

BOROUGH OF PORTLAND
REGULAR COUNCIL MEETING
JUNE 26, 2023

The Portland Borough Council meeting of June 26, 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.

Council Members Present for Call to Order:

Stephanie Steele Patrick McHugh* Wendy Klug* Lance Prator* Kyle Overfield*

Councilwoman Karen Pfeiffer was present at the beginning of the meeting via telephone communication. She could hear all the meeting attendees and be heard by all. Ms. Pfeiffer was out of town on family travel and unable to attend in person. Patrick McHugh made a motion, 2nd by Lance Prator, to permit Council member Pfeiffer to attend the meeting via telephone. Motion carried 6-0-0.

Others Present:

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

Approval of the Agenda and any Amendments:

A motion was made by Lance Prator, 2nd by Patrick McHugh approving the agenda as presented. Motion carried 6-0-0.

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.

- o Mayor Heather Fischer announced that she will record the meeting.

Editor's note: Recording of the meeting by the Mayor, Borough Council members or members of the public, are for personal use only, and do not constitute official Borough action, or an official record, unless expressly authorized by specific Borough Council action.

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

- o No one in attendance.

Council Member Resignation:

A motion was made by Lance Prator, 2nd by Patrick McHugh accepting the written resignation of Kay Bucci, dated June 9, 2023, with regret. Motion carried 6-0-0.

Appointment of Council Vice President:

A motion was made by Lance Prator, 2nd by Karen Pfeiffer to elect Patrick McHugh as Council Vice President.

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Discussion:

Ms. Pfeiffer asked what the duties of the Council Vice President are. Solicitor Gaul explained that if the Council President is absent or unable to act, then the Council Vice President takes on the responsibility of the President. Generally those responsibilities involve presiding over the Council meeting, and signing documents on behalf of the Borough.

Motion carried 5-1-0 (Ms. Steele opposed)

Letter of Intent for Vacant Council Seat:

Councilman Prator presented a letter of interest from Lisa Prator in regards to the vacant Council seat. The consensus of the Council was to advertise the vacant seat on FaceBook, the Borough website and a flyer at the Portland Post Office, with the intent to make an appointment to the vacant Council position at the next Council meeting of July 3, 2023.

Streets Department:

700 Block of Delaware Avenue, East Side Shoulder:

Residents reported a hole developing under Delaware Avenue. Upon evaluation the streets department made a cut on the asphalt shoulder. There appears to be a large void space under the concrete road surface. Supplies needed for the repair/construction are a walk behind road surface saw, flowable fill, plus the cost of delivery, and a new asphalt shoulder.

A proposal was received from Hallett Contractors for repair of pavement, 60' x 1' x 4' depth in the amount of \$1,200. It was noted that Hallett Contractors is now a Co-Stars vendor. A call was placed to the Borough's PennDOT representative for information concerning payment with Liquid Fuels monies.

A motion was made by Lance Prator, 2nd by Patrick McHugh accepting the proposal from Hallett Contractors in the amount of \$1,200, plus the cost of Borough supplies, with the total cost not to exceed \$4,500; conditioned upon Hallett Contractors providing general liability insurance naming the Borough as additional insured and accepting the provisions of the Pennsylvania Workers' Compensation Act. Motion carried 6-0-0.

Two (2) Hour Parking in the Downtown:

Mayor Fischer reported on the public parking problem downtown relative to boaters taking up all the available street parking while boating on the river. Individuals who are not Borough residents have also returned to using the public Northampton County Park located between the former Citgo gas station property and the Portland Train Depot property further exasperating the parking problem. The downtown business owners close early because of the influx of boaters which are parking all day. Mayor Fischer would like to enforce the two (2) hour parking ordinance fairly and consistently.

Councilwoman Klug requested that the "no skateboarding" sign be removed from the sidewalk in front of her residence.

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Park & Ride Lot:

Mayor Fischer stated that she was surprised to hear at the recent LVPC meeting on the RPL project comments that RPL would use the Park & Ride Lot for parking. The Park & Ride are Borough property.

Mayor Fischer would like to have the public park at the Park & Ride Lot instead of the downtown public parking. A business plan is needed which works with everyone. Councilman McHugh replied that signage could be increased at the Lot.

Ms. Steele stated that a public bathroom sign is needed anywhere downtown for the Park & Walk Lot.

There are restrictions to overnight parking at the Park & Walk Lot. Two-hour parking in front of businesses is currently unlimited. There is also unlimited parking on the Portland Train Depot side of the street.

Mr. McHugh suggested that concrete barriers be installed in front of the vacant gymnasium property lot.

Police Department:

1. Mayor Fischer requested approval to use up to \$1,000, at her discretion, within the police budget in between meetings without Council approval for emergencies. Examples would be to cover replacement of our camera system or a portable jump stater for the vehicles. She would also like permission to offer the police a higher hourly rate or bonus if an officer provides unscheduled service time at the request of the Borough due to safety concerns. The officer would not necessarily need to work an eight (8) hour shift to receive the higher rate/bonus, it could be several hours.

