



Borough of Portland Council Meeting Minutes
March 4, 2024

On March 4, 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, Councilmembers Karen Pfeiffer and Lisa Prator were present. Patrick McHugh – Absent (Susan Ivancich was present).

Others Present – Mayor Heather Fischer, Borough Solicitor- Michael Gaul, Borough Engineer-Mark Bahnick and Borough Secretary-Lori Sliker were present. Also present were Hubert McHugh, Joy Sparandera, Delwin Elk Bear Fiddler and Pam Wasiczko.

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 stated that she is 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:

A motion was made by Councilmember Lisa Prator to approve the agenda as posted, seconded by Councilmember Stephanie Steele. Vote 4-0-0; Motion Carried.

Resolution 2024-06 – Appointing Susan Ivancich to Vacant Office on Borough Council.

A motion was made by Councilmember Lisa Prator to adopt Resolution 2024-06 appointing Susan Ivancich to the vacant office 2-year term, seconded by Councilmember Stephanie Steele. Vote 4-0-0; Motion Carried.

A brief pause in proceedings occurred while Mayor Heather Fischer swore in Susan Ivancich as a Council member. Councilmember Susan Ivancich then took her seat at the Council table.

Resolution 2024-07 – Recognizing and Declaring Indigenous Peoples Day in the Borough of Portland.

Mayor Fischer gave a summary of the Native American Culture and their participation in Founders Day last year. Mayor Fischer stated that with this resolution the Borough of Portland will be recognizing and declaring Indigenous Peoples Day in Portland each year; the Mayor read the resolution to the Council and the audience.

A motion was made by Councilmember Stephanie Steele to adopt Resolution 2024-07-Recognizing and Declaring Indigenous People's Day in the Borough of Portland; seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

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Resolution 2024 -08 – Recognizing the services of Carol Hummel to the Borough of Portland as Borough Secretary/Treasurer and Declaring the Borough's appreciation for Carol Hummel's services to the Borough.

A motion was made by Councilmember Lisa Prator to adopt Resolution 2024-08 – Recognizing the Services of Carol Hummel to the Borough of Portland, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

Mayor Fischer read her Proclamation to the Council and Audience Recognizing Native American History month.

Action on the Meeting Minutes:

January 22, 2024

February 5, 2024

President Prator asked if there were any corrections or changes to the meeting minutes of January 22, 2024, or February 5, 2024.

A motion was made by Councilmember Stephanie Steele to approve the January 22, 2024, Council meeting minutes as presented, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Stephanie Steele to approve the February 5, 2024, Council meeting minutes as presented, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Secretary/Treasurer Report:

Council President Prator presented the January/February 2024 Financial Report for review/approval; and the request to transfer \$50,000.00 from the Real Estate Fund to the General Fund to cover expenses.

Bills Presented for Payment:	January/February
Borough Operations	\$ 27,279.71
Sewer Operations	\$ 23,675.84
Garbage Operations	\$ 14,764.46
Estimate Payroll & Payroll Taxes, February 2024	\$ 6,300.00
Estimate WEX Sunoco Fuel, February 2024	\$ 500.00
Ultra Poly B#3-Recy., Escrow- King, Spry	\$ 1,494.00
TOTAL	\$ 74,014.01

A motion was made by Councilmember Lisa Prator to approve the January/February 2024 Financial Report and to transfer \$50,000.00 from the Real Estate fund to the General Fund, seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.

President Prator reviewed the 2023 Real Estate Tax information, indicating that the information is to be provided to the Council members.

Public Comment: Resident Joy Sparandera addressed the Council regarding the increase in the monthly sewer bill. Ms. Sparandera indicated she feels the problems with the sewer are because of a business, not the residents, and asked the Council to address the problem. The Mayor and Councilmember Stephanie Steele advised that they are working through the business district, but it is a slow process. They continue to do testing whenever the substance is detected in sewer. Council members advised that they have been working to resolve the situation and hold the appropriate people/business accountable; however, they are not sure if they will get to that point. Because costs continue to climb everywhere, even for the sugar that needs to be purchased for the sewer plant; they had to increase the monthly sewer payment. Perhaps when these issues are resolved the Council can review the sewer plant costs to see if the monthly charge can be reduced a little. Councilmember Stephanie Steele also

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advised that the Borough of Portland recently received a grant which will help pay for the very expensive membranes that are needed for the sewer plant. The Mayor advised that updates regarding the sewer situation can be found on the website. President Prator thanked Joy Sparandera for coming to express her concerns and invited her to apply for the vacant seat on Council.

Borough Engineers Report: Borough Engineer Mark Bahnick advised that RPL Center requests a Developers Agreement be approved by Council for its traffic impact review costs. Upon receipt and review of an invoice from CDR Maguire for reviewing a plan and traffic, a RPL Center representative informed the Borough that RPL Center would be responsible for the invoice, and not New Demi Rd LLC, and request that a new developer's agreement be established for RPL Center payment of the bill. Solicitor Gaul advised that additional review would have to be performed; he wants to make sure the context is correct. This topic will be tabled until the next meeting.

Sewer Committee:

A motion was made by Council member Stephanie Steele to enter Executive Session at 7:44 P.M., to review legal matters with the Solicitor and the Borough Engineer regarding the sewer capacity study; seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Stephanie Steele to return from Executive Session at 8:38 P.M., seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

President Prator asked if any action was needed from Executive Session: there was no action.

Councilmember Stephanie Steele recommended that letters need to be sent out as soon as possible to commercial and industrial businesses connected to the sewer system. Solicitor Gaul will draft a letter and send it to the Borough Engineer for review/approval and then to the Sewer Committee. Once the review/approvals are done, it will then be forwarded to the Borough Council for review/approval. Councilmember Karen Pfeiffer expressed concerns that another month is going to go by without these letters being sent out. The next sewer committee meeting is March 27, 2024.

Streets Committee: President Prator asked for an update on the Crestmont manhole issue; the Borough Engineer advised he will provide an update in 3 days. President Prator advised that the snowplow needs new a new cutting edge; the Polly cutting edge blades cost \$706.70. President Prator reviewed the quotes/costs of the crack sealer and the tar and chip for this spring. After some discussions regarding the quotes, liquid fuels projects, Solicitor Gaul advised that the Streets Committee should decide what roads need chip and tar/crack seal or other repairs. Upon that determination the Streets Committee can decide how to proceed and if they want to use liquid fuels, they will need to be sure to follow all the requirements of PennDOT, and the procurement standards of liquid fuels auditor, which may require that some street projects be bid out on an annual basis, as opposed to single project. Last year, or another prior year, the auditor had objected to the Borough not bidding out some street work on an annual project basis, had concluded that Borough could not use liquid fuels funds for the project. Councilmember Stephanie Steele advised that the state has made some changes and for larger projects we may need Penn Dot approval before the work is completed.

A motion was made by Councilmember Stephanie Steele to purchase the Polly cutting edge blades for \$706.70; seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Legal:

Solicitor Gaul advised that he discussed with the School District Solicitor the status of the collection of the school tax while there was a vacancy in the Borough Tax Collector office, and they were in agreement that the

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school tax is to be collected through the School District and not the Borough. Solicitor Gaul considered the matter closed.

Subdivision and Land Development (SALDO):

RPL East, LLC's Proposed Subdivision and Planned Industrial Park Plans have a current review and decision deadline date of March 4, 2024. The Borough received an offer of extension through May 6, 2024.

A motion was made by Councilmember Lisa Prator to accept RPL East, LLC's offered extension for review and decision on the Proposed Subdivision Plan through May 6, 2024; seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Lisa Prator to accept RPL East, LLC's offered extension for review and decision on Planned Industrial Park Plan through May 6, 2024; seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.

Portland Borough Authority: None

Police Report: Mayor Fischer advised it was a light month; Councilmember Lisa Prator asked if she could request information about something in the police report. Solicitor Gaul advised that his understanding is that, generally speaking, police investigation records are not publicly accessible under the Right to Know law, and that there could be other laws that impact disclosure of information. The matter would need to be reviewed before any information could be disclosed.

Mayor Fischer advised that she initially had 4 potential candidates for police officer positions; however now there are only two potential candidates. Mayor Fischer advised she would like to request a motion to hire upon approval of the Personnel Committee. Solicitor Gaul recommended that Police Officers should be specifically identified and hired at a public Borough Council meeting.

Mayors Report: The Mayor has been attending a lot of meetings. The Narcan training will be April 4, 2024, at 6:30 PM Social Hall- 25 slots – anyone can attend; she has been working on this year's Founder's Day. Restaurant week is this week: March 11, 2024 – 6:30 PM – 8:00 PM. Representative Flood and Ryan McKenzie will be coming to Fuerres to meet with residents. Mayor Fischer asked Solicitor Gaul if she could advertise the meet and greet on her website. Solicitor Gaul stated that he was not prepared to offer an opinion on that at the meeting, but cautioned the Mayor that the social media sites of public officials could be considered a governmental website for certain analysis, such as First Amendments matters. The Solicitor further stated that a meet and greet with candidates not currently in governmental positions servicing Borough residents could be viewed as a campaign stop. Solicitor Gaul stated that generally he would be called upon to provide opinions based on the Borough Code and did not recall the Borough Code having any provisions regarding this; the Mayor will send the Solicitor an email.

Portland Community Events Committee: Councilmember Stephanie Steele advised that they have received the 2024 Hotel Tax Grant Agreement which requires signatures.

A motion was made by Councilmember Stephanie Steele to sign the 2024 Hotel Tax Grant Agreement, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

Councilmember Stephanie Steele advised that the Youth Egg Hunt be held March 29, 2024 @8:00 PM – ballfield ages 13-20-limited 50 participants AND March 30, 2024 @12:00 PM ages 0-12 - ballfield. Anyone that would like to volunteer to stuff eggs can do so on March 24, 2024 at 1:00 PM at the church. They are currently accepting

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candy donations for the Easter egg hunts.

COG: President Prator advised that they have reserved the street sweeper agreement for May 13 & 14, 2024 which needs to be signed and returned. Solicitor Gaul will review the street sweeper contract prior to anyone signing it. The secretary will send the contract to the Solicitor for review. In addition, Portland has not paid their COG dues; the secretary will process the dues payment.

A motion was made by Councilmember Stephanie Steele to approve the street sweeper rental for May subject to Solicitor review, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Sanitation Committee: President Prator advised he is trying to get information from waste management for a recycling training – which could possibly be done on Founders Day; he will keep the Council updated. Councilmember Stephanie Steele advised that because they received monies from a couple years ago now, they have to spend some of that money on recycling in the Borough. President Prator asked the Solicitor for update on the Sanitation Contracts; Solicitor Gaul advised he has to do the specifications and will be working on that soon.

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

Budget, Finance, Insurance & Cable TV Contract: Councilmember Stephanie Steele advised that the Fire Company received an LSA Gant last year and when they submitted the documentation for the truck the grant person advised the resolution that was sent was not the correct document; they are awaiting clarification. This will remain on the agenda for the next meeting.

Plan Slate Belt: The next Plan Slate Belt meeting will be on March 7, 2024 @ 10am Pen Argyl. President Prator advised that they should have our list of questions, and it is moving slowly ahead.

Slate Belt Rising – Councilmember Stephanie Steele advised there is a monthly meeting the 2nd Thursday; they are currently working on gearing up to do projects; getting applications in from people.

Correspondence: The 2022 DCED Report for Year ending December 31, 2022, Audit Report was provided for Council review.

Old Business:

Bruce Cialfi-vacant council seat email response dated 2-19-24 – The Council reviewed the response and Mr. Cialfi will not be eligible until he meets the 1-year residency requirement. The secretary will email Mr. Cialfi the information and invite him to reapply upon meeting the requirement.

Laptop – Councilmember Stephanie Steele advised a zoom meeting is scheduled with Borked PC on Tuesday.

Pick-up truck – President Prator advised that the truck they were interested in was sold; discussions were held, and quotes will be obtained to have the hole in the floor and the rocker panels repaired. Councilmember Stephanie Steele expressed concerns of the maintenance staff utilizing the mason truck to pick up garbage. Councilmember Lisa Prator asked if there was something lower that could be used to pick up the garbage and prevent anyone from being hurt. President Prator advised that there is a small trailer that can be used. Council President Prator will look into taking the failed inspection truck to the repair shop if he can take the truck to the shop as it is over 30 days.

Seasonal Borough Maintenance: President Prator advised that he has contacted five (5) companies regarding

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cutting the grass he has two (2) companies coming out to meet him. Resume received and sent to Council of someone who only wants to cut grass.

BACIDA Appointments: Solicitor Gaul requested that this item be deferred until after the Executive Session. By consensus of the Council, the agenda item was deferred until after the Executive Session.

Complaints: Councilmember Stephanie Steele advised that the secretary was looking for some follow-up and direction regarding complaints she receives. President Prator went through the complaints and advised of the updates which the secretary will provide to the residents.

State Street snow complaint: President Prator spoke to the resident.

Weidman – Hot patch will be done once the weather warms up.

Tree Main & Collins – President Prator went to look at the tree situation and advised it is not on Borough property, it is on private property therefore it is a civil matter.

New Business:

Council President Prator advised there was a Zoom meeting with regards to LDWSR which included himself and Solicitor Gaul. Council President Prator was very impressed with Solicitor Gaul's involvement. Council President Prator advised there is no practical down fall to joining.

Secretary Announcements: None

Public Comment – Non-Agenda: None

A motion was made by Councilmember Lisa Prator to break at 9:33 P.M. for Executive Session to discuss personnel issues and legal matters with the Solicitor, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Lisa Prator to return from Executive Session at 10:22 P.M., seconded by Councilmember Karen Prator. Vote 5-0-0; Motion Carried

Additional Discussion and/or Official Action on Borough Council Business after Executive Session:

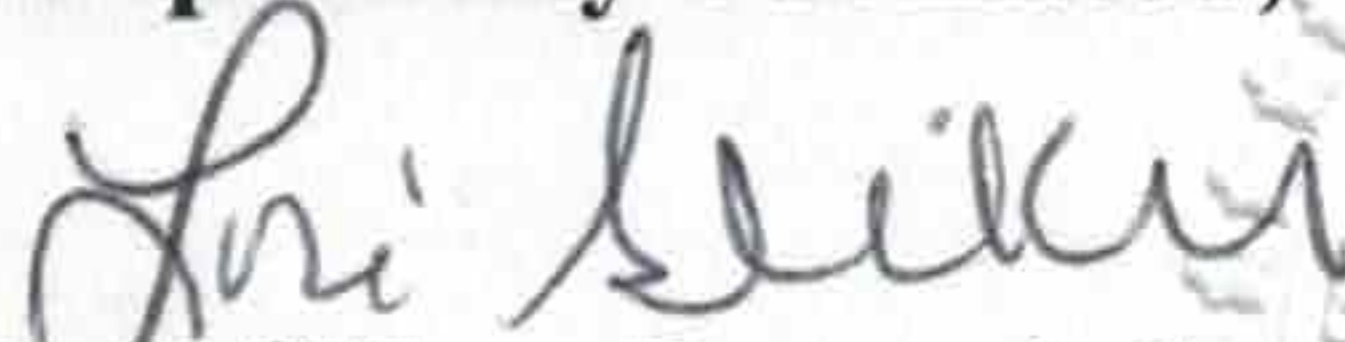
A motion was made by Councilmember Karen Pfeiffer to confirm the appointment of Jeff Manzi to the BACIDA Board as the Upper Mount Bethel Township designated representative for a term of 5 years, expiring December 31, 2026; seconded by Lisa Prator. Vote 4-1-0 (Lance Prator-opposed); Motion Carried.

President Prator advised the secretary to contact Randi Snook and have her contact either himself or Councilmember Stephanie Steele.

A motion was made by Councilmember Lisa Prator to Adjourn the meeting at 10:23 P.M., seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried

Reminder: Next meetings: Monday, March 25, 2024
Monday, April 1, 2024

Respectfully Submitted,


Lori Sliker, Borough Secretary