

Call to Order:

The regular scheduled meeting of January 5th, 2009 was called to order by Council President Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Lane, 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.

Mayor Fox motioned, seconded by Mr. Kissell to go out of order to acknowledge the visitors and applicants for boards and commissions, motion carried 7-0. Ms. McCarthy commented that she would like to begin interviewing the candidates for the various boards and commissions. Mr. Vandzura questioned the interviewing process during the regular meeting when it has been past practice to interview during the Committee of the Whole meetings. A discussion was held on when to hold interviews. Since the candidates were already notified to attend this meeting, interviews were held. In the future, candidates will be interviewed at committee or special meetings.

Ms. McCarthy requested to start with the Water Authority applicants and asked the remaining applicants to leave the room during the interviewing process. Ms. McCarthy, Mr. Koban, Mr. Vandzura and Mr. Wozniak each had the same several questions they asked each applicant. The first applicant was Mrs. Tammy Wozniak. Mrs. Wozniak submitted a letter of interest and a resume for Council to review. The seconded applicant was Mr. Greg McDonnell seeking a re-appointment. Mr. McDonnell submitted a re-appointment letter along with a resume for Council to review. Ms. McCarthy questioned if Mr. McDonnell's place of residency is in the Borough or the Township. Mr. McDonnell stated that he resides in the Township. After further discussion and review of the by-laws; there can only be one member from the Township. Mr. Emerick commented that the Municipal Authorities Act had increased the number to two. After review of the board members presently serving, there are already two members from the Township on the board. Mr. Emerick will review the Municipal Act for verification.

The next applicant was Mrs. Polly Vandzura. Mrs. Vandzura presented a letter of interest for the position on the Water Authority or the Joint Recreation Commission along with a resume. Mrs. Vandzura was asked questions for each organization and Council asked if she had her choice, which board would she like to serve on. Mrs. Vandzura commented that she would serve on whichever one Council thought best. A letter of interest was received from Mr. Chester Hochrein who could not attend the meeting due to a conflicting schedule. Council commented that Mr. Hochrein was also a Township resident.

Applicants for the Joint Recreation Commission were interviewed. Mrs. Vandzura was previously interviewed. Mr. David Squillario presented a letter of re-appointment for Council to review.

Mrs. Bonnie Fox was the only applicant for The Planning Commission. Mrs. Fox presented a letter of interest to Council for review. Council thanked all the applicants and advised that they would appoint later in the meeting.

Mr. Fox commented on all the questions that were presented from Council to the applicants and questioned if there are any job descriptions for those positions that are being applied for. Mr. Fox suggested; for in the future, to develop job descriptions for the various positions being sought. Ms. McCarthy commented that this is the first time that Council has interviewed to this extent.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban recapped several issues in his report. Mr. Koban advised Council that fire company member Myrna Maul will be on workers compensation until further notice from the physician. Mr. Koban advised Council that there is no additional information on the Harpo's building. Mr. Koban informed Council that the Portage Volunteer Fire Company is considering a merge with Cassandra Fire Department. Both companies have been holding extensive meetings regarding the merging and how it would benefit Portage Borough, Portage Township, and Cassandra Borough. Each municipality would have to vote and give their blessing. Mr. Koban commented that as information is obtained, he will keep Council abreast of the progress. Ms. McCarthy commended Mr. Koban for the 2009 budget process and his message. Mr. Wozniak requested if Mr. Koban could elaborate on his meeting with Mr. Vandzura and Mr. Custer regarding the Redevelopment Authority. Mr. Koban explained that the Redevelopment is a resource that the Borough could use in obtaining funding for a multitude of projects. The latest funding available related to low-income programs and dilapidated buildings through a community development block grant fund. Mr. Koban also commented that the Harpo's Building could possibly meet the criteria for the block grant funding, if the Borough would have possession of the property. Mr. Kissell commented on pursuing the upstairs Council room. Mr. Koban advised Mr. Kissell that Council agreed to remove the issue at the November Committee of the Whole meeting. Mr. Koban suggested preparing a list of any future ideas or projects and have a motion from Council before moving forward with the idea. Mr. Kissell commented that Portage Township is seeking for a place to hold their monthly meeting.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick informed Council he received notice of a judicial sale on March 20, 2009 for the Apel/Miller property on Mountain Avenue. Several creditors were listed on the notice. Mr. Emerick will contact the Tax Claim Bureau of the bid amount of the property and who the tax lien holders are. The issue will be discussed in executive session for litigation purposes.

Engineers Report:

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor had nothing additional to add. Mr. Kissell questioned a bridge project on Route 164 in the borough.

Mr. Wisor advised that the project is a State Project on Main Street (Sonman Run Bridge), not a borough project. The project is in the preliminary stages of planning. Mr. Wisor advised Council that the Smart Transportation Application for the Main Street Streetscape Project has been forwarded for funding approval. Mr. Vandzura questioned how long the process would take for notification of award. Mr. Wisor advised that the funds must be utilized by September, 2009. Mrs. Chobany commended the work completed on the Jefferson Avenue Bridge Project.

Police Report:

Chief Miller furnished a written report prior to the meeting. Mr. Miller had nothing additional to report. Ms. McCarthy commented on the double numbers of incidents for Caldwell, Gillespie, and Orchard Street. Ms. McCarthy questioned the status of the stabbing victim and Chief Miller advised that he will be okay.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Wozniak questioned the salt usage during the fire at the old Wasco's Building. Mr. Squillario advised that he did not use a lot of salt on Main Street but on the side streets and alley behind the building from the ice and water. Mr. Squillario commented that PennDot might send us a load of salt. Ms. McCarthy and Mr. Kissell received phone calls from a resident concerning the Christmas Decorations that were taken down. The resident would like to have the decorations remain until after the Russian Christmas. Mr. Squillario advised that the shut off date from Penelec was January 3rd and the Public Works Department had nice weather to take the decorations down. Mayor Fox suggested that the decorations should be taken down at the discretion of the Public Works Director. Mr. Kissell suggested leaving the decorations up until after the Russian Christmas. Mr. Squillario commented that the decoration that goes across Main Street; from the borough building to Wasko's will need a new place to hang for next year. Ms. McCarthy commented on the Lee Street Arch still leaking with water forming ice on the street. Mr. Squillario has a plan that he wants to discuss with the Borough Manger as an in-house project for a sub drain. Mr. Squillario has been in contact with Mr. Duane Meadows of Norfolk Southern concerning the ice and water from the walls. Mr. Kissell suggested drilling a hole in the side wall and to construct a French drain to run into a catch basin.

Treasurer's Report:

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

Correspondence:

Comcast sent notice of the broadcast digital TV (DTV) transition effective for February 17, 2009.

PSAB sent notice of the Robert C. Edwards Scholarship application available to borough students who have been accepted for admission to an accredited College, University or school which offers a two or a four year degree/certificate program. The deadline for applications is March 2, 2009. Ms. Claar advised Council she forwarded the application to the Portage Area School District Business Administration Office.

Minutes of the Previous Meeting:

The minutes of the December 1st, regular meeting and the December 19th special meeting were distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Lane to approve the December 1st and December 19th, 2008 minutes, motion carried 7-0.

Paying of Bills:

The bills were distributed prior to the meeting. Mr. Kissell motioned, seconded by Mr. Wozniak to approve paying the bills plus the additional bills, motion carried 7-0. The bills listed totaled \$20,074.69.

Other Reports

Monthly reports were received from the Water, Sewer Authority, the Joint Recreation Commission, and Portage Library for November and approved. The 2009 operating budget was also submitted from the Municipal Authority and the Joint Recreation Commission (on file with the Secretary).

Unfinished Business:

The Stop N Go Property was discussed earlier in the meeting.

The Main Street Streetscape Project had no additional information.

The Rex Alley One-Way proposed ordinance was discussed. Mr. Koban informed Council that he was approached about notifying First Summit Bank and the Amvets with amending the alley to be one-way only. Mayor Fox commented about a comment period when the proposed amendment is advertised for thirty days prior to adoption. Mr. Koban will notify First Summit Bank regarding the alley to be one-way only. Mrs. Chobany motioned to table the advertisement until the February 2nd meeting and to have the Borough Manager check with First Summit Bank.

The final copy of the "Regionalization Agreement" with Portage Township was reviewed by Council. This is the copy that the Township had adopted at their December meeting with the changes they requested. Mr. Koban commented that Council has to determine if they want to leave the original agreement as-is with Cassandra Borough or to amend it to the final copy that Portage Township has adopted. A lengthy discussion was held on the changes the Township requested, legal fees, fees for re-advertisement and an amended ordinance at the Borough's cost since we are already regionalized with Cassandra Borough. Mr. Kissell was in disagreement of the changes and re-advertising since the Township delayed in the language of the agreement. Mr. Koban explained that the Township and both Borough's should have the same agreement. Mr. Wozniak commented that it is only a

check box on a form but could pose a hassle with any type of funding. Mr. Koban recommended Council to approve the advertising so all can have the same agreement. There were only a few minor changes to the final agreement. For the betterment of the community as a whole, the agreement should be the same and move forward. Mr. Fox commented that the ten year plan was the same issue with the Township. Mrs. Chobany motioned, seconded by Mr. Lane to approve the advertising of amending the previous "Regionalization Agreement". Ms. McCarthy polled and motion carried 6-1 with Mr. Kissell voting no.

New Business:

The appointments to the Water Authority Board, Joint Recreation Commission, and the Planning Commission were discussed. Letters of interest were received for all. All position terms ended on December 31, 2008. A discussion took place with the Water Authority Board appointments. Ms. McCarthy commented on the recent situation with the Water Authority Superintendent and the board members. According to the by-laws and the Municipal Authorities Act, the board can only have one non-resident on the board and there are currently two already; Mr. Dennis Beck and Mr. Ray Bowman. In the previous years, there were no applicants of the Borough applying for the position so a resident of the Township was appointed, making two non-residents on the board. Mr. Emerick commented that the Municipal Authorities Act was amended to include two non-residents. Mr. Emerick recommended further research into the by-laws and the Municipal Authorities Act before making an appointment. Mr. Emerick will research and report back for the Committee of the Whole Meeting on January 19th, 2009.

Mr. Wozniak suggested discussing the appointments in executive session. Mrs. Chobany motioned, seconded by Mr. Wozniak to go into executive session for personnel and litigation reasons, motion carried 7-0. Mrs. Chobany motioned, seconded by Mayor Fox to go out of executive session, motion carried 7-0. Mrs. Chobany motioned, seconded by Mr. Wozniak to go into the regular meeting, motion carried 7-0.

Ms. McCarthy requested nominations for the Planning Commission. Mrs. Chobany motioned, seconded by Mr. Wozniak to appoint Mrs. Bonnie Fox to the Planning Commission for a five year term ending 2013, motion carried 6-0-1 with Mayor Fox abstaining. Mrs. Chobany motioned, seconded by Mr. Lane to appoint Mrs. Polly Vandzura to the Joint Recreation Commission, motion carried 5-1-1 with Mr. Kissell voting no and Mr. Vandzura abstaining.

Good of the Borough:

Mayor Fox commented on the condition of the Nicholson Property on Main Street to be cleaned up. Mr. Kissell commented that it should be left alone. Mr. Koban suggested a motion on the action. Mayor Fox motioned, seconded by Mrs. Chobany to contact Mr. Nicholson regarding the condition of the property, motion carried 6-1 with Mr. Kissell voting no.

Mr. Kissell commented on the Farmers Market from earlier in the year and advised Council that it will soon be approaching. Mrs. Chobany and Mr. Kissell were nominated for the committee.

Adjournment:

Mrs. Chobany motioned, seconded by Mr. Fox to adjourn, motion carried 7-0. The meeting adjourned at 9:35 pm.