Ms. Pfeiffer asked how many officers are on duty; and questioned their working hours. Mayor Fischer replied that their working hours for Portland are based on their availability. There may be weeks without a police officer on duty. Ms. Pfeiffer asked if Chief Mulligan patrols and/or does paperwork. Mayor Fischer replied, yes.

A motion was made by Stephanie Steele to approve the use of \$1,000, within the police budget, at the Mayor's discretion, for emergency situations, in between Council meetings.

The motion died for lack of a second.

2. Mayor Fischer and Chief Mulligan will provide a Standing Operating Procedures (SOP) of the police department.

3. Portable Jump Starters for the Police Vehicles.

A motion was made by Karen Pfeiffer, 2nd by Kyle Overfield for approval to purchase two (2) portable jump starters for the police vehicles.

Discussion:

Ms. Pfeiffer questioned whether two (2) jump starters were necessary. The motion was amended to purchase one (1) jump starter, then the motion was amended again to purchase two (2) jump starters at the cost of $\$172.51 \times 2 = \345.02 . Motion carried 4-2-0. (Lance Prator and Patrick McHugh voted no)

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4. Raise the police holiday pay rate from \$75 to \$100:

The holiday pay is based on an eight-hour shift. Ms. Klug asked, "what do the police do". Solicitor Gaul replied generally, they enforce the law. In connection with that, they will patrol the Borough or respond to complaints, and investigate the matter.

No action was taken. To be considered for the 2024 budget.

Building Committee:

1. Mayor Fischer was approached by Caryn Dayton about her son's Eagle Project and the possibility of the repair of the handicap ramp. No action was taken on the request. Scout DJ Dayton will be invited to the July 3, 2023 Council meeting for ideas to schedule another project.

2. A motion was made by Lance Prator appointing Wendy Klug to the Building Committee. Solicitor Gaul replied that the Council President assigns the committees. Ms. Klug stated that she understood that the President assigns the committees. Ms. Steele replied that since the resignation of Ms. Bucci she has not reassigned the committees and yes, she will assign Ms. Klug to the Building Committee.

Sanitation Committee:

Ms. Klug reviewed with Council the previous residential/business trash violations and stated that the letter Council previously approved to be sent had not been sent. Ms. Klug stated that the Secretary or the Billing Clerk refused to write the letter. Ms. Hummel replied that she would not write or sign the letter because Ms. Klug does not have written documentation. Ms. Hummel stated that the Zoning Officer directly stated to her that complaints are not addressed unless accompanied by a signed complaint.

Solicitor Gaul explained that the letter would be sent at the direction of the Borough Council. The Borough Secretary would just be acting as the correspondent for the Borough Council and could reference she was sending the letter at Council's direction. Solicitor Gaul also stated that, if Council member Klug had first-hand knowledge of the violation, she could make the complaint personally. Ms. Pfeiffer agreed that the letter should be sent to the violator. Solicitor Gaul stated that the letter had already been approved by Council, it was only a matter who would prepare and sign the letter. He stated that if the Secretary was refusing to do it, the President of Council could do it. President Steele stated that she would write the letter outlining that Waste Management only picks up residential garbage not commercial.

- Borough Council announced a five (5) minute recess. Solicitor Gaul exited the meeting at 8:35 Pm and reentered at 8:40 PM

New Business: Rave Alert System

The PBA Board of Directors has approved and assigned an agreement with Rave Alert System. They are willing to split the cost with the Borough Council.

- Ms. Pfeiffer questioned the Rave Alert System. Ms. Steele explained that the SWIFT 911 Call System has closed.

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A motion was made by Patrick McHugh, 2nd by Karren Pfeiffer authorizing the Borough of Portland to split the annual cost of \$1,250 with the Portland Borough Authority (PBA) for use of the Rave Alert System. Motion carried 6-0-0.

Ashley Development: Louis Pektor, Principal

Councilman McHugh stated that he received a telephone call from Mr. Pektor concerning sewer development in the Township. Ms. Steele replied that the Borough's position has been that Township officials needed to discuss with the Borough, service to the Township, and not developers. Developers should discuss with the Township whether they desire the Township to take steps to discuss the matter with the Borough. Mr. McHugh, Ms. Klug, and Ms. Pfeiffer stated that they would like more information and that Borough Council should have a conversation with the UMBT Supervisors.

Executive Session:

A motion to convene to executive session at 8:49 PM was made by Patrick McHugh, 2nd by Karen Pfeiffer. Motion carried 6-0-0.

Discussion: Legal advice with the Borough Solicitor.

A motion to reconvene from executive session at 9:16 PM was made by Lance Prator, 2nd by Karen Pfeiffer. Motion carried 6-0-0.

Action Taken: None

Adjourn:

The Portland Borough Council's first July meeting will be held on Monday, July 3, 2023 at 7 PM.

The meeting was adjourned at 9:17 PM on a motion by Patrick McHugh, 2nd by Lance Prator. Motion carried 6-0-0.

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary

