



**Borough of Portland Council Meeting Minutes  
July 1, 2024**

On July 1, 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, Lisa Prator, Karen Pfeiffer and Susan Ivancich were present. Patrick McHugh was absent.

**Others Present** – Mayor Heather Fischer, Borough Solicitor- Michael Gaul, Borough Engineer-Mark Bahnick and Borough Secretary/Treasurer-Lori Sliker were present. Also present-Todd Pysher-Police Chief, Bruce Cialfi, Tara Mazzanotte, Cindy Fish, Attorney Erv McClain, Richard Wilford-Hunt.

**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. No one other than the Borough Secretary is 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:**

President Prator asked if there were any amendments to the agenda.

**A motion was made by Councilmember Stephanie Steele to approve the agenda as posted, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

**Action on the Meeting Minutes of June 3, 2024:** President Prator asked if there were any corrections or changes to the meeting minutes of June 3, 2024.

**A motion was made by Councilmember Stephanie Steele to approve the June 3, 2024, Council meeting minutes as presented, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

**Secretary/Treasurer Report:**

**Council President Prator presented the June 2024 Financial Report for review/approval.**

Bills Presented for Payment:

Borough Operations	\$ 14,108.98
Sewer Operations	\$ 12,756.34
Garbage Operations	\$ 5,268.82
Estimate Payroll & Payroll Taxes, July 2024	\$ 6,300.00
Estimate WEX Sunoco Fuel, July 2024	\$ 550.00
Escrow - Ultra Poly B#3-Recy., Escrow- (King, Spry; VanCleaf)	\$ 752.00
Escrow- RPL East	\$ 1,510.50
<b><u>TOTAL</u></b>	<b>\$ 41,357.64</b>

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**A motion was made by Councilmember Stephanie Steele to approve the June 2024 Financial Report and pay the bills, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.**

**Public Comment:**

The Council discussed having Ms. Mezzanotte placed under a committee for the future so that her time is not restricted to the 5-minute presentation.

**A motion was made by Councilmember Karen Pfeiffer to allow Ms. Mezzanotte, Borough Municipal liaison for NJDOT I-80 matters, to speak beyond the 5 minutes to present her information; seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.**

Tara Mezzanotte, Borough Municipal liaison for NJDOT I-80 matters, presented a proposed Borough Council Resolution (proposed Resolution 2024-17) titled: Resolution Requesting The Pennsylvania Department Of Transportation And The Lehigh Valley Transportation Study Prioritize 611 Improvements Between Portland and Point of Gap In Conjunction With Other Delaware Water Gap 611 Projects. (Post-meeting note: the resolution number of 2024-19 was not correct – next in the series is 2024-17).

Ms. Mezzanotte provided the Council with an update on the NJDOT I80 and PA State Transportation Plan (TIP). Ms. Mezzanotte advised that in May 2024 Smithfield Township requested that a project in the TIP be prioritized and it be included in the Monroe County study which is scheduled 2025-2026; and that it all be completed at the same time. Because there is a Transportation Study in the TIP we can do what Smithfield Township did and ask that Portland be included. Ms. Mezzanotte read her proposed Resolution to the Council requesting improvements between Portland and Point of Gap. Mayor Fischer expressed some concerns that by doing this it could delay the current project to reopen one lane on Route 611 and that she does not want the one lane opening to be delayed. Ms. Mazzanotte did not feel that this could hurt any existing projects. Solicitor Gaul asked for some clarifications and where some of the project information can be located. Ms. Mazzanotte advised that the information can be found on the Lehigh Valley Planning Commission site. The 2025-2026 preliminary engineering study is going to be done and we are asking that they also include Portland; by doing this resolution we are putting every project up front. If the National Service, PennDOT and Tribes cannot agree with a proposal the National Forest Service will have to do an environmental assessment to look at alternatives. Solicitor Gaul will make minor changes to the resolution and include the signature blocks for the Borough which will be sent to the secretary; the resolution will be sent to Ms. Mazzanotte on Tuesday.

**A motion was made by Councilmember Karen Pfeiffer to approve Resolution 2024-17 as presented, with Solicitor review and minor changes to include signature blocks for Borough, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.**

**Borough Engineers Report: Mark Bahnick, VanCleef Engineer**

RPL East Sewage Planning module – no update

COVID Grant Projects – Stormwater and Wastewater – Mr. Bahnick advised that they made some progress locating off road existing piping; and for Sewer they made some progress with the membrane replacement project – there will be a meeting at the sewer plant later this week.

RPL EAST, LLC Proposed Subdivision Plan and RPL EAST, LLC Proposed Planned Industrial Park Plan: Solicitor Gaul advised these will remain on the agenda as a placeholder, and reminder of the decision deadline. – will discuss under #18.

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**Sewer Committee:**

Sewer Shutoff - Councilmember Stephanie Steele advised that there were three accounts unpaid; however, account #282 & #246 have paid their bills. Account #248-(533 Delaware Avenue) remain unpaid; however, they did call and said they would be paying the bill this evening online.

**A motion was made by Councilmember Stephanie Steele to shut off sewer service to account #248-533 Delaware Avenue for non-payment of sewer charges, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.**

Resolution of the Council of the Borough of Portland, Pennsylvania, ordering David Allen Brands Jr. to Modify the connection of the 105 State Street Property to the Borough sewer system and directing the borough secretary to provide notice of the borough's order. Tabled until next meeting

Resolution of the Council of the Borough of Portland, Pennsylvania, ordering David Jov LLC to Modify the connection of the 106 State Street Property to the Borough sewer system and directing the borough secretary to provide notice of the borough's order. Tabled until next meeting

Commercial and Industrial customer required connection modifications – no update

Portland Auto sanitary sewer connection - Councilmember Stephanie Steele has spoken to the zoning officer and advised that because Craig LaBarre did some of the inspection, he will complete it. The exterior is completed, and Mr. LaBarre signed off on the inspection; Councilmember Stephanie Steele will check with the owner to see if anything has been done inside that needs to be inspected.

Portland Steel use of property/sanitary sewer requirements – to be discussed in executive session.

**Streets Committee:** President Prator advised that he has reached out to 3-4 contractors and only one responded with a quote: L. Marki & Son for \$7,350.00. There are currently 3 manhole covers that need to be repaired however, President Prator wants to complete one to make sure it works before proceeding further.

**A motion was made by Councilmember Stephanie Steele to authorize L. Marki & Son to repair Crestmont Street around the manhole cover for \$7,350.00, subject to the contractor's acceptance of the Borough's standard additional terms and conditions; seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

Market Street Project: Councilmember Stephanie Steele advised that she has not heard anything from the contractor. If the Borough does not receive the information, we may have to reimburse the liquid fuels fund - \$21,680.00.

Councilmember Stephanie Steele asked Duffield Plumbing & Heating to assess the downtown bathroom water; he advised that because the bathroom has low water use a filter system for sediment and water regulator to help with the water flow should be installed. Mr. Duffield submitted a quote for \$580.00.

**A motion was made by Councilmember Stephanie Steele to authorize Duffield Plumbing & Heating to install the filter and regulator in the downtown bathroom for a cost of \$580.00, subject to the contractor's acceptance of the Borough's standard additional terms and conditions, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

SCAGG Lawn Mower was taken to H&H Outdoor Powersports for repair. H&H Outdoor Powersports advised that it will \$1,933.22 to repair it.

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**A motion was made by Councilmember Stephanie Steele to authorize H&H Outdoor Powersports to fix the SCAGG Lawn Mower at a cost of \$1,933.22; seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

Councilmember Stephanie Steele advised that residential garbage is being placed in the garbage cans on the street; they are uncertain if it is residential tenants. After some discussion Councilmember Karen Pfeiffer advised she would reach out to the Landlords and explain the situation; perhaps the tenants are not aware that the owner pays for garbage pick-up. Councilmember Stephanie Steele advised she will have the Landlords information sent to her so she can reach out to them.

Bruce Street sign – a resident advised that the street sign for Bruce Street fell down and was not replaced. President Prator will get a quote for a new Bruce Street sign.

President Prator commented on the wonderful job Randi is doing downtown everything looks great.

**Legal:** Solicitor Gaul asked if there has been any update on the RPL Center Developers Agreement. Attorney Erv McClain advised that the agreement is still being reviewed. Councilmember Stephanie Steele advised that there is an outstanding bill for CDR McGuire Engineering from December 2023 that has not been paid. Attorney Erv McClain will address the unpaid bill.

### **Subdivision and Land Development (SALDO):**

RPL East, LLC Proposed Subdivision and Planned Industrial Park Plans-current review expiration dates July 5, 2024. Received a grant of time extension from the developer through September 3, 2024. The Borough Council reviewed and voted to accept time extensions for review and decision on the plans.

**A motion was made by Councilmember Karen Pfeiffer to accept RPL East, LLC's grant of an extension of time for the Borough to review and decide on the Proposed Subdivision Plan through September 3, 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 grant of an extension of time for the Borough to review and decide on the Proposed Planned Industrial Park Plan extension through September 3, 2024, seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.**

President Prator asked if an extension beyond September 3, 2024, could be received because it is the holiday. Solicitor Gaul stated that perhaps an extension through the end of year could be obtained. A longer time extension avoids the inconvenience of ongoing incremental extensions and does not prevent the Borough from taking action sooner than the deadline if revised plans are submitted and ready to be approved before then.

### **Zoning, Building and Property Management:**

Slate Hills Enterprises, Inc proposed a Duplex project on Delaware Avenue – Solicitor Gaul stated SHE and Borough representatives are tentatively scheduled to meet July 10<sup>th</sup> to discuss the project. President Prator asked if someone from the Zoning Office should attend; Solicitor Gaul will see if the Zoning Officer is available. President Prator advised that he is available that day; Councilmember Stephanie Steele will try to attend also.

**Portland Borough Authority** – President Prator advised that the Water Authority is looking for grant funding for the water main down Turkey Ridge Road. The cost went from 7 million to 16 million dollars.

**Police Report** – Chief Pysher provided his Police Report for June 2024. Total incidents: 5 - Unit 331 passed inspection. CJIS - Criminal Justice Information Service has been sent out to everyone for completion.

Rugged One E-Citation equipment quote \$1,417.16 (+100.00 installation)

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**A motion was made by Councilmember Stephanie Steele to purchase the Rugged One E-Citation equipment for \$1,417.16 (+100.00 installation); seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

HP Laser JetPro MFP 410 fdw Wireless All-In-One-Printer, Scan, Copy, Fax - \$329.00

**A motion was made by Councilmember Lisa Prator to purchase a HP Laser JetPro MFP 410 fdw Wireless All-In-One-Printer, Scan, Copy, Fax machine for \$329.00; seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.**

Mark Bahnick left at 8:39 P.M.

**Police Report: Police Chief or Mayor Fischer**

Mayor Heather Fischer advised that while speaking with Chief Pysher they would like to get an emergency fund approval of \$500.00 to be used in case of an emergency. This will be presented at the August meeting for consideration.

Pet Ordinance – curbing of dogs. Mayor Fischer advised she has received several resident complaints about other residents not curbing their dog and cleaning up after them. Mayor asked if a resident is allowed to video when they see someone not cleaning up after their dog. The Solicitor advised that they could video it however they will still have to provide an eyewitness testimony. These incidents should be reported through Portland Police not the State Police.

Councilmember Stephanie Steele advised that in a recent conversation she was told that a Borough hired a community member to act as a parking enforcement officer; they are issuing parking tickets/citations. Can Portland have a part time parking enforcement officer? Solicitor Gaul will investigate the requirements of such a position.

Resident Hubert McHugh asked if anyone has complained that gas was syphoned from their vehicle. He was told that it has been happening downtown and he also had gas syphoned from his vehicle. Mr. McHugh will make a police report with the Chief.

