

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

The Portland Borough Council regular meeting of March 6, 2023, 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 Council Chambers and via Zoom Communications.

Council Members Present for Call to Order:

Stephanie Steele Kay Bucci* Karen Pfeiffer* Patrick McHugh* Lance Prator* Wendy Klug*

- o Councilman Kyle Overfield was absent.

A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh authorizing Councilwoman Wendy Klug to attend and vote via ZOOM Communications. Motion carried 6-0-0. The reason for attendance via Zoom was health issues.

Others Present:

1. Michael Gaul, Solicitor: Solicitor, King, Spry, Law Firm
2. Richard Campbell, Esquire: King, Spry Law Firm
3. Mark Bahnick, Borough Engineer
4. Heather Fischer, Mayor
5. Carol Hummel, Borough Secretary
6. Residents

Approval of the Agenda and any Amendments:

Council President Steele asked Borough Council to consider adding the following items to the posted agenda for expediency.

- a) Request from PRIYA Properties to reduce the number of EDU's for the commercial property located at 407 Delaware Avenue.
- b) Request from PRIYA Properties for abatement or temporary relief of sewer bills.
- c) Discussion and Quote to video the sewer lines in the downtown business district.
- d) Grant writing services by URDC:
Master Plan Project, DCNR Grant: Services Agreement Contract for the Municipal Complex Improvements.

A motion was made by Lance Prator, 2nd by Patrick McHugh to approve the posted agenda with the addition of (4) amendments. The reason for the amendments was to allow expedient action by Borough Council. Motion carried 6-0-0.

Announcement of Recording:

The meeting is being digitally recorded by the Secretary for assistance in preparation of the minutes.

Is there anyone in the audience who plans to record the meeting? None.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Ordinance 2023-2: Richard Campbell, Esquire, presented proposed Ordinance 2023-2.

An Ordinance of the Borough of Portland, County of Northampton and Commonwealth of PA, vacating a Paper Alley extending North from its intersection with Main Street to the Paper Alley's terminus at the Southern Boundary of the property commonly known as 305 Crestmont Road in the Borough; and providing for other miscellaneous matters.

Attorney Campbell explained the process of the proposed Ordinance concerning the vacation of a paper alley regarding 306-308 Main Street. No one was present from the public in opposition to the proposed ordinance.

A motion was made by Kay Bucci, 2nd by Karen Pfeiffer enacting Ordinance 2023-2 as presented. Motion carried 5-0-1. Patrick McHugh abstained.

Action on Minutes:

A motion was made by Lance Prator, 2nd by Patrick McHugh approving the minutes of the Regular Council Meeting of February 6, 2023, as presented. Motion carried 6-0-0.

A motion was made by Lance Prator, 2nd by Patrick McHugh approving the minutes of the Special Council Meeting of February 20, 2023, as presented. Motion then carried 6-0-0.

Secretary/Treasurer's Report: Carol Hummel

Bills Presented for Payment:

a) Approve the February 2023 Financial Report, the bills presented for payment in the amounts of:

Borough Operations & Borough Operations Already Paid:	37,434.63
Sewer Operations & Sewer Operations Already Paid:	23,035.50
Portland Contractors, Inc.- WWTP monthly services:	2,800.00
Garbage Operations & Garbage Operations Already Paid:	4,988.55
Real Estate Tax Acct. to Rainy Day Account	50,000.00
Real Estate Tax Acct. to Fire Tax Acct. – 2023 taxes (2) mills	4,260.40
General Acct. to Fire Tax Acct. – Taxes in Trust Delinquent 2020-2021	274.28
General Acct. to Fire Tax Acct. – Taxes in Trust Delinquent 2021	266.40
RPL East Escrow: Portland Contractors, Inc. – PA One Call w/ Muschlitz	200.00
New Demi Road Escrow: CDR Maquire (former McTish)	120.00
March payroll & taxes, approximate:	7,000.00
February Sunoco Fleet Gas, approximate:	200.00
	<u>129,579.76</u>

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer approving the financial report as presented, in the amount of \$ 129,579.76. Motion carried 6-0-0.

