

BOROUGH OF PORTLAND
COUNCIL MEETING OCTOBER 3, 2022

The Portland Borough Council regular meeting of October 3, 2022, 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.

Council Members Present for Call to Order:

Stephanie Steele Kay Bucci* Kyle Overfield* Patrick McHugh* Karen Pfeiffer*

- o Councilman Robert Ivancich was absent.

Others Present:

1. Michael Gaul, Solicitor
2. Mark Bahnick, Borough Engineer
3. Carol Hummel, Borough Secretary

- o Mayor Heather Fischer was absent.

Approval of the Agenda and any Amendments:

AMEND AGENDA to Add:

- a) Line Item # 11g Asphalt Maintenance Solutions, crack sealing quote for streets.
- b) Line Item # 10d: RPL East, LLC: Time extension to December 30, 2022, to review Development Plans.
 - o Planned Industrial Park
 - o Proposed Subdivision

A motion was made by Kay Bucci, 2nd by Karen Pfeiffer to approve the agenda with the addition of two (2) amendments. The reason for the amendments was to allow expedient action by Borough Council. Motion carried 5-0-0.

Announcement of Recording:

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

Council President inquired whether anyone in the audience plans to record the meeting? Richard Wilford-Hunt, resident UMBT, stated that he intended to record the meeting.

Adopt Ordinance 2022-1 or Resolution 2022-6: Act 57 of 2022

Table until the November 7, 2022, Council Meeting. The Act is not effective until October 10, 2022.

Action on Minutes:

The Secretary stated that the September 12, 2022, Council minutes will be available for approval at the November 7, 2022, Council meeting.

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Secretary/Treasurer's Report: Carol Hummel

Bills Presented for Payment:

1. Approve the September 2022 Financial Report:

- o Approve Payments of Bills Presented in the amounts of:

Borough Operations & Borough Operations Already Paid:	12,822.02
Sewer Operations & Sewer Operations Already Paid:	22,842.03
Portland Contractors, Inc.- WWTP monthly services:	2,730.00
Garbage Operations & Garbage Operations Already Paid:	5,582.05
Portland Hook & Ladder Co. #1 – Volunteer Fire Relief 2022 Allocation:	3,084.07
New Demi Road Escrow: Van Cleef Engineering Assoc.	300.00
RPL East Escrow: Borough of Portland – postage	4.32
RPL East Escrow: Van Cleef Engineering Assoc.	150.00
October payroll & taxes, approximate:	5,000.00
October Sunoco Fleet Gas, approximate:	<u>300.00</u>
TOTAL	41,814.49

A motion was made by Karen Pfeiffer, 2nd by Kyle Overfield approving the financial report as presented, in the amount of \$ 41,814.49. Motion carried 5-0-0.

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

Robert Shoemaker, 116 State Street: Application to Vacant Seat on the Portland Borough Authority Board.

- o Ms. Steele stated that Mr. Shoemaker is attending another meeting and will be late.

McMahon Associates 303 Demi Road, Jamie Kouch, Engineer

- o Mr. Kouch was absent.

Sewer Matters & Borough Engineers Report:

a) Sewer Shut-Offs: 510 Northampton Street

- o The property owner of 510 Northampton Street presented in writing a signed agreement that delinquent sewer account No. 17 would be paid with a \$500 money order on October 12, 2022, to avoid water service shut-off of the property on October 4, 2022. This was the first time that this resident asked for an extension. Ms. Steele explained the water shut-off policy to Council members.

A motion was made by Kay Bucci, 2nd by Karen Pfeiffer approving the request of 510 Northampton Street, with the stipulation that the delinquent account must be paid by the end of business day, 5:00 PM on October 12, 2022, or water service will be shut-off on October 13, 2022.

- o Councilman McHugh asked for further information regarding the payment and extension. Ms. Steele replied that 510 Northampton Street needs to pay the delinquent sewer amount to avoid water shut-off. Ms. Steele stated that there were two other accounts on the shut-off list but have since paid.

