



**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

On January 2, 2024, at 7:00 P.M. The Borough Council of the Borough of Portland, Northampton County, Pennsylvania, met for its organizational and regular meeting at the Portland Borough Municipal Building, 206 Division Street, Portland, Pennsylvania.

Call to Order –Mayor Heather Fischer called the meeting to order at 7:00 P.M.

Pledge of Allegiance was recited.

Roll Call – Council Members Present: Stephanie Steele, Lance Prator, Lisa Prator, Karen Pfeiffer, Patrick McHugh

Others Present: Mayor Heather Fischer, Borough Solicitor Michael Gaul, Borough Engineer Mark Bahnick, Borough Secretary Lori Sliker. Resident Hubert McHugh, and Ultra-Poly representatives David La Fiura and Adam Citrullo of Bohler Engineering.

Secretary's note: Prior to the meeting, Mayor Heather Fischer administered the oath to Borough Council members Stephanie Steele and Karen Pfeiffer at 6:50 P.M.

Announcement of Recording – Mayor Fischer announced that the meeting was being digitally recorded for assistance in preparation of the minutes. Mayor Fischer asked if anyone, besides the Borough Secretary, would be recording tonight's meeting. No other attendees are recording the meeting.

Organization of Council: Mayor Fischer presided over the election of the President and the Vice President of the Council.

Council President: Councilmember Patrick McHugh nominated Councilmember Lance Prator for Council President. There were no other nominations. Councilmember Lance Prator was elected Council President, with Karen Pfeiffer and Patrick McHugh voting in favor of his election, Stephanie Steele voting against and Lisa Prator and Lance Prator abstaining.

Solicitor Gaul arrived at 7:06 P.M.

Council Vice President: Councilmember Karen Pfeiffer nominated Councilmember Patrick McHugh for Council Vice President. The election of Patrick McHugh for Vice President was unsuccessful, with Karen Pfeiffer and Patrick McHugh voting in favor of his election, and Lisa Prator, Lance Prator and Stephanie Steele voting against it.

Councilmember Lisa Prator nominated Councilmember Stephanie Steele for Council Vice President. Stephanie Steele was elected Vice President, with Lisa Prator and Lance Prator voting in favor of her election. Karen Pfeiffer and Patrick McHugh voting against it. Stephanie Steele abstaining and Mayor Fischer voting to break the tie vote in favor of Stephanie Steele's election.

The Council election results were as follows:

New Council President: Lance Prator

New Council Vice-President: Stephanie Steele

Mayor Fischer handed the meeting over to Council President Lance Prator.

Approval of the Meeting Agenda and any Amendments:

A motion was made by Councilmember Patrick McHugh to approve the meeting agenda as posted,

**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried

Council Appointments: The Borough Council discussed and took action on the following appointments:

Borough Secretary: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Lori Sliker as Borough Secretary. Vote: 5-0-0; Motion Carried.

Borough Treasurer: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Lori Sliker as Borough Treasurer. Vote: 5-0-0; Motion Carried.

Assistant Secretary: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Diann Eden as Assistant Secretary. Vote: 5-0-0; Motion Carried.

Assistant Treasurer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Patrick McHugh to appoint Diann Eden as Assistant Treasurer. Vote: 5-0-0; Motion Carried.

Solicitor: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to appoint KingSpry Law Firm – Michael Gaul representing as Solicitor at the rates stated in Solicitor Gaul's letter dated September 18, 2023. Vote: 5-0-0; Motion Carried.

Assistant Solicitor: No action.

Borough Engineer: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Mark Bahnick – VanCleaf Engineering as Borough Engineer at their current rates. Vote 5-0-0; Motion Carried.

Alternate Borough Engineer: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to appoint Jeffrey Ott- Ott Engineering as Alternate Borough Engineer at the rates stated in Ott's letter dated October 26, 2023. Vote 5-0-0; Motion Carried.

Sewage Enforcement Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Patrick McHugh to appoint Jeffrey Ott – Ott Engineering as Sewage Enforcement Officer at the rates stated in Ott's letter dated October 26, 2023. Vote 5-0-0; Motion Carried.

Zoning Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Karen Pfeiffer to appoint Tina Serfass – Keller Zoning as Zoning Officer. Vote: 5-0-0; Motion Carried.