- o President Steele commented on the cost of sewer operations for the month of February, more than \$23,000.

b) The Secretary reported that the Borough received their annual Liquid Fuels allocation of \$ \$17,602.06 on March 1, 2023.

Public Comment: Time Allotted – (5) minutes per person.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Pastor Phil Karasiewicz: 102 Division Street

- Pastor Phil offered prayer for the Council members and the Borough.

Sewer Matters & Borough Engineers Report: Mark Bahnick, Van Cleef Engineering Associates

- Engineers Report: None

1. PRIYA Properties: 407 Delaware Avenue

a) Correspondence was received from PRIYA Properties, Rakesh Patel, requesting the reduction of the current (2) sewer EDU's for 407 Delaware Avenue to (1) EDU. Mr. Patel was sent, by certified mail, a letter from Borough Council explaining the consequences of this request. Mr. Patel returned a signed acknowledgement of the consequences, including that he would have to pay for an additional EDU if his use of the property in the future triggered an increase EDU allocation from one (1) EDU.

A motion was made by Kay Bucci, 2nd by Patrick McHugh authorizing the reduction of the current (2) sewer EDU's for 407 Delaware Avenue to (1) EDU, effectively immediately. Motion carried 6-0-0.

b) A second correspondence was received today, 03-06-2023, from Mr. Patel requesting abatement/temporary relief from sewer bills for (6) to (12) months on the PRIYA Commercial Properties, 405-411 Delaware Avenue, due to the current economic situation. A motion was made by Lance Prator, 2nd by Patrick McHugh denying the request. Motion carried 6-0-0.

- Ms. Pfeiffer commented that all businesses are suffering.

2. Penn Power Systems: Proposal # 2277-791E-JJ

- Replace air filter on generator #150RJC6DT3, in the amount of \$ 531.73.

Proposal # 2277-7B88-JJ

- Replace fan belt on generator #50PJC6DT2, in the amount of \$ 554.32.

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer accepting the (2) quotes from Penn Power Systems for replacement parts for generator #150RJC6DT3 and generator #50PJC6DT2 for the WWTP, in the total amount of \$1,086.05. Motion carried 6-0-0.

The Secretary explained that the quotes were estimates. Incidentals charges may be added to the cost after the work is completed.

3.. Sewer Inspections Update:

- President Steele delivered letters to majority of the Portland business owners.
- Mr. LaBarre may request a sewer committee meeting earlier than the monthly scheduled fourth Wednesday.
- Mr. LaBarre returned to two (2) businesses today for their inspection, No problems were encountered.
- A video of the downtown business sewer lines will be scheduled to see if there is any build-up of grease in the lines.

A motion was made by Patrick McHugh, 2nd by Kay Bucci authorizing Portland Contractors, Inc. to video the sewer lines in the downtown business district, with the cost not to exceed \$ 4,000. Motion carried 6-0-0.

- Mr. Bahnick exited the meeting at 7:31 PM.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Streets Department: A Committee Report was provided to Council.

1. Filo's Tree Service: Pastor Phil Karasiewicz

A quote was presented for the removal/trimming of bushes, trees; Trees that interfere with the Portland Hook & Ladder Fire Co. engine on various Borough streets.

- o \$200 per hour; minimum of (4) hours.
- o Full day at \$1,400 per day.
- o Any additional equipment rentals needed will be discussed and quote given for Council approval before work commences.

A motion was made by Stephanie Steele, 2nd by Lance Prator accepting the quote of \$200 per hour - minimum of (4) hours; or a full day at \$1,400 per day.

The motion was amended by Steele, 2nd by Prator to include "for the maintenance of Borough property trees". Motion carried 6-0-0.

2. John Deere Tractor:

Ms. Steele suggested that the tractor be advertised and sold on MunicBid. Ms. Steele stated all that is needed is a picture.

A motion was made by Patrick McHugh, 2nd by Wendy Klug authorizing the sale of the John Deere Tractor on MunicBid to the highest bidder, "As Is" condition, for the minimum bid of \$ 2,000, payable by certified check or money order. Motion carried 6-0-0.

- o Personnel will be discussed in executive session.

Zoning Officer Report/BCO Official: Keller Zoning & Inspection Services, Tina Serfass

- o None

UCC Officer Report:

- o None

Zoning Hearing Board (ZHB): Slate Hills Enterprises

- o None

Planning Commission:

- o None

Portland Borough Authority (PBA): Lance Prator, Chairman

a) Chairman Prator reported that the PBA has applied for a USDA loan for the wells and piping on Turkey Ridge Road. If no loans or grant monies are received the PBA will be unable to move forward with the project.

CORRECTED 04-03-2023 COUNCIL MEETING Carol A. Hummel, Secretary

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Legal: Michael Gaul, Solicitor

President Steele questioned Solicitor Gaul about the lien filing process. Does it pay to file a lien in the amount of \$ 189.00 for delinquent garbage when it will cost more than that in legal fees? Currently the benchmark for filing liens is when the debt accumulates to \$ 1,000.

Solicitor Gaul explained the most recent lien was drafted in response to the property being listed for sheriff sale, in order to update the liens just prior to the date of the sale, which is the process that the Borough has followed in the past.

The consensus of Council was that liens should only be prepared and filed when the delinquent amount reaches \$ 1,000, regardless of whether a sheriff/tax sale is pending.

Subdivision and Land Development:

- o Extension of RPL East, LLC, Proposed Subdivision Plan and RPL East, LLC, Proposed Planned Industrial Park Plan to June 4, 2023.

Community Development, Slate Belt COG & Grants:

1. Slate Belt COG:

- a) The Slate Belt COG met on February 22, 2023. The next meeting is scheduled for March 22, 2023.
- b) Ques 550 Camera System training is scheduled for Friday, March 24, 2023.
 - o Chairman Prator reported the camera rental is \$ 500 per day.
 - o The manual is available on-line.
 - o President Steele has signed on for the training; Patrick McHugh replied that he will try to be available.
 - o Ms. Steele commented whether Mr. LaBarre or Mr. Sullivan, WWTP may be available.
- c) Street Sweeper rental:
 - o The secretary inquired to the COG concerning available dates for the rental of the street sweeper. Discussed by Council was for April or prior to Memorial Day. TBA later.

A motion was made by Patrick McHugh, 2nd by Wendy Klug approving the rental of the COG Street Sweeper for two (2) days, at the cost of \$100 per day. Motion carried 6-0-0.

d) LSA Grant Update: Master Plan for Recreation, URDC

- o Grant writing services by URDC for the Master Plan Project, DCNR Grant:

A motion was made by Kay Bucci, 2nd by Karen Pfeiffer authorizing the acceptance of the URDC Services Agreement for preparation of the Borough's application to DCNR for a Recreation Master Plan grant, in the amount of \$ 4,500, and to proceed with the grant writing services of Ms. Joanne Conley, Consultant. Motion carried 6-0-0.

- o Solicitor Gaul previously reviewed the contract.
- o Ms. Bucci provided an update on the Borough's request to amend the LSA Grant. The LSA Grant Amendment letter was sent prior to March 1, 2023. The decision to accept the amendment will be made on March 16, 2023.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Community Events/Recreation Board:

- The next committee meeting will be held on Sunday, April 2, 2023, at 7 PM. The Easter Eggs will be filled at that time.
- The annual Community Easter Egg Hunt will be held on Saturday, April 8th at 12 Noon. The rain date is April 15, 2023.
- A Community Day is planned for October. Date TBA.

Police Report:

- No report was provided by Chief Mulligan.

Mayor's Report:

Meetings attended:

- Slate Belt COG discussed Ques 550 camera system and training for municipalities on March 24.
- Mount Bethel RPL meeting instead of Plan Slate Belt.

Route 611 Closure Movement:

- Met with PA State Representative Ann Flood, Jessica O'Donnell of the Lehigh Valley Planning Commission, and Portland businesses for discussion on what we are asking for and how they can help.
- Reached out to businesses in the Industrial Park to start offering specials and event information for their employees; catering when they have in-house meetings.
- Will be working with businesses to create marketing graphics to be posted on Northampton County's Intranet for specials just offered to county employees.
- Workings with each business on participating in "take a student to workday" and "Career Days" at the school to get a jump start on the program roll out in May.

Grant Outreach:

- Congresswoman Wild's aide stated that Ms. Wild would provide a letter of support for the Borough's WWTP and Storm Sewer grant application.

Borough Website:

- Mayor Fischer is working on the Borough's website to make it more user friendly and automated.

Police Department:

- Two (2) candidates for part-time officers were interviewed by the Personnel Committee. The committee would like to extend offers to both candidates. Police candidates will be discussed in executive session.
- Officer Hatter and Officer Dean are not providing hours, which leaves the Borough with one officer. Mayor Fischer stated that the Police Department would still be within the 2023 budget.
 - Solicitor Gaul exited the meeting at 8:12 PM.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Sanitation Committee:

- Solicitor Gaul re-entered the meeting at 8:15 PM.
- 1. The committee provided a written report for Council, which was read by Councilman McHugh.
 - Mayor Fischer exited the meeting at 8:18 PM.
 - Investigate cost and appearance of trash receptacles for placement at the Northampton County Park area.
 - Investigate a Memorandum of Understanding (MOU) between the Borough and Northampton County to share trash pick-up.
 - Investigate cost of possible addition of cardboard recycling dumpster with Waste Management.
 - Review current sanitation and recycling ordinances for revision/updates.
 - Mayor Fischer re-entered the meeting at 8:20 PM.
 - President Steele replied that there is no space to place a dumpster; reach out to the owner of the former gas station.
 - Cardboard recycling is a money maker for the Borough; Waste Management is hosting recycle education on Friday, March 24, 2023.
 - The Borough previously had a recycle cardboard dumpster for many years. Residents contaminated the dumpster with plastic bags, other items, and the Borough was fined twice by Waste Management. Ms. Steele explained that plastic bags are not allowed in a recycle dumpster.

Building Committee:

1. Re-pointing Municipal Building:

a) Councilwoman Bucci reported that two (2) proposals were received by StoneCraft, LLC Masonry and Chimney, Cresco, PA.

Estimate P23.029: Scaffolding, Rigging, and Staging: \$20,160.00

Provide, deliver, install, scaffolding which provides access to the entire southern face. Scaffolding consists of two stages. First, to provide access to the left half of the southern face; second, to provide access to the right half of the southern face. Each stage to be provided for as long as three (3) weeks.

Estimate P23.030: Brick Re-Pointing: 425 square feet. \$19,212.25

- Mortar removal to ½" deep.
- Fill and tool all joints.
- Ten (10) year warranty.
- Weakened or poorly constructed brick work can be damaged by this process. Significant re-construction costs may apply.
- The estimated invoice may increase to reflect costs at the time of material purchase.

Discussion: Ms. Bucci asked if this could be considered emergency repairs. Solicitor Gaul replied that emergency repairs have to be something that just happened.

A 25% deposit is required when the proposal is received.
Patrick McHugh replied that a new building could be built on the vacant lot.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

- No action was taken.

2. Handicap Ramp

CDBG Grant from Northampton County:

Patrick McHugh stated that an engineer's written inspection report is needed for repairs. Solicitor Gaul replied that an architect could provide proposals. The BCO, Tina Serfass, could inspect the ramp; the Borough may need certification for a UCC Permit. Ms. Bucci suggested that a new handicap ramp could be installed at the rear entrance to the building.

- No action was taken.

Fleisher Brothers:

Patrick McHugh met with Fleisher Brothers for an estimate on repairs to the soffit of the building. No estimate has been received to date.

Budget, Finance, Insurance, & Cable TV Contract:

- None

Ordinance Update Committee:

- None

Council Policy & Procedure Committee:

- None

Air Liquide Safety Committee:

- The committee meets on March 8, 2023, at 5:30 PM.

Slate Belt Rising Committee (SBRC): Stephanie Steele

- The committee meets the second Thursday of the month at 9:00 AM.
- One more representative from Portland needs to be appointed to the committee.

