

Call to Order:

The regular scheduled meeting of June 6th, 2011 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Vandzura, Mr. Wozniak, Mrs. Chobany, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor, Mr. Wisor-Engineer, Chief Miller-Public Safety, Mr. Squillario-Public Works, and Michelle Claar-Secretary. Absent were Mr. Kissell and Mr. Slanoc.

VISITORS:

Present were: Jerome Yetsko, Timothy Campbell-Stiffler McGraw & Associates, Sean Wechtenhiser with the Dispatch, Mr. Ed Hill and Victor Miller.

Ms. McCarthy called for the public hearing on the Roy Bookhamer property located at 613 Main Street. Mr. Emerick requested the minutes reflect that Mr. Roy Bookhamer, Wendy Bookhamer, and 1st Commonwealth Bank were not present for the hearing. Mr. Emerick read the submission of documents to be reflected in the minutes:

- Exhibit A: Letter from Attorney Emerick to Mr. Bookhamer advising the structure is in non-compliance with Borough Ordinance 3-1981.
- Exhibit B: Field view and engineer's report performed by Stiffler & McGraw presented to Borough Council of non-compliance of Ord. 3-1981.
- Exhibit C: March 18th, 2011 letter from Attorney Emerick to Mr. Bookhamer advising he has thirty (30) days to make the necessary repairs as recommended by the Borough Engineer.
- Exhibit D: March 18th, 2011 letter from Attorney Emerick to Mrs. Wendy Bookhamer advising she has thirty (30) days to make the necessary repairs as recommended by the Borough Engineer.
- Exhibit E: March 18th, 2011 letter from Attorney Emerick to First Commonwealth Bank advising they have thirty (30) days to make the necessary repairs as recommended by the Borough Engineer.
- Exhibit F: Letter from Mr. Bookhamer advising he was not aware of the City Codes And requesting a full report of structural stability
- Exhibit G: Letter from Mr. Emerick in response to Mr. Bookhamer's letter regarding City Codes and repairs.
- Exhibit H: Letter from Stiffler, McGraw to Mr. Robert Koban advising that the recommended repairs were not made by Mr. Bookhamer.

- Exhibit I: Letter from Mr. Emerick to Mr. Bookhamer advising of a public hearing on June 6th, 2011.
- Exhibit J: Letter from Mr. Emerick to Mrs. Wendy Bookhamer advising of a public hearing on June 6th, 2011.
- Exhibit K: Copies of signed certified mail receipts to Mr. & Mrs. Bookhamer and 1st Commonwealth Bank
- Exhibit L-O: Pictures of structure.

Mr. Emerick called for testimony from the Borough Engineer; Timothy Campbell. Mr. Campbell provided several pictures for Council to review. Mr. Campbell provided in detail the repairs that need to be made to bring the building into compliance. Mr. Emerick then called for the property owners. As stated earlier, the Bookhamer's and 1st Commonwealth Bank were not present. Mr. Emerick then called on Borough Manager; Mr. Robert Koban and Police Chief; Ed Miller to give testimony on what has transpired. Mr. Emerick called for public and Council comments. Mr. Emerick requested a decision from Council. The options were: demolition, repair, or legal action. After a lengthy discussion; Mayor Fox motioned, seconded by Mr. Vandzura to order the repair of the structure in conformance with the recommendation of the Borough Engineer, motion carried 5-0.

Mayor Fox motioned, seconded by Mr. Wozniak to go out of order to recognize the visitors, motion carried 5-0.

Mr. Vic Miller was in attendance to represent the Portage Volunteer Fire Company to discuss the Halloween Parade for October 23rd. Mr. Miller commented that if Council doesn't approve the event, the Halloween Parade will come back to Borough to handle. Mr. Koban informed Mr. Miller that Borough Council does not approve events for any organizations; only the closing of streets.

Mr. Ed Hill was in attendance to observe the public hearing for the Main Street property. Council commended Mr. Hill for all the work and efforts he has done on the corner building.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban advised Council that he met with Karl King of the Allegheny Ridge Association, Rick Turcello of the Eads Group, and Dick Rice with the Planning Commission to review the state of the three (3) grants that were received for the Long Range Plan, Comprehensive Recreation Plan, and the Trail Feasibility Study.

Mr. Koban met with Daniel Kanuch with the Johnstown Housing Authority and will discuss with Council at the June Committee meeting.

Mr. Koban met with the Planning Commission to discuss his role as Borough Manager.

Mr. Koban and Mr. Dick Rice will be meeting with Amfire to discuss the coal trucks, traffic, and dirt from hauling the coal through Dulancey and Main Street. Mr. Koban will e-mail other Council members if they are interested in attending the meeting.

Mr. Koban informed Council that he received bids for the asbestos abatement for the Stop N Go Building: KLA Roofing-\$1,250.00; R.L. Abatement-\$1,200.00; and Penoco-\$1,183.00. Mr. Koban recommended Penoco since they were the lowest bidder. A lengthy discussion took place on the total expenditures to date, the abatement process, trash dumpsters, and in-house demolition with assistance from the Municipal Water Authority. Mayor Fox motioned, seconded by Mr. Vandzura to contract with the lowest bidder Penoco, in the amount of \$1,183.00. Ms. McCarthy polled and motion carried.

Mr. Koban updated Council on the Gillespie Avenue Bridge stabilization project with financing options from 1st Summit Bank for a loan amount of \$25,000.00. A discussion took place on the grant money received, local portion of the match, and a letter of intent to have the work completed by June 30th, 2011. Mr. Koban will provide additional information at the June committee meeting.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick held a formal public hearing for the 613 Main Street (Bookhamer) property earlier in the meeting. Mr. Emerick informed Council that a hearing will be held on July 20th, 2011 beginning at 9:00 a.m. at the Cambria County Courthouse for the 1021 Caldwell Property (Plummers) to determine the damages and costs. Mr. Emerick requested support at the hearing. Mr. Koban, Mr. Vandzura and Mayor Fox will attend the hearing along with Mr. Tim Campbell from Stiffler & McGraw.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor had nothing additional to add. Ms. McCarthy questioned the bonding of state roads.

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller commented on the seventeen breakins for the month of May. Seven are still under investigation. Ms. McCarthy commented on the activity for May. Chief Miller informed council that the aggressive driver and buckle up program is underway. Mr. Vandzura advised Council and Chief Miller that a Rotary Club exchange student will be in the area and requested that Chief Miller accompany the student with police service duties.

Public Works Report:

Mr. Squillario was absent but furnished a written report prior to the meeting. Mayor Fox informed Mr. Koban that there is a large pothole in the alley behind Sassy Sister's and The Municipal Authority.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mr. Wozniak motioned, seconded by Mrs. Chobany to approve the Treasurer's report in the amount of \$119,409.18. Ms. McCarthy polled and motion carried 5-0.

Correspondence:

None

Citizens Input on Agenda Items:

Ms. McCarthy called for citizens input. Mr. Yetsko had none.

Minutes of the Previous Meeting:

The minutes from the April 18th committee meeting, May 2nd Regular meeting and the May 16th committee meeting were distributed prior to the meeting. Mr. Vandzura motioned, seconded by Mrs. Chobany to approve the minutes from April 18th committee meeting, May 2nd Regular meeting and the May 16th committee meeting, motion carried 5-0.

Paying of Bills:

The bills were distributed prior to the meeting. Mr. Wozniak motioned, seconded by Mrs. Chobany to pay the unpaid bills and additional bills in the amount of \$41,833.23. Ms. McCarthy polled and motion carried 5-0.

Other Reports

Reports were received from the Municipal Water Authority and the Sewer Authority for April, the Joint Recreation Commission for April and May, Portage Public Library for April, Planning Commission for March and April, Cambria County Building Codes Enforcement Agency for May. Mayor Fox motioned, seconded by Mrs. Chobany to approve the monthly reports as presented, motion carried 5-0.

