



**Borough of Portland Council Meeting Minutes
February 5, 2024**

On February 5, 2024, at 7:00 PM, the Borough Council of the Borough of Portland, Northampton County, Pennsylvania, met for a regular meeting at the Portland Borough Municipal Building, 206 Division Street, Portland, Pennsylvania.

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

Pledge of Allegiance was recited.

Roll Call – Council Members: Lance Prator, President, Stephanie Steele, Vice-President, Karen Pfeiffer (arrived at 7:02 P.M.) and Lisa Prator were present. Patrick McHugh - Absent

Others Present – Mayor Heather Fischer, Borough Solicitor Michael Gaul, and Borough Secretary Lori Sliker were present. Also present were Hubert McHugh, Jerry Fleisher, Tara Mezzanotte, Richard Wilford-Hunt, Pastor Phil, Jimmy Potter, Michael Sullivan, Tim Hess, and Richard Diaz. Borough Engineer - Mark Bahnick was absent.

Announcement of Recording – President Prator announced that the meeting was being digitally recorded for assistance in preparation of the minutes; and asked whether anyone else, besides the Borough Secretary, was recording tonight's meeting. Mayor Fischer and Richard Wilford-Hunt stated that they were recording the meeting for their personal use. No other attendees stated that they were recording the meeting.

Editor's note: Recording of the meeting by Mayor Heather Fischer, 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.

Approval of the Meeting Agenda and any Amendments:

Councilmember Stephanie Steele stated that Richard Diaz, Portland Auto Repair, requested that he be allowed to address the Council under Public Comment; however, he will be a little late.

A motion was made by Councilmember Stephanie Steele to amend the agenda to allow Richard Diaz, Portland Auto Repair to speak under Public Comment, seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

The Treasurer's Report was mistakenly omitted from the agenda and, as a result, would be discussed and acted on at a later meeting.

Action on the Meeting Minutes:

January 2, 2024, Minutes

A motion was made by Councilmember Stephanie Steele to approve the January 2, 2024, minutes as presented, seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Public Comment: Pastor Phil used his public comment time to make a prayer for the Borough Council. Jimmy Potter attended on behalf of the Portland Hook & Ladder Fire Department regarding the grease traps and has asked for some guidance regarding the letter they received. Solicitor Gaul suggested this matter be addressed at the next Sewer Committee meeting. Councilmember Stephanie Steele agreed that Jimmy Potter

**Borough of Portland Council Meeting Minutes
February 5, 2024**

should attend the next Sewer Committee meeting.

Mayor Fischer left the meeting at 7:07 P.M., and returned at 7:08 P.M.

A motion was made by Councilmember Stephanie Steele to defer the grease trap situation for the Portland Hook and Ladder Fire Company-Jimmy Potter to the next Sewer Committee meeting - 4th Wednesday of February, seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Borough Engineer's Report: None

Sewer Committee:

Sewer Capacity Study – Councilmember Stephanie Steele advised the Council to continue to consider their discussions from the last Executive Session. The Sewer Plant continues to have problems; Councilmember Stephanie Steel received a call January 29, 2024, advising that the white milky substance was once again in the sewer. They are awaiting the test results. Council received the DMR report in the Council packet along with the DMR report.

Streets Committee:

President Lance Prator advised that Councilmember Patrick McHugh has spoken with Fred and Jimmy about putting salt or cinders on Market Street, Weidman Street and Zeeman Street which are icy at times.

Crestmont Street- the Engineer provided a possible solution – dig 10 feet around sewer and 1 foot down put 6” modified and then concrete on top. President Prator asked if it should be contracted out or have it done in house. Councilmember Karen Pfeiffer asked if we save money when we do it in-house; President Prator advised the last two in-house jobs went way over budget. Quotes will be obtained, and the Borough Engineer will provide the specifications for the job.

Store Front - Councilmember Patrick McHugh has spoken to former Mayor Bucci about the storefront tree.

Clearing Ball Field and Removing Brush and Small Trees will be taken care of by the Borough's Maintenance Department. Hallet Contractor Quote \$4,375.00 – need to clean pipes under Crestmont Street.

The purchase of a truck load of hot patch for Weidman & Northampton Streets – should fill the holes, which should not exceed \$800.00; this work cannot take place until the weather warms up around May. - Tabled until May.

Street Sweeper rental from Slate Belt COG – for the 1st weekend in May 2024, 2-day rental at \$100.00 a day. Mayor Fischer advised that last year, notifications to remove cars from the streets were on the website and Facebook; however, the paper notices were not placed on the cars, which resulted in cars being left on the streets. Therefore, it was decided to place the paper notices on the cars the day before the street cleaning.

A motion was made by Councilmember Stephanie Steele to rent the street sweeper on the first weekend in May for \$100.00 per day and that notices be placed on the cars the day before, seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

President Prator advised that the new 2024 – 2025 Salt Contract from Co-Stars is available; he advised that we have not used a lot of salt this year so we can reduce our order from 75-100 tons down to 50 tons.

Borough of Portland Council Meeting Minutes

February 5, 2024

A motion was made by Councilmember Lisa Prator to purchase 50 tons of Salt for next year through the 2024-2025 Co-Stars contract; seconded by Councilmember Stephanie Steele. Vote 4-0-0; Motion Carried.

A motion was made by Councilmember Stephanie Steele to allow Richard Diaz, Portland Auto Repair to address the Council; seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Richard Diaz, Portland Auto Repair advised he was away when the letter came regarding the sewer trap installation. Solicitor Gaul suggested that Mr. Diaz's concern was a technical matter, and he should also attend the next Sewer Committee Meeting. Richard Diaz advised that he has an issue with the curbing in front of his garage bay, and if the curb is closed-off, he will no longer be able to use the front garage door. In addition, he would like to put a small building behind his garage, however there is an issue with Dunkin Donuts. Solicitor Gaul advised Mr. Diaz that he should have his Engineer talk to the Borough Engineer, Mark Bahnick. In addition, Solicitor Gaul advised they may need SALDO approval and building/zoning permits.

A motion was made by Councilmember Stephanie Steele to have Mr. Diaz attend the next Sewer Committee Meeting, seconded by Councilmember Karen Pfeiffer. Vote 4-0-0; Motion Carried.

Legal:

Solicitor Gaul advised that the Resolution Declaring and Recognizing Indigenous People's Day is ready for review and will be placed on March's agenda. Once the Mayor sends the Solicitor her comments, they will send it out to Council. Mayor Fischer advised that the Resolution Solicitor Gaul prepared was fine and could be distributed to the Council.

Solicitor Gaul advised that the Fleisher's Joinder Deed Resolution is ready for Council's review/approval. The Fleisher's have completed all their tasks and are ready for review. Solicitor Gaul reviewed the resolution and asked for Borough's consideration and approval.

A motion was made by Councilmember Stephanie Steele to adopt Resolution 2024-04 RESOLUTION APPROVING FLEISCHER JOINDER DEED; seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Proposed RESOLUTION RE-AFFIRMING BOROUGH COUNCIL RESOLUTION 97-12; DECLARING SUPPORT FOR THE LOWER DELAWARE WILD AND SCENIC RIVER TRIBUTARY EXPANSION PROJECT; DECLARING SUPPORT FOR THE PRINCIPLES OF THE LOWER DELAWARE WILD AND SCENIC RIVER MANAGEMENT PLAN AND MEMORANDUM OF UNDERSTANDING; AND PROVIDING FOR OTHER MISCELLANEOUS MATTERS.

Solicitor Gaul and Tara Mezzanotte have discussed this resolution. Solicitor Gaul provided a history for the Council from Congress's initial authorization for a study to add the Lower Delaware River to the National Wild and Scenic River System to the present day; Portland adopted a supporting resolution in 1997, but the federal government did not designate the Portland section as wild and scenic. Solicitor Gaul advised that LDWSR Management Council is revisiting it now and Tara Mezzanotte is here now asking that the Borough consider joining. The new resolution is to (1). Reaffirm Borough Council Resolution 97-12. (2). Borough Council declares support to Tributary Expansion Project. (3). Adding Portland Borough Delaware River segment Jacoby Creek to the system. 4. Continue to support principles of the Management Plan. 5. Continue to support principles of the Memorandum of Understandings.

Solicitor Gaul advised the Council they should read the Plan and the MOU; someone will be expected to go to

**Borough of Portland Council Meeting Minutes
February 5, 2024**

meetings and keep Council advised. The Memorandum of Understanding is 30 years old, and he has some concerns with some of its contents. For example, Portland has a sewer plant. If there was conflict, would the Borough prioritize the sewer plant or the river. The Borough should establish a committee to review these. Tara Mezzanotte advised that they will be updating the Management Plan and that would be an opportunity to address some of these issues. Solicitor Gaul advised that because of Portland's size he would not anticipate a lot of problems; however, Solicitor Gaul wants to speak to the National Park Service.

A motion was made by Councilmember Stephanie Steele to table this resolution until next month; seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Tara Mezzanotte advised she is representing Knowlton and Hardwick Twp at meetings with NJDOT. No other municipalities have been included since 2020. Upper Mount Bethel wrote a letter to NJDOT stating that they wanted to be included and Tara Mezzanotte can participate for Upper Mount Bethel. For Portland to be included we would need to remind NJDOT Portland desires to continue to be included. The secretary will write a letter to NJDOT indicating that Portland wants to continue to be included in their updates. Ms. Mezzanotte recommended the Borough let DOT know that you want to be included with and initiate interstate dialog and expect to continue to participate in local state briefings as we have in the past.

A motion was made by Councilmember Karen Pfeiffer that the Borough Secretary send a letter to NJDOT stating that the Borough expects to continue to participate in local briefing as we have in the past, seconded by Councilmember Lisa Prator. Vote 4-0-0; Motion Carried.

Subdivision and Land Development (SALDO):

RPL, East LLC Proposed Subdivision Plan March 4, 2024 expiration.

RPL, East LLC Planned Industrial Park Plan, March 4, 2024 expiration.

Ultra Poly Building 3 Preliminary Land Development Plan

RESOLUTION GRANTING CONDITIONAL APPROVAL OF PRELIMINARY LAND DEVELOPMENT PLANS FOR ULTRA-POLY BUILDING THREE; AND AUTHORIZING FURTHER INCIDENTAL ACTION BY BOROUGH OFFICIALS (Resolution 2024-05)

Solicitor Gaul reviewed proposed Resolution 2024-05, a copy of which had been circulated to the Borough Council prior to the meeting.

A motion was made by Stephanie Steele to adopt proposed Resolution 2024-05 ; seconded by Lisa Prator. Vote 4-0-0; Motion Carried

President Prator asked about the March 4, 2024, expiration dates. Solicitor Gaul advised that if RPL offers an extension, the action on the extension can wait until the March 4, 2024, meeting; otherwise, the Borough Council needs to be prepared to take action on the Plans at the February 26th meeting.

Police Report: Mayor Fischer advised it was a quiet month and that Officer Howe has resigned. The Mayor has posted that they are looking for Officers; she has received 3 applicants. Councilmember Stephanie Steele asked if a resignation was received, and can the Borough get a copy for the file so he can be taken off the payroll and insurances. Mayor Fischer will ask Chief Mulligan for his resignation.

Mayor's Report: The Mayor has been attending meetings regarding the closure of Rt. 611 which has included Federal involvement and how it has impacted Portland. Lehigh Valley Strategy Meeting, Create Resilience

Borough of Portland Council Meeting Minutes

February 5, 2024

Pub form meetings. Once the in-depth templates are completed there will be a map which we keep - paid for by a grant. Representative Flood asked for help in getting signatures; the mayor went out and was able to get signatures; while the mayor was out getting signatures, she received a lot of positive feedback about things going on. Received a 2024 Founders Day grant from the county and a separate grant for Pow Wow this year. NARCAN training is being scheduled - possibly in April.

Portland Community Events Committee: Councilmember Stephanie Steele advised they received 2024 Hotel Tax Grant Award for \$5,000.00 for Portland Founder's Day. Once they receive the approval a motion will need to be made to accept it. Leave it on the agenda until we receive approval.

COG: President Prator advised that COG has a camera that can be used in Wastewater Treatment. Stephanie Steel stated that additional training in the use of the camera may be needed. The Camera is \$150.00 a day vs. \$4000.00.

Sanitation Committee: Recycling Grant Update- President Prator advised he has called Waste Management regarding a recycling training. Bid Solicitation for the garbage collection contract should occur as soon as possible.

A motion was made by President Lance Prator to authorize and advertise the bid solicitation for the garbage contract; seconded by Councilmember Karen Pfeiffer. Vote 4-0-0; Motion Carried.

Budget, Finance, Insurance & Cable TV Contract: None

Plan Slate Belt: President Prator advised he has a draft resolution for review. They received our letter which they are reviewing now. Don Moore resigned from Plan Slate Belt.

Slate Belt Rising: Kayaks – Councilmember Stephanie Steele advised that they are still working on placement of the Kayaks; and they are pushing for new businesses to come into the Borough.

Correspondence:

Old Business:

Portland School Tax: Solicitor Gaul advised that additional research has to be done.

Assistant Solicitor appointment: No action.

Vacancy Board Chair appointment: No action.

BACIDA Appointments: No action.

New Business:

Pick-up Truck failed inspection - President Prator advised that the pickup truck failed inspection; no rocker panels which can be welded back on. It could cost approximately \$3,000.00 to repair. Fred sent a bid for a pickup truck for 8,000.00. Tim Hess said he would look at repairing the rocker panels; however, Solicitor Gaul cautioned him against it because if something should happen, he would not be insured, and he could be held accountable. Tim Hess will reach out to a friend who is an insured welder and see if he can help the Borough. Councilmember Stephanie Steele said if there was a grant then perhaps, we could investigate a new truck.

Borough of Portland Council Meeting Minutes
February 5, 2024

Laptop – Borked P.C. Bango – President Prator advised that the Secretary has approached him and Councilmember Steele about a replacement for the computer. Councilmember Steele advised Council that the current computer is very, very slow and by replacing it with a laptop it can be connected to a larger screen in the office and can be used in the Council Room when needed. Councilmember Steele will contact Borked PC in Bangor for prices to bring back to the Council. Solicitor Gaul advised that when they transfer data, none of it can be lost.

Interest in Council Seat-S. Ivancich – Ms. Ivancich attended the meeting. President Prator advised that to qualify she has to be a resident for 1 year and registered to vote here. Ms. Ivancich said she has been a resident for 18 years and is registered to vote. There were no other questions for Ms. Ivancich. After some discussion Ms. Ivancich will be appointed by Resolution at the end of February or March to join the Council. The Council will adopt the resolution to appoint Ms. Ivancich and she will have to complete the paperwork and take the oath.

Interest in Council Seat – Bruce Cialfi – Councilmember Stephanie Steele advised that the Borough has received a letter of interest from Mr. Cialfi; however, a letter should be sent to him advising of requirements to be on Council: 1 year residency and registered to vote; the Secretary will contact Mr. Cialfi.

Portland Hook & Ladder 2023 information – President Prator provided a quick overview of the Portland Hook & Ladder Co. #1 annual report from Chief Potter; they had 115 calls in 2023 which 20 were in Portland Borough.

Seasonal Borough Maintenance (ex: mowing) Councilmember Karen Pfeiffer stated we had previously discussed a seasonal mower to cut the larger sections of lawn this year; Council needs to decide what areas need to be mowed and perhaps snow plowing next winter - we should start getting some quotes. Councilmember Stephanie Steele stated this should be referred to the Streets Committee.

Time Trax Clock & Cards - \$250.00 – Councilmember Stephanie Steele advised that the current Time Trax Clock which was purchased in 2013 is no longer working; she is asking that a replacement be approved for approximately \$250.00.

A motion was made by Councilmember Stephanie Steele to approve a new Time Trax System & Cards be ordered for \$250.00, seconded by Councilmember Karen Pfeiffer. Vote 4-0-0; Motion Carried.

UMBT Meeting February 28 – UMBT invited Borough officials, along with representatives from other municipalities, to attend a meeting at the Township for Township officials to hear about potential impacts of the RPL project on other municipalities. Solicitor Gaul advised that Councilmembers could attend, but they could not conduct any agency business, and that no council member was authorized to speak on behalf of the Borough. A council member could only provide his or her own personal view.

Councilmember Stephanie Steele asked about the Sewer Committee, which currently has 3 Councilmembers on the committee, which would be a sufficient number of Councilmembers for a quorum of Council. Solicitor Gaul advised that, while the Borough Council does not consider discussion occurring at the committee level to constitute Borough Council official action, the Borough should err on the side of caution and omit one person until Ms. Ivancich joins the Council.

Secretary Announcements: None

Borough of Portland Council Meeting Minutes

February 5, 2024

Public Comment: Non-Agenda: Tim Hess advised it is almost time to take his camper down the road and asked for an update on the tree branch removals. Mayor Fischer advised that Jimmy Potter is going to figure out how many trees need to be cut down and he will get with the police soon.

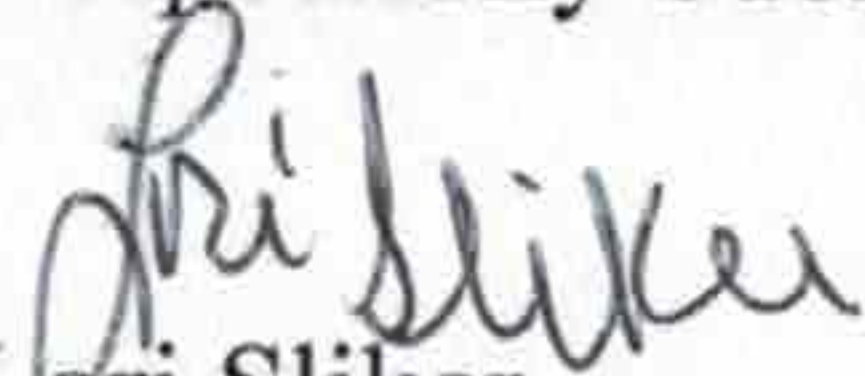
Executive Session: None

Any Business after Executive Session: None

Adjournment: A motion was made by Councilmember Lisa Prator to adjourn the meeting at 9:10 P.M., seconded by Councilmember Stephanie Steele. Vote 4-0-0; Motion Carried.

Next Borough Council Meetings: February 26, 2024
March 4, 2024

Respectfully Submitted,


Lori Sliker
Borough Secretary

