

**Call to Order:**

The regular scheduled meeting of April 4<sup>th</sup>, 2011 was called to order by Ms. McCarthy at 6:32 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-Solicitor, Mr. Wisor-Engineer, Chief Miller-Public Safety, Mr. Squillario-Public Works (arrived late), and Michelle Claar-Secretary.

**VISITORS:**

Present were: Jerome Yetsko, David Hurst-Altoona Mirror, Ashley Watt-Mainline Newspapers, Kathy Mellott-Tribune Democrat. Several residents from Portage Township were in attendance to gather additional information on the shared police services between the Township and the Borough. Mr. Larry Raptosh served as spokesperson for the group.

**Reports:**

**Managers Report:**

Mr. Koban furnished a written report prior to the meeting and had nothing additional to report. Mr. Koban addressed issues under old and new business. Mr. Kissell questioned the status of Mrs. Viscusi's and Mrs. Slebodnicks sewer issues from the March regular meeting. Mr. Koban commented that he has not had an opportunity to speak with Mr. Squillario on the issue but will follow-up within the week.

**Solicitor's Report:**

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick provided a copy of a letter he submitted to Mr. Bookhammer concerning the structure located at 619 Main Street. Mr. Bookhammer will have until April 20, 2011 to undertake the necessary repairs as recommended by the Borough Engineer.

Mr. Emerick presented a draft of a complaint to be filed with the Court of Common Pleas of Cambria County for the Plummer property located at 1021 Caldwell Avenue. Mr. Kissell commented that the order to the defendants reflected repairs. The order should read only demolish within thirty days. The repairs will be stricken from the court order. After a discussion, Mr. Kissell motioned, seconded by Mayor Fox to authorize Council President Ms. McCarthy to sign the order with the above corrections. Ms. McCarthy polled and motion carried 7-0.

Mr. Vandzura questioned Mr. Emerick's invoice for what the CPA audit correspondence charge was for. Mr. Koban explained that the auditor requires each year to have the Borough Solicitor confirm if there is or is not any pending litigation.

**Engineers Report:**

Mr. Wisor furnished a written report to Council. Mr. Wisor informed Council that the PA Department of Environmental Protection is reviewing the Gillespie Bridge application. Mr. Koban questioned the time frame of bidding the project and reminded Mr. Wisor that the completion date for the project is June 30<sup>th</sup>, 2011. Mr. Wisor commented that he believes there is ample time for completion of the project.

**Police Report:**

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to report. Ms. McCarthy commended Chief Miller and the police department on the latest Tribune article concerning the police services with Portage Township. Mr. Wozniak commented on the six (6) incidents that were handled in the Township by the Borough police department and if there were any thus far in April. Chief Miller advised that there were no incidents thus far in April.

**Public Works Report:**

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

**Treasurer's Report:**

Ms. Claar furnished a written report prior to the meeting. Mr. Vandzura motioned, seconded by Mr. Slanoc to approve the Treasurer's report reflecting \$90,572.35. Ms. McCarthy polled and motion carried 7-0.

**Correspondence:**

A thank you letter to the Public Works Department was submitted by Ms. Bern Sigado for the street sweeping.

Our Lady of the Sacred Heart Parish submitted a request to process from the Hammers Street Worship site to the Mountain Avenue site on Holy Thursday, April 21, 2011 at approximately 8:00 p.m. Mr. Kissell motioned, seconded by Mr. Wozniak to approve the request to process on Holy Thursday from Hammer's Street to Mountain Avenue for Our Lady of the Sacred Heart Parish, motion carried 7-0.

The Portage Woman's Club sent notice the annual Easter Egg Hunt will be held on Saturday, April 23<sup>rd</sup>, 2011 at 12:00 noon at Crichton McCormick Park.

Comcast sent notice effective April 26<sup>th</sup>, 2011 that WATM will be added to channel 192 on the limited basic cable lineup. Notices were also sent out to all customers via mail.

The Cambria County Boroughs Association spring dinner will be held on Tuesday, April 26<sup>th</sup>, 2011 at the Imperial Room in Ebensburg starting at 5:30 p.m. The CCBA is hosting the dinner with Joe Sernell as the guest speaker to talk about the Cambria Connects Program. The reservation deadline is Tuesday, April 19<sup>th</sup>. Council and staff were advised to check their calendar and reply at the April 18<sup>th</sup> committee of the whole meeting.

Ms. Claar advised the 2010 audit has been completed by Kotzan CPA and Associates and presented Council with the reports. Mr. Slanoc motioned, seconded by Mrs. Chobany to approve the advertising of the 2010 borough audit report, motion carried 7-0.

Ms. Claar presented a list of the 2011 boards, commissions, and organizations for Council to review. Ms. McCarthy suggested placing the Portage Area School Board of Directors on the list along with the meeting dates. The Committee of Whole for the School Board was combined with the regular meeting for the 2<sup>nd</sup> Wednesday of the month at 6:30 p.m and the regular meeting beginning at 7:30 p.m. Mr. Slanoc provided an update to the borough's website for the Portage Area Youth Association webpage link. The list for the PAYA also needs updated with the current members. A new list will be presented at the April committee of the whole meeting.

Mr. Koban advised that he received an estimate of the 2010 Census (copy was provided to Council) reflecting a declination in population from 2,837 to 2,601. The official census will not be available until mid April.

Mr. Dennis Beck-Chairman for the Trout Run Watershed Association; submitted notice of Earth Week to take place either Thursday, April 21<sup>st</sup> or Friday, April 29<sup>th</sup> depending on the PAHA schedule. The clean-up consists of highways and streams in the Portage Area and Crichton McCormick Park. Mr. Beck will contact Ms. Claar once the official date is set.

#### **Citizens Input on Agenda Items:**

Ms. McCarthy called on a spokesperson for the Township group in attendance. Mr. Larry Raptosh took the helm at the podium with three questions concerning the agreement:

- Grant money being dispersed between the Borough and Township
- Outside mediator to settle disputes
- Formula's for any proposed price increase over the next 3 years
- Verbiage in the agreement, the price tag, and 3 year term

Mr. Koban answered the above questions.

- Stipulations for any grant funding could be added to the agreement but would be dispersed depending on what the grant was being used for.
- In the case of the mediator; any disputes over the agreement would be in the hands of the courts making a final decision. If a dispute was internal; The Home Rule Charter governs the police force and would also have to answer to the Borough Manager.
- Mr. Koban advised that there was no formula included for any price increase since the agreement was a contracted price for the 3 year term. There should be no increase but if there was; the Township could opt out of the agreement at any time.
- Mr. Koban commented that the agreement was written by the Township Solicitor; C.J. Webb. Mr. Koban also commented that the \$89,000.00 price tag and 3 year term was necessary to cover any capital assets and various increase in costs for insurance, payroll, and benefits.

**Minutes of the Previous Meeting:**

The minutes from the March 7<sup>th</sup> regular meeting and March 21<sup>st</sup>, 2011 committee meeting were distributed prior to the meeting. Mr. Slanoc motioned, seconded by Mrs. Chobany to approve the minutes from March 7<sup>th</sup> regular and the March 21<sup>st</sup>, 2011 committee meeting, motion carried 7-0.

**Paying of Bills:**

The bills were distributed prior to the meeting. Mr. Chobany motioned, seconded by Mr. Wozniak to pay the unpaid bills and additional bills in the amount of \$25,435.26. Ms. McCarthy polled and motion carried 7-0.

**Other Reports**

Ms. Claar commented that the agenda did not reflect the exact month for the monthly reports from organizations. Reports were received from the Municipal Water Authority and the Sewer Authority for February; the Portage Library for March, and the Joint Recreation Commission for January, including the 2011 budget. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the monthly reports as presented, motion carried 7-0.

**Unfinished Business:**

Mr. Koban advised Council that he is talking with the original members of the Mainline Heritage Association to schedule another meeting in the near future.

Mr. Koban informed Council the Harpo's Building still remains on the schedule for demolition in late spring with the Cambria County Redevelopment Authority.

Mr. Koban advised Council that he received three (3) proposals for the Stop N Go for an asbestos cost study to determine if there is or is not any asbestos in the building. Mr. Koban will present the three proposals with cost estimates at the April committee of the whole meeting.

There is no update on the Main Street Streetscape project.

Mr. Koban talked with members of the PVFD concerning the transfer of property with Mainline National Bank. The board is still discussing the best option.

Mr. Emerick commented on the Plummer property and requested approval to move forward with the filing of the complaint to the Court of Common Pleas. Mr. Wozniak motioned, seconded by Mr. Kissell to approve \$79.00 for the filing of the complaint to the Court of Common Pleas and \$150.00 for the Cambria County Sheriff's Office to serve the complaint on the Plummer's for the 1021 Caldwell property. Ms. McCarthy polled and motion carried 7-0.

Mr. Koban informed Council that the confirmation letter of LUPTAP grant funding has been received and the contract is forthcoming. Mr. Koban explained the three phases of the project for the Rails to Trails and the two grants thus far that have been awarded.

The earned income tax will be discussed at the March committee of the whole meeting.

Mr. Koban advised Council that he submitted a letter to the Johnstown Housing Authority representative; Mr. Daniel Kanuch requesting a meeting at the April committee meeting. Mr. Kanuch replied back in the letter that he would like to meet with Mr. Koban to discuss the agreement prior to meeting with Council. Mr. Koban will contact Mr. Kanuch to schedule a meeting.

There was no update on the certificate of liquor liability for the PVFD convention.

A lengthy discussion transpired on the shared police services agreement between Portage Borough and Portage Township. Mr. Kissell approached the podium with research he gathered and presented a visual of the anticipated additional coverage area. The borough currently has .67 square miles and the township has 24 square miles. Mr. Kissell also commented that the Cresson Area Chamber of Commerce is holding a public meeting for shared police services on May 19<sup>th</sup>, 2011 at Mt. Aloysius College. Ms. McCarthy closed the discussions by stating the issue is in the hands of the Township Supervisors.

#### **VOTING ITEMS:**

The request from Mrs. Donna Sweeney to establish a handicap parking space and remove two handicap spaces was properly advertised in the Dispatch. Mayor Fox motioned, seconded by Mr. Slanoc to approve Ordinance 2-2011 (Chapter 15, Section 406 special handicap parking) by amending the handicap parking spaces by adding one space at 1106 Johnson Avenue and removing two on Orchard Street; and repealing Ordinance 2-1998 concerning Contractor's Registration including the removal of fees from the fee schedule. Ms. McCarthy polled and motion carried 7-0.

#### **New Business:**

Mr. Kissell informed Council that he discovered information from the Department of Agriculture concerning farmer's market that will require a license. Mr. Kissell commented that there is still time to set the dates for the Farmer's Market until further information is received concerning the license requirements. Mr. Kissell also advised that he was not able to make connection with Mr. Koenigsburg regarding the parking lot for the market. Ms. Claar suggested utilizing the space at the Stop N Go behind the administration building.

PennDot submitted the application for the 2011 county liquid fuels allocation through the Cambria County Commissioners Office. Mr. Vandzura motioned, seconded by Mayor Fox to approve Resolution 2-2011 by making application for the 2011 county liquid fuels allocation in the amount of \$12,000.00. Ms. McCarthy polled and motion carried 7-0.

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

Ms. Claar presented a certificate for signatures from Mayor Fox to Ericca Cadwallader for donating a portion of her liver to her cousin. Council agreed to invite Mainline

Newspapers and Ericca to the May regular meeting so photo's can be taken. Ms. Claar will contact Ericca for attendance at the May meeting.

Mr. Rich Olshavsky questioned why he did not have a chance to speak under public comment. Ms. McCarthy advised Mr. Olshavsky that she had called for public participation earlier in the meeting and stated that this Board has been very patient and understanding on the Portage Township residents concerns.

**Adjournment:**

Mrs. Chobany motioned, seconded by Mayor Fox to adjourn, motion carried 7-0. The meeting adjourned at 7:35 p.m.