

Call to Order:

The regular scheduled meeting of December 7th, 2009 was called to order by Ms. McCarthy at 6:30 p.m.

Members present were: Mr. Kissell, Mr. Vandzura, Mr. Slanoc, Mrs. Chobany, Mr. Wozniak, 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; Jr. Council Mr. Leydig and Ms. Cadwallader.

Mr. Wozniak motioned, seconded by Mrs. Chobany to deviate from the agenda to address the citizens, motion carried 7-0. Mrs. Bonnie Fox commented that WinterFest is progressing.

Mr. Ron Cadwallader was present representing the Water Authority. Mr. Cadwallader informed Council that the Water Authority has received a \$53,000.00 grant for a source water protection plan. Mr. Cadwallader is requesting a representative from Borough Council to be seated as a steering committee member for the project. Mr. Cadwallader advised that he approached Portage Township and the Planning Commission with the same request. The issue will be placed on the December 17th special meeting agenda for discussion and appointment.

Ms. Jean Kinley was also in attendance for the appointments to the Joint Recreation Commission.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Ms. McCarthy commented on the energy grant application that was submitted by Stiffler, McGraw & Associates that was ineligible due to missing or incomplete energy assessment information. The issue was addressed under the Engineer's report. Mr. Kissell questioned the condition of the Gillespie Avenue Bridge that was mentioned in his report. Mr. Wisor commented that he will review the bi-annual bridge inspection report with his office and determine the best resolution for the deficiency. A discussion also took place on whether the repairs can be performed in-house with the Public Works Department. Mr. Wisor will report back at the January regular meeting.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick reviewed the agreement presented by Mr. David Joseph regarding the mini-park property lease and will be discussed under old business. Mr. Emerick had nothing additional to report.

Engineers Report:

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor informed Council that the site/curb plans for the Sheetz; questioned by Mayor Fox, from the last meeting

were not up to date when construction began. Mr. Wisor commented on the energy grant that was determined ineligible. Mr. Wisor advised that the information was listed but the interpretation was misconstrued. Mr. Koban commented that the grant information for the energy consumption could only have been prepared by a qualified engineer for the assessment. Mr. Koban also commented the criteria for the grant was "dead-on" as compared to other grant recipients. One recipient was awarded the grant in Cambria County.

Police Report:

Chief Miller furnished a written report prior to the meeting. Ms. McCarthy commented that the number of incidents were down as compared to previous months. Mr. Koban and Chief Miller informed Council that Officer King will be enforcing ordinance violations four times a month beginning in December. Mr. Kissell questioned the "free parking" for the month of December. Mr. Kissell motioned, seconded by Mr. Wozniak to implement the "free parking" during the month of December, motion carried 7-0. Mrs. Chobany informed Chief Miller that she received several complaints from residents regarding dogs in the park with no leashes. Chief Miller will investigate.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario had nothing additional to report.

Treasurer's Report:

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

Correspondence:

Mr. Koban advised Council that several pieces of correspondence were listed on the agenda and included in their packets to be reviewed rather than be read at the meeting. Those included the following: Cambria County Department of Emergency Services submitted a letter regarding key issues of concern facing emergency medical service providers and the municipalities. The County is encouraging local municipalities to be proactive in any alarm card changes relating to fire and ems agencies and that the local municipality is overall responsible. Mr. Cadwallader commented that the County has attempted several times to dictate what station responds to an emergency.

FEMA submitted notification that the borough's flood plain ordinance will have to be amended within the next several months due to a new digital flood insurance rate map and study that is now in countywide format. The municipalities will be required to address three issues of concern: review the preliminary flood insurance rate map, reach out to citizens affected by the changes to inform them of the implications, and adopt or amended the current flood plain ordinance that meets the National Flood Insurance Program. Additional information will be forthcoming.

PSAB sent notice of the 99th 2010 Annual Conference to be held April 25-28th at the Omni William Penn in Pittsburgh.

Comcast sent notice of monthly price changes effective on January 1, 2010. Comcast will inform the public with notices included in the monthly bill.

Portage Area Summerfest sent a budget request for a donation to be included in the 2010 budget.

The Knights of Columbus sent notice they will not be sponsoring the Portage Halloween Parade in the future. Ms. McCarthy requested the Dispatch to place an article in the paper seeking sponsors for the parade. Mr. Kissell suggested a community recognition letter be submitted to the Knights of Columbus for their dedication over the last twenty five years in sponsoring the Halloween Parade.

Mayor Fox informed Council that he will be taking the lead on contacting organizations for individuals who are in need of community service time.

Minutes of the Previous Meeting:

The minutes from October 19th, November 2nd, and November 16th minutes distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the minutes from October 19th, November 2nd and November 16th, motion carried 7-0.

Paying of Bills:

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mr. Kissell motioned, seconded by Mrs. Chobany to approve paying the bills plus the additional bills, motion carried 7-0. The bills listed totaled \$28,061.82.

Other Reports

Monthly reports were received from the Water & Sewer Authority, Portage Area Planning Commission, and the Portage Public Library. Mrs. Chobany motioned, seconded by Mayor Fox to approve the monthly reports from the Water & Sewer Authority, Portage Area Planning Commission, and the Portage Public Library, motion carried 7-0.

Unfinished Business:

There was no update on the Main Street Streetscape project.

Mr. Koban advised that the Welcome Sign to Portage is moving forward.

The committee for the international property maintenance codes is moving forward. Office King will be enforcing the borough ordinances four times a month.

Mr. Koban advised Council that the Portage Planning Commission and the Mainline Heritage Association is moving forward for a non-profit 501C-3 status. Mr. Koban explained that the process will take approximately nine months to obtain the status.

Mayor Fox commented on the new Sheetz turning lanes from Main Street and the inadequacy of the channelizing lines. Mrs. Chobany questioned how many accidents have been reported at the intersection so far and Chief Miller advised that he knows of two.

The accidents were negligence of the operator and not caused by the traffic signals or patterns. Council agreed to remove the issue from the agenda.

Mr. David Joseph submitted the property lease agreement for the nineteen feet of property he owns at the mini-park. Mr. Emerick advised Council that from a legal issue, the Borough will be assuming all liability and maintenance of the nineteen feet. The agreement also reflected a one year renewable lease option at \$1.00 per year. Mr. Wozniak motioned, seconded by Mr. Slanoc to approve the property lease agreement between Mr. David Joseph and Portage Borough concerning the nineteen feet at the mini-park, Ms. McCarthy polled and motion carried 7-0. Mr. Kissell motioned, seconded by Mayor Fox to approve the \$1.00 per year renewable lease, motion carried 7-0.

The Intergovernmental Cooperation Agreement for the grant writer position was properly advertised. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve Ordinance 7-2009 entering into an Intergovernmental Cooperation Ordinance for the creation of a grant writer position between Portage and Cassandra Borough and Portage Township. Ms. McCarthy polled and motion carried 7-0.

New Business:

The Portage Area Planning Commission submitted information concerning the regional comprehensive plan that is mandated to be updated every ten years. Mr. Kissell remarked that he is not in favor of the plan due to budget constraints. Mr. Koban advised that the plan will cost the borough \$10,000.00 over the next two years with \$5,000.00 budgeted for each year. Mr. Koban also commented that if the grant is unsuccessful, the borough will not disburse the appropriate funds. The grant paperwork requires the monetary support of the Boroughs and Township as part of the eligibility requirements. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve resolution 7-2009 by participating in a regional/intermunicipal comprehensive plan with Portage Township, Portage and Cassandra Borough, motion carried 7-0.

Ms. Claar provided Council a list of files from 1995 through 1999 that can be disposed of in accordance with the Municipal Records Manual. Mr. Kissell motioned, seconded by Mrs. Chobany to approve Resolution 8-2009 declaring Councils intent to dispose of municipal records in accordance with the Municipal Records Manual, motion carried 7-0.

Appointments were made to the Planning Commission, Water Authority, and Joint Recreation Commission as follows:

Mayor Fox motioned, seconded by Mr. Kissell to re-appoint Mrs. Diane Batche to the Planning Commission to serve the five year term from 2010-2014. Ms. McCarthy polled and motion carried 7-0.

Mr. Wozniak motioned, seconded by Mrs. Chobany to appoint Mr. Thomas Hodgkinson to the Water Authority Board for a five year term from 2010 to 2014. Ms. McCarthy polled and motion carried 6-1 with Mr. Kissell voting no.

Mrs. Chobany motioned, seconded by Mr. Kissell to re-appoint Ms. Jean Kinley to the Portage Area Joint Recreation Commission for a three year term from 2010-2012. Ms.

McCarthy polled and motion carried 4-3 with Mr. Vandzura, Mr. Slanoc, and Mr. Wozniak voting no.

The 2010 proposed budget was reviewed by Council. After a discussion Mr. Wozniak motioned, seconded by Mr. Kissell to approve the advertising of the 2010 proposed budget for public inspection, motion carried 7-0.

Good of the Borough:

Ms. Claar provided the 2010 meeting dates for Council to review. Mr. Emerick advised that there will be two meetings he cannot attend; July 6th, and September 7th. After a discussion, Mr. Wozniak motioned, seconded by Mrs. Chobany to approve the advertising of 2010 regular and committee of the whole meetings, motion carried 7-0.

Mr. Kissell questioned if there were any letters of interest received for the Sewer Authority. The ad was placed again for letters of interest. The Dispatch will also mention the issue in the paper for letters of interest.

Mrs. Chobany commended all the groups that participated in the decorating of the Arch and appearance of the mini-park with the Christmas Decorations.

Mr. Vandzura informed Council that the Rotary Club will be providing vehicles for the annual Christmas Parade for members of Council at 4:30 p.m. on Saturday.

Adjournment:

Mrs. Chobany motioned, seconded by Mr. Wozniak to adjourn, motion carried 7-0. The meeting adjourned at 7:38 p.m.