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Motion then carried 5-0-0.

b) WWTP Operations:

1. Contaminates:

The WWTP is running well. The white liquid contaminates that was flowing into the Pump Station has abated.

2. Sewer Capacity Study Proposal Contract:

- Proposal for Portland sewer capacity evaluation has been completed by the Borough Engineer.
- The letter is being prepared by Solicitor Gaul for mailing to UMBT.

3. Dunkin HOP Permit, RE: 400 Delaware Avenue Auto Repair Facility:

- The auto repair facility will need to determine if rear access is possible.

4. Lot 50 Demi Road:

- Correspondence was received in the mail today for Demi Road and the right hand turn from Delaware Avenue. Ms. Bucci replied that the Borough was supposed to be invited/included in any PennDOT meetings; To date, the Borough has not been invited/included.
- The traffic engineers attended the September sewer meeting.
- The developer will be requesting land owned by the Borough at the WWTP site.
- The existing railroad bridge is too low for standard trucks. The applicant is investigating modifications to the overpass clearance.

5. RPL East, LLC, Plans Extension:

Correspondence was received from RPL East, LLC. Louis Pektor, President, Developer, Landowner, granting the Borough an extension of the time to review the developer's proposed Subdivision and Land Development Plans through December 30, 2022. A motion was made by Patrick McHugh, 2nd by Kay Bucci to accept the extension offered by RPL East, LLC with regards to RPL East, LLC Proposed Subdivision and RPL East LLC Planned Industrial Park. Motion carried 5-0-0.

6. Sewer Capacity Study Proposal Update:

- Ms. Bucci stated that in 2019 Mr. Bahnick had prepared a sewer study that was paid for by UMBT, but it was not an official study. Solicitor Gaul replied, "If you want the scope of the work changed then you should comment on it".
- Ms. Bucci commented on the 35,000 gallons of capacity allocated to the PIP area, the Borough may need the capacity.
- Solicitor Gaul stated that the study should consider the future needs of the Borough, including the Borough's current Act 537 Plan.
- Ms. Steele read the scope of the work to the Council members.

7. Gymnasium Demolition.

- Ms. Bucci commented concerning the removal of rocks from the demolition site and the added topsoil and seeding. Mr. Bahnick stated that the Borough can process the final payment to the contractor E. F. Possinger & Sons.

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8. Grading Plan Review:

- There is a Grading Plan review for construction of a new home at Main and Jennings Street.

Streets Department: A Committee Report was presented to Council.

a) A proposal from Van Cleef Engineering Associates, Mark Bahnick, to map out the Borough's current storm water/system/drains was discussed by Council.

- The map will be of the entire Borough showing the locations of all the inlets.
- All inlets will be inspected from the water flow source.
- Ms. Steele replied that the COG camera equipment has arrived. Training is being provided to the COG municipalities; Ms. Steele plans to sign up for the training session.
- Ms. Bucci asked if the Borough has the funds to pay the cost of the proposal. Ms. Steele replied yes, but not from Liquid Fuels.
- Councilman McHugh stated that Council can plan for the spring of 2023.

A motion was made by Kay Bucci, 2nd by Patrick McHugh approving the proposal presented by Van Cleef Engineering Associates, Mark Bahnick, for the map out and inspection of the Borough's storm water system/drains, in the amount of \$ 7,120.00. Motion carried 5-0-0

- Mr. Bahnick exited the meeting at 7:46 PM.

b) The street committee is recommending the purchase of portable road work street signs. A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh approving the purchase of two (2) portable work signs with bases, from Reliable Signs & Striping, in the amount of \$ 502.00. Motion carried 5-0-0.

c) A motion was made by Karen Pfeiffer, 2nd by Kyle Overfield accepting the proposal from Hendershot Door Systems, Inc., in the amount of \$ 1,980.00, for the purchase and installation of three (3) Genie wall mount garage door openers, for the new garage building in the municipal building parking lot. Motion carried 5-0-0.

d) The Notice of the 2023 Liquid Fuels allocation was received in the estimated amount of \$ 17,247.86.

e) COG Leaf Vacuum Rental:

