



**Borough of Portland Council Meeting Minutes
June 3, 2024**

On June 3, 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 Lisa Prator, Karen Pfeiffer and Susan Ivancich were present. Patrick McHugh was absent.

Others Present – Borough Solicitor- Michael Gaul, Borough Engineer-Mark Bahnick and Borough Secretary-Lori Sliker were present. Also present were Chief Todd Pysher, Attorney Erv McClain, Richard Diaz. Mayor Heather Fischer 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. 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. Councilmember Stephanie Steele stated that she had several items she wanted to discuss but did not require action. She asked the Solicitor whether the agenda could be amended for that purpose. Solicitor Gaul advised that the item could be discussed under the New Business heading of the agenda without amendment of the agenda. Solicitor Gaul also reminded Borough Council that some of the items that appear on the posted agenda are placeholders or reminders and may not require discussion or action at this meeting. In accordance with prior Council discussion, the placeholders or reminders will remain on the monthly agenda until they are no longer needed.

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

Action on the Meeting Minutes of May 6, 2024: President Prator asked if there were any corrections or changes to the meeting minutes of May 6, 2024. Councilmember Karen Pfeiffer advised that it appeared a sentence was repeated in the minutes under Streets Committee. The secretary will delete the line.

A motion was made by Councilmember Stephanie Steele to approve the May 6, 2024, Council meeting minutes as presented with the line deletion, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Secretary/Treasurer Report:

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

Bills Presented for Payment:

Borough Operations

\$ 13,208.99

Sewer Operations

\$ 17,992.19

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Garbage Operations	\$ 7,636.78
Estimate Payroll & Payroll Taxes, June 2024	\$ 6,300.00
Estimate WEX Sunoco Fuel, June 2024	\$ 550.00
Escrow - Ultra Poly B#3-Recy., Escrow- King, Spry; VanCleeef	\$ 597.50
Escrow- RPL East	\$ 169.00
Escrow-River Pointe Industrial Park	\$ 318.00
Escrow – New Demi Road	\$ 126.00
<u>TOTAL</u>	<u>\$ 46,898.46</u>

Transfer \$50,000.00 from the Real Estate Fund to the General Fund to cover expenses.

A motion was made by Councilmember Lisa Prator to approve the May 2024 Financial Report and pay the bills, seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

A motion was made by Councilmember Stephanie Steele to approve the transfer of \$50,000.00 from the Real Estate Fund to the General Fund, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Public Comment: None

Borough Engineers Report: Borough Engineer-Mark Bahnick provided the Council with a letter dated 6/3/2024 regarding RPL East Sewage Facilities Planning Module for proposed Lot A. Mr. Bahnick advised that the module follows the intent of the proposed subdivision plan, which will create one 9.62-acre lot (Lot A) in the Borough. The proposed Lot A will not have any proposed use at this time. One (1) EDU of sewer capacity will be assigned to the lot when all appropriate fees are paid; however, there will be no flow at this time. Councilmember Lisa Prator asked if the property owner in the future could need more than one (1) EDU. Mr. Bahnick advised that yes, the developer could need more capacity in the future, which the developer would then request from the Brough. Councilmember Karen Pfeiffer asked if the sewer services can be passed to other lots. Solicitor Gaul advised that they cannot do that, and the Borough currently has (1) EDU of sewer capacity that could be used for the proposed RPL East Lot A. President Prator asked if the discharge pipe for the treatment plant is shown on the plans; Mr. Bahnick advised yes there is an easement already in place, and the developer will be required to show the pipe on its pending Subdivision Plan. The RPL East Subdivision Plan, however, is not being reviewed at this time, only the Planning Module. Attorney McClain, who was attending the meeting on behalf of RPL East, explained that the developer needs to have the Planning Module completed before the Developer could move forward with revisions to its pending Subdivision Plan.

A motion was made by Councilmember Stephanie Steele to authorize the Council President to execute the proposed Planning Module form for RPL East Lot A, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

COVID Grant Project – Sewer & Stormwater: Mark Bahnick advised that they are proceeding with the projects; he has spoken to a grant representative about accessing the funds. Councilmember Stephanie Steele asked the Borough Engineer and the Borough Solicitor to please use consistent names when billing is sent in for these projects to assist with the payments.

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. The current review extensions expire July 5, 2024, and if an extension is not offered to the Borough, the Planning Commission will have to meet and be ready with a recommendation for the July 1st Borough Council meeting. Attorney McClain stated that RPL East will provide an offer of extension through September 24, 2024.

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Sewer Committee:

Sewer Shutoff - Councilmember Stephanie Steele advised that the Sewer Shutoff for acct #282 paid their sewer bill.

Commercial and Industrial customer required connection modifications (APM & DABCO letters) will be discussed in the executive session.

Portland Auto sanitary sewer connection: Councilmember Stephanie Steele advised that Richard Diaz, Portland Auto received his 90-day notice to connect to the Sewer Service. Mr. Diaz advised he has uncovered the sewer by hand, and he is looking for some guidance. Mr. Bahnick advised Mr. Diaz to have his plumber evaluate what needs to be done to connect to the sewer. Solicitor Gaul advised that in the past the building code person had provided the permit; however, the point of necessary connection is apparently outside the building, she may decline to issue the permit. Solicitor Gaul will contact the Borough Secretary to discuss the permit; he also advised Mr. Diaz that the tapping fees had been paid by the previous owner. Mr. Diaz' plumber should contact the Borough Engineer - Mark Bahnick to discuss the plan to connect.

Portland Steel – will be discussed during executive session.

Justin Duffield estimate - \$780.00 install spigot.

A motion was made by Councilmember Stephanie Steele to have Justin Duffield come to install the spigot for \$780.00, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Streets Committee: President Prator advised that the manhole cover specifications were sent out. Hot patch will be done in the potholes. Councilmember Stephanie Steele advised that she went up to Weidman Street and the road is very bad. Fred Farleigh needs a couple of prep days and then a couple days of nice weather to do the hot patch.

Market Street Project: Councilmember Stephanie Steele advised that a preliminary audit was completed by Mr. Helbing-PennDOT. Mr. Helbing advised that the paperwork needed to show PennDOT certified materials were used and that the invoice had to have line items listed with the prices. Councilmember Steele has reached out to the contractor requesting the information; if the Borough does not receive the information the Borough may have to reimburse the liquid fuels fund - \$21,680.00.

Battery powered weed trimmer and blower: Councilmember Stephanie Steele asked to purchase a weed trimmer and blower for use downtown. Ace Hardware has them on sale for \$160.00 each. Councilmember Lisa Prator asked if electric ones would be better, is there access to electric downtown. Councilmember Stephanie Steele advised that there is power, however the battery powered ones are easier to handle and allow her more mobility.

A motion was made by Councilmember Karen Pfeiffer to purchase the weed trimmer and blower for \$320.00, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Councilmember Stephanie Steele advised that the faucet in the downtown bathroom needs repair. There is a valve behind the wall that gets a grainy/salty substance buildup; she asked to have the faucet in the downtown bathroom looked at by a plumber Justin Duffield for an estimate. The Borough Council agreed to have the plumber look at the faucet and give an estimate.

Legal: Solicitor Gaul advised he had reviewed the effluent limits for another wastewater treatment plant and was surprised to learn how much stricter the Borough's limits were. For example, the Borough's ammonia

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limit is 1.5 while the other plant is 20. The solicitor asked Mr. Bahnick whether the Borough's limits were unusually strict. Mr. Bahnick said he could not speculate as to the difference between the permits for the Borough and another example, but if the permit for the other plant was sent to him, he would be glad to review it.

RPL Center request for Developers Agreement regarding traffic review costs has been given to RPL Center for review. Attorney McLain was informed that the Borough has not received a response to the draft agreement, which is similar to the one the Developer signed for the Demi Road project.

Zoning, Building and Property Management: Slate Hills Enterprises, Inc proposed Duplex project on Delaware Avenue – will be discussed in Executive Session.

Mark Bahnick left at 7:52 P.M.

Portland Borough Authority – President Prator advised that the Water Authority is looking for a part time employee.

Police Report – Chief Pysher provided his Police Report for May 2024. Total incidents: 5- general complaints, a lost dog. Fortunately, the dog had a chip and was returned to its owner. Recalls for both police cars have been completed. Unit 321 (older police car) is due for inspection in July. The Chief is requesting that easy citations be placed on the July Agenda for consideration; he will provide the secretary with the information. Councilmember Lisa Prator asked if we go in with another municipality could the price be cheaper. President Prator will reach out to COG to see if any other municipality is interested. Chief Pysher advised that in order for anyone to enter the police area, unaccompanied by an officer, they need to be trained. CJIS – Criminal Justice Information Service – free training that protects the borough – anyone that needs access to the Police area including storage area must be trained yearly. The council discussed who should have the training, it was decided that the Borough Secretary-Lori Sliker, Billing Clerk-Diann Eden, Maintenance-Fred Farleigh, Water Authority-Samantha Kindred and the Council members (possibly Solicitor Gaul). The Borough Secretary will provide email addresses to Chief Pysher to arrange the training; Chief Pysher will schedule the Borough Secretary first.

A motion was made by Councilmember Lisa Prator to have the CJIS training for all the individuals that have access to the Police areas, seconded by Susan Ivancich. Vote 5-0-0; Motion Carried.

Mayor's Report: None

Portland Community Events Committee: Councilmember Stephanie Steele advised that the Borough picnic has been postponed and will be rescheduled. There will be ice cream at 6:30 PM on June 23, 2024. Councilmember Lisa Prator advised that they attended the touch a truck event in Pen Argyl. Among other things they had a fire truck, excavator, ambulance, street sweeper and at noon a medivac landed. The children loved it and perhaps Portland could consider doing something similar.

COG: President Prator advised that Suburban Ambulance Service attended their last meeting to explain their response times. A camera system that can go through the sewer system has a signed MOU. COG has an vacant seat they are recruiting for.

Sanitation Committee: President Prator advised that he reached out to Ron from Waste Management regarding the recycling grant money – he is awaiting a response.

President Prator advised that after opening the garbage bid last month the Council has been considering reducing the contract from 5 years to 3 years. Solicitor Gaul thought perhaps the 5-year contract is a

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preventing other garbage companies from bidding on the contract; other alternatives may be available such as automated pick up. Solicitor Gaul provided several possible options for the Council to consider. Councilmember Stephanie Steele felt a pre-bid meeting may be interesting to gather information. Some extensive discussions ensued at which time it was decided the Borough Secretary will email the bid specifications to the Council for their review and further discussions at the next meeting.

Budget, Finance, Insurance & Cable TV Contract: ARPA Grant Funds - no update

Plan Slate Belt: The next meeting is scheduled for Thursday June 7, 2024. Solicitor Gaul advised that a comment was added to the most recent draft of the plan stating that municipalities were not required to offer regional water and sewer service, but the Borough's other comments were not addressed. The Solicitor advised the Council members to read the revised plan. The plan refers to a buffer zone around the borough; it is not an open area around Portland and the buffer zone can be developed. In addition, the Plan currently shows Delaware Avenue as Rt. 611. President Prator asked if anyone from the Planning Commission has reviewed this plan. Councilmember Stephanie Steele commented that none of the Planning Commission members attended a prior meeting at the Borough to discuss the Plan. Plan Slate Belt is looking for the Borough W-9 form.

Personnel – a person was offered a part-time position in the public works department and was scheduled to do the paperwork; however, he failed to complete the paperwork, so the Borough is still seeking a part time person to mow and trim. Personnel issues will be discussed during the Executive Session.

Old Business: President Prator advised that the NMS (National Management System) have to be completed by the Borough Secretary-Lori and Water Authority – Samantha.

New Business: Councilmember Stephanie Steele advised the Pokey needs to have an exterminator come out to deal with the bees. Viking comes to do the Fire Company and Bug King Bug Solutions can be asked for estimates. In addition, Councilmember Stephanie Steele will be getting estimates for a front door replacement which was previously approved.

Fire Company has received a grant for \$90,000.00 for Personal Protective Equipment.

A motion was made by Councilmember Lisa Prator to sign the LSA Grant Contract for \$90,000.00, seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.

President Prator advised that he is an active member of the Fire Company and asked if he can sign the contract; the Solicitor asked if he is a board member or officer of the Fire Company. President Prator stated no, just an active member. The Solicitor stated that his understanding was that a conflict did not exist if the governing body member was only a member of the fire company, and not a director or officer, but that he had not recently researched and analyzed the matter, and as a result, could not provide a definite answer.

President Prator advised that the Water Authority has signed on to Positive Pay with Fidelity Bank which protects the bank accounts from someone taking a check and whitewashing the information and putting in their own information. Fidelity Bank will be contacting the Borough about signing on to this service.

President Prator advised that Upper Mount Bethel and Chief Potter had a meeting on how to improve the ambulance service; all municipalities were present except Wind Gap.

Councilmember Stephanie Steele advised that the Borough still has 35 street signs to replace – 9 of which are the fancy scrolled signs. The fancy street signs were priced at \$300.00 each; because they are so expensive perhaps, they can be split up over the next 3 years.

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Councilmember Stephanie Steele advised that at a previous meeting Mark Bahnick asked if the President and Vice-President and the grant signers of the grants are bonded. The secretary sent an email to the insurance company, and they responded the President and Vice-President are not bonded. They provided a form for them to complete so that bond quotes can be obtained. The Solicitor advised that anyone who signs checks for the Borough needs to be bonded to protect the Borough. Anyone who touches Borough money, whether in its receipt or distribution, should be bonded, or possibly the subject of employee dishonesty insurance.

Councilmember Lisa Prator asked about the parking situation downtown. The 2-hour parking has been an issue; Chief Pysher advised the section is not complete and as of right now the police are not able to enforce the parking. Solicitor Gaul asked if there is anything about parking addressed in the redevelopment study; Councilmember Stephanie Steele advised that parking was not included in the study. Councilmember Stephanie Steele asked if anyone would be interested in looking into the parking situation downtown. Councilmembers Lisa Prator and Karen Pfeiffer had previously reviewed the parking situation; it was suggested that the Police be included in any future discussions. There is no overnight parking in the parking lot, which was prohibited by the Bridge Commission agreement. Solicitor Gaul advised that perhaps the piece of property on Hester Street could be used to create additional parking; the property cannot be built on because it has fly ash. Chief Pysher will email the 2-hour parking ordinance to the Solicitor.

Public Comment: Non-Agenda: None

Executive Session:

A motion was made by Councilmember Lisa Prator to enter Executive Session at 9:12 P.M., to discuss personnel 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 9:46 P.M., seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried.

President Prator asked if there was any action to be taken from executive session: None

President Prator advised the Nurture/Nature Center zoom meeting will be June 20, 2024 @ 7:00 PM.

A motion was made by Councilmember Lisa Prator to Adjourn the meeting at 9:48 P.M., seconded by Councilmember Karen Pfeiffer. Vote 5-0-0; Motion Carried

Reminder: Next meetings: Monday, June 24, 2024 (if needed)
Monday, July 1, 2024

Respectfully Submitted,



Lori Sliker, Borough Secretary