**Mayor's Report:**

Mayor Fischer advised that she is currently working on Founder's Day; attending the Rt. 611 meetings. Resiliency meeting – the banner will be delivered along with patches for residents.

**Portland Community Events Committee:** Councilmember Stephanie Steele advised that Free Ice Cream event was held on June 23, 2024; the next one will be on July 28, 2024. Founders Day will be held on October 19, 2024.

**COG:** President Prator – no report

**Sanitation Committee:** President Prator advised that for the Recycling Grant - a flyer can be sent out with the sewer bills educating residents about recycling. Garbage bid – updated list of different things for the garbage contract, put the contract out for bid for one/two years not six years. Rosetto's garbage price doubled, where Portland's came in at 3+ increase. Councilmember Lisa Prator asked if smaller increases could be done each year. Solicitor Gaul advised the specifications need to be modified before sending out – President Prator will contact the Solicitor.

Mayor Heather Fischer left at 9:02 P.M. and returned at 9:04 P.M.

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**Budget, Finance, Insurance & Cable TV Contract:** ARPA Grant Funds – a video was sent to the Council members for their review.

**Plan Slate Belt:** The next meeting is scheduled for Thursday July 3, 2024. President Prator sent the plan out to the Planning Commission but has not received any feedback.

**Slate Belt Rising:** Councilmember Stephanie Steele advised that the kayaks will be displayed downtown at the end of July or beginning of August. President Prator advised that the two new murals (Pen Argyl & Bangor) are very nice.

**Personnel** –Councilmember Stephanie Steele advised that the Borough is still seeking a part time worker to mow and trim. Solicitor Gaul will review the child labor laws to see if the Borough can hire someone under 18 years old.

**Old Business:**

Pokey Bee Exterminator Estimate – no update

Pokey Door replacement – no update

Trail Riders – President Prator advised that there were 18 motorcyclists that stopped in Portland, jumped in the river to cool off and they went to Furriers. Two of the riders were wounded warriors.

**New Business:**

EZ Pass tolls- some discussions were held as the toll bridge no longer takes cash; should the Borough obtain an EZ Pass for their vehicles (Emergency vehicles should not be charged but there is no one there to wave them through now). Additional information is needed, keep on the agenda for the August meeting.

Vacant Council Seat – Bruce Cialfi – President Prator advised there are two requirements: 1. Must be a resident for one year 2. Must be a registered voter in Northampton County. Mr. Cialfi advised he meets both of those requirements and would like to fill the vacant council seat. Councilmember Karen Pfeiffer asked Mr. Cialfi to tell the Council a little about himself. Mr. Cialfi is semi-retired, and he moved to Portland, which has been the best thing he could have done; he wants to give back to his community and now he has the time to do so. President Prator asked if the Council would like to appoint Mr. Cialfi at the August meeting. Solicitor Gaul stated that the State Ethics Act required Councilmembers to file annual personal financial disclosures and asked whether Mr. Cialfi was prepared to do that. Mr. Cialfi responded he was willing to comply with the filing requirement. Solicitor Gaul also commented to Mr. Cialfi that the primary state law that the council must follow is the Borough Code, but other state laws apply to the Borough as well such as the Municipalities Planning Code, Sunshine Act, and Right to Know Law. Councilmember Stephanie Steele advised that PSAB website is a good place for information/training. Solicitor Gaul will prepare a resolution to appoint Mr. Cialfi at the August meeting.

Solicitor Gaul presented a proposed Cooperative Agreement between the Fire Company and the Borough of Portland for the Personal Protective Equipment grant.

**A motion was made by Councilmember Karen Pfeiffer to approve and sign the Cooperative Agreement between Borough of Portland and The Portland Hook and Ladder No. 1 Fire Company, seconded by Councilmember Susan Ivancich. Vote 4-0-1(Lance Prator-abstained); Motion Carried.**

Councilmember Karen Pfeiffer advised that the 2-hour parking signs do not reflect what the ordinance states. There will be a meeting in the next 2 weeks to discuss this matter.

