampton County Gaming Revenue & Economic Redevelopment Authority Grant in the amount of \$31,440. needs to be spent by May 30, 2019.
 - Mr. Bahnick left the meeting at 7:24 PM.

Community Events/Recreation Board:

- a) Mayor Prator reported that there was a good turn-out for Trick or Treat and the Costume Party Contest held on Saturday October 27th from 4 to 6 PM at Refiner's Fire Ministry.
- b) Councilwoman Gumaer stated that an insurance certificate is needed for Jim and Stephanie Steele's property at 422-428 Delaware Avenue for the Holiday Christmas Tree Lighting on November 25, 2018.
- c) The December 15th Event is cookies, cocoa and karaoke, 6:30 – 8:30 PM.

Police Report:

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

- a) A motion was made by Yvonne Gumaer, 2nd by Michael Sullivan to accept the resignation, with regret, of Police Officer Stacy Smith, effective November 30, 2018. Motion carried: 5-0-0
 - i. Mayor Prator stated that Officer Smith has a full-time police officer job in another municipality. Mayor Prator praised Officer Smith stating that his paperwork is impeccable.
- b) The police report is attached to these minutes

Mayor's Report:

- The Borough received the following awards.
 - i. Commonwealth of PA House of Representatives: Multi-Municipal Honoree for Slate Belt Regional Branding.
 - ii. Commonwealth of PA House of Representatives: Multi-Municipal Honoree for 4th of July Fireworks Show.
 - iii. Senate of PA: Multi-Municipal Honoree for Slate Belt Regional Branding.
 - iv. Senate of PA: Multi-Municipal Honoree for 4th of July Fireworks Show.
- Attended the Northampton County Blight Seminar on October 22, 2018.
 - i. There are funds available to give away to fix blighted homes.
- Attended the Northampton County COG meeting on October 24, 2018.
 - i. Interesting information on local Farmer's Markets. There are (7) farm markets in Northampton County. The county will be coming to the Slate Belt area to do a study, upon the suggestion of Mayor Prator. The study is funded by Northampton County grant money.
- Northampton County special seminar public meeting on the invasive and destructive Spotted Lanternfly will be held on Friday, November 9, 2018 at NCACC.

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

- Attended the Lehigh Valley General Assembly on Tuesday, October 30, 2018
- Announced the Multi-Modal Walk/Bike Active Transportation Plan which will meet November 28, 2018, 4:00 to 5:30 PM at NCACC.
- The Slate Belt Multi-Municipal Plan meets November 13, 2018.
- Presented the LVPC Data Wheel (DATALV), the Lehigh Valley's Data Source. The annual data release will be held on December 5, 2018 at SteelStacks, 4 to 7 PM.
- Attended the program introducing "The Link", an interconnected network of safe, beautiful multi-use trails which spans 125 miles throughout the Lehigh Valley. The future Liberty-Water Gap Trail is listed in the network of trails. (article attached to these minutes)
- Attended the Hazard Mitigation Plan meeting on October 30, 2018. There is a flood mitigation grant available at this time. The MS-4 Storm Water Plan does not now affect Portland but will in the next (10) years.

Streets Department:

- a) The secretary sent a work order to Portland Contractors for repair of the berm around the salt pile.
- b) Salt needs to be ordered; tarps need to be purchased to cover the salt pile.
- c) Councilmen Godshalk and Sullivan looked at Crestmont Street and reported it is in bad shape. Mr. Godshalk suggested that modified be applied. Discussed by Council that this street is not Liquid Fuels designated but it is a public use street. Solicitor Gaul stated that he has no issues with maintaining and using public funds; the Borough would not want to be named in a lawsuit. Solicitor Gaul stated the simplest way is to formalize a description of the street but in the meantime Councilman Sullivan stated that the street should be repaired for the winter.
 - i. The drain pipe markers on First Street should be repaired.
 - ii. The shoulders on the east side of First Street need repair.
 - iii. There is a big pothole on Delaware Avenue, across from the Baptist Church, that needs to be filled in before the winter freeze.

A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna authorizing the spending of up to \$ 2,500 for materials and labor for the repairs of Crestmont, First Street and the pothole on Delaware Avenue.

- ii. Question by Jim Kenna, in the audience. The street should be rolled. Councilman Sullivan stated it also should be tamped.

Motion then carried: 4-0-1 (William Godshalk abstained)

A motion was made by Bridget Kenna, 2nd by Yvonne Gumaer to obtain a quote from Portland Contractors, Inc. for the repair of Crestmont, First Street and the area of Delaware Avenue. Motion carried: 3-0-2 (William Godshalk and Michael Sullivan abstained)

d) Discussed was the snow removal contract, specifically the loader/backhoe/bobcat that is billable only when in use. Councilwoman Gumaer stated it was her understanding that this fell under the cost of the (4) hour minimum. Councilman Sullivan replied that the contract should be the interpretation of Council not the snow removal contractor. Solicitor Gaul stated that the contract stands until the current contract agreement expires. President Steele stated that the contract is signed so this is a moot point. Councilman Sullivan stated that the contract should be tightened up; the loader/backhoe/bobcat sitting on site and not physically in use means that the Borough is paying for storage

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

Sanitation:

The problem at 112 Main Street has not been resolved with the Waste Management sanitation truck running over the corner of the property edge exiting/entering Coffin Alley. President Steele stated she spoke with the property owner, Kay Bucci, and no follow up was done by Waste Management. Solicitor Gaul replied that the Borough should document the problems/complaints.

Waste Management is still not observing the Borough street signage with regard to using Division Street instead of Jim Ginn Alley to collect garbage on Division Street. The secretary was directed to contact Tom Stang to attend the next Council meeting of December 3, 2018.

President Steele and Solicitor Gaul will review the Waste Management contract.

Building Committee:

a) The secretary contacted R. J. Hoffman to give (2) estimates for electrical work. Floor outlets for the Borough Office and inspection and repair to the second-floor ceiling lights. No appointment has been made to date.

b) The small police car garage in the municipal parking lot needs maintenance and a new roof. The committee, Michael Sullivan and Yvonne Gumaer will obtain an estimate for the cost. Ask Bob Shaw for his opinion.

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

1. 2019 Budget:

President Steele stated that the 2019 Budget was given to everyone at the October Council meeting to review. Ms. Steele asked if there were any questions. There were none.

Ms. Steele stated motions are needed tonight to accept the proposed 2019 Borough, Sewer and Sanitation budgets for advertising, as presented. A motion was made by Bridget Kenna, 2nd by Yvonne Gumaer to advertise the proposed 2019 Borough, Sewer and Sanitation budgets as presented. Motion carried: 4-0-1 (Michael Sullivan abstained)

A motion was made by Yvonne Gumaer, 2nd by Michael Sullivan, authorizing Solicitor Gaul to prepare the tax ordinance and the fee resolutions to implement the budgets for the December 3, 2018 council meeting. Motion carried: 5-0-0

2. The advertising for the 2019 meetings will be presented for approval at the December 3, 2018 Council meeting.

Ordinance Update Committee:

- None

Personnel, Policy & Procedure Committee:

- None

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

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

President Steele stated that Slate Belt Rising will meet at 6 PM on Thursday, November 8, 2018 in Wind Gap.

Air Liquide/Voltaix Safety Committee:

The Air Liquide/Voltaix Safety Committee meets Wednesday, November 7, 2018 at 5:30 PM.

Liberty-Water Gap Trail Alliance:

- Ms. Cindy Fish stated that the next meeting of the Alliance will be held at 9 AM on Wednesday, November 21, at the Delaware Water Gap Municipal Building.
- A \$100 deposit is needed to open a checking account for donations to the Alliance.
- The goal of the Alliance is to have the same information on all municipal websites.

Correspondence:

- The Slate Belt Band Boosters are seeking donations of prizes for their bingo raffle event. No action taken.
- Management Risks Workers' Compensation Pooled Trust would like to meet with the Finance committee. No action taken.
- Professional ACELA Engineering asking to be considered for the position of Municipal Engineer and/or MS4 Consultant. Information to be placed on file.
 - I. President Steele is meeting with Tim Bacak, Brown & Brown Insurance, concerning the Borough's commercial insurance renewal of January 19, 2019.
- The DEP is hosting a Public Meeting on the Proposed Synagro Heat Recovery Center at the Wind Gap Middle School on Wednesday, November 7, 2018 from 6 to 9:30 PM.
- The Community Action Committee (CACLV) of the Lehigh Valley's annual report.

Secretary Announcements:

The secretary will be out of the office tomorrow, November 6, 2018.

Old Business:

- None.

New Business:

- None

Executive Session:

A motion was made by Michael Sullivan, 2nd by Yvonne Gumaer to convene to executive session at 8:28 PM. Motion carried: 5-0-0

Discussion: personnel matters

BOROUGH OF PORTLAND
COUNCIL MEETING NOVEMBER 05, 2018

A motion was made by Yvonne Gumaer, 2nd by Bridget Kenna to reconvene from executive session at 8:37 PM. Motion carried: 5-0-0

Action Taken:

A motion was made by Michael Sullivan, 2nd by Yvonne Gumaer promoting Police Officer Stephen Keifer to Sergeant, within the Police Department, and authorizing Solicitor Gaul to prepare an amendment to the Police Ordinance. Motion carried: 5-0-0

Public Comment: Non-Agenda:

- None

Adjournment:

- The next meeting of the Portland Borough Council will be held on Monday, December 3, 2018 at 7 PM.
- A motion to adjourn the meeting at 8:32 PM was made by Michael Sullivan, 2nd by Yvonne Gumaer. Motion carried: 5-0-0

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary