

Call to Order:

The regular scheduled meeting of May 3rd, 2010 was called to order by Ms. McCarthy at 6:30 p.m.

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

VISITORS:

Ms. McCarthy introduced our new part time police officer; Melissa Glavach. Chief Miller informed Council that Ms. Glavach brings experience to the department and is doing a great job thus far. Council welcomed Ms. Glavach aboard.

Bids:

The bids for the 2010 Road Program were properly advertised in the Dispatch with bid opening at 6:30 p.m. Mr. Koban opened and read bids aloud with Mr. Wisor verifying the proper documentation was received. Bids received were as follows with award later in the meeting:

- New Enterprise Stone & Lime \$45,453.60
- Grannas Brothers \$43,656.00
- HRI, Inc. \$53,072.00
- Quaker Sales \$46,384.50

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban advised that Mr. Vandzura, Mayor Fox, and Mr. Koban inspected the old Silk Mill property. Mr. Vandzura commented that the building has great potential and has wide open space. A discussion was held on the ideas of what the building could be utilized for. Council suggested having Mr. Wisor perform an inspection of the building for structural integrity. Mr. Koban advised that if other members of Council would like to inspect the building, he will keep the keys for another walk through.

Mr. Koban informed Council that he inspected the 1021 Caldwell property that was brought to Council's attention from Mr. Burkett from the April meeting. Further discussion on the condition of the building was discussed later in the meeting.

Mr. Koban advised that the Rails to Trails grant has been successfully submitted and will be waiting for the results.

Mr. Koban provided Council with an overview of the mini-park renovation with an updated lighted fountain. Penelec is scheduled to provide power to the fountain. Mr. Koban will keep council informed of the progress.

Mr. Vandzura questioned the estimated \$3,700.00 cost of stolen items from the Joint Recreation Commission. Mr. Koban informed Council that the estimate was provided from Mr. David Squillario from a break-in at the maintenance building and will be forwarded to CBIZ for the claim. CBIZ informed Mr. Koban that the JRC Agreement stipulated the Borough and Township would be jointly responsible for the deductible. CBIZ is to report back with an amount for the deductible. A discussion was held on the amount of the deductible. Mr. Koban also informed Council that the JRC did not formally advise the Borough to file a claim on their behalf and requested that in the future, written documentation be submitted for any claims. Mr. Emerick will also be reviewing the insurance policy and the JRC Agreement for the deductible between the Township and the Borough.

Solicitor's Report:

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

Engineers Report:

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

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to report. Mrs. Chobany questioned if a drug dog would have been useful in the drug related incidents. Chief Miller advised that a dog wouldn't have helped out much. Mr. Vandzura commended the Police Department for their work. Mr. Slanoc questioned all the Sheriff's vehicles in town last week. Chief Miller advised that the parole board was performing searches for parole violations.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario had nothing additional to report. Mr. Vandzura questioned the location of Factory Alley that was regraded. Ms. McCarthy questioned the minutes that were submitted from the Water Authority. Mr. Squillario advised that Sharon Squillario is now the recording secretary for the Water Authority.

Treasurer's Report:

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

Correspondence:

Our Lady of the Sacred Heart Parish sent a thank you for the municipal departments assisting in the procession of Holy Thursday on April 1st, 2010.

The Greater Johnstown Chamber of Commerce sent notice of the 12th annual Local Government Opportunity Forum/Reception to be held on Thursday, May 6th, 2010 at the Summit Country Club from 6:00 - 8:00 p.m. Four council members will be attending.

Minutes of the Previous Meeting:

The minutes from April 5th regular and April 19th committee meetings were distributed prior to the meeting. Mr. Slanoc motioned, seconded by Mayor Fox to approve the minutes from the April 5th regular meeting and April 19th committee meeting, motion carried 6-0.

Paying of Bills:

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mrs. Chobany motioned, seconded by Mr. Slanoc to pay the unpaid bills including the additional in the amount of \$24,900.74.

Other Reports

The monthly reports on the agenda are now reflecting the month. Monthly reports were received from the Water & Sewer Authority for March; the Planning Commission for March, the Joint Recreation Commission for January and March, and the Portage Public Library for January. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the monthly reports as presented, motion carried 6-0.

Unfinished Business:

The emergency operations plan to be discussed at the committee meeting.
Update on the grant funding for Gillespie Avenue is still being researched.
Mr. Squillario brought the Welcome to Portage Sign for Council to observe. Mr. Slanoc advised that one more coat of polyurethane is needed before the signs can be erected. Council commended the seniors for the dedicated efforts.
The update on the 501C-3 status will be discussed at the next committee of the whole meeting along with the list of goals for the grant writer to focus on.
There is still no sponsor for the Halloween Parade. The Sewer Authority still has a vacant seat on the board. Mr. Koban requested this remain on the agenda until filled.

New Business:

Mr. Koban presented Council with a Cambria County SERT Agreement for their consideration. The intermunicipal agreement would be between Cambria County and the Portage Borough Police Department for Special Emergency Response Team. Chief Miller and Officer Wyar are both training for the team. Officer Wyar has been training on his own time. Chief Miller elaborated on the program. Mr. Koban suggested having Council review the agreement before the next meeting. Mr. Emerick did not have an opportunity to review the agreement prior to the meeting. Mr. Emerick will review the agreement and provide an updated for the Committee of the whole meeting.

The 2010 Road Program bids were reviewed by Mr. Wisor for the proper bid bonds, insurance, and documents. Mr. Kissell motioned, seconded by Mr. Vandzura to approve Resolution 5-2010 awarding the 2010 Road Program to Grannas Brothers in the amount of \$43,656.00. Ms. McCarthy polled and motion carried 6-0.

The proposed amendment to Crichton McCormick Park was properly advertised. Mr. Kissell informed Council that he would like to table the issue until PSAB has their meeting concerning municipalities permitting firearms in the park for law enforcement. Mr. Kissell motioned to table the proposed amendment but the motion died due to the lack of a second. Mr. Slanoc motioned, seconded by Mr. Vandzura to approve Ordinance 1-2010 amending Chapter 16, Part One Section 101, subsection I by removing firearms within the Park. Ms. McCarthy polled and motion carried 5-1 with Mr. Kissell voting no. Mayor Fox commented that he doesn't disagree with Mr. Kissell but if the State does pass the legislation then the issue can be revisited.

The proposed ordinance of unimproved roadways was properly advertised in the Dispatch. Mayor Fox motioned, seconded by Mrs. Chobany to approve Ordinance 2-2010 prohibiting vehicular traffic on unimproved roadways within the borough, motion carried 6-0.

A discussion took place on the deductible amount for the claim on the stolen items at the Park. Mr. Emerick will review the insurance policy and JRC agreement before the committee of the whole meeting and present his findings at that time. Mr. Koban commented that Council has two decisions; to file the claim on behalf of the JRC and to determine the deductible amount of either \$250.00 or \$500.00.

The revisions were made to the shared services agreement between Portage Borough, Portage Township, and Cassandra Borough. Mr. Emerick advised that Mr. Webb had made the final changes. Mayor Fox motioned, seconded by Mr. Slanoc to approve the advertising of an intermunicipal agreement for shared services and equipment between Portage Borough, Portage Township, and Cassandra Borough, motion carried 6-0.

Mrs. Marjorie Willinsky submitted a request for designated handicap parking space at 1104 Johnson Avenue. The proper documents were received and Mrs. Willinsky was advised of the costs for the space. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the advertising of an amendment to Chapter 15, Section 406 Handicap Parking, by adding 1104 Johnson Avenue and removing 822 Orchard Street, motion carried 6-0.

The Portage Area Planning Commission submitted a request to obtain a safety deposit box at Mainline National Bank. Mr. Koban explained that in recent audits, the Auditor requested that any entity utilizing our Federal ID number should submit their request for authorization prior to opening any new accounts, etc. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve Resolution 6-2010 authorizing the Planning Commission to obtain a safety deposit box at Mainline National Bank and naming Diane Batch, Richard Rice and Raymond Kargo as financial signatories on the account, motion carried 6-0.

Mr. Koban elaborated on the condition of the structure located at 1021 Caldwell Avenue that was presented by Mr. Burkett. Mr. Koban suggested having Mr. Wisor perform a field inspection of the property for a dilapidated structure in accordance with the ordinance. A lengthy discussion was held on ownership, if there are any liens on the

property, and any back taxes. Council agreed to have Mr. Koban and Ms. Claar research if any liens are on the property, if the property was up for Sheriff Sale, etc and report back at the next committee of the meeting.

The SERT Agreement was tabled until the committee of the whole meeting.

Good of the Borough:

Mrs. Chobany commented that the Post Office will be picking up canned goods for the food pantries. Mr. Vandzura advised that Mr. Beck wished to express his thank you to the Borough Public Works and Police Department during the Earth Day cleanup process.

Mayor Fox commented on the Park being cleaned up for opening season. Mr. Slanoc commented that the students will be assisting in the clean up and possibly the prisoners will be brought down from the County.

Mr. Koban informed Council that he will not be able to attend the May 17th Committee of the Whole Meeting due to a scheduling conflict. After a discussion, Mayor Fox motioned, seconded by Mr. Kissell to advertise the cancellation of the Monday May 17th meeting and rescheduling for Wednesday, May 19th, motion carried 6-0.

Ms. Claar reminded Council that Spring Clean up will be held on May 11th and 12th.

Adjournment:

Mrs. Chobany motioned, seconded by Mr. Slanoc to adjourn, motion carried 6-0. The meeting adjourned at 7:54 p.m.