

Call to Order:

The regular scheduled meeting of March 7th, 2011 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Slanoc, Mrs. Chobany (arrived late), Mr. Wozniak, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor-(arrived late), Mr. Wisor-Engineer, Chief Miller-Public Safety, Mr. Squillario-Public Works, and Michelle Claar-Secretary.

Council discussed the vacant Water Authority board appointment. Mayor Fox motioned, seconded by Mr. Slanoc to appoint Mr. Thomas Kunko to the Water Authority Board for a five year term. Ms. McCarthy polled and motion carried 5-1 with Mr. Kissell voting no. Ms. McCarthy advised that Mr. Kunko's five year term will commence on March 7th, 2011 and continue until the 1st Monday of 2016. Ms. McCarthy commented that Mr. Kunko was very qualified for the position.

Mayor Fox motioned, seconded by Mr. Slanoc to go out of order to recognize the visitors, motion carried 6-0.

VISITORS:

Present were: Jerome Yetsko, Kristen Baudoux-Dispatch, Ron Cadwallader-PVFC, Mary Jane Viscusi, Romona Slebodnick, Kathy Mellott-Tribune and David Hurst-Mirror; Portage Township residents: Larry Raptosh, John Kissell, and Patricia Rylke.

Mrs. Viscusi advised Council of the past sewer back-up issues and flooding in her basement that she has been experiencing within the past few years. Mrs. Viscusi has attended several Sewer Authority meetings and there has been no resolution to the sewer backups. Mrs. Viscusi contacted Mr. Haluska's office and was informed to present the issue at a borough council meeting. Mrs. Viscusi also commented that there were no issues until the new sewer lines were installed in 2006. Mr. Squillario commented that the issues have been brought before the Sewer Authority and the lines will have to be taped to determine the problem. Mr. Squillario commented that a back flow valve should be installed as well. Mrs. Romona Slebodnick also commented that she has the same issues with the sewer backing up in her basement. Both residents are seeking a resolution to the sewer lines and came to Council to obtain further direction. With the issue being sewer relating, Council advised that the Borough does not oversee the Sewer Authority but can discuss the issue at the next committee meeting in March.

Mr. John Kissell; along with several other residents from Portage Township were in attendance to gather additional information on the shared police services between the Township and the Borough. Mr. Koban commented that the proposed "draft agreement" is currently in negotiations. Mr. Kissell expressed his concern with the length of the agreement, the associated costs, and the coverage. Mr. Kissell also commented that he was informed by another municipal Police Chief that the agreement was already a done deal and that the information came from Mayor Fox. Mayor Fox rebutted that he has not said a word to any other Police Chief about the police services agreement nor said that it was a

done deal. Ms. McCarthy also denied the accusation and noted that decisions of any agreement are decided by seven members of Council and the proposed agreement has not been entirely reviewed by this Council. Mr. Larry Raptosh commended Mr. Koban and Borough Council for the openness that was extended during the meeting. Mr. Koban informed Mr. John Kissell that the Township Advisory Committee members have not had an opportunity to review the proposed agreement. The issue was not placed on the March agenda due to the Advisory Committee and Borough Council not having an opportunity to review the agreement. The proposed police services agreement will be placed on the April 4th regular council meeting for discussion, only after the Township Advisory Committee has had an opportunity to review the agreement.

Jerome Yetsko and Ron Cadwallader did not have any comments at this time.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting and had nothing additional to report. Mr. Kissell questioned the borough local match on the Puritan Trail Project. Mr. Koban advised that the costs will be split between Portage Township, Portage and Cassandra Borough and private donations.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick commented that the 619 Main Street building will be discussed under old business. The Plummer property located at 1021 Caldwell Avenue was discussed. Mr. Kissell questioned the ownership of the property and if the financial institution holds any responsibility. Mr. Emerick explained the next process according to the dilapidated structure ordinance is to have Council direction on: Demolish the structure; access fines and lien the property or do nothing. After a lengthy discussion, Mr. Kissell motioned, seconded by Mr. Wozniak to have Mr. Emerick proceed with fining the property owners through Cambria County Courts. Ms. McCarthy polled and motion carried 7-0.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor informed Council that he was in receipt of a letter from Sheetz requesting the letter of credit being returned for the remainder of the financial security. At the recommendation of Mr. Wisor, the project has been completed. Mr. Kissell motioned, seconded by Mr. Slanoc to release the letter of credit to Reliance Bank for the Sheetz store, as recommended by Borough Engineer Mr. Wisor. Ms. McCarthy polled and motion carried 7-0.

Mr. Wisor presented Council with a field view report of the structure located at 619 Main Street. The field report indicated that the structure meets the provisions of the Dangerous Building Ordinance described in sections A, C, D, H and I. For the record, the field report is on file. Mr. Wisor also recommended the usage of caution tape to rope off

the front of the building on Main Street. After a discussion, Mr. Kissell motioned, seconded by Mr. Slanoc to have Mr. Emerick send a notice to the property owner advising them of the results of the Engineer Field Report and the time frame requesting the proper repairs. Ms. McCarthy polled and motion carried 7-0.

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to report but advised that new part time patrol officer; Jeff Russell has been added to the roster and began work last week. Mr. Kissell commented on the letter that was included in the packets concerning Officer Don Wyar. Council requested Officer Wyar's presence. The resident had written a letter honoring Officer Wyar regarding his heroism on an incident he responded to earlier in the week. Council commended Officer Wyar personally be extended a standing ovation for his efforts and dedication in his job performance.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario informed Council that two students are going to polyurethane the signs to be placed at the bottom of Springhill and one at the football field. Mr. Kissell suggested solar lights for the signs. Ms. McCarthy requested the Public Works to investigate a pot hole on Gillespie Avenue.

Treasurer's Report:

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

Correspondence:

None

Minutes of the Previous Meeting:

The minutes from the February 7th regular meeting and February 28th committee meeting were distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the minutes from February 7th regular and the February 28th, committee meeting, motion carried 7-0.

Paying of Bills:

The bills were distributed prior to the meeting. Mayor Fox motioned, seconded by Mrs. Chobany to pay the unpaid bills and additional bills in the amount of \$30,308.05. Ms. McCarthy polled and motion carried 7-0.

Other Reports

Reports were received from the Municipal Water Authority and the Sewer Authority for January; the Portage Library for January and the Joint Recreation Commission for December. Ms. Claar also presented last minute Portage Area Ambulance minutes for the months of September 2010 through January 2011. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the monthly reports as presented, motion carried 7-0.

Unfinished Business:

Mr. Koban advised Council there was no update on the Mainline Heritage Association.

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

Mr. Koban advised Council that the Stop N Go is not on the list for demolition through the County and is seeking cost estimates from contractors. Mr. Koban commented on the possibility of the Borough Public Works Department along with the assistance of the Portage Municipal Water Authority to demolish the structure. Mr. Brian Cadwallader of the Water Authority is experienced with the backhoe and demolition work. Prices were also obtained for dumpsters and the utilities were turned off. A demolition permit will be applied for once Council appoints the administrator of the building codes enforcement. An asbestos study will also be required for abatement prior to any demolition. This information will be researched and presented at the March committee of the whole meeting for discussion.

There is no update on the Main Street Streetscape project.

There was no update on the transfer of property from Mainline National Bank to the Portage Fire Department.

The Bookhammer property located at 619 Main Street was discussed under the Solicitor's report.

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

The JHA agreement will be reviewed and discussed at the March committee meeting when Mr. Emerick provides additional information on the Housing Authority Act.

Gillespie Avenue Bridge stabilization project was discussed under the Engineer's report. discussion,

VOTING ITEMS:

The third party administration of the uniform construction codes through Cambria County Building Codes Enforcement Agency was properly advertised in the Dispatch. Mr. Vandzura motioned, seconded by Mr. Slanoc to approve Ordinance 1-2011 by appointing Cambria County Building Codes Enforcement Agency as the third party administrator to enforce the Uniform Construction Codes for Portage Borough and the intergovernmental cooperation agreement. Mr. Kissell remarked that the agreement on page 2 reflected township and should be changed to borough. Ms. McCarthy polled and motion carried 7-0 with the specified change on page 2 from Township to Borough.

Mr. Vandzura motioned, seconded by Mr. Slanoc to approve Resolution 1-2011 approving the intergovernmental agreement and the authorization of the \$700.00 on time membership

fee with Cambria County Building Codes Enforcement Agency. Ms. McCarthy polled and motion carried 7-0.

Representatives were requested to be named to the full board and the executive board to attend the meeting of the CCBCEA and a municipal officer to sign off on the municipal authorization form. A discussion was held at Mrs. Chobany motioned to appoint Mr. Kissell and Mr. Koban to the Full board; Ms. Claar to the executive board; and Mr. Squillario to be named as the municipal officer for the signatory on the municipal authorization form. Ms. McCarthy polled and motion carried 7-0.

New Business:

A request from resident Donna Sweeney to install a handicap parking space and sign at 1106 Johnson Avenue was discussed. Ms. Claar commented that two handicap spaces need to be removed from the ordinance. Mr. Kissell motioned, seconded by Mrs. Chobany to approve the advertising of amending Chapter 15, Section 406 special handicap parking to include the addition of 1106 Johnson Avenue and removing 2 spaces on Orchard Street. Ms. McCarthy polled and motion carried 7-0.

Ms. Claar advised Council that after receiving the codification of the recent enactments through 2010, the fee schedule and the Contractor's License require amendment. Mr. Wozniak motioned, seconded by Mr. Kissell to approve the advertising of the amendment to the fee schedule and to repeal Ordinance 2-1998 concerning Contractor's Registration. Ms. McCarthy polled and motion carried 7-0.

A request was submitted from the Convention Booklet Chairman to place an ad for the 2011 Convention being sponsored by Portage Volunteer Fire Department. The prices for the ads are: full page-\$125.00, half page-\$80.00 and a quarter page-\$50.00. Mr. Kissell motioned, seconded by Mr. Slanoc to approve the full page ad in the amount of \$125.00 for the 2011 Cambria County Fireman's Convention, motion carried 7-0. The deadline for the ad is Friday, June 17, 2011.

Good of the Borough:

Council commended resident and previous Junior Council Member Ericca Cadwallader for donating a portion of liver to save her 5-year old cousin Andrew Davis. Mr. Kissell suggested giving Ericca a certificate from the Borough.

Ms. McCarthy commended the Portage Area Girls and Boys Basketball teams for making the playoffs.

Adjournment:

Mr. Slanoc motioned, seconded by Mrs. Chobany to adjourn, motion carried 7-0. The meeting adjourned at 7:52 p.m.