Code Enforcement Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Karen Pfeiffer to appoint Tina Serfass – Keller Zoning as Code Enforcement Officer. Vote: 5-0-0; Motion Carried.

Building Code Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Karen Pfeiffer to appoint Keller Zoning as the Borough Building Code Official at the rates as stated in their letter dated November 9, 2023. Vote: 5-0-0; Motion Carried.

Uniform Construction Code Officer: A motion was made by Councilmember Karen Pfeiffer, seconded

**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

by Councilmember Lisa Prator to appoint Tina Serfass – Keller Zoning as Uniform Construction Code Officer. Vote: 5-0-0; Motion Carried.

Flood Plain Administrator: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Karen Pfeiffer to appoint Tina Serfass – Keller Zoning as Flood Plain Administrator. Vote: 5-0-0; Motion Carried.

**Vacancy Board Chair: Tabled – Solicitor Gaul advised the Council how important this position is and that the person selected should be a resident of Portland that is not on Borough Council. No action at this time, this will remain on the agenda until an appointment is decided upon.
Recreation of Board Chair: tabled - no action.**

Planning Commission: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to appoint Jack Bellis to the Planning Commission for 4-year term. Vote 5-0-0; Motion Carried.

Zoning Hearing Board: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Steve Becker to the Zoning Hearing Board for a 3-year term. Vote: 5-0-0; Motion Carried.

Zoning Hearing Board Solicitor: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to authorize the Zoning Hearing Board to appoint Scott Amori as the Hearing Board Solicitor at his current rate. Vote: 5-0-0; Motion Carried.

Health Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Patrick McHugh to appoint Anita Einolf as Health Officer at her current rate. Vote: 5-0-0; Motion Carried.

Right-To-Know Officer: A motion was made by Councilmember Lisa Prator seconded by Councilmember Karen Pfeiffer to appoint Lori Sliker as Right-To-Know Officer. Vote: 5-0-0; Motion Carried.

Assistant Right-To-Know Officer: A motion was made by Councilmember Lisa Prator, seconded by Councilmember Patrick McHugh to appoint Diann Eden as Assistant Right-To-Know Officer. Vote: 5-0-0; Motion Carried.

Tax Collection Committee Delegate: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to appoint Lori Sliker as the Borough's Primary Tax Collection Committee Delegate. Vote 5-0-0; Motion Carried.

Alternate Tax Collection Committee Delegate: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint Lance Prator as the Borough's Alternate Tax Collection Committee Delegate. Vote 5-0-0; Motion Carried.

Council of Governments Representative: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to appoint Lance Prator as the Borough's Council of Governments Representative. Vote 5-0-0; Motion Carried.

Alternate Council of Governments Representative: A motion was made by Councilmember Karen

**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

Pfeiffer, seconded by Councilmember Patrick McHugh to appoint Lisa Prator as the Borough's Alternate Council of Governments Representative. Vote 5-0-0; Motion Carried.

Air Liquide Representative: A motion was made by President Prator; seconded by Councilmember Patrick McHugh to appoint Stephanie Steele as the Air Liquide Representative. Vote 5-0-0; Motion Carried.

Alternate Air Liquide Representative: A motion was made by Councilmember Patrick McHugh; seconded by Councilmember Karen Pfeiffer to appoint Jimmy Potter as the Alternate Air Liquide Representative. Vote 5-0-0; Motion Carried.

Slate Belt Rising Representatives: Councilmember Stephanie Steele has been the representative, and a reappointment is not required; however, an alternate person should be considered. No action taken on the appointment of an alternate.

Slate Belt Rising Steering Committee: Councilmember Stephanie Steele has been the representative, and a reappointment is not required; however, an alternate person should be considered. No action taken on the appointment of an alternate.

Emergency Management Coordinator: A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Karen Pfeiffer to appoint/nominate Jimmy Potter & James Steele as the Emergency Management Coordinators. Vote: 5-0-0; Motion Carried.

Bonds for the Borough Treasurer & Assistant Treasurer: Councilmember Stephanie Steele advised that the bond for Treasurer Bond is \$600,000 and \$300,000 (Real estate taxes & all other accounts) which is currently through Brown & Brown. The cost for the bonds: \$550.00 and \$370.00 a year.

A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to maintain the \$600,000. and \$300,000. Bonds for Lori Sliker, Treasurer through Brown & Brown. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Patrick McHugh, seconded by Councilmember Lisa Prator to maintain the \$600,000. and \$300,000. Bonds for Diann Eden, Assistant Treasurer through Brown & Brown. Vote 5-0-0; Motion Carried.

Resolution 2024-01 – Establishing New Permit Fees Under the Building Code: A motion was made by Councilmember Patrick McHugh to adopt Resolution 2024-01 approving the new permit fees under the Building Code, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Resolution 2024 - __ - Lower Delaware National Wild & Scenic River – Tabled no action at this time.

Portland Borough Authority Appointment: Vacant Seat – President Prator advised there has been no interest for this seat - no action.

Action on Minutes: No action

Secretary/Treasurer Report: Lori Sliker, Treasurer

Approve the December 2023 Financial Report, the bills presented for payment in the amounts of:

Bills Presented for Payment:

**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

Borough Operations	\$ 23,308.97
Sewer Operations	\$ 15,568.57
Garbage Operations	\$ 799.14
Estimate Payroll & Payroll Taxes, January 2023	\$ 6,300.00
Estimate WEX Sunoco Fuel, January 2023	\$ 550.00
New Demi Rd. Escrow – KingSpry, VanCleaf	\$ 426.00
RPL EAST Escrow – VanCleaf	\$ 1,113.00
Community Events Escrow- Home Depot	\$ 354.81
<u>TOTAL</u>	<u>\$ 48,420.49</u>

Approve funds transfer of \$60,000.00 from the Real Estate Tax Fund to the General Account Fund to cover expenses for next two months.

A motion was made by Councilmember Patrick McHugh to approve the December 2023 Financial Report, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Patrick McHugh to transfer \$60,000.00 from the Real Estate Fund to the General Fund to cover expenses. seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

Borough Engineers Report: Borough Engineer Mark Bahnick advised that Ultra Poly representatives are present and the Ultra Poly Building 3 Preliminary Land Development Plan – consideration of and decision on application.

Solicitor Gaul advised that he had reviewed the Proposed Plans and had some questions. He asked if the Borough Council members had had an opportunity to review the Plans and other materials, as they would need to vote on them.

Solicitor Gaul asked Mr. Bahnick whether Ultra Poly had filed an application with the Borough, or simply provided a copy of the Plans to the Borough as a courtesy. Solicitor Gaul wanted to know the context of the Borough's review of the Plans, in order to understand what process would need to be followed. Solicitor Gaul said that the Plan set he received only contained a copy of a letter from Bohler Engineering to the Township, with a copy to Portland. Mr. Bahnick responded that, subsequent to Bohler's correspondence to the Township, Ultra Poly had submitted a formal SALDO application to the Borough.

Solicitor Gaul pointed to several errors in the Plan Notes, including the reference to on-lot sewer, and that the sewer service would be purportedly provided through an Authority which did not own the Borough sewer system. Mr. Citrullo acknowledged those errors needed to be corrected. Solicitor Gaul also pointed out the absence of a reference to the Borough of Portland in the various certifications, notes and covenants. Mr. Citrullo explained that initially Ultra Poly only intended to file the Plan with the Township, and only recently submitted the Plan to the Borough at the direction of the Township. Ultra Poly would revise the Notes, certifications, and covenants to include Portland. Solicitor Gaul explained to Mr. Citrullo that the sections of Demi Road were owned by the municipality in which it laid, and that the Township and Borough had an inter municipal agreement whereby the Township maintained the whole road. Mr. Citrullo stated that he was not aware of the status of the road.

Solicitor Gaul asked for clarification regarding the sewer utility lines on the Plans; will there be earth disturbances in the Borough; what improvements are going to be put into the road. Ultra Poly representative Adam Citrullo, Bohler Engineering clarified that the new building will be connecting to an existing manhole/sewer line in Demi Road, and the sewer main will not need to be extended; the building sewer lines

Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024

are on the plans but difficult to see; approximately 2,500 square feet of property is in the Borough; a retaining wall and landscaping will be on Borough property along with some storm-water pipes. Installation of storm sewer pipes and some storm water will go through the Borough. Clarification continued regarding the Borough's property, sewer pipes and roads.

Solicitor Gaul asked Mr. Bahnick about the conditions to any approval by the Borough Council. Mr. Bahnick stated that the Applicant's satisfactory compliance with his review letter was the only necessary condition.

Solicitor Gaul asked whether a traffic study should be required. Solicitor Gaul noted that prior Borough approvals for subdivision and land development in the Portland Industrial Park had been based on the property owner taking the necessary step to address needed permitting and improvement in the event that traffic would exceed the HOP for the Park. Mr. Citrullo stated that the project's traffic count was included in the traffic study and HOP application that New Demi Road was pursuing for the Demi Road – River Road intersection. Mr. Bahnick said that the issue of the need for a new HOP is addressed in his review letter. Solicitor Gaul asked the Ultra Poly representatives if they understood that their Plans would not be approved unless they or New Demi Road obtained a new HOP, to which they responded that they understood that.

Solicitor Gaul asked Mr. Bahnick whether he had reviewed the sanitary sewer infrastructure in the Plans. Mr. Bahnick stated that the issue of sanitary sewer would be reviewed as part of a separate submission and his review letter makes that clear. Solicitor Gaul asked the Ultra Poly representatives if they understood that it was up to the Borough to determine how, when and if the Borough would provide sewer service. The question of sewer service would be handled through a separate review process and would not be decided tonight. The Ultra Poly representatives said they understood that.

Solicitor Gaul advised the Borough Council that it would need to render a decision tonight on the Plans, or an additional extension would be necessary. Mr. La Fiura advised an extension could be approved through March 4, 2024. Mr. La Fiura signed the extensions at the meeting. Solicitor Gaul advised the Council to table this topic until the first February 2024 meeting.

Councilmember Karen Pfeiffer left the room at 8:17 P.M. And returned at 8:18 P.M.
Councilmember Lisa Prator left the room at 8:23 P.M. And returned at 8:27 P.M.

A motion was made by Councilmember Patrick McHugh to table this until the first meeting in February 2024 Council meeting, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Patrick McHugh to accept the extension through March 4, 2024 from Ultra Poly, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Borough Engineer Mark Bahnick advised that the Borough was approved by the CFA for two H2O grants. 1. Sewer membranes - \$425,000.00 grant + \$75,000.00 Borough contribution, 2. Market & Main Street storm water collection - \$425,000.00 grant + \$75,000.00 Borough contribution. Councilmember Stephanie Steele advised she received a request to update the information for these grants.

Sewer Committee: Councilmember Stephanie Steele advised there is a sewer committee meeting tomorrow. The plant is having an electrical issue and a motor burned out; the problem has been on-going for a week. They are trying to figure out if the problem is from an inside or outside source.

Streets Department: Councilmember Patrick McHugh advised that Market, Weidman, and Crestmont Streets are going to be a problem with the winter weather and should be addressed. The Main Street project has been

**Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024**

completed. There is 1 metal grate missing which was reported to the Police. Resident Hubert McHugh advised that Main Street never had a plate on the far end, and it does now; so that could be where the missing grate went. Councilmember McHugh asked to purchase a concrete saw \$992.00, Hammer Drill \$429.00 and bits \$150.00.

A motion was made by Councilmember Patrick McHugh to purchase a concrete saw \$992.00, Hammer Drill \$429.00 and bits \$150.00, seconded by Councilmember Karen Pfeiffer.

Discussion continued regarding the purchase of these items; while it may be nice to have these items on hand who can use and what if our current Maintenance employee leaves will that type of work be required for the next maintenance employee. Councilmember Karen Pfeiffer would like to see summer lawn care contracted out because the lawn maintenance is a problem. This will be tabled until the February 5, 2024, meeting.

Councilmember Patrick McHugh & Councilmember Karen Pfeiffer withdrew their motion at this time.

Councilmember Patrick McHugh advised that the contractor that did tree work on Borough property has submitted a new request for 2024. Councilmember Karen Pfeiffer stated that his rates seem fair and that we should continue to use his tree service. Councilmember Patrick McHugh advised that in front of the Bank the trees are dying and need to be removed and replaced. Those trees were provided for through a Street Scape Grant and a specific tree may need to be put back in place. Some trees at the ball field need to be cut down which are getting big and are going to knock down the fence; while the Maintenance crew can cut down the smaller trees the larger ones need to be sourced out. Councilmember Patrick McHugh will discuss the larger removals with Phil's Tree Service. Metal grates on Crestmont and Northampton Street will be discussed with the Borough Engineer in the future.

Mark Bahnick left the meeting at 8:47 P.M.

Building Committee: Councilmembers Patrick McHugh & Karen Pfeiffer discussed the Ray O'Brien proposal and what they would like to see done to the Borough Hall. Some suggestions were to do a Community Center downstairs with accordion walls in the center so you could have 2 smaller rooms or when needed one large room. Offices (Borough, Police and Authority) would be upstairs. Would like to make the Borough Hall a community gathering location (Senior Center, Pavilion, Christmas tree etc) for the residents to use. Councilmember Lisa Prator would like a survey done asking the residents what they would like to see done. Councilmember Stephanie Steele stated there may be a grant that will help with the survey/project. 3 proposed ideas: 1. Remove the 2nd floor and bell tower. 2. Move offices upstairs and utilize the 1st floor for the community center. 3. Remove entirely and replace. The Building Committee will further discuss these options; Councilmember Patrick McHugh will contact the Architect to discuss these options.

Solicitor Michael Gaul left the room at 9:00 P.M. And returned at 9:03 P.M.

Budget, Finance, Insurance & Cable TV Contract: Insurance renewal 1-19-2024 through 1-19-2025.

A motion was made by Councilmember Stephanie Steele to authorize the insurance renewal not to exceed \$30,000.00, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Zoning Officer Report/BCO Official: Keller Zoning & Inspection Services Fee Schedule 2024.

A motion was made by Councilmember Patrick McHugh to approve the 2024 Keller Zoning & Inspection Services Fee Schedule, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

UCC Officer Report: None

Borough of Portland Council Organization and Regular Meeting Minutes
January 2, 2024

Zoning Hearing Board: None

Planning Commission: None

Portland Borough Authority Report: President Prator advised that Turkey Ridge Road has a bad pipe. No one has applied for the Authority Vacant Seat.

Legal: Solicitor Gaul advised that there is no new information on the Fleischer's joinder deed application; the two resolutions regarding Indigenous People's Day and the Lower Delaware River will be tabled until the February 2024 meeting. Mayor Fischer asked if the Resolution Declaring and Recognizing Indigenous People Day will be ready at the February meeting and can she invite her guests. Solicitor Gaul advised her that it will be ready for the meeting.

Subdivision and Land Development (SALDO): RPL East, LLC submitted extensions through March 4, 2024, for the Borough's review and decision on RPL East LLC's proposed Subdivision Plan and Planned Industrial Park Plan.

A motion was made by Councilmember Patrick McHugh to accept both RPL extensions, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

Community Development, COG & Grants: President Prator advised that the COG met last week, and that Portland should put in their request for the street sweeper early. It is rumored that Upper Mount Bethel Township is getting back into COG.

Air Liquide Safety Committee: Councilmember Stephanie Steele advised the next meeting is in February or March.

Community Events/Recreation Board: Next upcoming event will be Easter.

Police Report: Mayor Fischer stated she is looking for new police officers. Chief Mulligan will send in a report and once the Mayor receives it she will send it to the Council; a retired police officer will be contacted to see if he is still interested in Portland.

Mayor's Report: Mayor Fischer advised that she and Councilmember Steele both attended Ann Flood's open house in December. Mayor Fischer was on the radio show again in December to discuss road closure of 611 and RPL. Create resilience (Nurture/Nature) meeting this month.

Sanitation Committee: Recycling Grant Outreach – need an update on the grant.

Personnel Committee: none – Councilmember Patrick McHugh will provide the documentation.

Slate Belt Rising Committee: none

Slate Belt Steering Committee – President Prator advised the Committee had a meeting in December; representatives from the Boroughs and Townships have asked LVPC if the two groups can each have a separate plan. President Prator also advised that a Joint Zoning Ordinance has been discussed, and the Borough's portion of the costs would be \$400.

Liberty Water Gap Trail Alliance: President Prator reminded the Council that the 911 Trail Riders will be going through in June.

