

BOROUGH OF PORTLAND SPECIAL COUNCIL MEETING
DECEMBER 27, 2022

The Portland Borough Council Special meeting of December 27, 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*

Others Present:

1. Michael Gaul, Solicitor
2. Heather Fischer, Mayor
3. Carol Hummel, Borough Secretary

Remembering Councilman Robert Ivancich:

President Steele called for a moment of silence for Councilman Ivancich, who passed away December 22, 2022.

Approval of the Agenda and any Amendments: **AMENDED TO ADD**

Line Item # 9: Authorize President Steele to execute the Letter of Engagement between Kirk, Summa & Co., LLP, and the Borough of Portland in the amount of \$ 6,000 for the 2022 Audit.

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer to approve the posted agenda with one (1) proposed amendment. The reason for the amendment 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. There was none.

Resolution 2022-9:

Resolution Approving the Final Budget, Including General Fund, Sewer Fund and Sanitation Fund for the Borough of Portland for the Year 2023.

Discussion:

Councilwoman Bucci questioned again the need to raise taxes when the Borough has an approximate \$200,000 surplus for the year ending 2022. Ms. Bucci asked if anyone had made any comments regarding the tax increase. The Secretary replied no.

Solicitor Gaul replied that the Borough should have at least three (3) months of operating expenses for the New Year before the Real Estate Taxes come in. The Borough could borrow monies, but it does not make sense to have zero dollars at the end of the year. Even if the Borough held only three (3) months of operating expense that would not provide a cushion in the event of an unexpected need or opportunity. Mayor Fischer spoke in favor of the tax increase and stated that Borough residents want improvements.

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer adopting Resolution 2022-9, as presented. Motion carried 4-1-0. (Kay Bucci opposed)

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Ordinance 2022-1:

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer adopting Ordinance 2022-1, "An Ordinance of the Borough of Portland, County of Northampton and Commonwealth of Pennsylvania, Levying for the Fiscal Year 2023 Taxes on All Real Estate Within the Borough for General Borough Purposes and Fire Prevention and Protection: Affixing the Tax Rates; and Providing for Other Miscellaneous Matters. Motion carried 4-1-0 ((Kay Bucci opposed)

Resolution 2022-10:

A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh, adopting Resolution 2022-10, "Regarding Fees and Charges Related to the Borough's Collection and Disposal of Garbage from Private Residences in Calendar 2023". Motion carried 5-0-0.

Resolution 2022-11:

A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh, adopting Resolution 2022-11, "Appointing Kirk, Summa, & Co., LLP, temporarily to the Office of Borough Auditor for the Purposes of the 2022 Calendar Year Audit". Motion carried 5-0-0.

A motion was made by Patrick McHugh, 2nd by Karen Pfeiffer authorizing President Steele to execute the Letter of Engagement between Kirk, Summa, & Co., LLP, and the Borough of Portland in the amount of \$6,000 for the 2022 Audit. Motion carried 5-0-0.

Resolution 2022-12:

A motion was made by Kay Bucci, 2nd by Patrick McHugh Confirming the Appointment of Wendy Klug to Vacant Office on Borough Council. Motion carried 5-0-0.

Ms. Klug was sworn in by Mayor Fischer and took her seat at the Council table.

2023 Borough Real Estate Tax Bills:

A motion was made by Karen Pfeiffer, 2nd by Patrick McHugh authorizing the Secretary to order the 2023 Borough Real Estate Tax Bills from Berkheimer Associates. Motion carried 6-0-0.

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

None

Other Business:

1. Police Department Discussion: Patrick McHugh

- Mr. McHugh asked questions concerning the working hours of the police officers. Having no police department and relying on the PA State Police for coverage.
- Mayor Fischer explained that the PA State Police cannot enforce Borough Ordinances.
- A police schedule is not a public document.
- Mayor Fischer stated that she did not want to be micro-managed in her position as manager of the Police Department. Solicitor Gaul reiterated that the Mayor has overall charge of the Police Department.

