

Call to Order:

The regular scheduled meeting of June 7th, 2010 was called to order by Ms. McCarthy at 6:30 p.m.

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

VISITORS:

Mr. Wozniak motioned, seconded by Mayor Fox to go out of order on the agenda to recognize the visitors. Ms. McCarthy introduced Ashley Watt as the reporter for the Dispatch. Kathy Mellot from the Tribune was also present. Mrs. Tina Viscusi and Mary Jane Viscusi were present to obtain information on the newly adopted unimproved roadway ordinance. Tina Viscusi had completed a right to know request seeking the unimproved roadway ordinance that Mr. Koban had just received. Mr. Koban provided Mrs. Viscusi with the ordinance. Mary Jane Viscusi questioned "why now" and what alleys would be affected, and if fines would be imposed if any resident used the grass alleys. Mr. Koban explained that the ongoing complaints over the years prompted Council to make a decision to regulate the usage of the grass alleys. Mary Jane commented that she and other residents maintain the cutting of grass upon the alleys and questioned if the Borough was going to then maintain them. Mr. Koban explained that the Borough has the authority to regulate unimproved roadways within the Borough as long as we are not land locking any resident. It is up to the resident if they want to continue to cut the grass. Tina Viscusi also questioned who would be the designated agent that would approve a written permission request to utilize the roadway. Council appointed Mr. Koban as the designated agent in accordance to the ordinance. Mr. Koban also explained that fines would be imposed if residents use the roadway without approval from Borough Council or himself. The Viscusi's expressed their disapproval of the ordinance since they are taking care of cutting the grass and upkeep and not being able to use the grass alley.

Mr. and Mrs. Hostetter were in attendance to inform Council of a constant dispute between them and Richard Kowalczyk. The Hostetter's have even installed a privacy fence to separate the contact between each other. Mr. Kowalczyk is constantly harassing, swearing, and gawking at the Hostetter's and other surrounding residents. Mr. Hostetter advised that he has contacted the police several times and feels that the neighbor is "out of control." He is searching for some guidance from Council on how to deal with the situation. Mayor Fox suggested placing a restraining order on the neighbor but Chief Miller advised that restraining orders have been abolished. Chief Miller informed Mr. Hostetter to walk away and call the police. The complaints need to be documented. Mr. Koban expressed his displeasure and dealing with the neighbor and commented the situation keeps escalating. The neighbor has had court hearings on these issues. Mary

Jane Viscusi brought up another concern that was a privacy fence on the property line and a safety concern for site distance located at Cunard and Caldwell. Mr. Koban explained that as long as the fence is on the owner's property, there are no set back requirements within the Borough. Mr. Koban will investigate the fence for site and safety concerns.

Mr. Dennis Beck was in attendance to thank the 277 Portage Area students for their efforts during the PA Cleanways event. Borough Council also expressed their thank you to the students for their services to the community. Mr. Beck advised Council that Marcellus wells have caused recent explosions across the county and contaminated water sources. There are four sites in the Benscreek area that are being watched closely by Mr. Beck so that nothing will be comprised with the town water supply. Mr. Beck commented that a movie called "Gasland" is being aired on June 21st at 9:00 p.m. on HBO concerning Marcellus wells.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban provided complaint forms to all members of Council and requested they complete the form for any public nuisances that are brought to their attention. Mr. Koban advised that Chief Miller will be attending the June Committee of the Whole to discuss the Cambria County SERT agreement. Mr. Koban informed Council that he, Mr. Vandzura and Mayor Fox attended a hearing for Pat Nicholson. Mr. Nicholson was found guilty and has since appealed to Cambria County court. Mr. Koban will inform Council of the date once he receives the information. Mr. Koban commented that he attended a meeting with a WPSU representative concerning a production called "Our Town". WPSU is seeking participants based on real life stories of members of the community. Mr. Koban is asking residents to participate in the film making that will be aired on TV. A public meeting will be held on June 23rd at 7:00 p.m. at the Borough Building for more detailed information about the program. The public is encouraged to attend and participate.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick commented that he will address issues under old and new business.

Engineers Report:

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor had nothing additional to report. Ms. McCarthy commented on the Plummer property that was discussed later in the meeting.

Police Report:

Chief Miller furnished a written report prior to the meeting. Ms. McCarthy commented on the number of incidents and complaints that have been resolved. Council commended the Police Department for their efforts.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario informed Council that the Public Works Department will be attending a seminar for two summer youth workers through the Good Will and Career Link program. It is not certain if the Borough will receive two workers until after the seminar. Mr. Squillario will provide an update after the meeting. Council commended the department for the great job on the trimming and flags on Main Street.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mr. Slanoc motioned, seconded by Mr. Wozniak to approve the Treasurer's report, motion carried 6-0.

Correspondence:

Cambria County Geographic Information Systems sent notice they have secured funding for aerial photography and software for pictometry imagery if the Borough is interested in the program.

Minutes of the Previous Meeting:

The minutes from May 3rd regular and May 17th committee meetings were distributed prior to the meeting. Ms. McCarthy commented that the minutes of May 3rd reflected a typographical error vote of 5-0-1 and should be changed to 5-1. Mr. Slanoc motioned, seconded by Mayor Fox to approve the minutes from the May 3rd regular (after the corrections of the vote) and May 17th committee meeting, motion carried 6-0.

Paying of Bills:

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mr. Kissell motioned, seconded by Mayor Fox to pay the unpaid bills; including the additional, in the amount of \$28,464.65.

Other Reports

The monthly reports on the agenda are now reflecting the organization by month. Monthly reports were received from the Water & Sewer Authority for April; the Planning Commission for April, the Portage Public Library for May, and Portage Ambulance for January & February. Mr. Kissell commented on Joint Recreation Commission. Mr. Squillario advised of the winter months and no quorum of the board. Mr. Slanoc motioned,

seconded by Mr. Wozniak to approve the monthly reports as presented, motion carried 6-0.

Unfinished Business:

Mr. Squillario informed Council that the Welcome to Portage Sign will be installed this week. Borough Council commended Brad Kline for all his hard work and efforts on creating the sign. The Dispatch and Tribune will be taking pictures and present an article in their prospective news publication.

Mr. Koban requested the 501C-3 status be renamed to the Mainline Heritage Association and the process is still ongoing with obtaining names to join.

Mr. Koban advised that the list of goals will be forwarded to Mr. Brant to focus on. Mr. Brant will also be working on a USDA Grant for the Public Works Department for a new truck. Mr. Kissell commented that he spoke with the State Inspector at the Food Pantry concerning a grant for feeding families. Mr. Koban explained to Mr. Kissell that he will have to submit the request to him to have Mr. Brant proceed with any grant funding.

The emergency operations plan to be discussed at the committee meeting.

Update on the grant funding for Gillespie Avenue is still being researched

There is still no sponsor for the Halloween Parade. Mr. Kissell suggested having the Borough sponsor the event so it doesn't fall apart. Mayor Fox commented that the community needs to get involved with events as well. A lengthy discussion took place on the borough sponsoring the event. Mr. Kissell motioned to have the Borough sponsor the event. Ms. McCarthy called for a second. The motion failed due to the lack of a second.

The Cambria County SERT Agreement was discussed. Mr. Emerick provided information for Council to consider prior to accepting the agreement. The issue will be discussed with Chief Miller at the June Committee of the Whole meeting.

Mr. Koban advised Council that a hearing was held at District Magistrate Decorts' office on the Plummer property at 1021 Caldwell Avenue. Mr. Plummer pled guilty but a structural field study is required per the ordinance. Mr. Vandzura motioned, seconded by Mr. Wozniak to have Mr. Wisor perform a structural study on the building and Mr. Emerick to move forward with legal proceedings on the property at 1021 Caldwell Avenue, motion carried 6-0. Chief Miller will provide the necessary information to Mr. Wisor and Mr. Emerick.

Mr. Koban informed Council that there is no official notice from Cambria County regarding the grant funding for the demolition of the Harpo's building.

There was no update on the Rails to Trails grant funding.

Mr. Vandzura informed Council that he is having difficulty in getting an appointment with Allegheny Ridge regarding the Silk Mill property and requested the issue remain on the agenda.

There is still a vacant seat on the Sewer Authority board. Ms. McCarthy commented that she is still trying to find someone. Mr. Koban suggested reviewing the voters registration list a member to fill the vacant seat. The issue will be on the agenda for the June 21st committee meeting.

There is no update on the Main Street Streetscape project.

An amendment to the handicap special purpose parking ordinance was properly advertised in the Dispatch. Mr. Kissell motioned, seconded by Mr. Slanoc to approve Ordinance 3-2010, amending Chapter 15, Section 406, Handicap Parking by adding 1104 Johnson Avenue and removing 822 Orchard Street, motion carried 6-0.

An amendment to the intermunicipal agreement between Portage Borough, Portage Township & Cassandra Borough shared equipment and services was properly advertised in the Dispatch. Mr. Vandzura motioned, seconded by Mr. Wozniak to approve Ordinance 4-2010 concerning the amendment to an intermunicipal agreement between Portage Borough, Portage Township and Cassandra Borough for shared services and equipment, motion carried 6-0.

New Business:

Mr. Steve Feaster provided an amendment to the Police Pension Fund Ordinance 11-2007 concerning the death benefit per Act 51 of the Commonwealth. Mr. Emerick had also reviewed the amendment. Mr. Vandzura motioned, seconded by Mayor Fox to approve the advertising of amending Ordinance 11-2007 concerning the death benefit of the Police Pension Plan per Act 51 of the Commonwealth, motion carried 6-0.

Mr. Koban advised Council of the quarterly meeting of the various boards and commissions for the committee meeting and requested some type of agenda or format. The agenda will include a list of short and long term goals for each board/commission.

The life insurance for part time officers will be discussed at the June committee meeting.

Good of the Borough:

Saturday, June 12th is the Portage Community Yard Sale beginning at 8:00 a.m. The Historical Society is sponsoring the event.

The Farmers Market was advertised in the five Mainline Newspapers with the first market being held on July 3rd, 2010. Mr. Kissell advised that he will be ready for the market.

Mayor Fox commented on the Memorial Day Services he attended that featured Mr. Vandzura as the speaker. Mayor Fox commended Mr. Vandzura for his support within the community.

Mr. Slanoc informed Council that Junior Council member; Mr. Leydig was awarded the PSAB Robert C. Edwards Scholarship Fund award in the amount of \$1,000.00. Council commended Mr. Leydig for all his efforts and service as a Junior Council member.

Adjournment:

Mayor Fox motioned, seconded by Mr. Wozniak to adjourn, motion carried 6-0. The meeting adjourned at 7:58 p.m.