

BOROUGH OF PORTLAND
COUNCIL MEETING JANUARY 4, 2021

The Portland Borough Council Meeting of January 4, 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, 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.

Council Members Present for Call to Order:

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

- Council member Yvonne Gumaer was absent.

Others Present:

1. Lance Prator, Mayor
2. Mark Bahnick, Borough Engineer
3. Carol Hummel, Borough Secretary
4. Hubert McHugh, Public

- Solicitor Michael Gaul was absent.

Council Appointments:

a) A motion was made by William Godshalk, 2nd by Kay Bucci appointing Jack Bellis to a five (5) year term on the Bangor Area School District Industrial Development Authority (BASD-IDA), 01/01/2021-12/31/2025.

Roll call of votes,

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

Motion Carried 4-0-0

b) A motion was made by Kay Bucci, 2nd by Robert Ivancich appointing Steven Becker to a three (3) year term on the Zoning Hearing Board, 01-01/2021-12/31/2023.

Roll call of votes,

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

Motion Carried 4-0-0

c) A motion was made by Kay Bucci, 2nd Robert Ivancich appointing Lance Prator to a three (3) year term on the Recreation Board, 01/2021-12/31/2023.

Roll call of votes,

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

Motion Carried 4-0-0

d) A motion was made by Kay Bucci, 2nd by Robert Ivancich appointing Robert Tust to a four (4) year term on the Portland Borough Planning Commission, 01/01/2021-12/31/2024.

Roll call of votes,

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

Motion Carried 4-0-0

e) A motion was made by Kay Bucci, 2nd by William Godshalk appointing James Potter to a five (5) year term on the Portland Borough Authority Board of Directors, 01/01/2021-12/31/2026.

Roll call of votes,

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

Motion Carried 4-0-0

Action on Minutes:

Correction to the minutes from the secretary:

The Weidman Minor Subdivision Escrow bill presented for payment to Van Cleef Engineering Associates, in the amount of \$3,246.05, is corrected to "paid from the General Checking Account". The total bills presented for payment remains the same.

A motion was made by Kay Bucci 2nd William Godshalk approving the minutes of the regular meeting of December 7, 2020, as corrected.

Roll call of votes,

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

Motion Carried 4-0-0

Secretary/Treasurer's Report:

Carol Hummel

Bills Presented for Payment:

1. A motion was made by Kay Bucci, 2nd by William Godshalk approving the Slate Belt Council of Governments (COG) 2021 membership dues in the amount of \$700.00.

Roll call of votes,

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

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Motion Carried 4-0-0

2. Approve the December 2020 Financial Report as presented:

Borough Operations & Borough Operations Already Paid:	25,540.56
Sewer Operations & Sewer Operations Already Paid:	6,487.62
Garbage Operations & Garbage Operations Already Paid:	5,191.86
Ultra-Poly Improvements Escrow: Van Cleef Engineering	1,557.00
Real Estate Account to Fire Tax Account: December (2) mill tax	611.00
Refunds of December overpayment of Real Estate Taxes	362.00
January 2021 payroll & taxes, approximate	6,000.00
January 2021 WEX Sunoco Fleet Gas, approximate	300.00
Portland Contractors, Inc: snow removal for 12-16-2020	<u>1,045.00</u>
	47,095.04

A motion was made by Robert Ivancich, 2nd by Stephanie Steele approving the treasurer's report and the bills presented for payment in the amount of \$47,095.04.

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:	2,590.00
• Other miscellaneous:	<u>850.00</u>
	3,440.00

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 \$3,440.00.

Roll call of votes,

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

ABSTAIN: W. Godshalk

Motion Carried 3-0-1

Public Comment:

- None

Sewer Matters and Borough Engineers Report: Mark Bahnick

a) The Act 94 paperwork is to be submitted by March 31, 2021.

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b) UMBT Request for Sewer Service Discussion:

Mr. Bahnick reported that a letter dated December 24, 2020 and copied to the Borough from the DEP with comments concerning the UMBT Act 537 application, has not been thrown out but denied for being incomplete. Mr. Bahnick asked Ms. Steele if she has received the letter from UMBT solicitor Ronold Karasek that was referenced at the December 7, 2020 Council meeting. Ms. Steele replied NO.

Ms. Bucci replied that she was astounded by the number of comments made by the DEP and referenced the comment about Portland Borough approving their Act 537 plan. Ms. Bucci stated that UMBT is trying to play it both ways, enough is enough. These discussions have been going on for 35-40 years. Ms. Bucci asked Mr. Bahnick "who wrote this plan application". Mr. Bahnick replied the UMBT township engineer. Ms. Bucci replied, "and approved for submission to the DEP by the UMBT supervisors". Ms. Bucci stated that the application is incomplete and a big embarrassment to the UMBT township supervisors and the engineer that wrote it. The township wants to use Portland and take the Borough over for the services that they provide; the Council should forget about providing sewer services to UMBT and let them do their own thing. Ms. Bucci does not agree that the Borough should process an additional 220,000 gallons of sewage to be discharged into the Delaware River. This will invite the Riverkeepers. Ms. Bucci stated that she wanted to make a motion at the last council meeting.

President Steele replied that she agrees with Ms. Bucci. Council could bring this discussion before the sewer committee or make the motion now. Ms. Bucci replied that the Borough will be accepting additional treated water from the expansion and the proposed wash line recycle project of Ultra-Poly, a Borough business in the Portland Industrial Park. This will take up quite a bit of capacity. Ms. Bucci stated that with the uptick of sales of properties in the Lehigh Valley, the Borough will have the capacity to fill our own needs and thus will not have the Riverkeepers on our back. Ms. Steele replied that this could be discussed at the next sewer committee meeting or make the motion now. Ms. Bucci stated she would like to make the motion now.

Ms. Bucci replied that the notification letter to UMBT should also state that the errors, concerning Portland Borough in their proposed Act 537 Plan, should be corrected.

A motion was made by Kay Bucci, 2nd by Robert Ivancich authorizing Solicitor Michael Gaul to notify Upper Mount Bethel Township that the Borough Council is no longer interested in entering into a potential Sewer Service Agreement with the Township

- Question: Mr. Godshalk asked for clarification of the action that is being discussed. Ms. Steele replied that Borough Council is meeting and communicating with Ultra-Poly at the sewer committee meetings concerning their proposed recycle wash line project. With regard to negotiations with UMBT, Council feels it is better to work with Ultra-Poly to supply their needs instead of UMBT.
- Mayor Prator directed a question to Mr. Bahnick; can UMBT force the Borough to supply their designated areas with sewer service? Mr. Bahnick and Ms. Steele both replied NO. Ms. Steele stated that the same question was asked to the DEP and the answer was NO.

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Roll call of votes,

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

Motion Carried 4-0-0

Mr. Bahnick stated that Ultra-Poly has hired an engineering firm for their proposed recycle wash line project. Mr. Bahnick stated that Ultra-Poly will be attending the January 2021 sewer committee meeting.

Mr. Bahnick commented that the 2021 sewer budget looks good; sewer came in with a small profit.

- Mr. Bahnick left the meeting at 7:30 PM.

Zoning Officer Report: Keller Zoning & Inspection Services

- None

UCC Building Code Inspectors Report: Keller Zoning & Inspection Services

- One (1) UCC Permit was issued to 427 Delaware Avenue.

Zoning Hearing Board (ZHB):

- A variance hearing is scheduled for the Weidman Minor Subdivision Plan on Thursday, January 7, 2021 at 7:00 PM via Zoom Communications. The hearing is being led by ZHB Solicitor Scott Amori. Anyone who would like to attend is asked to call 570-421-1406.
- Ms. Steele stated that she is attending, Via ZOOM communications, as Councilwoman and as an adjoining property owner.

Planning Commission:

- None

Portland Borough Authority (PBA): Lance Prator, Chairman

- None

Legal:

- None

Subdivision and Land Development:

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

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Community Development, Slate Belt COG & Grants:

- Ms. Bucci asked if there was any news regarding the LSA Grant submission. Ms. Steele replied NO; when the COVID-19 grant was announced it was delayed.
- No COG Report: there was no December meeting.

Community Events/Recreation Board:

a) Ms. Steele stated that everyone loved Santa Claus riding around the Borough in the fire truck, visiting households and bringing cheer for Christmas. Jim Futchko volunteered as Santa and stated he would do it again for 2021.

b) Mayor Prator stated that everyone had a good time at the annual tree lighting ceremony and loved the Santa visits. Christmas Caroling and Cookies & Karaoke did not amount to anything.

c) PBA Water Authority & Borough Snowplow Hold Harmless Agreement:

Ms. Steele thanked Mayor Prator, as Chairman of the PBA, for the use of their truck for the snow emergency event of December 2020. Ms. Steele stated that she also attended the PBA monthly meeting via ZOOM and thanked the PBA Board personally.

Police Report:

a) The December 2020 police report was provided in writing by Officer Gregory Dean, due to the absence of Chief Mulligan.

Mayors Report:

Mayor Prator reported that he attended the December 2020 meeting of the NJDOT-Rockfall Mitigation Project.

- There is still a lot of opposition to the project.
- This project might be a (10) to (13) year fight with the end result being the project will eventually be completed in 12 years or so. Ms. Steele replied that she agreed with Mayor Prator's comments.
- Ms. Bucci replied that when NJDOT told local elected officials, who are opposed to this project, that they can no longer participate in this discussion that is a violation of their first amendment rights. Ms. Bucci added that we live in a democratic republic and when NJ officials state that they no longer want to listen to you anymore then someone should sue.
- Mayor Prator replied that at some point there most likely will be a lawsuit filed.
- Mayor Prator stated that other local municipalities involved in opposition are LMBT, Plainfield Township, Portland Borough and Delaware Water Gap Borough. UMBT no longer attends the meetings.

Streets:

William Godshalk

- a) Update of the F-350 snowplow truck ordered from Koch33 Auto:
- Ms. Steele stated that she has emailed the sales rep for an ETA.

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- Stated that she is very displeased and tired of hearing excuses.
- The PBA dump truck with plow was used minimally. The Hold Harmless Agreement with the PBA expired on December 31, 2020.
- All streets were taken care of during Winter Storm "Gail" of December 16, 2020.
- Ian Kelton and Portland Contractors plowed snow.
- Hallett Contractors and Richard Moyer Excavating & Contractors cindered and salted.

b) Invitation to DRJTBC Private On-Line Auction:

- Portland is considered one of the host municipalities of the DRJTBC.
- The Commission has several surplus vehicles to dispose of at two on-line auctions which will be open to the public.
- Ms. Steele has researched tractors, a handful of dump trucks; will sit down with Councilman Godshalk to see what the Borough may be interested in purchasing.
- The auction dates are January 21 through January 27, 2021.

c) Proposal from Hallett Contractors:

- Mr. Godshalk provided information and an estimate for the repair of the three (3) worst storm drains and grates on Main Street, in the amount of \$2,700 each. There are two (2) more storm drains and grates that also need repair. Ms. Steele stated that Council can begin with the three (3) worst and estimated that that the total cost to authorize is \$8,100. The cost is under the dollar amount of the bidding threshold. Mr. Hallett can begin immediately.

A motion was made by William Godshalk, 2nd by Kay Bucci authorizing the repair of the three (3) storm drains and grates, complete at \$8,100.

Roll call of votes,

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

Motion Carried 4-0-0

d) Research for Building to Cover Salt Storage Pile: Hybrid Building Solutions, LLC

- Ms. Steele asked the maintenance man to research the cost of a utility building cover for the salt storage pile. The streets department is constantly purchasing tarps to keep the salt covered; one of the problems is that the tarps keep blowing away. No cost estimate at this time.

e) No Parking Signs For the Northampton County Park:

- Discuss at February 2021 meeting.

Sanitation Committee:

There are thirty-four (34) delinquent garbage accounts for 2020. Some of these accounts may still be paid due to US postal mail delivery.

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Building Committee:

The security monitoring alarm system is broken. President Steele spoke with the alarm company, Select Security. The transformer was replaced by Ms. Steele, but the alarm still does not work. Ms. Steele called again today. Reported that the company is merging with Brinks Security.

Budget, Finance, Insurance, & Cable TV Contract:

The 2021 insurance policy renewal is effective January 19, 2021 to January 19, 2022. No final premium totals to date.

A motion was made by Robert Ivancich, 2nd by William Godshalk authorizing President Steele to execute the final insurance package agreement, in the approximate amount of \$32,500.

Roll call of votes,

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

Motion Carried 4-0-0

Ordinance Update Committee:

- None

Council, Policy & Procedure Committee:

- None

Air Liquide Safety Committee:

- Ms. Steele reported that she is not sure if the committee will meet in January.

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

- Meets Wednesday, January 14, 2021 via ZOOM Communications.
- The mural, facade, and commercial lease subsidy programs are still open.
- If there are any questions, you may call Ms. Steele.

Liberty-Water Gap Trail Alliance: Cindy Fish

- The next meeting is January 20, 2021 via Zoom Communications at 6:00 PM.

Correspondence:

- A thank you was received from the Bangor public Library for the Borough's annual 2020 budgeted allocation of \$250.

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Secretary's Announcements:

- None

Old Business:

- None

New Business:

a) Ms. Bucci stated that Council should put aside monies regarding the Borough's good financial position for the end of year 2020. Ms. Steele agreed. The secretary replied that the balance in the Real Estate Tax Account is approximately \$216,000.

A motion was made by Kay Bucci, 2nd by Robert Ivancich to transfer \$100,000 from the Real Estate Tax Account to the Rainy Day Fund Account.

Roll call of votes,

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

Motion Carried 4-0-0

b) The 2021 committee appointments are not completed and will be ready for the February 1, 2021 Council meeting.

c) A motion was made by William Godshalk, 2nd by Robert Ivancich authorizing a donation of \$100 to Portland Upper Mt. Bethel Food Pantry (PUMP) in memory of Sherman LaBarre.

Roll call of votes,

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

Motion Carried 4-0-0

Public Comment Non-Agenda:

- None

Executive Session:

- None

Adjourn:

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

A motion was made by Kay Bucci, 2nd by William Godshalk to adjourn the meeting at 8:25 PM.

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Roll call of votes,

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

Motion Carried 4-0-0

Respectfully Submitted,

Carol A. Hummel
Carol A. Hummel, Secretary