Plan Slate Belt Steering Committee: Stephanie Steele

- The committee meets the first Thursday of the month at 7 PM. The April and May meetings will be held at the Wm. Pensyl Social Hal, Portland, PA.
- The Lehigh Valley Planning Commission met with Borough Council on Monday, February 27, 2023, at 6 PM to review the DRAFT Regional Comprehensive Plan.

Liberty-Water Gap Trail Alliance: Cindy Fish

- The Alliance meets quarterly.

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Correspondence:

- Mayor Fischer received correspondence from the US Census Bureau, Boundary and Annexation Survey. Ms. Fischer forwarded the correspondence to Solicitor Gaul for review. Solicitor Gaul said that he received the internet link information, and did not think that it was a matter that the Borough should spend attorney fees on, and referred it back to the Borough Council to review,
- The Secretary received correspondence from the Bangor Area School District requesting monthly reports of all building permits issued by the Borough.

Secretary's Announcements:

- A reminder from the Secretary that the agenda closes at 5 PM, the Wednesday before the Monday Council meeting.

Old Business:

Park & Ride Lot:

1. Discussion concerning turning the Park & Ride Lot on Delaware Avenue over to PennDOT. Solicitor Gaul suggested that Ms. Steele speak with the Borough's PennDOT representative.

2. Vacation of Lands of Bonnie McHugh Farrell and Hubert McHugh:

Hubert McHugh entered the meeting at approximately 8:15 PM. Mr. McHugh questioned Solicitor Gaul regarding the vacation of the alley between the properties of Bonnie McHugh Farrell and the location of new property lines. Solicitor Gaul stated that the street vacation did not create new property lines, and if Mr. McHugh desired to change the property lines between Ms. Farrell's two properties, they would need to have a surveyor perform a survey and submit a lot line adjustment plan to the Borough for approval, as per SALDO.

New Business:

a) PA State Representative, Ann Flood, has requested a Meet & Greet with Borough Council at the municipal building. A schedule has been provided to Council to arrange the meeting. Ms. Steele stated that she would take a poll of Council that is agreeable to all before confirming a date.

b) Ms. Bucci stated that the Mt. Bethel-Portland Post 216 War Memorial needs to be cleaned. Ms. Bucci presented a proposal from Owens Monumental, Bangor, PA. A motion was made by Lance Prator, 2nd by Karen Pfeiffer accepting the proposal for cleaning the Borough's War Memorial, in the amount of \$290. Motion carried 6-0-0.

c) Ms. Pfeiffer inquired whether the annual spring planting of flowers in the downtown business district was planned. Ms. Pfeiffer volunteered to help with the clean-up and planting. Ms. Steele replied that she would be in contact with Ms. Pfeiffer.

Public Non-Agenda:

- None

BOROUGH OF PORTLAND
COUNCIL MEETING MARCH 6, 2023

Executive Session:

A motion was made by Lance Prator, 2nd by Patrick McHugh to convene to Executive Session at 9:04 PM. Motion carried 6-0-0.

Discussion: Personnel and legal advice with Solicitor Gaul.

A motion was made by Kay Bucci, 2nd by Patrick McHugh to reconvene to Executive Session at 9:43 PM. Motion carried 6-0-0.

Action Taken:

Hire Two (2) Part-Time Police Officers:

A motion was made by Kay Bucci, 2nd by Lance Prator employing George Howe as a part-time police officer at the hourly rate of \$22 per hour, up to twenty-three (23) hours per week; employing John Milkovits as a part-time police officer at the hourly rate of \$24 per hour, up to twenty three (23) hours per week. Motion carried 5-1-0 (Patrick McHugh opposed).

- o Both officers are Act 101 certified.

Adjourn:

- o The Fourth Monday meeting of the Portland Borough Council will be held on March 27, 2022, at 7:00 PM, unless cancelled by President Steele.
- o The next Portland Borough Council's first April meeting will be held on Monday, April 3, 2023, at 7 PM.
- o A motion to adjourn the meeting at 9:47 PM was made by Kay Bucci, 2nd by Patrick McHugh. Motion carried 6-0-0.

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary

