

BOROUGH OF PORTLAND
COUNCIL MEETING MAY 3, 2021

The Portland Borough Council Meeting of May 3, 2021, was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

The meeting was held via video and audio advanced communication technology ("ACT"), using ZOOM internet communication, including 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. Notice of the meeting location was posted at the Borough Hall, and on its Facebook page. Members of Borough Council, the Borough Secretary, Engineer, and Solicitor attended the meeting in person at the Borough Hall.

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. Elizabeth Kelly, Associate Attorney
3. Lance Prator, Mayor
4. Mark Bahnick, Borough Engineer
5. Carol Hummel, Borough Secretary

Public present. Zoom internet communication or telephone option:

- 1, Tara Messanotte, I-80 Coalition, NJDOT Rockfall
2. Farnaz Karimi, 517 Delaware Avenue
3. Brady Welch, 517 Delaware Avenue
4. George Zalepa, 502 Delaware Avenue
- 5, Richard Hunt, UMBT

Proposed Ordinance 2021-1:

An Ordinance of the Borough of Portland, Northampton County, PA, amending Borough Ordinance # 192; Providing for No Parking on a section of North Delaware Drive (State Route 611) and other miscellaneous items. Tabled until later in the meeting.

Action on Minutes:

A motion was made by William Godshalk, 2nd by Kay Bucci approving the minutes of the regular meeting of April 5, 2021 as presented.

Roll call of votes,

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

Motion Carried 4-0-0

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Secretary/Treasurer's Report: Carol Hummel

Bills Presented for Payment:

1. Approve the April 2021 Financial Report

- Approve Payments of Bills Presented

Borough Operations & Borough Operations Already Paid:	10,795.77
Sewer Operations & Sewer Operations Already Paid:	8,283.60
Garbage Operations & Garbage Operations Already Paid:	4,857.70
Ultra-Poly Improvements Escrow: King, Spry	1,930.50
Ultra-Poly Improvements Escrow: Van Cleef Engineering	1,703.25
Dunkin Donuts Streetscape Escrow: Van Cleef Engineering	1,168.00
General Account to Fire Tax Account: Taxes in Trust Delinquent 2020	21.39
Real Estate Tax Account to Fire Tax Account: April (2) mill tax	956.80
May 2021 payroll & taxes, approximate	6,000.00
May 2021 WEX Sunoco Fleet Gas, approximate	300.00
	<u>36,017.01</u>

A motion was made by William Godshalk, 2nd by Robert Ivancich approving the treasurer's report and the bills presented for payment in the amount of \$ 36,017.01.

Roll call of votes,

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

Motion Carried 4-0-0

Bills Presented for payment to Portland Contractors Inc.:

- WWTP monthly services: 2,660.00

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 \$2,660.00.

Roll call of votes,

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

ABSTAIN: W. Godshalk

Motion Carried 3-0-1

A motion was made by Robert Ivancich, 2nd by William Godshalk approving the Borough's portion of the Portland Hook & Ladder Co #1 loan contract purchase of their 2015 Emergency One Typhoon Rescue Pumper in the amount of \$18,000.

Roll call of votes,

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

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Motion Carried 4-0-0

A motion was made by William Godshalk, 2nd by Robert Ivancich approving the 2021 budgeted allocation of \$7,000 to the Portland Hook & Ladder Co #1, from the Local Services Account (LST).

Roll call of votes,

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

Motion Carried 4-0-0

Public Comment:

Tara Messanotte: I-80 DWG Coalition, NJDOT Rockfall

Ms. Messanotte provided an update to the proposed New Jersey Rockfall Mitigation Project along Interstate 80 in Knowlton and Hardwick Townships, in the Delaware Water Gap. Ms. Messanotte stated that letters to elected officials has produced results. Congresswoman Susan Wild and Senator Bob Casey, of Pennsylvania, provided letters of support to the Coalition. Presently there is a senate bill on the table to stop funding of the project. Ms. Messanotte thanked Borough Council for their interest and support.

Sewer Matters and Borough Engineers Report:

Sewer Shut-Offs None

a) Mr. Bahnick stated that WWTP operations have been impacted by unusual wastewater discharge over the last month. The WWTP operator is working to resolve the issue.

b) A motion was made by Kay Bucci, 2nd by Robert Ivancich authorizing the expense of \$1,500 for laboratory work at the WWTP.

Roll call of votes,

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

Motion Carried 4-0-0

c) The WWTP operator, Craig LaBarre, will be setting up the second treatment unit so that it can be operational this summer.

Dunkin Donuts:

- Dunkin Donuts needs to complete the PennDOT HOP Improvements to their driveway entrance and to install crosswalks. A meeting was held April 26th with PennDOT and Dunkin to discuss details prior to construction. Site work should begin in a few months. PennDot is requiring that access to the southern driveway on the adjacent property of Andrzej Madej, 400 Delaware Avenue, be eliminated.

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- Councilwoman Bucci objected to the PennDot requirement of Mr. Madej's property. Ms. Bucci stated that the adjacent garage property has been there for a (100) years. When the traffic light was installed in the 1990's PennDot did all the engineering for that project. Now, Mr. Madej is trying to sell the property, "how is anyone going to be able to enter the property". Ms. Bucci stated that it is not right and not fair. PennDot is unable to find the paperwork for the traffic light project and is just giving Mr. Madej "the business." President Steele agreed with Ms. Bucci.
- Mr. Bahnick replied that he would express to PennDot Council's concern that they are not being fair to Mr. Madej. Ms. Bucci replied that PennDot has the original paperwork for the traffic light project. Ms. Steele questioned whether a wheelchair could get across the grass to push the button on the traffic light to change the light. Mr. Bahnick showed Ms. Steele the PennDot map/plan. Grass is there now but concrete will be installed to reach the change button.

501-503 Delaware Avenue:

Mr. Bahnick reported that the property is under sale agreement. The proposed purchaser will be working with the Zoning Officer and the engineer's officer to secure permits to complete improvements over the water way (dry run) beneath the property.

Ultra-Poly Building Two, Expansion:

Ms. Steele announced that Borough officials have been invited to take a tour of the new building and needed to know who would be attending so that she could RSVP David LaFiura.

- Mr. Bahnick left the meeting at 7:42 PM.

Back to Dunkin:

Councilman Godshalk asked about the drain in the Dunkin parking lot that needs grate work. Mr. Godshalk stated that the minutes from the previous meeting state that Mr. Bahnick commented that his intuition is that the drain is Dunkin's problem. Ms. Steele replied that the PennDot right-of-way is in the middle of the Dunkin parking lot, per the map/plan. Ms. Steele stated that she would contact Mr. Bahnick through email since he has just left the meeting.

Zoning Officer Report:

Keller Zoning & Inspection Services

- None

UCC Building Code Inspectors Report:

Keller Zoning & Inspection Services

- None

Zoning Hearing Board (ZHB):

- No hearings are scheduled at this time.

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Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

1. There were no other applications to the vacant seat on the PBA Board.

A motion was made by Kay Bucci, 2nd by William Godshalk to appoint Holly O'Brien to the vacant seat on the PBA Board.

- Ms. Bucci asked if Ms. O'Brien was aware of the business (up to speed) that is before the board. Chairman Prator stated YES.

Roll call of votes,

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

Motion Carried 4-0-0

2. PBA Office Update:

- Chairman Prator reported that the former Administrative Assistant is helping the new employee, Samantha Kindred, on an as-needed basis.
- Mr. Prator stated that he took Ms. Kindred on a tour of the water company properties.
- The PBA is doing a survey for a new well at the National Park Drive properties.
- The county bridge on National Park Drive will be repaired in June. National Park Drive is still closed.
- Reported that there is a new aquifer near the development of Saddle Creek in UMBT with plenty of water available.

Legal: Michael Gaul

Solicitor Gaul introduced Elizabeth Kelly, Esquire, who is attending the meeting via Zoom communications. Ms. Kelly is an associate attorney with Solicitor Gaul at King, Spry, Herman, Freund & Faul. Ms. Kelly has a lot of municipal experience.

Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants:

1. The COG met on Wednesday April 28, 2021, via Zoom communications.

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2. Borough employee, Fred Farleigh, hit a mailbox while cleaning the streets with the COG street sweeper and damaged the sweeper.

- Brady Welch, via Zoom communications, questioned the cost. Ms. Steele explained that the Borough would first get an estimate and then decide whether to turn it in to the insurance company or have the Borough pay the cost. Ms. Steele stated that the Borough's deductible is \$1,000. Other than the minor accident, the street sweeping went well.

3. Chairman Prator reported that the COG is investigating the cost of a camera to video tape the inside of drains that sends pictures. Every COG member municipality would be able to use the camera instead of hiring a contractor. The \$100 rental fee will be deposited into a fund for repairs of equipment.

4. Mayor Prator and Solicitor Gaul discussed advertising for the monthly COG meetings and ways to save money on the advertising cost.

5. LSA Grant Fund Report: Ms. Bucci replied that there is no update.

Community Events/Recreation Board:

- The committee met last evening, May 2, 2021.
- A town wide yard sale has been planned for May 29, 2021.
- The annual Borough Picnic will be held on Sunday, June 13th from 12 to 3 PM.
- Sunday Sundaes, the Borough free ice cream events, will begin on June 26th.
- The Memorial Day Services, sponsored by American Legion Post 216, are cancelled due to the COVID-19 pandemic.

American Lung Association in PA: Young Lungs at Play:

The Borough was contacted by the association concerning making Portland parks, playgrounds, athletic fields, trails, etc., smoke/e-cigarette free. The Borough would receive free signage after a tobacco free policy has been implemented.

- i. Ms. Bucci stated that it would be hard to enforce a tobacco free policy.

Tabled. No action was taken.

Police Report:

1. The April police report was provided in writing by Chief Mulligan.

2. Ordinance violations were addressed by the police department either being warned verbally or by a door hanger. Section 8 of the Nuisance Ordinance states that the police can move forward after (5) days of written notice. Chief Mulligan suggested that Solicitor Gaul draft a general letter that is legal and binding. Solicitor Gaul will prepare a notice of violation letter for the properties that were addressed by the police department. Five (5) days after the non-compliance letters are mailed certified letters can be sent.

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3. Mayor Prator had a conversation with a resident of Main Street who complained about speeding vehicles. Mayor Prator proceeded to explain that the Borough employs part-time police officers. The resident hung up on Mayor Prator.

4. The street department is waiting on a police schedule so that they can paint street lines.

5. Discussed was local resident Billie Golden who is stockpiling junk on Borough property.

6. Chief Mulligan would like to order a server for the police department computers. The Chief was able to secure an estimate from Dell at a discount cost of \$1,796.35. Council previously approved \$1,500 for the cost of a server.

A motion was made by Robert Ivancich, 2nd by William Godshalk authorizing the purchase of the Dell server at the previously approved cost of \$1500 plus the difference of \$296.35, total \$1,796.35.

Roll call of votes,

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

Motion Carried 4-0-0

Mayors Report:

Mayor Prator's report provided via email.

- Minsi Trail meeting.
- I-80 Rockfall meeting.
- Wild & Scenic Lower Delaware, who invited Portland to join.
- Mayor Prator reached out to Bryan Cope concerning the Northampton County Park.
- Borough Council Meeting.
- PBA Board Meeting.
- Slate Belt COG Meeting.
- Virtual Spring Assembly of the LVPC.
- The Northampton County annual festival will be held October 16th at Louise Moore Park, after being cancelled in 2020 due to the COVID-19 pandemic.

Ms. Cindy Fish entered the meeting via Zoom communications at 8:26 PM

Streets: William Godshalk

a) Crack Sealing that was approved at the April Council meeting, in the amount not to exceed \$8,000, has been accepted by President Steele in the amount of \$5,875 from AMS Solutions. The maintenance man will set up the time for the work to be completed.

b) Ms. Steele reported that she attends, via Virtual communication, the UMBT monthly supervisors meeting. UMBT has hired a summer intern from the BASD that possibly received no pay for (3) days of part-time work. Solicitor Gaul and Mayor Prator replied that the intern may be working for credits related to a school project.

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c) The maintenance man prepared a list of street repair items that need to be addressed. Mr. Godshalk suggested that a backhoe be rented for a week with the PBA included to use as well. Mr. Godshalk will seek quotes.

d) No one applied for the seasonal positions of summer/fall work until last Friday when the committee received two (2) applications. Robbie Shoemaker inquired to Ms. Steele about returning to mow grass from the 2020 season. An application was received from Ms. Randi Snook. A formal motion will be made at the June Council meeting after Mr. Shoemaker and Ms. Snook have been interviewed and the committee makes a decision.

i. If Mr. Shoemaker is hired, he will be assigned an area to mow the grass/weedwhack so that there is no confusion or overlapping of areas between himself and Mr. Farleigh. Mr. Godshalk stated that employees need overseeing, Mr. Farleigh would be in charge. Ms. Bucci replied NO, that Mr. Godshalk should be in charge.

e) A thank you was sent to Ms. Kelly Romanczuk for volunteering her time and equipment to mow and trim the grass at the Veterans Memorial on State Street.

f) Back to WWTP:

Mr. Godshalk stated that the driveway that leads to the WWTP, going down a steep hill, is unsafe. A vehicle can veer off the side of the hill. Mr. Godshalk suggested that concrete blocks or a guardrail be placed there.

Sanitation Committee:

415 Delaware Avenue:

Ms. Steele reported that on two (2) separate occasions garbage from 415 Delaware Avenue has been placed on the sidewalk in front of the neighboring property at 413 Delaware Avenue, the day before garbage pick-up. Previously, the Borough secretary had sent a letter to the owner of the property, dated May 11, 2020, asking the property owner for documentation of a commercial garbage account. No reply was received back to the Borough. Ms. Steele stated that it is not fair to other commercial establishments who pay for commercial dumpsters. Solicitor Gaul will send a letter to the property owner requesting a copy of their commercial account.

Ms. Sharon Angle: Co-Owner of Rental Properties in the Borough

The Borough received correspondence from Ms. Angle asking that late fees be waived on eight (8) properties. Ms. Angle made a mistake by missing the due dates for the accounts. No action was taken.

Electronic Recycling:

President Steele stated that Portland Borough has an opportunity to partner with Bangor Borough to host an e-cycle event on July 24th at Bangor Borough. Portland residents would take their e-cycle items to Bangor. The cost for Bangor to host the event is \$2,000. Portland would share the cost by one-half or \$1,000.

i. Farnaz Karimi, from the audience, asked if the Borough participated before. Ms. Steele replied, NO. Councilwoman Bucci asked if Bangor Borough would consider taking a

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lesser amount of Portland's share of the cost because the population is so much smaller than Bangor. Ms. Steele will contact the Bangor Borough manager.

Building Committee:

a) These are the quotes provided from the April 5th Council meeting. Ms. Bucci asked Council how they wish to proceed.

- i. Ms. Bucci provided quotes for two buildings with sites prepared.
 - ii. Pioneer Pole Building – 30' wide x 48' long x 12' 4" high - \$23,845
 - iii. Starcrest Builders – 30' wide x 48' long x 12' high - \$29,958.
- Mayor Prator stated that the PBA spent about \$40,000 for their pole barn.
 - The bid thresholds are \$25,000.
 - Mayor Prator replied that the PBA constructed their pole barn in stages, First, the concrete floor, second, the pole barn was erected and six (6) years later the electric was installed.
 - Solicitor Gaul stated a budget should be prepared; the Borough engineer could prepare a specification; the proposals are based on the specifications. Bonds are needed for capital improvements; electric bids are separate.

Budget, Finance, Insurance, & Cable TV Contract:

a) Regarding the Service Electric Cable TV Franchise agreement, the Borough is entitled to one (1) WiFi location designated by the Borough. Ms. Steele has been in contact with our representative prior to Covid-19 but has not received any communications since then. Solicitor Gaul will address the issue with a letter to Service Electric.

Ordinance Update Committee:

- None

Council, Policy & Procedure Committee:

- None

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

- The committee continues with web-based meetings.
- SBR may be able to use our \$10,000 allocation towards the purchase of electronic speed signs.

Air Liquide Safety Committee:

- Air Liquide meets the second Wednesday of the month at 6 PM.

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Liberty-Water Gap Trail Alliance:

Cindy Fish

- The alliance met on April 28, 2021, at the Village Bakery, Delaware Water Gap PA. There was a good attendance.
- The May meeting will be held at the Mount Bethel Community Park on Potomac Street in Mount Bethel, PA.
- There has been no response from the Mount Bethel Township manager. Mount Bethel is the weak link in the organization.
- Clean-up along the trail route will be scheduled for October 2021.
- The alliance will attend the DW Gap Founders Day celebration to promote the trails.
- The committee is hoping to be aligned to the PennDot project.

Correspondence:

- None

Secretary's Announcements:

a) The secretary picked up free Spotted Lanternfly supplies at the Northampton County Conservation District office. Ms. Steele will post the information on the Borough's Facebook page.

b) The secretary will be out of the office on May 18, 2021, due to primary election day.

Old Business:

- None

New Business:

- SBR for economic development for the downtown, landscaping with canoes. Ms. Steele has a donation of seven (7) canoes to use as flower planters for the downtown. The canoes could be painted with local scenes sponsored by the local business community. Letters will be sent to Portland businesses.

Executive Session:

- A motion to convene to executive session at 9:42 PM was made by Kay Bucci, 2nd by Robert Ivancich.

Roll call of votes,

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

Motion Carried 4-0-0

Discussion: legal advice from the Solicitor.

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- A motion to reconvene from executive session at 10:08 PM was made by Kay Bucci, 2nd by William Godshalk.

Roll call of votes,

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

Motion Carried 4-0-0

Action Taken: Proposed No Parking Ordinance 2021-1.

Solicitor Gaul explained that the No Parking Ordinance advertised for approval this evening is tabled until the June 7th Council meeting. The ordinance will not be advertised again.

A motion was made by William Godshalk, 2nd by Robert Ivancich to table the No Parking Ordinance until the June 7, 2021, Council meeting.

Roll call of votes,

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

Motion Carried 4-0-0

Public Comment Non-Agenda:

- None

Adjourn:

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

A motion to adjourn the meeting at 10:12 PM was made by Kay Bucci, 2nd by Robert Ivancich.

Roll call of votes,

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

Motion Carried 4-0-0

Respectfully Submitted,

Carol A. Hummel
Carol A. Hummel, Secretary