

**Call to Order:**

The regular scheduled meeting of July 16<sup>th</sup>, 2012, was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Yetsko, Mrs. Chobany, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor, Mr. Wisor-Borough Engineer, Chief Miller-Public Safety, Mr. Squillario-Public Works, and Michelle Claar-Borough Secretary. Mr. Slanoc was absent.

**VISITORS:**

Sarah Wolford was present with the Dispatch. Gary and Tanya Vaughn were also present. Officer Wyar was also in attendance.

**Reports:**

**Managers Report:**

Mr. Koban furnished a written report prior to the meeting. Mr. Koban elaborated on several issues in his report. Mr. Kissell questioned the Manager's Report concerning the details of the Water Authority providing water at Crichton McCormick Park. Mr. Koban explained that the Authority is donating the first 500,000 gallons of water used, they will be documenting future donations and in-kind labor to the park; water usage over 500,000 gals of water per year will be charged at the regular rate and there will be no bill during the winter months. Ms. McCarthy commented that the tracking of labor and donations provided other organizations would be beneficial for any grant applications pertaining to in-kind and labor. Mr. Kissell also questioned the motions in the Water Authority monthly reports. Mr. Koban advised that if there are any questions regarding motions and minutes; Mr. Kissell should attend the Water Authority meetings. Ms. McCarthy also commented that the cooperation is great between the Joint Recreation Commission, Water Authority, and Borough. Mr. Vandzura also commented that the in-kind services for participating organizations would be beneficial for grant funding purposes.

Ms. McCarthy questioned the progress of the air conditioning in the administration office. The air conditioner system has been installed by Bradley & Sons.

Mr. Vandzura questioned the 111% discount from Selective Insurance regarding the Shelter #10 damage. Mr. Koban explained how the insurance company derived at the deductible price and the remaining balance. The Park has already paid the \$500.00 deductible.

**Solicitor's Report:**

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick asked if there were any other questions relating to the Sekerak property. There were no other questions from Council.

Mr. Emerick advised Council that the Bookhamer hearing will be held on August 13<sup>th</sup>, 2012 at 11:00 a.m. at the Cambria County Courthouse. Mr. Emerick welcomed members of Council if they wanted to attend the hearing.

There was no update on the Kowalczyk litigation.

The Plummer's have executed all the documents that were presented. Mayor Fox questioned the remaining phases of the litigation. Mr. Koban informed Council that the Plummer's have signed over the deed but have not paid the legal fees associated with the case. Mayor Fox questioned the process if the Plummer's don't pay the legal fees. Mr. Emerick explained that the legal fees associated with the litigation would be up to the borough to collect on the judgment. Mr. Koban explained that there would be a lack of tracking for payment on the judgment. Ms. Claar will invoice the Plummer's seeking the judgment in the amount of \$2,078.50.

**Engineers Report:**

Mr. Wisor furnished a written report to Council. Mr. Wisor had nothing additional to add. Ms. McCarthy commended Mr. Wisor for his participation in the grant application.

**Police Report:**

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to report. Ms. McCarthy commented on the increase of incidents from this month to last month. Mrs. Chobany questioned Chief Miller if he thought a canine would be an asset to the department and the community. Chief Miller commented that a canine would be an asset to the department and the community. Mrs. Chobany also questioned if the canine would deter and aid in stopping drug trafficking within the community. Mrs. Chobany commented that we need to clean up the community of the drug problems. Mr. Kissell also agreed with Mrs. Chobany. A lengthy discussion took place on housing the canine, insurance & liability issues, structure of department, food, cost, and a cruiser to transport the canine. Mrs. Chobany advised Council that there is definite support within the community and there are donors to purchase the canine. Mr. Koban advised Council that the canine issue was motioned to remove the issue from the agenda a few years ago but if Council would like him to research and study the issue again, he would. Mrs. Chobany questioned Officer Wyar on the canine to which he replied that he would take care of the canine and it would live with him in his home. Tensions arose on the discussion. Mr. Vandzura motioned, seconded by Mayor Fox to go into executive session for personnel issues. Ms. McCarthy polled and motion carried 6-0. Mr. Yetsko motioned, seconded by Mayor Fox to go out of executive session, motion carried 6-0. Mr. Kissell motioned, seconded by Mr. Yetsko to go into the regular meeting, motion carried 6-0. Another discussion took place and Mr. Koban requested Council direction on how to proceed. Mayor Fox motioned, seconded by Mr. Yetsko to place the canine issue on the agenda at the August Committee of the Whole meeting and move forward from there. Ms. McCarthy polled and motion carried 5-1 with Mr. Vandzura voting no. Ms. McCarthy acknowledged the presence of Mr. & Mrs. Gary Vaughn. They were in attendance to support the canine request.

### **Public Works Report:**

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario had nothing additional to add. Ms. McCarthy questioned the sides of the Lee Street Arch when she saw a truck scratch the sides of the bridge. Mr. Squillario will contact Norfolk Southern to inspect the bridge. Ms. McCarthy questioned if placing fliers on vehicle windshields required a soliciting permit or allowed by law. Mr. Koban will research the ordinance and report back.

### **Treasurer's Report:**

Ms. Claar furnished a written report prior to the meeting. Mr. Yetsko motioned, seconded by Mrs. Chobany to approve the Treasurer's report in the amount of \$68,718.64. Ms. McCarthy polled and motion carried 6-0.

### **Correspondence:**

There was no correspondence.

### **Minutes of the Previous Meeting:**

The minutes from the June 4<sup>th</sup> regular and June 18<sup>th</sup> committee of the whole meeting were distributed prior to the meeting. Ms. McCarthy commented that the minutes from June 4<sup>th</sup> reflected an incorrect date for the HarvestFest event under the correspondence. The date should reflect October 21<sup>st</sup> instead of October 31<sup>st</sup>, 2012. Mrs. Chobany motioned, seconded by Mr. Yetsko to approve the June 4<sup>th</sup> regular meeting; with the above corrections, and the June 18<sup>th</sup> committee of the whole meeting minutes, motion carried 6-0.

### **Paying of Bills:**

The bills were distributed prior to the meeting. Mr. Vandzura motioned, seconded by Mrs. Chobany to approve paying the bills, including the additional bills in the amount of \$30,525.12. Ms. McCarthy polled and motion carried 6-0.

### **Reports**

Organizations submitting reports were the Portage Area Sewer Authority for May; the Water Authority for May, Joint Recreation Commission for May & June, Laurel Municipal Inspections for May & June. The agenda reflected April minutes from the Portage Public Library in error. Ms. McCarthy requested that an e-mail be sent to the organizations requesting that the minutes reflect those in attendance and those that are absent. Mrs. Chobany motioned, seconded by Mr. Yetsko to accept the reports as submitted, motion carried 6-0.

### **Unfinished Business:**

Mr. Koban advised that all the necessary paperwork has been submitted for the Main Street Streetscape grant and we will have to make a presentation once we receive notification of any award.

There was no update on the Ten Year Comprehensive Plan, Open Space & Recreation and Trail Plan, but Mr. Rice will be reporting back within the next month.

The Bookhamer, Plummer, and Sekerak properties were discussed earlier in the meeting under the Solicitors report.

There was no update on the cable agreement.

Mr. Koban informed Council that he spoke with the tenant residing in the camper on Jefferson Avenue. Mr. Koban and Officer Wyar confronted the tenant at advised him that he cannot occupy the camper by permanently living in it. Mr. Koban also commented that the mother-in-law came into the office to question if there was a borough ordinance regulating campers. Mr. Koban researched the definitions of a camper, recreational vehicle, and mobile homes. Mr. Emerick commented that two structures cannot be occupied on one plot. Mr. Emerick read the statutes and the issue can be debated under the mobile home park ordinance. Chief Miller advised that if the tenant moves back, he will issue a ten day notice.

Mr. Kissell questioned the retainer wall on Caldwell Avenue. Mr. Squillario informed Council he took pictures of the wall and it can be repaired in-house. Mr. Squillario also commented that flood walls are in good shape.

Mr. Koban provided the drafts of the Sewer Testing Ordinance and the amended sewer lateral size restrictions. Mr. Kissell questioned the lateral lines for new construction with the testing. Mr. Squillario informed Mr. Kissell that the testing will only performed when a home is transferred or sold. Mr. Squillario advised that additional information will be provided to Council at the next August committee meeting. Mr. Koban recommended contacting the Sewer Authority and their Engineer to attend the August committee meeting. Ms. Claar will notify the Sewer Authority and their engineer.

### **New Business:**

Ms. Claar advised Council that she received notice from Cambria County Information Technology Department that they will not be web hosting with CCAP (County Commissioners Association of Pennsylvania) servers effective July 15<sup>th</sup>, 2012. Ms. Claar contacted Cambria County to obtain several options with the current website. Ms. Koban advised that the website is being hit according to the hit counter. Ms. Claar commented that the County will be hosting with another service and that there will be no piggy backing with the County. Ms. Claar contacted SEDA Council of Governments to obtain a proposal to host the web services. The proposal from SEDA would require an \$80.00 per year fee (with the County there was no charge) and the website would have to be kept up to date. The software would also have to be upgraded to a newer version of SharePoint. After a discussion, Mrs. Chobany motioned, seconded by Mayor Fox to approve the website hosting

services agreement with SEDA-Council of Governments and CCAP for a period of one year commencing July 16<sup>th</sup>, 2012 thru July 16<sup>th</sup>, 2013 at a cost of \$80.00 per year. Ms. McCarthy polled and motion carried 6-0.

The Rotary Club submitted a request to block off a portion of Main Street for the Summerfest Parade. Mayor Fox motioned, seconded by Mrs. Chobany to approve the request to block off a portion of Main Street for the Summerfest Parade on Saturday, August 11<sup>th</sup>, 2012 at 2:00 p.m. Ms. McCarthy polled and motion carried 6-0.

**Good of the Borough**

Mayor Fox requested Council's participation in the Summerfest Parade. Mrs. Chobany Mayor Fox and Ms. McCarthy committed to the parade.

**Adjournment:**

Mrs. Chobany motioned, seconded by Mr. Yetsko to adjourn, motion carried 6-0. The meeting adjourned at 8:31 p.m.