

Call to Order:

The regular scheduled meeting of February 6th, 2012, was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Yetsko, Mr. Slanoc, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Wisor-Engineer, Mr. Emerick-Solicitor, Chief Miller-Public Safety, Mr. Squillario-Public Works, and Michelle Claar-Borough Secretary. Absent was Mrs. Chobany.

Mr. Kissell motioned, seconded by Mayor Fox to deviate from the agenda to recognize the visitors. Ms. McCarthy polled and motion carried 6-0.

VISITORS:

Present were Sarah Wolford with the Dispatch, Kathy Mellott of the Tribune, Zack Geiger of the Altoona Mirror, Polly Vandzura, Randy and Margarie Stager.

Mrs. Stager addressed Council concerning the recycling bins located on Caldwell Avenue. Mrs. Stager is requesting that Council consider relocating the recycling bins due to the over accumulation of recycling materials and other household garbage being thrown in the bins and going into her yard. She advised that she has cleaned up the mess several times and the road is always a mess. The recycling bins were temporarily relocated to the former Stop N Go property on Mountain Avenue due to the recent fire behind the Greathouse building. Mrs. Stager also commented that the recycling bins are more accessible on Mountain Avenue than on Caldwell Avenue and would like to see them remain there. Council advised Mrs. Stager they will discuss her request at a later date. Mayor Fox questioned if there were any locations within the Borough, Township, or property owners where the recycling bins can be placed. Council will discuss the issue at the February committee of the whole meeting.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban elaborated on several issues in his report. Mr. Koban advised Council that ads were placed in the Tribune Democrat and the Dispatch for one full-time and one part-time patrol officer. The ad was also placed on Career Link and the Borough website. Applications will be received until February 17th and interviews will be held the following week.

Ms. McCarthy questioned if the Jefferson Avenue property was addressed that Mrs. Chobany brought up at the prior meeting regarding rats and garbage. Chief Miller advised that the First National Bank of Lilly owns the property and they will be setting out rat poison. Chief Miller will follow up with FNB of Lilly for an update.

Mr. Koban provided an update to Council on the Main Street fire of January 31, 2012, belonging to Edna Greathouse and Mr. Randy Stager. Mr. Koban commented on the various emergency personnel working together; fire departments, ambulance, police, public works,

the Cambria County Emergency Management team, Penn Dot, and Mr. Wozniak the Emergency Management Director for the Borough. Area businesses also pitched in to provide food and water. Due to the extent of the fire and the structural integrity of the building; Penn Dot and Cambria County EMA notified Mr. Koban that Main Street will be shut down due to safety and health concerns and will not re-open until the building has been demolished. Cambria County EMA had provided barricades and Penn Dot set up detours around the areas of the building. Mr. Koban also advised that the property owners, insurance companies, DEP, and the Historical Commissions are diligently working close together to commence with demolition of the building and to re-open Main Street. A lengthy discussion took place among Council regarding the long term resolutions of the buildings. Council expressed the commendations to the volunteers and the community for their support and requesting the media to acknowledge these efforts. An update will be provided at the February committee of the whole meeting.

Mr. Kissell motioned, seconded by Mr. Yetsko to go into an executive session for personnel issues. Mr. Vandzura remarked that the issue doesn't need to be addressed in an executive session. Ms. McCarthy polled and motion carried 5-0-1 to go into an executive session for personnel issues. Mayor Fox motioned, seconded by Mr. Kissell to go out of executive session and into the regular meeting. Motion carried 6-0. Mr. Kissell commented on the violation of state ethics of Mr. Vandzura receiving compensation as a board member of the Portage Municipal Water Authority Board and being compensated while serving on Borough Council. The issue for Mr. Vandzura was whether or not he was an appointee or an employee for the executive session. Mr. Vandzura presented case law documentation from his Attorney for Mr. Emerick and Council to review concerning compensation being paid while serving on two boards. Mr. Kissell questioned Mr. Vandzura as to what his intentions were. Mr. Vandzura informed Mr. Kissell that "he was going to serve on the Water Authority to the best of his ability as he has for past two years." Mr. Kissell motioned, seconded by Mr. Mayor Fox to have Mr. Emerick proceed with further research on compensation being paid while serving on two boards. Ms. McCarthy polled and motion carried 6-0. Mrs. Vandzura commented that several members of Council were trying to ambush Mr. Vandzura to have him removed from either board/council. After another long debate, Mr. Slanoc commented that he was embarrassed at how Council handled the situation and thought it was a personal attack on Mr. Vandzura. Ms. McCarthy commented that the issue will be discussed at the next regular meeting.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick presented a resolution for council approval on increasing the municipal lien interest rate at ten percent (10%). Mayor Fox motioned, seconded by Mr. Yetsko to approve Resolution 3-2012 by increasing the municipal lien interest rate to ten percent (10%). Ms. McCarthy polled and motion carried 6-0.

Mr. Emerick advised Council that the Blair County Sheriff and Assessment Offices have the address to serve Mr. Bookhammer regarding the dilapidated structure at 619 Main Street. Mr. Emerick also commented that this would be less expensive than in a publication.

Mr. Emerick informed Council that Cambria County and the Portage Area School District have exonerated the taxes on the Plummer property located at 1021 Caldwell Avenue. The next step in the process is for the local taxes. Mr. Kissell motioned, seconded by Mr. Slanoc to exonerate the local/borough taxes on the Plummer property located at 1021 Caldwell Avenue. Ms. McCarthy polled and motion carried 6-0. Mr. Emerick commented that Cambria Thrift will sign a release for the mortgage and the Plummer's should transfer the property over to the Borough.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor presented a draft of the changes for the proposed Flood Plain Management Ordinance. The National Flood Insurance and Federal Emergency Management Agency are requiring all municipalities to amend their ordinance if any municipality would need any financial assistance resulting in flood plain zones. Mr. Koban informed Council that he has been working on the draft but due to the recent events has not had an opportunity to complete the changes. Mr. Koban requested that the Flood Plain Management draft be discussed at the February committee meeting.

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to add. Ms. McCarthy commended the Police Department for the assistance and efforts during the Main Street fire. Chief Miller commented that all emergency personnel worked well together.

Public Works Report:

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

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mr. Slanoc motioned, seconded by Mayor Fox to approve the Treasurer's report in the amount of \$22,883.94. Ms. McCarthy polled and motion carried 6-0.

Correspondence:

The PSAB sent the Scholarship application forms from the Robert C. Edwards Foundation that was forwarded to the Portage Area Schools for interested students within the Borough. The scholarship is for the first year of College, University, or School.

PSAB also sent notice of the 2012 Annual Conference & Exhibition at the Seven Springs Mountain Resort from April 29th through May 2, 2012. Additional information is on file in the Secretary's office for any member of Council wanting to attend.

Minutes of the Previous Meeting:

The minutes from the January 3rd regular, re-organization, and Committee of the whole meeting were distributed prior to the meeting. Mr. Slanoc motioned, seconded by Mr. Kissell to approve the January 3rd regular, re-organization, and Committee of the whole meeting minutes, motion carried 6-0.

Paying of Bills:

The bills were distributed prior to the meeting. M. Kissell motioned, seconded by Mr. Yetsko to approve paying the bills, including the additional bills in the amount of \$12,940.48. Ms. McCarthy polled and motion carried 6-0.

Reports

Reports were received from the various boards and commissions. Mayor Fox motioned, seconded by Mr. Kissell to approve the monthly reports from the Municipal Water Authority and the Sewer Authority for December, Portage Area Joint Recreation Commission for November, Planning Commission for December, and Cambria County Bldg Codes (LMIA) for December. Portage Volunteer Fire Company also submitted 2011 fire reports for Portage Borough, Portage Township, and Cassandra Borough. Motion carried 6-0.

Unfinished Business:

There was no update on the Main Street Streetscape project.

Mr. Koban informed Council that another round of meetings will be held in the near future concerning the ten year comprehensive plan, open space & recreation and trail feasibility plan.

The Bookhamer and Plummer properties were discussed earlier in the meeting.

Mr. Wisor presented the Engineer's field view report of the Sekerak property located at 811-813 Gillespie Avenue (Kline Amusements). Based on the recommendation of the Borough Engineer, the structure is deemed a dangerous building in accordance with the Borough Ordinance, Chapter 4, Part 1, "Dangerous Buildings".

New Business:

Mr. Koban informed Council that the Comcast Cable Agreement is due to expire on August 13, 2014. The original agreement is for a ten year term. Mr. Koban advised that there are some issues that need to be addressed in the future when re-negotiating the contract. Mr. Koban also provided an article from the Borough News on cable franchise renewals for Council to review. The Borough should begin the renewal process approximately one year prior to expiration to satisfy the legal requirements and necessary steps to maximize the benefit of the renewal.

The Flood Plain Management draft was discussed earlier in the meeting.

Mr. Koban elaborated on the chain of events that took place during the Main Street Fire. A lengthy discussion was held on the insurance company and property owners responsibility for demolition, opening of Main Street, safety hazards, waiver of ten day notice from DEP to determine asbestos abatement, and the overall communications between emergency personnel, county and borough officials. Mr. Koban also commented that the building could also be investigated by the Historical Commission. Mr. Koban requested that Mr. Wisor research from a State Level if the building is on the historical register. Mr. Vandzura also advised that Mr. Karl King could be contacted with the Allegheny Ridge Corporation for additional information.

Good of the Borough:

Mayor Fox commented on the detours and alternative routes for future emergencies through the middle of town. A lengthy discussion took place on this issue with suggestions of building a bridge and also contacting Norfolk Southern to utilize the tracks by the Senior Citizen Building.

Mrs. Debbie Kaufman with the Portage Woman's Club submitted a request for Mr. Vic Miller to solicit for Easter donations. Mayor Fox requested that the proper paperwork be completed before the issuance of any permit. Mr. Kissell motioned, seconded by Mayor Fox to approve the request from the Portage Woman's Club for Mr. Vic Miller to solicit for Easter donations for the Easter Egg Hunt. Ms. McCarthy polled and motion carried 6-0.

Mr. Vandzura advised Council that a public hearing will be held for comments on various water system improvements for Portage Borough and Portage Township by the Cambria County Redevelopment Authority for a CDBG grant application. The meeting will be held on February 7th at 6:00 p.m. at the Portage Township Building and February 8th at the Portage Borough Administration Building. The improvements will benefit the Borough, Martindale, Puritan, Fiddlers Green, and Spring Hill area residents.

Mr. Koban informed Council that he spoke with Mr. Cadwallader from the Municipal Authority regarding the 2012 proposed paving project. Mr. Cadwallader is requesting that

the Borough delay the paving of Johnson Avenue until after a new water line project is completed.

Mayor Fox commented on a storm drain issue at the intersection of Legion Avenue and Lee Street. Mr. Squillario will investigate and report back.

Ms. McCarthy commented on the vehicles running the stop signs at the intersection of Main Street and South Railroad Avenue. Chief Miller advised that all vehicles must come to a stop before proceeding.

Mr. Slanoc commented on the soda tabs being collected by the Portage Elementary for the Ronald McDonald fund raiser.

Mr. Koban also commented on the box top fund raiser by the Portage Elementary students.

Adjournment:

Mr. Slanoc motioned, seconded by Mr. Yetsko to adjourn the regular meeting at 8:20 p.m, motion carried 6-0.