

A meeting of the Borough Council of Portage was held on Monday, October 1st, 2012 at 6:30 p.m., in Council Chambers. Council Members in attendance were: Mr. Kissell, Mr. Vandzura, Mr. Yetsko, Mr. Slanoc, Mrs. Chobany, and Mayor Fox. Also present were: Robert Koban, Borough Manager; Michael Emerick, Borough Solicitor; Gary Wisor, Borough Engineer; and Michelle Claar-Secretary. Chief Miller, Public Safety and Donald Squillario, Public Works were absent.

RECOGNITION OF VISITORS

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, THE COUNCIL MOVED TO GO OUT OF ORDER TO RECOGNIZE ANY AND ALL VISITORS. MOTION CARRIED 7-0.

Mrs. McCarthy acknowledged two Junior Councilpersons: Ms. Emily Chobany and Mr. Joseph Randazzo. Mayor Fox administered the oath of office to each councilperson. Mayor Fox and Council commended each for the participation in the program and welcomed new ideas. Ms. McCarthy explained the function and process to the new members.

Ms. McCarthy recognized Sara Wolford with Mainline Newspapers.

REPORTS

- **Borough Manager's Report**

Mr. Koban noted that a copy of his report was provided to the Council prior to the meeting. Mrs. Chobany and Council commended Mr. Koban and Mr. Wisor on the successful application on the Transportation Enhancement Program Grant in the amount of \$233,000.00 for the sidewalk project on Mountain Avenue up to the Portage Area High/Middle School. Mr. Koban explained the upcoming processes of the grant. A meeting will be scheduled with PennDot representatives to review the environmental phases and the necessary paperwork for funding and timelines. Mr. Vandzura questioned if Admiral Peary Vo-Tech would be able to bid on the project. Mr. Wisor advised that it was doubtful since the project is federally funded and required certified contractors. Mr. Koban also advised Council that he will keep Council abreast of any future meetings and welcomed Council to attend. Mr. Koban also commented that the Borough's share of funding would be estimated at \$35,000.00. Mr. Koban welcomed other questions from Council regarding the grant. Mr. Koban then had nothing additional to report.

- **Solicitor's Report**

Mr. Emerick questioned the status of the Sekerak property on Gillespie Avenue. Mr. Sekerak has not made contact with the borough regarding any contractors or made any necessary repairs. Mr. Emerick requested Council's decision to move forward.

ON MOTION OF MAYOR FOX, SECONDED BY MR. VANDZURA, THE COUNCIL MOTIONED TO PROCEED WITH FILING THE NECESSARY PAPERWORK WITH THE COURT OF COMMON PLEAS. MOTION CARRIED 7-0.

Mr. Emerick informed Council that he received confirmation that First Commonwealth has released the mortgage on the Bookhamer property located at 619 Main Street and is also in the process of requesting exoneration of taxes from Cambria County and the Portage Area School District. Mr. Vandzura questioned the local tax for exoneration. Mr. Koban advised that a motion should be reflected on the local taxes.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, THE COUNCIL MOTIONED TO EXONERATE THE LOCAL TAXES ON THE BOOKHAMER PROPERTY LOCATED AT 619 MAIN STREET. MOTION CARRIED 7-0.

Mr. Moschgat, the neighboring business owner was also in attendance to inform Council of his intentions to demolish the structure once he obtains ownership of the property. Mr. Moschgat advised that the mentioned building is also causing damage to his just recently renovated building. Council had several questions as to the permit fees, transfer process, asbestos study & removal, costs, and equipment. Mr. Koban commented that this discussion was the first step in moving forward. Mr. Moschgat also requested assistance from the Borough; whether it is labor, equipment, or necessary paperwork. Mr. Moschgat will also obtain cost estimates and present to Council as well as any abatements. Mr. Koban advised that he will contact the insurance for any equipment liability issues.

- Engineer's Report

Mr. Wisor presented a written report prior to the meeting. Mr. Wisor had nothing additional to add.

- Chief of Police Report

Chief Miller was absent but provided a written report prior to the meeting. Officer Vranich was in attendance to address any Council concerns. Officer Vranich had nothing additional to add and requested to be excused since he was on duty. Council excused Officer Vranich.

- Director of Public Work's Report

Mr. Squillario was absent but provided a written report prior to the meeting. Mr. Kissell questioned if the Public Works Department had any issues with preparing for winter operations. Mr. Kissell also questioned the status of the bridge walls on Caldwell Avenue. Mr. Koban advised that the project is on the board. Mr. Kissell also questioned summer help for the upcoming year. Mr. Vandzura also commented on contacting Career Link.

- Treasurer's Report

Ms. Claar did provide the Treasurer's Report for review prior to the meeting.

ON MOTION OF MR. SLANOC, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$68,955.37. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR.

KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- Correspondence

The correspondence received was presented on the agenda under new and old business for various approvals.

- Minutes of the Previous Meeting

Minutes of the September 10th regular meeting and September 17th committee meeting were distributed prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE SEPTEMBER 7TH REGULAR AND SEPTEMBER 17TH, COMMITTEE MEETING AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- Payment of Bills

ON MOTION OF MR. SLANOC, SECONDED BY MR. KISSELL, THE COUNCIL UNANIMOUSLY APPROVED THE PAYMENT OF BILLS AND ADDITIONAL AS PRESENTED IN THE AMOUNT OF \$53,890.07. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- Reports from Organizations

Mr. Slanoc commented on a group to obtain a Youth Hockey Ice rink and advised that Office Wyar is assisting in a grant process.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE ABOVE REPORTS AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

UNFINISHED BUSINESS

Mr. Koban informed Council that he amended the agenda to reflect the Streetscape project as a separate agenda item. The Main Street Streetscape project (as previously named is now the Streetscape project). This project is a three phase project and should not be confused with the Transportation Enhancement Project for the sidewalks on Mountain Avenue. There was no update on the agenda item.

Mr. Koban informed Council that there hasn't been any progress on the Dulancey and Main Street intersection project. Amfire is currently holding up the project due to not coming up with their portion of the funding.

There was no update on the Open Space and Trail feasibility Plan.

Mr. Koban requested that the Comcast Cable Agreement be continued under Unfinished Business until a copy of the agreement is obtained.

The Sekerak and Bookhamer topics were discussed previously under the Solicitor's report.

Mr. Koban informed Council that a demolition permit application has been applied for with the Laurel Municipal Inspection Agency and G&R Contracting has been contacted.

Mr. Koban apprised Council that he did not have a chance to review the plumbing codes for the proposed sewer testing ordinance. Mr. Koban advised Council that he will present information at the October committee meeting.

Mr. Koban advised Council that he met with the Fire Department but has not been able to review the third party billing company and their fees. Ms. McCarthy commented that the Portage Area Ambulance Association also utilizes a third party billing company. Mr. Koban commented that he spoke with Mr. Jerry Brant from Patton Fire Department and there have been several issues with double fees being charged. Mr. Koban will provide additional information at the October committee meeting.

A lengthy discussion took place on the interviewing process for expiring terms on the various Commissions and Boards. A general discussion was held on whether to interview re-appointments or only new appointments. Several Council members commented:

- the interview process was too personal
- attendance of members should at least be at 80%,
- accountability for their actions,
- members are a representation of the Borough
- Amending interview to a "meet and greet with new appointments"
- Meeting with boards and commissions on a quarterly basis

Mr. Koban requested some type of document on how to handle appointments to the boards and commissions and if an interview would be required. Mrs. Chobany commented that she would like to amend the term "interview" to a "meet and greet" with Council.

ON MOTION OF MRS. CHOBANY, SECONDED BY MAYOR FOX, THE COUNCIL UNANIMOUSLY APPROVED THAT IF THE MEMBER HAS ALREADY BEEN ON THE BOARD/COMMISSION FOR ONE TERM; THE MEMBER CAN COME IN ON THEIR OWN CHOICE FOR A MEET AND GREET (NOT AN INTERVIEW), BUT IF A NEW CANDIDATE IS APPLYING FOR THE FIRST TIME; THEY MUST COME TO A MEET AND GREET WITH COUNCIL. COUNCIL MEMBERS VOTING AFFIRMATIVELY

INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

A discussion was also held on meeting with boards and commissions on a quarterly basis

A discussion was held on the inspections/certifications for commercial and residential buildings. Mr. Koban informed Council that he drove in the back alley of Main Street and noticed the deplorable condition of some of the buildings. Some of the observations were: broken windows, soffit & fascia, roofs, siding, etc. Mr. Vandzura commented that Council needs to be proactive and reactive on the condition of the buildings and hold the owners accountable. Mr. Koban commented that research was done in previous years for property maintenance codes through Somerset County Building Codes and the cost and enforcement was a major issue. Mr. Wisor commented that he will obtain other property maintenance codes and present to Council at the October committee meeting.

VOTING ITEMS:

- A. Portage Volunteer Fire Company submitted a donation request in the amount of \$200.00 for 2012 Halloween parade.

ON MOTION OF MAYOR FOX, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED A DONATION IN THE AMOUNT OF \$100.00 FOR THE 2012 HALLOWEEN PARADE ON SUNDAY, OCTOBER 21ST COMMENCING AT 1:00 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- B. Portage Volunteer Fire Company submitted a request to block off Main Street on Sunday, October 21st at 2:00 p.m. The motion died for the time being requested. A discussion took place on the time of the event and Ms. McCarthy advised that several organizations have been assisting with the HarvestFest. President Patricia Rousell and Fire Chief Ray Lee presented an amended request to reflect 1:00 p.m. for the parade. After another discussion:

ON MOTION OF MAYOR FOX, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE FIRE COMPANY REQUEST TO BLOCK OFF MAIN STREET FOR THE 2012 HALLOWEEN PARADE ON SUNDAY, OCTOBER 21ST COMMENCING AT 1:00 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- C. Request from Bethany Church to block off a portion of Branch Street for HarvestFest.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE BETHANY CHURCH REQUEST TO BLOCK OFF A PORTION OF BRANCH STREET FOR THE 2012 HARVESTFEST ON SUNDAY, OCTOBER 21ST FROM 1:30 TO 5:30 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR.

SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

NEW BUSINESS

- A. Advertising of the various boards and commissions for expiring terms at the end of 2012.

ON MOTION OF MR. SLANOC, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF THE FOLLOWING BOARDS EXPIRING TERMS IN 2012: ONE WATER AUTHORITY-5 YEAR TERM, (ROBERT THOMAS); TWO (2) JOINT RECREATION COMMISSION (JEAN KINLY & POLLY VANDZURA); AND ONE PLANNING COMMISSION-BARBARA KOBAN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

The advertisement will be placed in the Dispatch with letters of interest due by Monday, November 19th at 3:00 p.m.

- B. The Pro Disposal contract expires on December 31, 2012. Mr. Mike Bellvia offered a twelve month extension to the existing agreement for garbage collection services at the same rate as 2012. A discussion was held and:

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED A TWELVE MONTH EXTENSION FOR THE GARBAGE COLLECTION SERVICES WITH PRO DISPOSAL AT THE SAME PRICES AS IN 2012. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- C. The Commonwealth of PA submitted the 2012 State Aid in the amount of \$11,212.61 for pension benefits. The MMO for the uniform police pension plan was \$0.00 and the MMO for the non-uniform pension plan was \$14,167.00 with PMRS.

ON MOTION OF MR. VANDZURA, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED DEPOSITING THE 2012 STATE AID INTO THE NON-UNIFORM PENSION PLAN WITH PMRS IN THE AMOUNT OF \$11,212.61 AND THE BALANCE OF THE REMAINING MMO TO BE FUNDED FROM THE GENERAL FUND IN THE AMOUNT OF \$2,954.39. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- D. Ms. Claar presented Council with a resolution for setting the garbage collection fees for borough residents effective from January 1st, 2013 through December 31st, 2013.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED RESOLUTION 6-2012 BY SETTING THE GARABGE COLLECTION FEES FOR BOROUGH RESIDENTS EFFECTIVE JANUARY 1ST, 2013 THROUGH DECEMBER 31ST, 2013 AT \$13.85 PER MONTH FOR CURBSIDE PICKUP AND/OR PREP=PAID BAGS AT \$30.00 PER PACK OF TEN (10). COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- E. The Portage Area Joint Recreation Commission sent a request for their submission of the 2013 proposed budget to Council to be extended to November 30th, 2012. Mayor Fox questioned the other organizations on the deadlines for their budget. Mr. Koban explained that the agreements are different between each of the boards. After a discussion;

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE REQUEST FROM THE PORTAGE AREA JOINT RECREATION COMMISSION TO GRANT THE EXTENSION OF THE 2013 BUDGET UNTIL NOVEMBER 30, 2012. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

- F. Ms. Claar submitted a resolution to purchase a \$3,000.00 certificate of deposit that was previously approved in the 2012 approved budget. Mr. Koban explained this process to Council.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. VANDZURA, THE COUNCIL UNANIMOUSLY APPROVED RESOLUTION 7-2012 BY PURCHASING A \$3,000 CERTIFICATE OF DEPOSIT FRO FIRST SUMMIT BANK WITH AN INTEREST RATE OF 1.06% FOR TWENTY FOUR (24) MONTHS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

GOOD OF THE BOROUGH

Mr. Slanoc commented on working with the Junior Councilpersons. The Portage Library librarian; Ms. Becky Pollino has accepted another job in Johnstown.

ADJOURNMENT

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, THE MEETING WAS ADJOURNED AT 8:31 P.M.