

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

The Portland Borough Council regular meeting of June 5, 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 Wendy Klug* Patrick McHugh* Wendy Klug* Kyle Overfield* Lance Prator*

Councilwoman Bucci was present at the beginning of the meeting via telephone communication. She could hear all the meeting attendees and be heard by all. Ms. Bucci 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 Bucci to attend the meeting via telephone. Motion carried 6-0-0.

- o Councilwoman Karen Pfeiffer was absent.

Others Present:

1. Michael Gaul, Solicitor: King, Spry
2. Mark Bahnick, Borough Engineer
3. Heather Fischer, Mayor
4. Carol Hummel, Borough Secretary
5. Borough Residents
6. UMBT Resident, Judith Henckel
7. Plainfield Township Resident, Don Moore
8. Dean Severson, LVPC, for Plan Slate Belt
9. Tracy Oscavich, LVPC, for Plan Slate Belt

Approval of the Agenda and any Amendments:

A motion was made by Lance Prator, 2nd by Patrick McHugh to approve the posted agenda with one amendment.

Amended to Add:

Move line-Item No. 28 directly after Announcement of Recording.

The reason for the amendment 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

- o Mayor Fischer and Councilwoman Klug stated that they are recording the Council meeting, (for personal use and not as an official Borough record).

Editor's note: Recording of the meeting by Mayor Fischer and Councilwoman Klug, other 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.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

Plan Slate Belt (LVPC) for the Regional Comprehensive Plan:

A motion was made by Lance Prator to rejoin the Plan Slate Belt LVPC Regional Comprehensive Plan. Portland Borough Council had ceased participation with Plan Slate Belt by Council action of March 27, 2023.

Discussion:

Dean Severson, LVPC, stated that he and Ms. Tracy Oscavich, LVPC, were in attendance to address any questions Council may have.

- Grants were discussed. The Borough would have a better chance of obtaining a grant if the Borough participated in a Regional Comprehensive Plan rather than applying on a stand-alone basis.
- Mr. Prator replied that Portland's Comprehensive Plan would soon need upgrading if the Borough did not participate in the Regional Comprehensive Plan, which would be an expensive undertaking for the Borough.
- Ms. Klug questioned whether Portland would continue to have their own autonomy. Yes, was the reply.
- UMBT resident Judy Henckel stated that it is always helpful to have other municipality's participation in a joint zoning plan. Municipalities must provide for every zoning use; now it would be spread out. If another municipality had the use Portland would not have to provide it; it would be provided as a region. Ten (10) municipalities are involved in Plan Slate Belt. Portland has everything to gain; all of us would be working together. UMBT will have a new Board of Supervisors beginning January 1, 2024. It won't be complicated.
- Donald Moore of Plainfield Township spoke on the benefits of a Regional Comprehensive Plan Slate Belt and on the use of the tools of Pennsylvania and Portland's official map.
- Ms. Henckel stated that by joining together the municipalities have something to stand on.
- Mayor Fischer replied that Plan Slate Belt is the opportunity to be part of the bigger picture and not give anything up.

Wendy Klug seconded the motion made by Mr. Prator. Motion carried 6-0-0.

- Mr. Severson and Ms. Oscavich exited the meeting at 7:33 PM.

Enact Tree Ordinance 2023-3:

Solicitor Gaul

Solicitor presented proposed Ordinance 2023-3, An Ordinance of the Borough of Portland, Northampton County, Pennsylvania, Requiring the Maintenance of Certain Trees and Shrubs, Providing for Enforcement and Penalties, and Other Miscellaneous Items.

The tree ordinance is modeled after Bangor Borough Ordinance 998, Section 12, Maintenance of Trees and Shrubs. Solicitor Gaul explained that he added for consistency additional references to "shrubs" in the previously prepared Ordinance.

Discussion:

Councilman McHugh referenced the Belvidere, NJ Shade Tree Commission. Solicitor Gaul replied that if Mr. McHugh is interested in establishing a Shade Tree Commission, Solicitor Gaul recommends that Mr. McHugh review ordinances from other Borough municipalities in the state of Pennsylvania for information, as opposed to New Jersey municipalities, which may operate under different laws..

Hubert McHugh, from the audience, commented on trees within the Borough Right-Of-Way (ROW).

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

A motion was made by Lance Prator, 2nd by Wendy Klug to enact proposed Ordinance 2023-3, as revised. Motion carried 5-1-0. (Patrick McHugh voted No)

Action on Minutes:

A motion was made by Patrick McHugh, 2nd by Lance Prator approving the minutes of the Regular Council Meeting of May 1, 2023, as presented. Motion carried 6-0-0.

A motion was made by Patrick McHugh, 2nd by Wendy Klug approving the minutes of the 4th Monday Council Meeting of May 22, 2023, as presented. Motion carried 6-0-0.

Secretary/Treasurer's Report: Carol Hummel

Bills Presented for Payment:

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

Borough Operations & Borough Operations Already Paid	24,587.88
Sewer Operations & Sewer Operations Already Paid	21,742.26
Portland Contractors, Inc. - WWTP monthly services	2,800.00
Garbage Operations & Garbage Operations Already Paid	5,107.96
Real Estate Tax Account to Fire Tax Account:	442.82
Approximate June payroll & payroll taxes:	5,000.00
Approximate June Sunoco Fleet Gas:	<u>300.00</u>
	\$ 59,980.92

A motion was made by Patrick McHugh, 2nd by Kyle Overfield approving the financial report as presented and the bills presented for payment, in the amount of \$59,980.92. Motion carried 6-0-0.

b) Approved at the May Council meeting was the purchase of a new Computer System and Software for the WWTP, in the verbal quoted amount of \$14,000. The written proposal was received on May 24, 2023, in the amount of \$15,527.27. The difference is \$1,527.27.

A motion was made by Lance Prator, 2nd by Patrick McHugh approving the additional payment amount of \$ 1,527.27 to Innovative Control Solutions and Electrical Services, Inc. for the purchase, configuration, setup, and programming of the new Computer System and Software for the WWTP; and authorizing Stephanie Steele, President of Borough Council, to execute the proposal. Motion carried 6-0-0.

- o The Secretary was directed to attach the certificate of insurance and signed insurance addendum to the proposal.

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

Charles (Chuck) Cooper: Port Mart, 500 Delaware Avenue

Mr. Cooper called earlier in the day and stated he would be unable to attend tonight's meeting.

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

1. Sewer Shut Offs: 510 Northampton Street

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

A letter of correspondence was received from the property owner requesting an extension to pay the delinquent sewer account of \$300 on June 14, 2023, to avoid water shut-off. It was noted that this property owner submitted a previous extension request.

A motion was made by Patrick McHugh, 2nd by Lance Prator granting the extension request to June 14, 2023, close of Borough business hours. Motion carried 6-0-0.

2. Engineer's Report: Van Cleef Engineering Associates, Mark Bahnick

a) Mr. Bahnick reported that RPL East, LLC, Bohler Engineering PA, LLC, has submitted a revised subdivision plan for 5027 River Road, Portland Borough and UMBT. Mr. Bahnick stated to the Secretary that Van Cleef Engineering (Engineer Bahnick) and King, Spry (Solicitor Gaul) would have their review completed for the July 2023 Portland Planning Commission meeting.

b) Councilman Prator inquired whether Sewer Account # 248 has paid their delinquent account by the due date. The Secretary replied yes.

Executive Session:

A motion was made by Lance Prator, 2nd by Patrick McHugh to convene to Executive Session at 7:47 PM. Motion carried 6-0-0.

Discussion: Legal matters with Solicitor Gaul.

A motion was made by Patrick McHugh, 2nd by Kyle Overfield to reconvene from Executive Session at 8:17 PM. Motion carried 6-0-0.

Action Taken:

- o None
- o Mr. Bahnick left the meeting at 8:18 PM.

Streets Committee: Discussions from the May 2023 Street committee meeting.

- a) Purchase two (2) hour parking signs.
- b) Scheduling some maintenance later in the summer.
- c) Street lines were painted.
- d) Lawn mowing has begun
- e) De-icing salt will be ordered to meet the June 30, 2023 deadline.
- f) Reviewing a section of Delaware Avenue where a sinkhole is forming underneath.
- g) Remaining items will be discussed in executive session.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

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

1. The May 2023 Zoning Report was provided in the Council packet.
2. 208 Northampton Street:
 - A certificate of non-conforming use was issued.
3. 427 Delaware Avenue:
 - Was there a sewer application by the new owner?
 - Parking for (7) apartments: President Steele replied that there is a parking exemption in the Zoning Ordinance for Delaware Avenue in the Business District.
 - Are Reservation Fees in place for the property?
 - President Steele will contact Ms. Serfass for the information.
 - Ms. Bucci questioned the permitting process and whether the tapping fees and sewer permit were part of the permitting process.
 - Chairman Prator of the PBA stated that water service would be seven (7) separate water lines and seven (7) separate meters.

5. 394 Delaware Avenue, Portland Steel:

- Ms. Bucci stated that Portland Steel should not be operating on site without water and sewer service. President Steele will contact Ms. Serfass for the information.

UCC Officer Report:

- 427 Delaware Avenue, permit for interior renovations.

Zoning Hearing Board (ZHB):

- None

Planning Commission:

- None

Portland Borough Authority (PBA): Jim Potter, Vice Chairman

No action was taken regarding a Memorandum of Understanding (MOU) between the Borough of Portland and the Portland Borough Authority concerning a rental agreement for the Borough's backhoe on an as needed basis.

Legal: Michael Gaul, Solicitor

- None

Subdivision and Land Development: RPL East, LLC, Plans Extension:

- a) Extension of RPL East, LLC Proposed Subdivision to September 4, 2023.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

b) Extension of RPL East, LLC Proposed Planned Industrial Park to September 4, 2023.

- o Solicitor Gaul exited the meeting at 8:33 PM.

Community Development, & Grants:

1. Hotel Tax Grant, Northampton County:

Discussion: Councilwoman Bucci reported on the Grant Committee Meeting of May 28, 2023

- o The need for an on-call grant writer.
- o URDC did not respond to a request for grant information concerning URDC writing a CDBG for the handicap ramp.

The committee needs approval from Borough Council to submit an application for a Northampton County Hotel Tax Grant for the purchase of signs with either antique postcard pictures or historical facts. The match is 25%, one-half of which can be in kind services, or it may come from donations. The Borough may need to supply the remainder of the match. The Borough's request would be approximately \$15,000 with the Borough share \$1,900 and \$1,900 in kind services. Eligible projects will enhance tourism and/or promote community development within Northampton County.

- o Solicitor Gaul re-entered the meeting at 8:36 PM.

Ms. Klug asked if ideas can be submitted by the public. Yes, was the reply.

A motion was made by Kay Bucci, 2nd by Lance Prator authorizing the Grant Committee to prepare an application for submittal to the Northampton County 2024 Hotel Tax Program Grants for Non-Profits and Municipalities. Motion carried 6-0-0.

2. DCNR Grant Update Kay Bucci

- o Grant Writer Joanne Conley has retired.
- o Ms. Bucci stated that the Borough will be able to move forward with the property survey for the Master Plan Recreation Grant with the left-over demolition grant monies designated in the amendment for this action.

3. Parking & Street Signs:

- o Councilwoman Klug asked about the parking spaces at the former site of the Gymnasium. Ms. Steele replied that there were two (2) spaces.
- o Cindy Fish, from the audience, commented that two (2) hour parking spaces are being reinstalled downtown in the business district.
- o Ms. Bucci suggested that the Council could update the parking ordinance. There are No Parking signs in the basement of the municipal building.

4. Slate Belt COG: Lance Prator, Chairman

a) The Slate Belt COG met on May 24, 2023. The next meeting is scheduled for June 28, 2023.

b) Lance Prator and Wendy Klug attended the meeting.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

b) The COG is working on a grant for a "nifty lift".

5. Community Events:

a) The Community Yard Sale event and Memorial Day weekend was a success. Businesses participated in sidewalk sales.

b) The next Sundae Sunday will be held downtown on June 25, 2023 from 6:30 – 8:30 PM.

c) Tentative Fall Event for October 21, 2023.

6. Master Plan DCNR Grant for Recreation: URDC

- o None

Police Report:

- o The police report for the month of May 2023 was provided in writing by Chief Mulligan.

Mayor's Report:

- o New hire, Officer Howe was sworn in before the Council meeting.
New hire, Officer Milkovits will be sworn in next week.
- o Attended Plan Slate Belt committee meeting to discuss Portland's participation.
- o Attended and provided feedback at the LVPC review of RPL Planned Subdivision.
- o Participated in the annual Portland Community Picnic.
- o Working with Northampton County on possible grant monies for Founders Day.

Sanitation Committee Report: Wendy Klug

- o Mayor Fischer exited the meeting at 8:55 PM.
1. The committee continues to investigate the BigBelly trash containers.
 2. Investigation of the trash and possible source at the Park & Ride Lot.
 3. The committee will approach Lamtec, Air Liquide, and Ultra-Poly for help in resolving the trash and cigarette butt issues.
Address no smoking policy.
 - o Mayor Fischer reentered the meeting at 8:58 PM.
 4. Ms. Klug will follow up concerning the letter to PORT2Flavors regarding proof of a commercial garbage contract.
 5. Ask for Council approval to send a letter to Delsea Grove, LLC concerning tenant trash that is placed in Borough public receptacles. Ms. Klug will work with the billing clerk, Ms. Diann Eden, to prepare trash disposal flyers for tenant's doors.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

6. Investigate 306 State Street that is placing garbage curbside for pick up without paying for garbage service.

Building Committee: Kay Bucci

1. Ms. Bucci provided a Cost Comparison for Construction of a New Handicap Ramp from Schoonover & Vanderhoof, Architects, LLC, East Stroudsburg, PA.

Services include:

- a) Documenting of Existing Conditions.
- b) Code review.
- c) Probable cost of construction.
- d) Letter/Report.

The fee to provide the above services is \$780.00. No action was taken.

2. A response was not received from URDC concerning CDBG Grants.

3. Ms. Bucci stated that a ten (10) year plan needs to be developed for Borough projects. Mr. McHugh replied that the entire municipal building needs attention. The committee should sit down with an architect or engineer. Ms. Bucci stated that the residents should decide.

4. Ms. Steele stated that the handicap ramp needs to be repaired now, also added to the cost will be prevailing wage and construction costs. The building must be made handicap accessible. Ms. Klug suggested that portable ramps are very attractive and should be investigated.

A motion was made by Patrick McHugh, 2nd by Wendy Klug for the Borough to pay the maintenance staff to devise a plan and purchase materials to repair the handicap ramp.

Discussion:

Councilman Prator stated that he doesn't see the handicap ramp being done anytime soon. There are other immediate needs of the maintenance staff; grass mowing, trimming, the WWTP reed beds, and other maintenance needs.

Roll call of votes: Yes: McHugh, Klug
 No: Overfield, Steele, Bucci, Prator

Motion failed 2-4-0

A motion was made by Patrick McHugh, 2nd by Lance Prator to seek proposals for a portable ramp.

Discussion: Ms. Bucci replied that the architect stated that a portable ramp could not be done.
 Ms. Steele stated that the Borough needs another opinion from a different architect.

Motion carried 5-1-0 (Kay Bucci opposed)

Liberty-Water Gap Trail Alliance: Cindy Fish

The Alliance met on May 17, 2023 at the UMBT Community Park Pavilion at 10 AM.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

- The Alliance plans on meeting with PennDOT and PA State Representative Ann Flood.
- Ms. Fish requested a letter of support for the construction and extension of the Liberty Water Gap Trail from the Borough of Portland to Delaware Water Gap (DWG) Borough. A sample letter has been provided by DWG Borough. The Secretary will prepare the letter for approval at the July 3, 2023 meeting.

Budget, Finance, Insurance & Cable TV Contract:

Executive Session:

A motion was made by Patrick McHugh, 2nd by Lance Prator to convene to Executive Session at 9:28 PM. Motion carried 6-0-0.

Discussion: Personnel/Legal advice with the Solicitor.

A motion was made by Patrick McHugh, 2nd by Lance Prator to reconvene from Executive Session at 9:53 PM. Motion carried 6-0-0.

Action Taken:

1. A motion was made by Patrick McHugh, 2nd by Lance Prator raising the hourly rate of the Billing Clerk, Diann Eden, to \$17.00 per hour, effective the next payroll cycle. Motion carried 6-0-0.

- Councilwoman Buccj exited the meeting, which was via telephone communication speaker phone, at 9:55 PM.

2. A motion was made by Patrick McHugh, 2nd by Kyle Overfield approving maintenance employee James Potter's working hours up to (20) hours per week, replacing the original hire of an as needed basis and maintaining his current hourly rate of \$20.00 per hour. Motion carried 5-0-0.

Slate Belt Rising Committee (SBRC): Stephanie Steele

- a) The committee meets Thursday June 8, 2023 at 9:00 AM via Zoom communications.
- b) A mural was painted on the side of the Portland Auto Repair garage at 400 Delaware Avenue.
- c) Slate Belt Rising has applied for a Hotel Tax Grant for Kayak Racks for 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:

- Done earlier in the meeting.

New Business:

a) Discussed discretionary funding for the Community Events Committee concerning a community Founders Day celebration in October. If the Borough is approved for grant funding, the monies will be provided by Northampton County.

BOROUGH OF PORTLAND
COUNCIL MEETING JUNE 5, 2023

b) Discussed was updating the sewer ordinance concerning grease traps.

Public Non-Agenda:

- None

Adjourn:

- The Fourth Monday meeting of the Portland Borough Council will be held on Monday, June 26, 2023, at 7:00 PM, unless cancelled by President Steele.
- The next regular meeting of the Portland Borough Council will be held on Monday, July 3, 2023, at 7 PM.
- A motion to adjourn the meeting at 10:11 PM was made by Patrick McHugh, 2nd by Wendy Klug. Motion carried 5-0-0.

Respectfully Submitted,

Carol A. Hummel

Carol A. Hummel, Secretary