Unfinished Business:

Mr. Koban advised Council that a meeting will be scheduled in the near future for the Mainline Heritage Association.

Stop N Go and Harpo's was discussed under the Borough Manager's Report

Mr. Koban informed Council that the Rails to Trails feasibility study is moving forward. Additional information will be available at the June Committee Meeting.

There is no update on the Main Street Streetscape project.

There was no update on the Farmers Market.

Mr. Koban commented on the Main Street Mini-Park project and commended the Public Works Department and the Portage Rotary Club for their generous \$5,000.00 donation. Mr. Koban would like to purchase a bronze plaque identifying the Rotary Club. Several proposals were received from Servinsky's, Colonial Brass, Plaque Maker, and Impact Signs. Mr. Koban recommended Servinsky's at a cost of \$625.00 which includes a 14X18 sign with raised letters on the plaque.

Mr. Koban advised there was no update on the transfer of the property from Mainline National Bank to the Portage Vol Fire Company. Ms. Claar commented that she received information from Andrea Sims Realty Transfer showing the transfer transaction. The issue will be removed the agenda.

The Bookhamer property was discussed earlier in the meeting.

There was no update on the Earned Income Tax and will be on the agenda for the June committee meeting.

There was no update on the JHA Agreement but Mr. Koban will provide information at the June committee meeting.

New Business:

Mr. Koban presented Council with a proposed amendment for the Weed Ordinance. The current ordinance is too vague when a citation is filed at the District Magistrate's office. Mr. Koban recommended a height of ten (10) inches. Pictures of different heights were also presented to Council. After a discussion, Mayor Fox motioned, seconded by Mr. Vandzura to advertise the amendment of the Weed Ordinance # 265. Ms. McCarthy polled and motion carried 5-0.

A donation request was submitted by Bethany United Methodist Church for the 2nd annual HarvestFest. A donation was made last year in the amount of \$100.00. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve a donation request in the amount of

\$100.00 to the HarvestFest to be held on Sunday, October 23rd 2011. Ms. McCarthy polled and motion carried 5-0.

The Portage Area Joint Recreation Commission sent in a request to approve a resolution designating July as the Park and Recreation Month as presented by the U.S. House of Representatives. Mr. Vandzura motioned, seconded by Mr. Wozniak to approve Resolution 4-2011 designating July as Park and Recreation month, motion carried 5-0.

The Gillespie Avenue Bridge Stabilization project was discussed. Mr. Koban presented the low bid from Gregori Construction in the amount of \$34,500.00. Bid tabs were also presented. Mr. Koban advised that the completion date for the project is June 30th. Mr. Wisor commented that the project paperwork must reflect the 30th for compliance of the grant. After a lengthy discussion, Mr. Wozniak motioned, seconded by Mrs. Chobany to award the Gillespie Avenue Bridge Stabilization contract to Gregori Construction in the amount of \$34,500.00 if in compliance with the grant from DEP. Ms. McCarthy polled and motion carried 5-0.

Mrs. Noreen Tremel submitted a request for a handicap parking place at 603 Caldwell Avenue for Mr. Anthony Mignogna. Documentation was presented with the request. Mr. Vandzura motioned, seconded by Mr. Wozniak to approve the advertising of amending Chapter 15, Section 406 special purpose parking by adding 603 Caldwell Avenue, motion carried 5-0.

Good of the Borough:

Mayor Fox advised Council that the Chatterbox is now open to the public and has received great support thus far.

Mr. Koban advised that Ed Rocker will be opening a day care and hair salon at the old Curves building on Main Street.

Mayor Fox advised that the alley behind the Dollar General is in bad shape. Mayor Fox also commented that the Kline's Amusement roof is caving in on Gillespie Avenue.

Ms. McCarthy advised that Brickley's Construction will be occupying the old Sprankles Store on Route 53.

Adjournment:

Mr. Vandzura motioned, seconded by Mrs. Chobany to adjourn, motion carried 5-0. The meeting adjourned at 8:17 p.m.