

### Call to Order:

The regular scheduled meeting of April 6th, 2009 was called to order by Council President Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mrs. Chobany, Mr. Wozniak, Mr. Slanoc, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Borough Solicitor; Mr. Wisor-Engineer; Don Squillario-Public Works; Chief Miller-Public Safety; and Michelle Claar-Secretary.

Mr. Kissell motioned, seconded by Mr. Wozniak to go out of order on the agenda to recognize the visitors, motion carried 7-0. Members of the Portage and Cassandra Volunteer Fire Companies were present to update Council on the merger of the two companies. Mr. Bruce Cadwallader of the Portage Fire Department elaborated on the transition of the merger. Mr. Cadwallader is seeking Borough Councils support in acknowledging the merger and provided an agreement between the two companies. Council members and Mr. Emerick had several questions on the merger and the agreement:

- Relief Association for the veteran members of both companies
- Workers Compensation costs between Portage, Portage Township, and Cassandra
- Equipment, assets, and apparatus sharing
- Cassandra Fire Department building
- Debts, liabilities, liens and pending claims
- Junior Fireman
- Board of reviews
- By-laws and training

Mr. Cadwallader advised Council that the entire process will become as one. The Cassandra Fire Department building will remain open and used for emergency response outside of the Borough. A discussion was held on the orphans court and certification from the Attorney relating to the disclosure of all financial dockets of Cassandra Fire Company. Mr. Emerick advised that it is Councils decision to approve the merger based on his research. Mr. Cadwallader advised Council that he is requesting support only acknowledging the merger to start the process. Mr. Koban informed Council that he has been in attendance for each meeting between Portage and Cassandra Fire Companies. Mr. Cadwallader also advised that Cassandra and Portage Borough, the Township, and both fire departments will meet in the future and receive a completed agreement. Ms. McCarthy commended Mr. Koban for all his efforts and time spent with the fire department during the merger process. Mr. Kissell motioned, seconded by Mr. Vandzura to have Mr. Emerick contact the fire department Attorney to obtain additional information on the financial disclosures and certification of Cassandra's records and report back to Council prior to approval of the acknowledgement, motion carried 7-0.

Chief Ray Lee updated Council on the necessary alarm card changes for a smoother transition of the merger and to update the cards for the Cambria County 9-1-1 center for the remainder of the year. Mr. Koban commented that the alarm card changes are standard procedure for the 9-1-1 center. Mrs. Chobany motioned, seconded by Mr. Slanoc

to authorize the Portage Volunteer Fire Company to make the necessary alarm cards changes to Cambria County 9-1-1 for the remainder of the year, motion carried 7-0.

## **Reports:**

### **Managers Report:**

Mr. Koban furnished a written report prior to the meeting. Mr. Koban recapped several issues in his report. Mr. Koban informed Council of the purchase of a 2009 Ford Cruiser through the Mountaintop Technology grant in the amount of \$20,000.00. The balance of the cruiser was financed through 1<sup>st</sup> Summit Bank in the amount of \$7,078.30. The cruiser will be available after the lettering and pin-striping is complete.

Mr. Koban commented on a response letter he received from Mr. Bobolsky concerning the fire damaged Harpo's building on Main Street and will discuss later in the meeting. Mr. Koban had nothing additional to report.

### **Solicitor's Report:**

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick had nothing additional to report but advised Council that he will request an executive session for real estate purposes later in the meeting.

### **Engineers Report:**

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor updated Council the Sonman Avenue Bridge status requesting the bridge to be prioritized on the Cambria County Planning Commission MPO's list. Mr. Wisor submitted a letter and also added Gillespie Avenue to the list.

A lengthy discussion was held on the Main Street Streetscape Project. Mr. Vandzura commented that the issue has been on the ten year plan and still remains. Council agreed that support, community involvement, commitment to the project, and funding resources need to be implemented. Mr. Wisor commented on the preliminary design that was presented to Council earlier last year. The design reflected the project in three stages for an earlier grant application. Mr. Vandzura commented on contacting the Portage Endowment Fund for grant fund purposes and requested a Council commitment to the project. Mr. Kissell commented on the costs of the project relating to grant matches and general fund monies. Mr. Koban commented on the research for grants and council commitment to the project. Mr. Vandzura motioned, seconded by Mr. Slanoc to authorize Mr. Koban to seek grant funding from the Community Foundation & Portage Endowment Fund for the design phase of the project and prepare a commitment letter to the project, motion carried 7-0. Mr. Wisor and Mr. Koban will work together on the process.

### **Police Report:**

Chief Miller furnished a written report prior to the meeting. Council commended Chief Miller and the police department for the recent drug bust in the Borough. Chief Miller

commented they are not finished yet with more drug busts and raids in the future. Mr. Wozniak commented on the incidents for the aggressive driving enforcement. Chief Miller informed Council that the Borough received State grant funding for an aggressive driving enforcement and Buckle-up in the amount of \$1,500.00. Chief Miller also commented that these grants were available in the past.

**Public Works Report:**

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario advised the street sweeping will be completed next week with Main Street being swept on Thursday. The Township will utilize the sweeper next. Ms. McCarthy and Council commended the Public Works Department for their street sweeping efforts. Mr. Squillario commented that the cinders will be used only in an emergency if the wintery storm approaches on Monday night.

**Treasurer's Report:**

Ms. Claar furnished a written report prior to the meeting. Mr. Wozniak motioned, seconded by Mrs. Chobany to approve the Treasurer's Report, motion carried 7-0.

**Correspondence:**

The Trout Run Watershed Association sent notice they are sponsoring the annual community cleanup during Earth Week as part of the School District's outdoor activities on Friday, April 24<sup>th</sup> from noon until 2:00 p.m. Several agencies participate in the cleanup along with the Borough's Public Works department.

Comcast sent several notices. One concerning the music choice channel changes effective on April 15<sup>th</sup>, 2009; the NFL network is being negotiated with the National Football League and a subscription to digital starter will be require before a customer may subscribe to digital class or the sports entertainment pack on May 1, 2009. All notices will be sent to customers via a bill message.

The Joint Recreation Commission is requesting participation in the Crichton McCormick Park Clean-up Day for April 25<sup>th</sup>, 2009 beginning at 8:30 am in the park. They are also requesting borough equipment to assist in hauling the debris from the park. Four members of council volunteered to assist and Council agreed to the equipment to haul the debris.

The Department of Labor & Industry sent notice advising the end of the grandfathering period for all persons holding R-17 cards for the Uniform Construction Codes Certified Code officials. Ms. Claar will contact Somerset County Building Inspections to verify the code officials are certified.

**Minutes of the Previous Meeting:**

The minutes of the March 2<sup>nd</sup> regular meeting and March 16<sup>th</sup> committee meeting were distributed prior to the meeting. Mr. Wozniak motioned, seconded by Mrs. Chobany to approve March 2<sup>nd</sup> regular meeting and March 16<sup>th</sup> committee meeting, motion carried 7-0.

### **Paying of Bills:**

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve paying the bills plus the additional bills, motion carried 7-0. The bills listed totaled \$66,545.49. Mr. Koban commented that Kotzan & Associates invoice included a separate charge of \$1,000.00 for auditing the Jefferson Avenue Bridge Project due to Federal & State guidelines.

### **Other Reports**

Monthly reports for were received from the Water & Sewer Authority, the Portage Area Planning Commission, Portage Public Library, and the Joint Recreation Commission. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve reports from the Water & Sewer Authority, the Portage Planning Commission, and the Joint Recreation Commission, motion carried 7-0.

### **Unfinished Business:**

The Stop N Go Property was tabled.

The Main Street Streetscape Project was discussed earlier in the Engineer's report.

Mayor Fox advised that there was no contact made with Mr. Nicholson regarding the Main Street property.

Mrs. Chobany requested the Canine issue remain on the agenda until May.

Mayor Fox solicited local businesses for the Cambria County Borough Association Dinner for donations and door prizes. Mayor Fox presented each member of Council with a list of the businesses commitment to their donation/door prize choice. Ms. Claar commented that several organizations contacted her to donate door prizes as well. Ms. McCarthy commented that Sheetz will and Sharon's Cleaning Service will also be contributing.

The Harpo's building and the mini-park was held and discussed in executive session.

Mr. Koban advised Council that the committee will be meeting again to discuss the Farmer's Market to be held in May. A display ad featuring the event will be published in the Dispatch.

The Joint Recreation Commission Ordinance amendment was properly advised and the agreement reviewed by Council. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve Ordinance 3-2009; amending Ordinance 2-1997 by increasing the members from a seven to a nine member board. Ms. McCarthy polled each member, motion carried 7-0.

A discussion was held on the interviews for the position. Mrs. Vandzura was the only candidate that submitted a letter of interest. Ms. McCarthy commented that she was previously interviewed and suggested appointment at this meeting. Mayor Fox commented that a motion was made last month to hold interviews on Wednesday, April 8<sup>th</sup> at 6:30 p.m. Mayor Fox motioned, seconded by Mr. Slanoc to change the interview time from 6:30 to 5:30 p.m. on Wednesday, April 8<sup>th</sup> motion carried 7-0. Ms. Claar will contact the JRC to advice of the time change.

### New Business:

Mr. Koban commented on a "Welcome to Portage Sign Committee" to be formed. Mr. Koban advised Council that there are several issues on the agenda that need to be addressed. There are no committee meetings in May, June, July, and August and Mr. Koban suggested scheduling a meeting in May to address these issues. The Welcome to Portage Sign Committee, sign and billboard proposed ordinance, and the property maintenance codes are three issues that Mr. Koban would like to address and remove from the agenda. A discussion was held on scheduling a committee meeting in May. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the advertising of a committee meeting to be held on May 18<sup>th</sup>, 2009, at 6:30 p.m. to discuss the Welcome to Portage Sign, the proposed sign and billboard ordinance, and the property maintenance codes, motion carried 7-0.

Mr. Koban commented on several letters that were sent out to borough residents last year regarding the removal/repair of dilapidated buildings and garages. Some residents have complied by either repairing or demolishing the structures. Mr. Koban advised that a house and garage/shed located at 1319 Gillespie Avenue has not been occupied and there is no owner to take responsibility of the structures. Mr. Koban requested Council direction on how to proceed. Mr. Emerick advised that a title search will have to be performed to determine who is paying the taxes, if any, and if there are any heirs to the estate. Mr. Kissell motioned, seconded by Mrs. Chobany to have Mr. Emerick proceed with a title search on the property of Michael Patney of 1319 Gillespie Avenue to have the house and garage/shed to be demolished, motioned carried 7-0.

Allegheny & Chesapeake Physical Therapists submitted a request for the Mayor to proclaim the month of April as Occupational Therapy Month. Mrs. Chobany motioned, seconded by Mr. Wozniak to proclaim that April is Occupational Therapy Month, motion carried 7-0.

Mr. Koban informed Council that Southern Alleghenies Planning & Development is offering a fifty percent grant match for an LED Traffic Signal Conversion Program. The total cost of the LED's is \$2,797.18, with the borough's share to be \$1,398.59. Mr. Koban requested a commitment from Council for the fifty percent share to be expended through the General Fund. Mr. Kissell motioned, seconded by Mr. Slanoc to approve and commit to the fifty percent grant match of \$1,398.59 and in-house labor costs with the Southern Alleghenies Planning & Development grant being offered for the LED Traffic Signal Conversion Program, motion carried 7-0.

Dennis P. Kotzan & Associates submitted the 2008 annual audit for the General Fund, State Liquid Fuels, and the Jefferson Avenue Bridge Project for Council to review and comment. Mr. Kissell motioned, seconded by Mrs. Chobany to approve the advertising of the 2008 annual audit in the Dispatch, motion carried 7-0. Mr. Kotzan also provided an opinion letter relating to three internal control and administrative procedures.

- Recommended management to re-evaluate the millage breakdowns for special purpose revenue and pension in the general fund
- Reconciliation of the real estate taxes reflected the face amount plus penalty was deducted to reach the uncollected outstanding balance of taxes.

- Certificate of deposits for the Summerfest Committee was reflected under the Borough's federal identification number. Recommendation is made to have the Summerfest Committee and Joint Recreation establish their own bank accounts and tax identification number; or to have Council approval prior to opening new accounts.

Mayor Fox questioned if the above issues were remedied. Mr. Koban advised that the issues were discussed with the individuals and organizations.

#### **Good of the Borough:**

Ms. McCarthy commented on the new home that was built on Sonman Avenue. The owners are avid Penn State fans and invite guests to stay over for the games. Ms. McCarthy commented that this promotes a positive feedback for the community.

Mr. Wozniak commented on the new police patches that Chief Miller, Officer Kehn, and Officer Wyar had designed. The old patches were fraying and in bad shape.

Mayor Fox motioned, seconded by Mr. Wozniak to go into executive session for real estate purposes and litigation on the Miller Property, Bobolsky, and mini-park. Mr. Wozniak motioned, seconded by Mrs. Chobany to go out of executive session, motion carried 7-0. Mr. Wozniak motioned, seconded by Mrs. Chobany to go into the regular meeting, motion carried 7-0.

Mr. Slanoc motioned, seconded by Mrs. Chobany to have Mr. Emerick write a letter to Mr. Bobolsky regarding the fire damaged building on Main Street instructing him of three options, motion carried 6-1 with Mr. Kissell voting no.

- Donate the building to the borough
- Provide information or name the individual that would purchase the property
- If demolition is decided, name the contractor and provide a copy of the contract with a demolition beginning and completion date.

Mayor Fox commented that he has received complaints and has seen shingles and loose materials falling from the dilapidated structure.

#### **Adjournment:**

Mr. Wozniak motioned, seconded by Mrs. Chobany to adjourn, motion carried 7-0. The meeting adjourned at 8:32 p.m.