



**Borough of Portland Council Meeting Minutes
October 23, 2023**

Call to Order – President Stephanie Steele called the meeting to order at 7:00 P.M.

Pledge of Allegiance was recited.

Roll Call – Council Members: Stephanie Steele, President, Patrick McHugh, Vice-President, Kyle Overfield, Lance Prator, Karen Pfeiffer and Lisa Prator were present.

Others Present – Mayor Heather Fischer, Borough Solicitor-Michael Gaul, Secretary Lori Sliker, Tara Mezzanotte, Fred Farleigh

Announcement of Recording - This meeting is being digitally recorded for assistance in preparation of the minutes. President Steele asked if anyone, besides the recording secretary, would be recording tonight's meeting. No other attendees are recording the meeting.

Approval of the Meeting Agenda and any Amendments:

A motion was made by Councilmember Lance Prator to approve the agenda as posted, seconded by Councilwoman Lisa Prator. Vote 6-0-0; Motion Carried.

The Lower Delaware Wild & Scenic River Partnership – President Steele introduced Ms. Mezzanotte to the Council and corrected the name of the agenda item from I-80 update to The Lower Delaware Wild & Scenic River Partnership. Ms. Mezzanotte provided the Council with copies of her presentation and explained that she is introducing today's Lower Delaware National Wild and Scenic River. Ms. Mezzanotte went over the printed presentation making specific references to Portland and the surrounding towns. The Goals of the Lower Delaware Wild and Scenic River Management Plan are to protect and enhance focusing on **Water Quality, Natural Resources, Historic & Cultural Resources, Recreation, Economic Development and Open Space Preservation.**

Ms. Mezzanotte indicated that Knowlton, Blairstown and Hardwick, in New Jersey are all on board and she has presented to Lower Mount Bethel and now Portland. Ms. Mezzanotte explained some of the potential benefits of joining and she asked if there are any creeks/streams that continually run and do not dry up; specifically inquiring about Jacoby Creek. Mr. Farleigh asked if there would be any restrictions imposed on the size of boats allowed on the river and restrictions on homes being built near the river; Ms. Mezzanotte replied there are not such restrictions. Upon completion of the presentation Ms. Mezzanotte advised she had provided to each Councilmember a rough draft Resolution approving Portland's participation in the Lower Delaware Wild & Scenic River Partnership; she will update the resolution and email it to Portland for consideration. The Council members thanked her for her presentation.

Secretary/Treasurer Report – President Steele advised that Ms. Diann Eden, Assistant Secretary requested the Cialfi's Escrow Account can be closed; the bills have been paid and the account has a zero balance.

A motion was made by Councilwoman Lisa Prator to approve the closure of the Cialfi's Escrow Account, seconded by Councilman Lance Prator. Vote 6-0-0; Motion Carried.

President Steele reported that the Bonds have been received from Brown & Brown, the Borough's broker for the secretary, Lori Sliker. The Council members discussed amending the agenda and appointing Lori Sliker as the Treasurer. President Steele advised she would like to move Diann Eden's bond to Brown & Brown also in January 2024.

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A motion was made by Councilman Lance Prator to amend the agenda, for purposes of expediency, to allow action on the “Appointment of Borough Treasurer”, seconded by Councilwoman Lisa Prator. Vote 6-0-0; Motion Carried.

A motion was made by Councilman Lance Prator to appointment Lori Sliker as the Borough Treasurer, seconded by Councilman Patrick McHugh. Vote 6-0-0; Motion Carried.

At the request of the Solicitor, Borough Council confirmed by consensus that the appointments of Ms. Sliker as Borough Secretary, Treasurer and Right to Know Officer were all aspects of her single employment at the budgeted amount of 20 hours per week, at the rate of \$20.00 per hour, and that her employment as such should be reflected in the minutes.

Public Comment: President Steele asked if the public had any comments at this time – Councilman Lance Prator indicated that public comment is reserved for Portland residents; therefore, Fred Farleigh was asked if he was here to address a personnel issue; Mr. Farleigh indicated yes. Solicitor Gaul advised those type of issues should be addressed at Executive Session. - None.

Borough Engineer’s Report, Mark Bahnick, Van Cleef – no report.

Legal: Solicitor Gaul: Solicitor Gaul provided Council Members with a special report article entitled “Catasauqua in Crisis” for review.

Streets Committee: Patrick McHugh, Chair

Councilman Patrick McHugh advised that to complete the Main Street project additional materials will need to be purchased. A pallet of cement - \$1,500.00 and other materials such as lumber for framing \$250.00 for a total of \$1750.00. A Tri-axil of modified stone for \$650.00 is needed; they have exhausted the current supply of stone; Councilman McHugh advised this load of stone should last through the winter.

Councilman McHugh stated that he had obtained paving estimates for Crestmont & Market Street. Solicitor Gaul advised that, prior to performing road work on Crestmont Street, the Borough should first determine its position on the ownership and maintenance responsibility for Crestmont Street. Further, the Borough Engineer should be involved in any decisions regarding the location, dimensions, and specifications for a street taken over by the Borough. Solicitor Gaul stated that, to his understanding, most ordained roads are at least 24’ wide, whereas Councilman McHugh has proposed a public Borough Road, or an improved area, that is only 9-11’ wide. Discussions continued regarding the roads and the sewer lines and protecting the sewer system manhole covers. Fred Farleigh suggested road millings be used because they pack down better than modified and they last longer. President Steele advised that the Council needs additional information (is Crestmont an ordained Borough Road or is it a private driveway) and that no funds should be allocated. Solicitor Gaul noted that a decision to maintain or protect sewer infrastructure may be distinct from a decision to pave and maintain a private driveway as a public road.

A motion was made by Councilwoman Lisa Prator to table the paving estimates until the November 6, 2023, meeting, seconded by Councilman Lance Prator. Vote 6-0-0; Motion Carried.

Councilman Patrick McHugh advised the Council Members that he will be meeting with the Borough Engineer (Mark Bahnick) on Wednesday at 3:30 P.M. regarding the drainage on Main Street; Councilwoman Karen

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Pfeiffer will be joining them on Wednesday. Councilwoman Lisa Prator asked what the procedure is for an individual Councilmember to schedule the Borough Engineer, who is paid for anytime he spends on Borough issues. Solicitor Gaul indicated that, generally speaking, an individual Councilmember has no authority to incur expenses on behalf of the Borough. However, he did not see an issue with the Chairperson of the Streets Committee scheduling a short, one-off meeting with the Borough Engineer, to go over Streets-related matters, particularly if that has been the Borough practice in the past. That being said, the Borough does not want to get into a situation like Catasauqua.

A motion was made by Councilwoman Lisa Prator to purchase the pallet of cement at \$1500.00 and the additional material \$250.00 for a total of \$1750.00 to complete the Main Street project; seconded by Councilwoman Karen Pfeiffer. Vote 6-0-0; Motion Carried.

A motion was made by Councilwoman Lisa Prator to purchase the Tri-axil of modified stone \$650.00; seconded by Councilwoman Karen Pfeiffer. Vote 6-0-0; Motion Carried.

Building Committee: Patrick McHugh

Councilman Patrick McHugh provided additional information for the Duckloe Building. Mayor Fischer indicated that from the pictures it appears to be a dark, closed in space with minimal windows and she has concerns on how the space could be divided up to accommodate the Borough, Police, Water and Sewer. Councilman Patrick McHugh advised that partitions would have to be put up to make individual rooms. In addition, there are concerns for flooding and document storage. Parking would also be a challenge for staff and visitors. Councilwoman Karen Pfeiffer thanked Councilman McHugh for his research and time put into this option but feels it is not the answer. The building price is \$250,000.00 and the renovations could be expensive, all of which could be used to renovate the existing building. Mayor Fischer indicated as nice as it would be to have the offices downtown, we may be getting into a worse situation than we have currently. The Council Members will continue to consider other options to resolve the situation. Councilman Lance Prator advised a modular building could be placed on the adjacent vacant lot. Councilwoman Karen Pfeiffer asked what would happen to the old schoolhouse if it were vacated; Solicitor Gaul advised he would have to review paperwork; however, his understanding is that the deed from the School District to the Borough contains a reverter clause that provides that, if the building is no longer used for municipal purposes, then the property would revert to the school district, assuming the School District would want it, which is questionable. President Steele will send a letter this week to O'Brien Architects advising them of the Council's approval to move forward with the June 27, 2023, proposal indicating the two additional stipulations that were approved at the September 11, 2023, Council Meeting.

Budget, Finance, Insurance & Cable TV Contract: - President Steele advised that they have been meeting regarding the 2024 Budget. Solicitor Gaul advised Council Members they will need to consider raising the budget for legal fees. This past year the fees have doubled mainly due to holding a second Council meeting each month. In the past the meetings were held once (1) a month for two (2) hours – currently the Borough is meeting two (2) times a month for up to four (4) hours a night. Some discussions were held about going back to one (1) meeting a month. Councilman Patrick McHugh asked about establishing a Sewer Authority in the future. Solicitor Gaul advised there should be study/plan developed, and that would be an expensive budget item. President Steele advised that the possible study and creation of a Sewer Authority would have to be a two (2) to three (3) year budget item for the future. President Steele advised she has received an updated budget from Craig for the Sewer.

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Correspondence: Councilman Lance Prator is forwarding two emails for review. E.V. Charger Station Installations and Young Lungs at Play (Stop Smoking) for sport fields. There are two (2) Greenways Mini Grants coming out soon and upon receipt Councilman Prator will forward them to the Council members.

Old Business: None.

New Business: President Steele advised that the door on the “Pokey” needs to be repaired/replaced. In preparation for Founders Day, they tried to open the door and the bottom was rotten and fell off. President Steele will get estimates on a new door in wood and a composite material, which she will bring back to Council for review/approval.

Secretary Announcements: President Steele advised that Election Day is November 7, 2023, at the Portland Fire Station, 392 Delaware Avenue.

Public Comment – None

Executive Session:

A motion was made by Councilman Patrick McHugh to break at 8:38 P.M. for Executive Session, seconded by Councilwoman Karen Pfeiffer for Personnel issues. Vote 6-0-0; Motion Carried.

A motion was made by Councilwoman Lisa Prator to return from Executive Session at 9:14 P.M. and seconded by Councilwoman Karen Pfeiffer. Vote 6-0-0; Motion Carried.

Adjournment:

A motion was made by Councilman Lisa Prator and seconded by Councilman Patrick McHugh to adjourn the meeting at 9:16 PM. Vote 6-0-0; Motion carried.

Reminder: Next meeting is Monday, November 6, 2023.

Respectfully Submitted,

Lori Sliker, Borough Secretary