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- Solicitor Gaul further stated that Council does have oversight of Personnel issues, and discipline; stated that there are laws of Congress of what can be seen; there are no special powers to look at the police department records. Council would require a legal opinion as to what can be viewed.
- In terms of the PA State Police, they would handle Borough matters when the Portland Police Department is not on duty. In the future, there may be a tax that municipalities will pay for their support. For a police matter, the person to contact is the Mayor.
- Mayor Fischer stated that every police department is struggling; that she is working with Chief Mulligan for the good of the department.
- Former Mayor and now Councilwoman Bucci and Solicitor Gaul both stated that questions should be directed to the Mayor.
- Patrick McHugh replied that his concern was coverage for nights and week-ends. Residents should see a pattern. President Steele stated that when officers are interviewed they are asked to work nights and week-ends. The general rule of the day is to slow down traffic. If officers are only available during the day, the Borough will take the day hours.

2. Building Committee:

Brick Re-Pointing:

Ms. Bucci provided a quote and report from StoneCraft LLC Masonry and Chimney, Cresco, PA. for a proposed re-pointing of the municipal building's (old School) brick façade.

- \$840 per man –day plus materials.
- Material costs would be expected to be roughly 5% -10% of the labor costs.
- Work to be completed no less than 68 man-days, \$57,120, plus materials, for damages seen in the photos.
- If the damages are twice as extensive the cost would double.
- A large portion of the time would be the work to the (1) chimney; probably 25% of the total.
- This is a repair estimate, not a restoration estimate.
- Repair methods were explained extensively in this quote.
- Costs can be firmed up upon an in-person inspection.

Solicitor Gaul stated that the project would need to be bid, and that the Borough could not simply enter into a contract with the contractor who provided the quote. He suggested that Council discuss the project with the Borough Engineer, Mark Bahnick, and have him develop the necessary scope of work and bid specifications for the project. Patrick McHugh suggested that work could be done sections at a time.

Handicap Ramp, Municipal Bldg:

- The handicapped ramp needs to be replaced.
- Either trex-deck composite or an elevator was discussed.
- The Zoning/Codes Official will be contacted for an on-site review of the ramp.

3. Fidelity Bank Remote Capture Deposits:

President Steele explained that the Borough has changed the way residents/property owners may pay their sewer and garbage bills by credit card. A payment tab has been installed on the Borough website for their convenience; this

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will free-up the office staff, who have been taking credit card payments over the telephone. Residents/property owners pay the fees associated with the credit card.

Remote Capture Deposit is a check scanner, provided by the bank, for the office staff to send bank deposits electronically to Fidelity Bank. Presently, at the end of the day, the office staff will make a night deposit after bank office hours. Ms. Steele stated that this is also a safety issue. The scanner will eliminate night deposits after it becomes dark, especially during the winter months.

The cost for Remote Capture is \$25 per month, inclusive of all accounts under the same entity. A motion was made by Kay Bucci, 2nd by Patrick McHugh authorizing Ms. Steele to make the arrangements to sign on to Remote Capture Deposits, at the cost of \$25 per month, through Fidelity Bank. Motion carried 6-0-0.

4. Pennsylvania State Association of Boroughs: PSAB Plus, Training Subscription Program:

Discussion only:

PSAB Plus provides Borough's with a wide range of training and educational programs for municipal officials and staff. The training includes webinars, in-person training, and multi-part online courses. The cost per year is \$450, with January 27, 2023, the deadline for subscribing.

Public Non-Agenda:

1. Hubert McHugh, 206 Market Street, complained that Market Street is not being salted-cindered during winter weather events. Mr. McHugh stated that he has photos that he will provide to Council. Solicitor Gaul replied that the issue could be that de-icing salt does not work well on gravel roads, or if it is extremely cold it may not work at all. State agencies or associations provide training on the best method to apply salt vs anti-skid material. Ms. Steele stated that she would instruct the street department to salt-cinder Market Street, whether it is paved or not.

2. Ms. Steele reported that during the monthly street committee meeting, the committee agreed on purchasing snow stakes for various Borough streets. Ms. Steele stated that every winter season she receives complaints from the same two (2) property owners that the snow-plow operator plows too close into the Borough Right-Of-Way and digs up the owner's yard. Ms. Steele stated that she purchases snow stakes for her Washington Street property for that reason.

Executive Session:

- o None

Adjourn:

- o The next meeting of the Portland Borough Council will be held on Tuesday, January 3, 2023 at 7:00 PM.
- o A motion to adjourn the meeting at 8:54 PM was made by Patrick McHugh, 2nd by Kay Bucci. Motion carried 6-0-0.

Respectfully Submitted,

Carol A. Hummel
Carol A. Hummel, Secretary