



**Borough of Portland Council Meeting Minutes
September 9, 2024**

On September 9, 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. Bruce Cialfi arrived at 7:28 P.M. as noted below. 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- Chief Todd Pysner, Tara Mezzanotte, John Stoutland, Terry Abramson, and Hubert McHugh

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 the minutes. Mayor Heather Fischer stated that she is also recording tonight's 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.

Solicitor Gaul advised that the date for the Garbage Bid opening was listed incorrectly and an amended agenda should be posted indicating the opening date of the bid as September 20, 2024 @ 2:00 P.M.

A motion was made by Councilmember Lisa Prator to amend the agenda correcting the opening bid date/time to September 20, 2024, at 2:00 P.M.; seconded by Councilmember Stephanie Steele. Vote 5-0-0; Motion Carried.

Action on the Meeting Minutes of August 5, 2024, and August 26, 2024: President Prator asked if there were any corrections or changes to the meeting minutes of August 5, 2024, and August 26, 2024.

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

A motion was made by Councilmember Stephanie Steele to approve the August 26, 2024, Council meeting minutes as presented, seconded by Councilmember Lisa Prator. Vote 5-0-0; Motion Carried.

Secretary/Treasurer Report:

The Secretary presented the August 2024 Financial Report for review/approval.

Bills Presented for Payment:

Borough Operations

Sewer Operations

\$ 17,088.95

\$ 25,954.73

Borough of Portland Council Meeting Minutes
September 9, 2024

Garbage Operations	\$ 5,628.82
Estimate Payroll & Payroll Taxes, July 2024	\$ 6,300.00
Estimate WEX Sunoco Fuel, July 2024	\$ 550.00
Escrow - Ultra Poly B#3-(King, Spry; VanCleaf)	\$ 619.00
Escrow- RPL East	\$ 180.00
<u>TOTAL</u>	<u>\$ 56,321.50</u>

A motion was made by Councilmember Stephanie Steele to approve the August 2024 Financial Report and pay the bills, seconded by Councilmember Karen Pfeiffer. Vote 3-0-2 (Lisa Prator & Lance Prator-abstained) Motion Carried.

Public Comment: Ms. Terry Abramson - 427 Delaware Avenue advised that she submitted a letter to Council regarding her sewer bill charges. Ms. Abramson explained that when she purchased the property the 1.5 EDU existed; she does not have a certificate of occupancy and is unable to utilize the sewer. Solicitor Gaul advised that while the Sewer Regulations may have a provision that permits a property owner to ask the Borough Council to approve a temporary suspension of charges, Ms. Abramson never made such a request. The Borough historically has charged property owners at least a minimum fee based on the availability of service, which it is allowed to do. Service has been available to her property, regardless of her decisions as to what she is currently doing with the property. Ms. Abramson stated she will pay the bill.

Terry Abramson - Parking issue – Ms. Abramson advised that she has a plan to provide parking at 427 Delaware Avenue address which will remove six (6) vehicles from the street. She provided the Council with the plans showing the retaining wall for the parking area. Ms. Abramson has spoken to Keller Zoning regarding her plan; in addition, Penn Dot has advised that if she has signs for each parking spot that states they must back into the parking spot. This will prevent the cars from backing out onto Rt. 611. The Borough Engineer advised that he received Ms. Abramson's information from Tina at Keller Zoning and that the proposal has not been addressed yet. He will review the plan and provide comments on the Borough's requirements.

John Stoutland - Dumpster – Mr. Stoutland would like to replace his nine (9) garbage cans for his properties at 108-112 State Street with a dumpster. Mr. Stoutland advised that Northampton County Tax Assessment classifies the properties as commercial. Solicitor Gaul advised that the Council is currently reviewing the classification of multi-unit apartment buildings for purposes of residential garbage collection and billing, and he has provided Council with two (2) proposed resolutions for consideration at the next meeting. President Prator advised Mr. Stoutland that a decision will not be made tonight but perhaps the next meeting and invited him to return to the next meeting.

Route I80-Route 611 Updates: Tara Mezzanotte, Liaison

Ms. Mezzanotte advised the Council that the tribal monitor was on site earlier than anticipated and there were no artifacts found. NJDOT has not responded to the posed questions from the last meeting to date. Federal Highway meetings have five (5) scheduled projects, but they have hit a wall and are still working on how to approach it.

Councilmember Bruce Cialfi arrived at 7:28 PM.

Resolution Requesting I-80/Rt. 611 Delaware Water Gap (DWG) Actions - Solicitor Gaul presented the Proposed Resolution #2024-19 requesting I-80/Rt. 611 Delaware Water Gap (DWG) actions to the Council for consideration. Solicitor Gaul advised that he provided a pared down resolution for Councils consideration in accordance with Council's direction; basically, the resolution states that the Council wants to see things done in an expeditious manner; and for someone to take the leadership role.

Borough of Portland Council Meeting Minutes
September 9, 2024

A motion was made by Councilmember Lisa Prator to adopt Resolution #2024-19-Resolutuion Requesting I-80/Rt.611 Delaware Water Gap Actions, seconded by Councilmember Karen Pfeiffer. Vote 5-1-0 (opposed-Stephanie Steele); Motion Carried.

Borough Engineers Report: Mark Bahnick, VanCleeef Engineer

DRBC draft docket – no update

COVID Grant Projects – Stormwater and Wastewater – Mr. Bahnick advised the work to locate the underground pipes was completed today. Sewer – will provide an update at the September 23, 2024, meeting. Membranes - Emails have been going back and forth to resolve the issues and purchase the membranes.

A motion was made by Councilmember Stephanie Steele to enter executive session at 7:36 P.M., with the Borough Engineer and to discuss possible litigation and legal advice with the Borough Solicitor; seconded by Councilmember Lisa Prator. Vote 6-0-0; Motion Carried.

A motion was made by Councilmember Karen Pfeiffer to return from executive session at 8:20 P.M., seconded by Councilmember Lisa Prator. Vote 6-0-0; Motion Carried. Possible litigation and legal advice from Solicitor

Sewer Committee:

Sewer Shutoff - Councilmember Stephanie Steele advised that there were two sewer accounts that are unpaid: account #248-533 Delaware Avenue & account 246-406 Pennsylvania Avenue. Councilmember Stephanie Steele advised the Council that Account #264 has paid their bill; - Account #248 remains unpaid.

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 Karen Pfeiffer. Vote 6-0-0; Motion Carried.

Penn Power Systems – remote monitoring \$3,990.00 – remain on agenda for revisit in March 2025.
Commercial and Industrial customer required connection modifications – no update

Mayor Fischer left the room at 8:28 P.M. and returned at 8:30 P.M.

Portland Auto sanitary sewer connection –Councilmember Stephanie Steele advised that the owner has not been around lately– no update

Portland Steel use of property/sanitary sewer requirements – Solicitor Gaul reported that the property owner's professional consultant was asking for some guidance on whether the SALDO and Floodplain regulations would be applicable to rebuilding of the destroyed former building, or a smaller one within its footprint. Solicitor Gaul will respond to the consultant after obtaining input of the Borough Engineer and Zoning Officer.

Riordan Service Proposal – Councilmember Stephanie Steele presented the Riordan Service Proposal to purchase Sewer Blowers with extra filters for \$1,720.00.

A motion was made by President Lance Prator to authorize the service of the Sewer Blowers with extra filters for \$1,720.00, subject to the Borough's standard additional terms and conditions; seconded by Councilmember Lisa Prator. Vote 6-0-0; Motion Carried

Solicitor Gaul advised that the standard terms and conditions which include 2 addendums should be sent to contractors prior to service being completed. The secretary has an addendum regarding the liability insurance and will contact the solicitor regarding the second addendum.

**Borough of Portland Council Meeting Minutes
September 9, 2024**

Councilmember Lisa Prator advised that she has not heard from Mr. LaBarre regarding the tour of the sewer plant; she will keep the Council posted.

Streets Committee:

Co-Starts Salt – President Prator advised that the Borough received an email on August 28, 2024, stating that they will store the salt for Portland at no cost.

President Prator advised that the leaf vacuum should be reserved from COG on November 20 -22, 2024; if the weather is bad the rental will be rescheduled.

A motion was made by Councilmember Karen Pfeiffer to schedule the leaf vacuum from COG for November 20-22, 2024, for \$75.00 per day; seconded by Councilmember Bruce Cialfi. Vote 6-0-0; Motion Carried.

Legal: Solicitor Gaul

RPL Center request for Developers Agreement regarding traffic review costs/Council approval of Developers Agreement. – no update

Alternative Parking Restrictions Enforcement – no update yet

Quality of Life Ordinance – no update yet

Upper Mount Bethel Authority letter – executive session

Slate Hills Enterprise (SHE) – Solicitor Gaul advised that a letter was sent developer's counsel confirming that the Borough's understanding is that the developer is still considering its options, and the Borough will wait to hear back from them.

Subdivision and Land Development (SALDO):

RPL East, LLC Proposed Subdivision and Planned Industrial Park Plans-current expiration date of December 31, 2024– no update

Ultra Poly Building 3 Land Development – proposed Borough and Township Intermunicipal Agreement on Sewer Service. – Solicitor Gaul advised that his understanding is that Ultra Poly has filed or intends to file a final plan for their land development, but there is nothing to discuss tonight.

Zoning, Building and Property Management: no update

Portland Borough Authority – President Prator advised they have hired someone for the office (Carolyn) and Samantha is currently training her. Councilmember Stephanie Steele asked what hours she will be working; President Prator advised they will be discussing this once she has taken over the office.

Police Report

Chief Pysher reviewed his August report which was in the Councils packet; he advised that the printer and tires have been received. The patches have been ordered but have not been received. Mayor Fischer and Chief Pysher would like approval to hire Michael Hunsicker as a part-time police officer working up to 25 hours per week at \$24.00 per hour. Mr. Hunsicker is retiring from Bangor Borough where he worked for 30 years. Solicitor Gaul commented that the Borough's policy historically is not require a police officer to be on call or to accept scheduled hours, and that Borough desires to continue that policy. Solicitor Gaul asked if the applicant intends to work anywhere else. Chief Pysher advised he will be working for the Easton School District.

A motion was made by Councilmember Stephanie Steele to hire Michael Hunsicker as a part-time police officer for up to 25 hours per week at \$24.00 per hour, subject all necessary clearances, seconded by Councilmember Karen Pfeiffer. Vote 6-0-0; Motion Carried.

Borough of Portland Council Meeting Minutes
September 9, 2024

Solicitor Gaul advised he has prepared Resolution #2024-20 authorizing the Mayor and Chief Pysher to spend up to \$500.00 for emergency purchases between Borough Council meetings.

A motion was made by Councilmember Lisa Prator to adopt Resolution #2024-20, authorizing emergency police department expenditures, seconded by Councilmember Bruce Cialfi. Vote 6-0-0; Motion Carried.

Mayor's Report:

Mayor Fischer advised that Representative Flood along with Mayor Fischer will be going to Rt. 611 once the work starts.

Founders Day is October 19, 2024-they are going to have a tractor with trailer instead of the trolley, community smores table will be built – Slate Belt Rising reached out and they will be sending money for Benches, smores table, pumpkins, craft material for a do-it-yourself table.

Nurture/Nature – looking for scientists to help develop a plan for flooding in our area.

Working on a Proclamation for National Day of Prayer-Refiners Ministry

Meeting with Representative Flood and the Developers and 2 Northampton County Council members involved and what was the Positive impact on the community.

Portland Community Events Committee: Councilmember Stephanie Steele advised that Founders Day will be held on October 19, 2024, 1:00 PM – 5:00 PM. Looking for volunteers – Rt. 611 should be open. Jacktown is going to advertise with Portland. Trick or Treat will be on October 26, 2024, 4:00-6:00 P.M.- contest downtown after, the tree lighting will be held on December 1, 2024. Karen Pfeiffer asked about putting up and taking down holiday decoration - the Streets Department. Will be discussed in Executive Session. Councilmember Lisa Prator asked if there will be food trucks for Founders Day – Councilmember Stephanie Steele advised that JT Grill will be here, and the Fidelity Bank will be bringing their truck which will provide either hot chocolate or ice cream depending on the time of year.

COG: President Prator advised that the COG is in the process of writing grants for a high reach lift and two light stands with generators; it will take approximately 2 months to get the grant decision. The COG will be looking for someplace to store these items; and if we store them, we would be able to use them for free.

Sanitation Committee: President Prator advised that the Garbage Bid has been placed on Penn Bid and will be opened on September 20, 2024 @ 2:00 PM on the computer. The bids will be discussed at the September 23, 2024, Council meeting – Portland Municipal Building.

Solicitor Gaul provided the Council with two draft versions of a resolution regarding Classification of Multi-Unit Apartment Buildings as Commercial Establishments for Purposes of Residential garbage fee charge. Solicitor Gaul advised that knowing the number of properties with 3 or more apartments units in the Borough would be helpful to see how this change will affect the Borough. Councilmember Stephanie Steele will have the billing clerk identify the properties that have 3 or more apartments. Solicitor Gaul advised that another issue is can they put the dumpster/trash on the Borough streets/sidewalks if they are not part of the Borough system or do they have to put it on private property. The Solicitor advised that the Council should review the existing ordinance and both resolutions so that it can be discussed at the next meeting for consideration.

Budget, Finance, Insurance & Cable TV Contract: ARPA Grant Funds-need to be obligated by 12/31/2024. Councilmember Stephanie Steele advised they will be working on the budget for next year; if anyone has anything please send it.

Plan Slate Belt: Councilmember Stephanie Steele advised that there is a 45-day plan comment period that will begin on September 13, 2024. President Prator sent out the most updated plan for Council Review.

Borough of Portland Council Meeting Minutes
September 9, 2024

Slate Belt Rising: Councilmember Stephanie Steele advised that the kayaks should be placed downtown in the next couple of weeks.

Personnel –Councilmember Stephanie Steele advised that she has the requested information for Council review, and she will email the hourly rates to everyone – table until reviewed.

Old Business:

Tolls for Bridge – EZ Pass - President Prator advised that since the staff do not cross the toll bridge that often we should just use the toll by plate.

Parking-striping out parking spaces on side streets follow-up. Councilmember Stephaine Steele asked if the Council has seen the painted areas; everyone who has spoken to her have positive comments. Councilmember Karen Pfeiffer asked about replacing the sidewalks with curbs; Councilmember Stephanie Steele indicated that there are specifications for sidewalks that must be followed, and the Zoning Officer/Borough Engineer would be able to help her with this.

New Business:

President Prator advised that the Winter Maintenance Agreement 2024-2029 – was forwarded to Solicitor Gaul for review. The Solicitor provided a brief overview of the agreement and explained how the agreement has changed over the years. The agreement requires a council member's signature and it be returned to Penn Dot.

A motion was made by Councilmember Karen Pfeiffer to authorize the Council President to sign the 2024-2029 Winter Maintenance Agreement contract and return it to Penn Dot, seconded by Councilmember Lisa Prator. Vote 6-0-0; Motion Carried.

President Prator advised that the Liquid Fuels monies has been received from Penn Dot in the amount of \$17,482.88.

Councilmember Stephanie Steele would like to purchase a DeWalt Cordless Drill for \$160.00 for use at the Borough.

A motion was made by Councilmember Karen Pfeiffer to approve the purchase of a DeWalt Cordless Drill for up to \$200.00, seconded by Councilmember Bruce Cialfi. Vote 6-0-0; Motion Carried.

Public Comment: Non-Agenda:

Cindy Fish – Liberty Water Gap Trail meeting minutes were sent to everyone – not a lot going on except Sue Cooper and Charlie Cooper are pushing Senator Cartwright to get involved with the trail since Rt. 611 is going to be reopened. Next step would be to get the trail repairs started–only in the discussion phase. Next meeting of the Liberty Water Gap Trail: September 18, 2024, at 9:00 A.M.

Northern Teir Meeting –Ms. Fish met Senator Matt Cartwright – Northern Tier Leaders' Summit Meeting - he would like to get the train up and running to Scranton. Community projects were presented including information for the Liberty Water Gap Trail. Community projects can be submitted – northern tier region – which the trail falls into, and a 2026 preapplication can be submitted.

Executive Session: None

A motion was made by Councilmember Lisa Prator to Adjourn the meeting at 9:33 P.M., seconded by Councilmember Karen Pfeiffer. Vote 6-0-0; Motion Carried

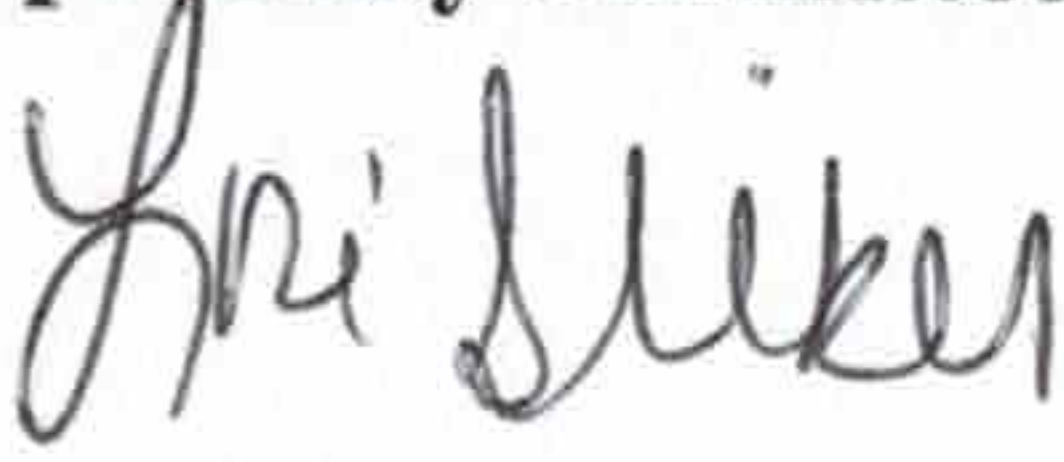
**Borough of Portland Council Meeting Minutes
September 9, 2024**

Reminder: Next meetings:

Monday, September 23, 2024

Monday, October 7, 2024

Respectfully Submitted,



Lori Sliker, Borough Secretary