Council directed the Secretary to contact the GOG for available dates for rental of the leaf vacuum. Council selected the dates of November 28 and November 29, 2022. The cost is \$75.00 per day. For approval at the November 7, 2022 Council meeting if the dates are available.

f) Snow Plowing:

Ms. Steele reported that Ian Kelton is available as a part-time backup snowplow operator. A motion was made by Kay Bucci, 2nd by Patrick McHugh approving a snowplow/lease agreement with Ian Kelton at the hourly rate of \$25.00 per hour and \$100.00 per hour for the lease of his snowplow equipment, for the 2022-2023 winter season. Motion carried 5-0-0.

g) Crack Sealing:

A motion was made by Karen Pfeiffer, 2nd by Kay Bucci accepting the proposal of Asphalt Maintenance Solutions, LLC, for crack sealing of various Borough streets, in the amount of \$ 6,450.00, with payment being made from the Liquid Fuels Account. Motion carried 5-0-0.

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h) Other comments:

- Ms. Bucci stated that the condition of Main Street and Pennsylvania Avenue is getting worse daily.
- Councilman McHugh stated that another part-time maintenance employee should be hired.
- The drain at the four ways stop at Main Street and Pennsylvania Avenue needs to be repaired.

Back to Robert Shoemaker, 116 State Street:

Application to Vacant Seat on the Portland Borough Authority Board.

- Mr. Shoemaker entered the meeting at 8:12 PM and was interviewed by Borough Council.
- Ms. Bucci asked Mr. Shoemaker if he has attended any PBA meetings. Mr. Shoemaker replied no.
- Mr. Shoemaker stated that he has been assisting the Vice Chairman, James Potter, with various PBA projects.

A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh appointing Mr. Shoemaker to the remainder of the Portland Borough Authority term vacated by William Godshalk. Motion carried 5-0-0.

Zoning Officer Report/BCO Official:

Keller Zoning & Inspection Services, Tina Serfass

- One (1) Non-Conforming Use permit was issued to 208 Northampton Street.

UCC Officer Report:

- None

Zoning Hearing Board (ZHB):

Slate Hills Enterprises

- The Solicitor reported that oral argument before the County Court on the appeal by Slate Hills Enterprises, concerning the denial of the variance, has been scheduled for October 25, 2022.

Planning Commission:

- None

Portland Borough Authority (PBA):

Jim Potter, Vice Chairman

- No correspondence/action concerning the MOU between the Borough and the Portland Borough Authority from the PBA Attorney, Peter Layman.
- No update from Vice Chairman Potter on an estimate for a fuel tank, carport concerning the New Holland Backhoe.

Legal:

Michael Gaul, Solicitor

- Nuisance Ordinance: Tabled.

Subdivision and Land Development:

- Addressed under Line Item #10.

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Community Development, Slate Belt COG & Grants:

a) The Slate Belt COG met Wednesday, September 28, 2022.

b) LSA Grant Update: Parks and Recreation, URDC

Ms. Bucci reported that Joanne Conley, Grant Writer, suggested that a site plan be prepared for playground improvements. A proposal was submitted by URDC for professional services in the amount of \$ 3,450.00, with the Borough's match at 20%, for a PA -DCNR grant for the Fall Supplemental Round. A letter of agreement was provided by Ms. Conley, but the time frame was short, and it is too late to apply.

Ms. Steele spoke with Ms. Conley, who wrote a grant for Pen Argyl Borough. Ms. Steele will contact Pen Argyl for the specifications.

It was discussed that a list of projects be provided for Ms. Conley to research grants for Borough streets, drains, storm water, etc. Ms. Bucci stated that at a Borough Council previous meeting, Council approved retaining URDC to begin consulting services/recommendations for available grants, in the amount not to exceed \$ 1,000. Ms. Bucci stated that to date the Borough has not been billed by URDC. Council agreed to raise the consulting services fees.

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer authorizing the expenditure of an additional \$ 2,500 for URDC consulting services/recommendations for the researching of available grants. Motion carried 5-0-0.

Community Events/Recreation Board:

- o Trick or Treat for the Borough will be held on Saturday, October 29, 2022, from 4 to 6 PM with an after-costume party to be held at the Train Station Lot on Delaware Avenue.
- o The committee will meet on October 9, 2022, at 7 PM.

Police Report:

- o The report was presented in writing by Chief Mulligan. Ms. Steele read the report to Council due to the absence of Mayor Fischer.

Mayor's Report:

- o None

Sanitation Committee:

Waste Management, 2018– 2022 Garbage Contract Extension for Municipal Solid Waste and Recycling:

- o Waste Management was notified by certified mail that the Borough wishes to extend the solid waste and recycling contract for one (1) additional two (2) year term.
- o There was no overflow of trash at the public trash container at Delaware Avenue and Main Street this week.

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Building Committee:

Discussed was the hiring of a plumber to install a new commode in the municipal building bathroom and a new baseboard heating element. The bathroom was remodeled in the 1990's. A motion was made by Karen Pfeiffer, 2nd by Kay Bucci to hire a plumbing contractor, install a new commode, and replace the electric heating element in the bathroom, not to exceed the cost of \$ 1,000. Motion carried 5-0-0.

- Discussed was the possibility of hiring a plumber to install the new water fountain. No action was taken.

Budget, Finance, Insurance, & Cable TV Contract:

- The committee will schedule a meeting for the 2023 Budget.

Ordinance Update Committee:

- None

Council Policy & Procedure Committee:

- None

Air Liquide Safety Committee:

- The committee meets on October 12, 2022.

Slate Belt Rising Committee (SBRC): Stephanie Steele

- The committee meets the second Thursday of the month.
- The new director of SBR has resigned.

Plan Slate Belt Steering Committee: Stephanie Steele

- The committee will meet in person on October 5th at the Plainfield Township Fire Co. banquet facility at 7 PM. The draft plan is available for review in the Borough Office.

Liberty-Water Gap Trail Alliance: Cindy Fish

- The Alliance will meet on October 19th at 9 AM. The place TBA by Ms. Fish.

Correspondence:

- A retirement party will be held for PA State Senator Mario Scavello on Saturday, November 5, 2022, 6-9 PM at the Lookout Fire Co. # 1, Pen Argyl, PA. Council is invited.
- The Slate Belt Heritage Center is conducting their annual fund drive and is asking for a donation. No action was taken.
- Quarry Heritage Park & Trail Network, Inc. is asking for a donation for an educational, historical, and recreational park. No action was taken.

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Secretary's Announcements:

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

Old Business:

- Councilman McHugh inquired about the status of installing the drain box and steel plate. Ms. Steele replied that the drain box has arrived.
- Ms. Pfeiffer asked if residents are allowed to park at the church, Refiner's Fire Ministry, during snow events. Ms. Steele replied no, if you do park your vehicle, it should be removed immediately after the snow has been cleared from the Borough streets. Hubert McHugh, in the audience, asked about parking in the fire company lot on State Street. Parking is allowed but the same rule applies, your vehicle should be removed immediately after the snow has been cleared. The problem is that residents leave their vehicles parked at the church and the fire company indefinitely. Residents can park at the Borough lot across from Ms. Bucci's house on Division Street.

New Business:

- None

Public Non-Agenda:

- Richard Wilford-Hunt, in the audience from UMBT, asked if he would be allowed to address Council. A motion was made by Kay Bucci, 2nd by Karen Pfeiffer allowing Mr. Wilford-Hunt to speak. Motion carried 5-0-0.
- Mr. Wilford-Hunt announced that the UMBT Planning Commission will be meeting on October 12, 2022, at 7 PM, to discuss traffic impact studies on adjoining communities that will be affected by the Ashley Land Development in the Portland Industrial Park and UMBT.

Executive Session:

- None

Action Taken:

- None

Adjourn:

- The next meeting of the Portland Borough Council will be held on Monday, November 7, 2022, at 7:00 PM,
- A motion to adjourn the meeting at 9:03 PM was made by Patrick McHugh, 2nd by Karen Pfeiffer. Motion carried 5-0-0.

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary