

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 7, 2021

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

The meeting was held in-person at the Borough Hall, with the option for members of Council and the public to participate 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.

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

Public Present and/or Zoom Communications:

1. Elizabeth Kelly, Associate Attorney, Zoom Communications
2. Patrick McHugh, in person
3. Hubert McHugh, in person
4. Jim Potter, iPhone
5. James Steele, iPhone, left at executive session
7. Lou Pektor, iPad

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.

Discussion:

- Solicitor Gaul reviewed the revisions to the proposed ordinance with Council. The body of the ordinance was not changed.
- Ms. Bucci questioned the address of North Delaware Drive instead of Delaware Avenue. Stephanie Steele replied that is the address per 911 communications. Solicitor Gaul read the section pertaining to Delaware Drive.
- Ms. Bucci stated that signage needs to be ordered as soon as possible.

A motion was made by Kay Bucci, seconded by Robert Ivancich adopting Borough Ordinance 2021 as amended. Motion carried: 4-0-0

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Action on Minutes:

A motion was made by William Godshalk, 2nd by Robert Ivancich approving the minutes of the regular meeting of May 3, 2021, as presented. Motion Carried 4-0-0

Secretary/Treasurer's Report: Carol Hummel

Bills Presented for Payment:

1. Approve the May 2021 Financial Report

- Approve Payments of Bills Presented

Borough Operations & Borough Operations Already Paid:	47,735.20
Sewer Operations & Sewer Operations Already Paid:	18,974.88
Garbage Operations & Garbage Operations Already Paid:	4,992.56
Ultra-Poly Improvements Escrow: King, Spry	250.50
Dunkin Donuts Streetscape Escrow: Van Cleef Engineering	292.00
Real Estate Tax Account to Fire Tax Account: May (2) mill tax	543.20
Fire Tax Account – custom print checks	94.00
Real Estate Account to 200 Hester LLC, property reasses	230.96
General Account to Fire Tax Account: Taxes in Trust Delinquent 2020	107.41
Fire Tax Account to Real Estate Account owed from 200 Hester, LLC, property reassess	23.10
June 2021 payroll & taxes, approximate	6,500.00
June 2021 WEX Sunoco Fleet Gas, approximate	325.00
From May bill list: Office 365 for police department	Minus <u>159.00</u>
	79,909.81

A motion was made by William Godshalk, 2nd by Kay Bucci approving the treasurer's report and the bills presented for payment in the amount of \$ 79,909.81.

Motion Carried 4-0-0

Bills Presented for payment to Portland Contractors Inc.:

WWTP monthly services:	2,660.00
Other:	<u>698.00</u>
	3,358.00

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 \$3,358.00.

Motion Carried 3-0-1. William Godshalk abstained.

2. Two Escrow accounts have been closed.

- Olav Sandnes Subdivision – Mr. Sandnes donated the balance in the account, \$830.25, to Save Portland's Pokey Account.
- Lamtec Sanitary Sewer – the balance was returned to owner for lack of activity since 2019.

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Public Comment:

- None

Sewer Matters:

1. Sewer Shut-Offs

- None

2. Super Heat, Inc.

A proposal was received from Super Heat, Inc. to purchase an HVAC maintenance agreement for the WWTP, at the cost of \$199 per annum. The proposal includes labor and materials. Ms. Steele stated the HVAC will be used year-round.

A motion was made by Kay Bucci, 2nd by William Godshalk approving the agreement and authorizing President Steele to execute the proposal. Motion Carried 4-0-0

3. Borough Engineers Report: Mark Bahnick, Van Cleef Engineering

- WWTP Operations: There are still issues with the unusual wastewater discharge since last month.
- Dunkin Donuts: The PennDOT HOP has been issued. PennDOT's position is that they are requiring that access to the southern driveway on the adjacent property be eliminated. Feedback is needed from the property owner. Borough Council can either allow the work to proceed or hold it up due to concerns of the impact to the driveway.
 - a) Ms. Steele replied that she spoke with the owner, Andrzej Madej, last week and explained that the Borough did as much as they could do for him regarding PennDOT. Mr. Madej stated to Ms. Steele that he has an escrow deposit for the sale of the property. Ms. Steele advised Mr. Madej that he and the interested party should get involved.
 - b) Ms. Bucci questioned the permit that was issued (20) years ago for the traffic signal light and the Madej curbing. Does PennDOT still have that permit? Ms. Bucci stated that Mr. Madej will have to hire an attorney for property that he already owns?
 - c) Mr. Bahnick replied that Council has the ability to say "NO" and the project would have to be redesigned by PennDOT.
 - d) No action was taken.
- 501-503 Delaware Avenue: David Weidman Property
The property is under agreement with Bill Butler. No other update.

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- Pioneer Pole Building:

- a) A site meeting was completed to define the scope of the project.
- b) The project will be set for bidding and acquisition using Co-Stars.
- c) Solicitor Gaul stated payment bonds and insurance are needed. Ms. Steele and Mr. Bahnick both replied that they are agreeable to the proposed contract.
- d) Hubert McHugh asked about public bidding. Ms. Steele replied that Co-Stars provided the Borough a 20% discount.
- e) Mr. Bahnick suggested that Portland Contractors could do the site work. They could meet after the sewer meeting on June 23 when Portland Contractors would be in attendance.
- f) Solicitor Gaul stated the proposal could be finalized at the next Council meeting in July.

- 303 Demi Road – River Point Logistics at the Portland Industrial Park (PIP):

- a) Mr. Bahnick presented and reviewed the plans that were provided by Vertex Construction Management; proposed is a 420,000 square foot building at 303 Demi Road and 6,000,000 square foot buildings overall for the PIP.
- b) 303 Demi Road formally requested water service and fire protection from the Portland Borough Authority (PBA). PBA has also been requested to provide water service to the overall River Pointe Logistics development.
 - i. Chairman Prator replied that the PBA does not have the water capacity.
- c) The initial plans for 303 Demi Road showed connection to the Portland WWTP; current plans now show on-lot septic system for this lot.

Councilwoman Kay Bucci:

- Replied that the Northampton County lawsuit against this development could change the size of the project.
- UMBT has been trying to solve their sewer problems on State Route 611 in Middle Village for years by addressing it with Portland Borough.
- Now UMBT has forgotten about Middle Village, dropped their Act 537 Plan, and put all their efforts into developer Lou Pektor.
- PennDOT will have to address all the truck traffic that will traveling through Portland.

Solicitor Gaul replied that the Lehigh Valley Planning Commission (LVPC) had expressed concerns in their review letter.

- d) Mr. Bahnick stated that storm water and construction will be an issue with Demi Road and the intersections of River Road in Mount Bethel and the Route 611 interchange in the Borough. Mr. Bahnick suggested that Council may want to retain a traffic engineer

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to review traffic studies and HOP applications on behalf of the Borough; Van Cleef Engineering has no traffic engineers and contracts with outside firms. Mr. Bahnick stated that he would provide a proposal for a traffic engineer.

Executive Session:

A motion was made by William Godshalk, 2nd by Robert Ivancich to convene to executive session at 8:07 PM in order to discuss legal matters with Solicitor Gaul. Motion Carried: 4-0-0

Individuals participating by Zoom were told to log out, and then to log back in immediately, at which point they would be held in a waiting room until the public portion of the meeting began again.

A motion was made by William Godshalk, 2nd by Kay Bucci to reconvene from executive session at 8:36 PM. Motion Carried: 4-0-0

- Mr. Bahnick left the meeting at 8:36 PM.

Zoning Officer Report:

Keller Zoning & Inspection Services

- None

UCC Building Code Inspectors Report:

Keller Zoning & Inspection Services

- One (1) permit was issued to 425 Delaware Avenue.

Zoning Hearing Board (ZHB):

- No hearings are scheduled at this time.

Planning Commission:

- None

Portland Borough Authority (PBA):

Lance Prator, Chairman

- Looking for funding for the Turkey Ridge project.
- A special service meeting is being held on Wednesday, June 9, 2021.

Jacoby Creek, State Route 1032, PennDOT Bridge Restoration Project:

- Solicitor Gaul asked the status of the restoration project. Ms. Steele replied that PennDOT is waiting on the guardrails.

Legal:

Michael Gaul

- None

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Subdivision and Land Development:

- None

Community Development, Slate Belt COG & Grants:

- a) The COG met in person on Wednesday, May 26, 2021, at 7 PM.
- b) Still shopping for a smaller leaf vacuum.
- c) Looking for grant monies to purchase a storm sewer drain camera. Cost approximately \$60,000. This would benefit all the COG municipalities.
- d) The next meeting is June 23, 2021, at 7 PM.

Plan Slate Belt:

- a) Plan Slate Belt has resumed meetings and met at the Weona Park Community Center in Pen Argyl on June 2, 2021. The first Monday of the month, the LVPC will meet with the Board and membership, for a workshop meeting.

LSA Grant, Demolition of the Gymnasium:

Kay Bucci

- a) The grant was provided by Monroe County's gaming funds and is fully funded at \$120,000. If the paperwork could be completed, the demolition could begin in the fall.
- b) The funding specifications for administration are ready for Solicitor Gaul's review.
- c) The Borough will keep the historical marker that is on the building.
- d) Hubert McHugh asked about the dimensions of the Pioneer Pole Building. Ms. Steele provided the numbers.
- e) Mr. McHugh asked if the Borough has any obligation to the Bangor Area School District, original owners of the property. Ms. Bucci replied NO, that the Borough owns the property.

Community Events/Recreation Board:

- Yard Sale weekend for the Borough was held on June 5, 2021.
- A Borough wide community picnic will be held on Sunday, June 13, 2021, from 12 noon to 3 PM on the Portland Ball Field.
- Young Lungs at Play, American Lung Association: No action was taken on making Borough parks, recreation, playgrounds, athletic fields, trails, etc., smoke/e-cigarette free.

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Police Report:

1. The May police report was provided in writing by Chief Mulligan.
2. Mayor Prator stated that it is hard to find police officers because everyone works full-time.
3. Councilman Ivancich stated that he saw a car with municipal license plates during the latest thunderstorm. Mayor Prator replied that it could have been the PA State Police since they have been patrolling the area more.
4. The police violation notice form was prepared by Associate Attorney Elizabeth Kelly of King, Spry.

Mayors Report:

Mayor Prator's report provided via email.

- Borough Council meeting
- Portland Hook & Ladder Co. #1 meeting
- LVPC Federal Highway meeting
- PBA Board Meeting
- LVPC call in meeting for the Demi Road project
- Liberty Water Gap Trail Alliance meeting
- Ultra-Poly sewer meeting
- Slate Belt COG Meeting
- Memorial Day Parade

a) Mayor Prator reported on the Ultra-Poly facility tour of the newly constructed commercial building.

b) Ms. Steele replied that they are utilizing a lot of space and have gone to great lengths to abate the noise issue.

c) On June 16, 2021, Ms. Steele, Ms. Bucci, and Mayor Prator will meet with the Northampton County Parks Superintendent, Bryan Cope, concerning the Waterfront Park.

d) Mayor Prator reported on the Child Tax Credits from Congresswoman Susan Wild's office, related to the Covid-19 Pandemic, have been announced. Ms. Hummel replied that she has posted the information at the Portland Post Office.

e) Mayor Prator stated that Ms. Wild is working on grant legislation for municipalities under 1,000 persons population. Ms. Wild has a satellite office in the downtown business district of Stroudsburg, PA.

Streets: William Godshalk

a) The Hilltop Sales & Service invoice for the repair of the 2520 John Deere Tractor, in the amount of \$1,017.6, was entered on the bill list as paid.

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b) Mr. Godshalk reported that a backhoe can be rented from Anthony DeFranco, with the cost and use to be shared by the Borough and the Portland Borough Authority.

c) The Borough can arrange with the Slate Belt COG for use of their crack sealing machine at no cost except to purchase the tar blocks.

d) The street department employee has priced out decking for a new handicapped ramp. The labor would be supplied by the employee.

e) The concrete bunker blocks purchase for the salt pile was approved last year from Pocono Transcrete but the project has not been started.

f) No proposal for paving of various streets has been received.

g) The Personnel Committee met with Ms. Randi Snook who applied for a part time streets department position. Duties would be to tidy up the downtown business district, paint curbing, clean the public restroom in the Park & Walk Parking Lot.

i. A motion was made by Kay Bucci, 2nd by Robert Ivancich to hire Randi Snook as a part time employee with the street department, at \$11.00 per hour for up to (10) hours per week. Motion carried: 3-0-1 (Wm. Godshalk abstained)

A motion was made by Kay Bucci, 2nd by Robert Ivancich to hire Robbie Shoemaker as a part time employee with the street department, to mow and trim grass at \$11.50 per hour for up to (20) hours per week. Motion carried: 3-0-1 (Stephanie Steele abstained)

Sanitation Committee:

415 Delaware Avenue: Unknown Motorcycle Club

1. Solicitor Gaul sent a letter to the attorney who represents the property owner, who leases the property to the motorcycle club. The letter addressed the motorcycle club's apparent lack of a collection service or garbage container for the commercial property,

No one from the motorcycle club was in attendance. After reviewing the Garbage Ordinance, Solicitor Gaul stated that their garbage cannot be placed on the street for a public carrier. A dumpster is needed on the property. Ms. Steele replied that there is no access for a dumpster to be placed. The issue is they cannot place their garbage on the sidewalk. Ms. Steele replied that the motorcycle club should not have free garbage service. The club can be cited for violation of the ordinance.

2. An e-cycle event partnering with Bangor Borough on July 24, 2021, was discussed at the previous Council meeting and tabled. Ms. Steele reported that the options are Portland's cost would be \$500 or to keep track of the items and the cost that are e-cycled from Portland residents. Each Borough would be responsible for their own advertising. No action was taken.

Mayor Prator stated that televisions, tires, and other items are dumped at the PBA property near the water wells.

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Building Committee:

- a) The Pioneer Pole Building was discussed earlier in this meeting.
- b) Ms. Bucci stated that the storage room on the second floor of the municipal building needs to be rearranged or its contents moved to another room. The storage room is above the secretary's office. The shelving is ready to collapse. The maintenance man will move some of the storage boxes to another room on the same floor.
 - i. Solicitor Gaul replied that some of the records may be disposable under the state municipal record disposition rules.

Budget, Finance, Insurance, & Cable TV Contract:

There was a response to the letter sent by Solicitor Gaul concerning the WiFi Drop that the Borough is entitled to from the Service Electric Contract. Ms. Steele will follow up with Service Electric Cable TV.

Ordinance Update Committee:

- a) Discussed were two template Dumpster Ordinances that were received from two local municipalities. The Borough is considering permits for dumpster containers that locate on Borough streets for renovations. No action was taken, tabled.
- b) Discussed adopting permit schedule and rules and regulations for use of Borough prroperty, i.e., ball field, parking lots, playgrounds, etc. It was noted that East Bangor has a rental agreement for their public park. No action was taken, tabled.

Council, Policy & Procedure Committee:

- None

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

- The committee returns to in person meetings, Thursday, June 10, 2021.
- The committee continues to work toward traffic calming for the downtown.

Air Liquide Safety Committee:

- Air Liquide meets the second Wednesday of the month at 6:30 PM.

Liberty-Water Gap Trail Alliance: Cindy Fish

- The committee met on Wednesday, May 19, 2021, at 9 AM at the UMBT Community Park.
- Northampton and Monroe Counties are working on an RFP traffic study.

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- The next meeting is scheduled for June 16, 2021, at 9 AM. Meeting place to be determined.

Correspondence:

- None

Secretary's Announcements:

- None

Old Business:

- Flyers have been distributed for the annual Portland-UMBT 4th of July Parade. UMBT Supervisor John Bermingham is chairman of the event.

New Business:

- Ms. Steele stated that the Covid-19 pandemic is starting to relax. Borough office hours will resume from 1 to 3 PM after the plexiglass sneeze guard has been installed on the public counter inside the office door and the new locking system has been installed on the inside door of the foyer.

Executive Session:

- Held earlier in the meeting.

Public Comment Non-Agenda:

- None

Adjourn:

The next Council Meeting will be held on Monday, July 5, 2021, at 7:00 PM

A motion to adjourn the meeting was made by Kay Bucci, 2nd by William Godshalk at 9:54 PM.
Motion Carried 4-0-0

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary