

BOROUGH OF PORTLAND
COUNCIL MEETING FEBRUARY 1, 2021
AMID WINTER STORM "ORLENA", SNOW EMERGENCY

The Portland Borough Council Meeting of February 1, 2021 was called to order at 7:09 PM by Stephanie Steele, President of Borough Council.

The meeting was held via video and audio advanced communication technology ("ACT"), using ZOOM internet communication, or telephone option, due to the 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 or telephone option.

- Council members William Godshalk and Yvonne Gumaer were absent when the Borough Council President originally called the meeting to order. The meeting began merely as an information session, and not an official meeting, due to lack of a quorum. As noted further below, at 7:11 PM, Councilman Godshalk joined the meeting, at which point a quorum was established, and an official meeting began.

Action on Minutes:

- None

Secretary/Treasurer's Report:

- None

Sewer Matters and Borough Engineers Report: Mark Bahnick

Ultra-Poly Corp:

Mr. Bahnick met with Ultra-Poly at the Sewer Committee meeting concerning their proposed wash line recycle project.

- Councilman Godshalk officially logged into the meeting at 7:11 PM. A quorum has been reached.

Weidman Minor Subdivision:

Mr. Bahnick reported that the subdivision was granted variances from the ZHB, but final approval cannot be rendered by Council due to the Borough not receiving a written opinion from the ZHB Solicitor, Scott Amori; encroachment should also be resolved with the Knott Necessarily, LLC property at 501 Delaware Avenue.

Solicitor Gaul commented with reference to when the plan is finalized it should say that an easement is established in regards to Lot 2, not proposed, and also provide the parameters of the easement. The Borough should make sure the plan is finalized the right way. It is too vague the way it is stated.

UMBT Act 537 Plan and Requested Sewer Capacity: Michael Gaul, Solicitor

Solicitor Gaul commented on what he thought may be somewhat of a misconception in regards to the ability of the Borough to provide sanitary sewer assistance to UMBT, and the Act 537

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Planning process. DEP had noted in its denial of the proposed UMBT Act 537 Plan that UMBT's Plan was incomplete because it did not include planning, and commitments, by the Borough of Portland, which UMBT planned to rely upon, in part, for sewer service. Attorney Gaul expected that Portland would have to undergo its own updated Act 537 planning process, before it could ever supply sanitary sewer service to UMBT, because the current capacity of the Portland system is only designed to meet the current and future needs of the Borough, and not other municipalities. Although current flow to the plant may be less than the permitted capacity, the planning for the Borough's sewer service needs, present and future, as reflected in its own DEP-approved 537 Plan, has not changed. Thus, before providing service to another municipality, Solicitor Gaul expected that the Borough would need to undergo new Act 537 planning to demonstrate that it had sufficient capacity to meet its current and future needs, and those of the other municipality.

Ms. Bucci replied that "the Borough "closed the door" to Upper Mount Bethel Township's request for sewer capacity.

- Mr. Bahnick left the meeting at 7:21 PM.

Council Members Present for Call to Order:

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

Others Present:

1. Lance Prator, Mayor
2. Michael Gaul, Solicitor
3. Mark Bahnick, Borough Engineer
4. Carol Hummel, Borough Secretary
5. Brady Welch, 517 Delaware Avenue, Public

Action on Minutes:

Correction to the minutes from Solicitor Gaul:

Solicitor Gaul stated there was no correction to the minutes because it did not change any of the substance.

A motion was made by Kay Bucci, 2nd by Robert Ivancich approving the minutes of January 4, 2021 as presented.

Roll call of votes,

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

Motion Carried 4-0-0

Secretary/Treasurer's Report:

Carol Hummel

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Bills Presented for Payment:

1. Approve the January 2021 Financial Report as presented:

Borough Operations & Borough Operations Already Paid:	28,681.96
Sewer Operations & Sewer Operations Already Paid:	6,593.97
Garbage Operations & Garbage Operations Already Paid:	4,816.07
Weidman Subdivision Escrow Account: Pocono Record Hearing Ad	163.24
February 2021 payroll & taxes, approximate	6,000.00
February 2021 WEX Sunoco Fleet Gas, approximate	<u>300.00</u>
	46,555.24

A motion was made by Kay Bucci, 2nd by Robert Ivancich approving the treasurer's report and the bills presented for payment in the amount of \$46,555.24.

Roll call of votes,

YES: R. Ivancich, K. Bucci, S. Steele

ABSTAIN: W. Godshalk

Motion Carried 3-0-1

Bills Presented for payment to Portland Contractors Inc.:

WWTP monthly services:	2,660.00
Other miscellaneous:	<u>856.00</u>
	3,516.00

A motion was made by Kay Bucci, 2nd by Robert Ivancich approving the bills presented for payment to Portland Contractors, Inc., in the amount of \$3,516.00.

Roll call of votes,

YES: R. Ivancich, K. Bucci, S. Steele

ABSTAIN: W. Godshalk

Motion Carried 3-0-1

Olav Sandnes Escrow Account, Marine Ingredients, Portland Industrial Park, Lot 6A:

Ms. Hummel explained that she sent a billing invoice to Mr. Sandnes for the annual sewer reservation fee of Lot 6A, in the amount of \$576 for one (1) EDU. The fee was not paid by December 2020 and Ms. Hummel sent a second notice. Ms. Hummel received an email from Marine Ingredients that the reservation fee for Lot 6A was now the responsibility of PIP, the owners of the lot. That is confirmed by Northampton County tax parcel records. This information was presented to President Steele who directed Ms. Hummel to send a new billing invoice to Ultra-Poly Corp/, -PIP.

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The secretary explained that she has an active escrow account with a balance of \$830.25. Ms. Hummel requested Council approval to return the escrow monies and close the account.

Solicitor Gaul advised the secretary to send a letter to Mr. Sandnes asking the status of the development for Lot 6A and if they would like their escrow monies released. No action was taken.

Public Comment:

- UMBT Chairman Martin Pinter: Absent but will attend the March 1, 2021 meeting.

Zoning Officer Report:

Keller Zoning & Inspection Services

- None

UCC Building Code Inspectors Report:

Keller Zoning & Inspection Services

- One (1) UCC Permit was issued to 705 Hillcrest Drive.

Zoning Hearing Board (ZHB):

Weidman Minor Subdivision

- Solicitor Gaul stated the plan still needs to be reviewed by the Solicitor and the Borough Engineer; written confirmation is needed from the ZHB.
- Steven Becker: ZHB Member

Mr. Becker would like to attend two (2) virtual webinar classes sponsored by PA Municipalities Planning at \$25 each webinar, for the dates of 02-02 and 02-18-2021. Would Council agree to reimburse Mr. Becker \$50 for the two (2) classes?

Ms. Bucci replied considering Mr. Becker's background, absolutely.

A motion was made by Kay Bucci, 2nd by Robert Ivancich authorizing the reimbursement of \$50 to Mr. Becker for the two (2) virtual webinar classes sponsored by PA Municipalities Planning.

Roll call of votes,

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

Motion Carried 4-0-0

Planning Commission:

- None

Portland Borough Authority (PBA):

Lance Prator, Chairman

- None

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- President Steele thanked the PBA for use of their snowplow vehicle during the on-going snow emergency. Ms. Steele stated that she reached out to Chairman Lance Prator and Vice Chairman James Potter earlier.

A motion was made by Kay Bucci, 2nd by William Godshalk to modify the dates of the Indemnity and Hold Harmless Agreement with the Portland Borough Authority from January 31, 2021 through March 15, 2021.

Roll call of votes,

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

Motion Carried 4-0-0

Legal:

- None

Subdivision and Land Development:

- Weidman Minor Subdivision: Extension expires June 1, 2021.

Community Development, Slate Belt COG & Grants:

- The Slate Belt COG met on January 27, 2021.
- The next scheduled meeting is February 24, 2021.
- No correspondence was received from the submitted LSA Grant for the demolition of the gymnasium and water fountain for the vestibule of the municipal building.
- Mayor Prator reported that the COG streetsweeper, which has been on order, hopefully will arrive by spring. Delayed by COVID-19.

Community Events/Recreation Board:

- None

Police Report:

- None, due to inclement weather conditions.

Mayors Report:

Mayor Prator's report provided via email.

- Link Trail Meeting
- Nurture Nature Center
- ZHB for the Weidman Minor Subdivision

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- Lower Delaware River Meeting
- PBA Board Meeting
- Liberty Water Gap Alliance Meeting
- I-80 Rockwall Meeting
- Sewer Committee Meeting
- Slate Belt COG Meeting

Mayor Prator reported that the most interesting was the Nurture Nature Center in Easton, a really "neat" place to visit. The center has a globe of the world that tracks the weather conditions and environment. A four (4) year grant communication plan that was funded through NOAA has two (2) years left on the program. There are three (3) school districts involved, one being Bangor Area School District (BASD). There will be a mural in each of the school district zones. The BASD zone mural will be painted by Jim Gloria of Totts Gap Art Institute and will feature a memorial of the late Sherman LaBarre. A traveling billboard will be featured in each of the participating school districts.

Streets: William Godshalk

- a) Update of the F-350 snowplow truck ordered from Koch33 Auto:
- Mr. Godshalk reported that he and Fred Farleigh visited the dealership, and the body was to be installed the next day.
- b) Invitation to DRJTBC Private On-Line Auction:
- The auction dates have been rescheduled to February 11 – 17. The Borough is registered for gov.planet.
- c) Proposals:
- Three catch basins were repaired on Main Street by Hallett Contractors, paid in the amount of \$4,100. Two remaining catch basins are being rebuilt in the Hallett Contractors workshop.
 - A proposal was received from Hybrid Building Solutions, in the amount of \$17,157, for the purchase and installation of a 32-foot wide by 24 feet long Calhoun Super Structure CC Series fabric building for the salt storage pile. Ms. Steele reminded everyone that this is an estimate.
- e) No Parking Signs along Route 611, Delaware Avenue, Northampton County Park:
- Ms. Steele reported that Slate Belt Rising (SBR) is now in its fifth (5) year of operation. The participating Boroughs have been combined into two (2) each. The 5th and 6th year will combine Bangor and Portland and will receive \$10,000 each for streetscape improvements, signage. Ms. Steele and Ms. Bucci met with the Program Director, Stephen Reider on January 27, 2021. Mr. Reider is securing proposals for NO PARKING signage to help deal with the summer parking issues concerning the waterfront park and electronic speed signs.
 - Ms. Bucci asked Ms. Steele to share with Council that a motorist ran off the highway into the Northampton County Park and demolished the park signs, took a pole down and fled the scene. Mayor Prator replied that Officer Pysher is investigating the incident with the DRJTBC and the PA State Police. The DRJTBC reported that the incident occurred at 10:02 PM via tape recording footage from the DRJTBC.

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Sanitation Committee:

There are thirteen (13) delinquent garbage accounts for 2020.

- Question: Ms. Bucci asked if notification letters were sent to all delinquent accounts. Ms. Hummel replied that letters have been sent to the delinquent parties starting in November 2020.

A motion was made by Kay Bucci, 2nd by Robert Ivancich authorizing the Billing Clerk to file for collection \$2,745.20 to Creditech for delinquent garbage taxes for 2020.

Roll call of votes,

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

Motion Carried 4-0-0

Ms. Steele stated that Waste Management notified the Borough that garbage pickup will be a day late due to the snow emergency.

Snow Emergency Declaration:

President Steele stated that she forwarded a snow emergency declaration to Northampton County 911. Solicitor Gaul replied that a more formal declaration be approved retroactive to January 31, 202, for two reasons; first, to get people off the streets and second, to trigger the Emergency Management Act that would give the Borough reimbursable funds from FEMA/PEMA.

Ms. Bucci replied that the Mayor declares an emergency, in addition to a snow emergency. Solicitor Gaul stated that this would be similar to the COVID-19 pandemic disaster emergency.

A motion was made by William Godshalk, seconded by Robert Ivancich approving a formal Supplemental Declaration of Disaster Emergency and Declaration of Snow Emergency retroactive to January 31, 2021 and to remain in effect for seven (7) days.

- Ms. Bucci asked if the Mayor was declaring the emergency and Council was supporting the declaration. Solicitor Gaul replied YES.

Roll call of votes,

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

Motion Carried 4-0-0

Building Committee:

The security monitoring alarm system is broken; the alarm has been dead since New Year's Eve. Ms. Steele stated she contacted Select Security that same night; very slow service and did not come out to look over the system. The keyboard is broken and is not manufactured any

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longer, per Select Security. The estimate was \$300 for a replacement. The company was not supportive or responsive. Select Security is also merging with Brinks. President Steele stated she then called several alarm companies.

Fox Brothers Alarm Services provided a quote.

- Installation \$800
- Monitoring of security system \$50/month
- Optional remote services \$12/month
- Select Security was monitored by telephone lines'; when electric power is off or the phone lines would be cut, Select Security monitoring would be disabled.
- The new monitoring feature with Fox Brothers Alarm Services is supplied by radio telemetry communicator solving the problem of no service when the power is off.
- Installation has been scheduled for February 10, 2021.

Ms. Steele stated she contacted Council members and received telephone approval to move forward with Fox Brothers Alarm Services.

Councilman Godshalk has left the ZOOM meeting telephone communication at 7:55 PM, at which point there was no longer a quorum, and the official meeting ended. Discussion thereafter was merely informational.

Council will act on the Fox Brothers proposal further at the March 1, 2021 meeting.

Budget, Finance, Insurance, & Cable TV Contract:

The 2021 insurance policy renewal effective January 19, 2021 to January 19, 2022 has been completed. Ms. Steele stated that the annual renewal gets more complicated each year, especially with coverage for the police department.

Ordinance Update Committee:

- None

Council, Policy & Procedure Committee:

- None

Air Liquide Safety Committee:

- Ms. Steele reported that the new meeting schedule of Air Liquide is the second Wednesday of the month via ZOOM Communications at 6 PM.

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

- Meets Thursday, February 11, 2021 via ZOOM Communications at 6 PM.
- The committee still needs to fill a second Portland PA seat on the Steering Committee.

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Liberty-Water Gap Trail Alliance:

Cindy Fish

- The next meeting is Wednesday, February 17, 2021 via Zoom Communications at 6:00 PM.

Correspondence:

The 2020 Ethics Forms have arrived and will be distributed to all.

Secretary's Announcements:

- The Borough office has been very busy for the month of January.
- Next is working with the auditor for the 2020 audit.

Old Business:

- a) There are still two (2) vacant Council seats and one (1) vacant ZHB seat.
- b) No committees have been appointed at this time.

New Business:

- None

Public Comment Non-Agenda:

- None

Executive Session:

- None

Adjourn:

The next Council Meeting will be held on Monday, March 1, 2021 at 7:00 PM

There was no motion to adjourn due to a lack of quorum.

Time, 8:11 PM.

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary