

A meeting of the Borough Council of Portage was held on Monday, September 10th, 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; Gary Wisor, Borough Engineer; Chief Miller, Public Safety; Donald Squillario, Public Works; and Michelle Claar-Secretary. Michael Emerick, Solicitor was absent.

RECOGNITION OF VISITORS

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

Ms. McCarthy recognized Sara Wolford with Mainline Newspapers.

Fire Chief Ray Lee; Brian Miller, and Joseph Stauski were in attendance to represent the Portage Volunteer Fire Department. Chief Lee advised Council that the fire department would like to pursue a third party billing service for apparatus and equipment used on emergency and fire calls. An Ordinance (1-2003) was adopted on January 6, 2003 with a fee schedule. Chief Lee commented that the Portage Volunteer Fire Department was not successful in billing for services in the past years. Chief Lee presented a billing list for Councils review. Mr. Stauski commented that several other fire departments within the County have been utilizing the third party billing service PA Fire recovery Service from Allentown, PA and have been very successful with collections. The company charges fifteen percent (15% of the amount collected). Chief Lee also commented that if the billing service isn't successful in the collection that the fire department will not hassle the resident for the portion that is unpaid. Mr. Vandzura questioned if PVFC has performed any billing services in the past to which Chief Lee advised that it was not successful in collections since the adoption of the Ordinance in 2003.

Mr. Koban recommended discussing the issue at the September Committee of the Whole meeting until he has an opportunity to review the billing last and provide a copy of the current ordinance. Ms. McCarthy also requested that George Wozniak be added to the Cambria County Alert System as the Emergency Management Director. Ms. McCarthy provided the information to Brian Miller with the fire department.

REPORTS

- **Borough Manager's Report**

Mr. Koban noted that a copy of his report was provided to the Council prior to the meeting. Mr. Koban advised Council that he received a letter from the Federal Emergency Management Agency advising that Portage Borough is in compliance with the Floodplain Management Ordinance and the new flood prone maps. Mr. Kissell commented that the residents and insurance companies should be made aware of the new maps for determination of the floodplains within the Borough.

Mr. Koban, Mr. Vandzura, Mr. Squillario, and Mr. Wiser with Portage Borough; Mr. Allison with the Cambria County Planning Commission, and Ms. Farabaugh with PennDot met on Mountain Avenue to view the sidewalk project through the Transportation Enhancement Program. Mr. Koban also advised that a presentation for the project will take place in Johnstown on September 18th, 2012. The time was not available prior to the meeting. Mr. Vandzura questioned if there was a list of individuals that will be on the committee for the representation of the projects. Mr. Koban extended the invitation to any council member wishing to attend the presentation. Mr. Kissell commented that he would like to have e-mails sent notifying of any meetings and/or changes. Mr. Koban advised that Council is notified via e-mail with any changes to a scheduled meeting and Mr. Yetsko is advised by phone.

Mr. Koban informed Council that the County Assessment sent notice of a commercial appeal of real estate taxes for the Allegheny Ridge (former Silk Mill property) to be held in Ebensburg on Thursday, October 4th, 2012 at 11:10 a.m. A discussion was held on whether or not the Silk Mill property taxes were exonerated in the past.

Ms. McCarthy questioned the \$1,000.00 received from the Johnstown Housing Authority for 2012 in lieu of taxes. Mr. Koban explained that it was an increase from previous years at \$500.00.

- Solicitor's Report

Attorney Emerick was absent but provided a written report prior to the meeting. Mr. Koban and Mr. Vandzura investigated the back of the Bookhamer property last week and commented on the deplorable condition of the roof and the fire escape. Mr. Koban also advised that Mr. Moschgat was going to attend this meeting for additional information and the process of moving forward with the building. Mr. Emerick is waiting for a decision from First Commonwealth Bank, if they will release the property from the mortgage. Mr. Vandzura suggested moving forward by seeking exoneration from the County, local, and school taxes to speed up the process. Mr. Koban will check with Mr. Emerick on the status of the exonerations.

Mr. Koban apprised Council that Chief Miller had served the papers to Mr. Sekerak on the Gillespie Avenue property on Friday. Mr. Sekerak will have until October, if nothing is repaired or progress made, the litigation will proceed at the Common Pleas Court level.

Mr. Koban also commented on other structures within the Borough that are in very bad shape. A discussion was held on various other commercial and residential buildings that are becoming extremely unsound and safety hazards. The Starlight hotel was another property that was discussed. Mr. Vandzura suggested that some type of inspections be performed on commercial buildings. Mayor Fox also commented that researching other municipal ordinances for inspections and codes could help alleviate some of these issues. Mr. Wisor commented that being proactive on inspections could benefit the borough before they become an issue. Council agreed to discuss commercial building inspections and ordinances at the September Committee of the Whole meeting.

- Engineer's Report

Mr. Wisor noted that he provided a written report prior to the meeting and had nothing to add to his report.

- Chief of Police's Report

Chief Miller provided a written report prior to the meeting and nothing additional to add. Ms. McCarthy was approached by a resident seeking information on a Megan's Law offender residing in the Borough. Chief Miller advised that it depends on the type of offense and whether or not the offender would be required to be on the Megan's Law website. Ms. McCarthy also requested that new part time officer; Robert Miller attend a meeting to be introduced to Council.

- Director of Public Work's Report

Mr. Squillario commented that he did provide a written report prior to the meeting and had nothing to add to his report. Mr. Squillario informed Council that he did not receive any information back from Duane Meadows of Norfolk Southern regarding the Arch at Lee Street. Mr. Squillario will try contact him again.

- Treasurer's Report

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

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$62,453.09. 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 Portage Area Senior Citizens sent a request for a donation of monetary value, baskets, gift cards, or certificates to their Basket Party to be held on Sunday, September 16th, 2012.

The Rotary Club of Portage submitted an invitation to the Mayor and Council to participate in the annual Christmas Parade and a request to block off a portion of Main Street.

ON MOTION OF MAYOR FOX, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE REQUEST FOR THE ROTARY CLUB TO BLOCK OFF A PORTION OF MAIN STREET FOR THE CHRISTMAS PARADE TO BE HELD ON SATURDAY, DECEMBER 8TH, 2012 AT 2:00 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.

- Minutes of the Previous Meeting

Minutes of the August 6th, regular meeting and August 20th committee meeting were distributed prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE AUGUST 6TH REGULAR AND AUGUST 20TH 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. FOX, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE PAYMENT OF BILLS AND ADDITIONAL AS PRESENTED IN THE AMOUNT OF \$47,124.72. 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

Ms. McCarthy noted that reports were received from the Portage Water Authority (July), the Portage Sewer Authority (July) and Joint Recreation Commission for July.

ON MOTION OF MR. SLANOC, SECONDED BY MRS. CHOBANY, 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

The Main Street project sidewalk project was discussed earlier in the meeting.

Mr. Koban advised that that he attended the Planning Commission meeting along with the Eads Group Rep; Mr. Truscello concerning the ten year comp plan, open space & trail plan program. There will be two more reviews of the plan before submittal. A draft will be submitted to Council and the public for a comment period. No date has been set but Mr. Koban will advise Council.

Mr. Koban indicated that the Bookhamer and Sekerak properties were discussed under the Solicitor's report.

Mr. Koban informed Council that he had previous bids from last year for the demolition of the Plummer property at 1021 Caldwell Avenue. A discussion was held regarding the threshold guidelines for contract work and if the project would require advertising of bids. Mr. Koban recommended discussing the demolition phase and costs at the September Committee meeting until he has concrete demolition prices.

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

A small discussion was held on the proposed sewer ordinance concerning the properties within the Borough that have non-compliant water drainage issues. Mr. Vandzura commented that the homes within the Borough should be field inspected by the Sewer Authority to determine if there any non-compliant properties. Mr. Koban suggested that the proposed sewer ordinance and laterals be discussed at the September Committee of the Whole Meeting.

Mr. Koban expressed his concern on the canine issue from last month's meeting and to which direction he should proceed. In review of the minutes, Mr. Koban questioned whether or not he should still proceed with obtaining information on the canine. Mrs. Chobany commented that she would like to remove the issue from the agenda.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC COUNCIL UNANIMOUSLY APPROVED REMOVING THE CANINE ISSUE FROM THE AGENDA. 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

The 2013 Municipal Minimum Obligation for the Police Pension was provided to Council for approval and review. The MMO for the police pension is \$0.00 due to the fund being overfunded from previous years.

ON MOTION OF MAYOR FOX, SECONDED BY MR. VANDZURA, COUNCIL UNANIMOUSLY APPROVED THE 2013 MMO FOR THE POLICE PENSION IN THE AMOUNT OF \$0.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MR. FOX, MR. SLANOC, AND MR. YETSKO.

The 2013 Municipal Minimum Obligation for the non-uniform pension plan on was provided to Council for approval and review. The MMO for the non-uniform pension is \$11,833.00.

ON MOTION OF MR. VANDZURA, SECONDED BY MR. SLANOC, COUNCIL UNANIMOUSLY APPROVED THE 2013 MMO FOR THE NON-UNIFORM PENSION PLAN IN THE AMOUNT OF \$11,833.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MR. FOX, MR. SLANOC, AND MR. YETSKO.

The Portage Volunteer Fire Department sent a request for Council approval to grant permission to Mr. Vic Miller to solicit donations for the annual Halloween parade.

ON MOTION OF MR. VANDZURA, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE REQUEST FROM THE PORTAGE VOLUNTEER FIRE DEPARTMENT TO GRANT PERMISSION FOR MR. VIC MILLER TO SOLICIT DONATIONS FOR THE ANNUAL HALLOWEEN PARADE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. MCCARTHY, MRS. CHOBANY, MR. FOX, MR. SLANOC, AND MR. YETSKO.

GOOD OF THE BOROUGH

A discussion was held on the upcoming terms expiring for the various boards and commissions concerning the interview process. Mayor Fox commented that several members of each board have mixed feelings on the interviews and are uncomfortable with the process. Ms. McCarthy also commented that these individuals are volunteering their time but would like to mention that if the individuals have at least an 80% attendance rate, they should not be interviewed if seeking re-appointment. Mr. Koban suggested placing the issue on the September Committee Meeting for discussion.

Mrs. Chobany advised Council that there will be two Junior Council Members starting with the new school year. The Junior Council members are: Emily Chobany and Joseph Randazza. Ms. Claar advised that she will contact the school and junior members to provide them with the guidelines of the PSAB sponsored program.

Mr. Vandzura questioned Mr. Squillario on the financial status of the Sewer Authority if a loan was defaulted for non-payment. Mr. Squillario advised that the loan would come to the Borough and Township for any non-payment. Mr. Squillario also commented on the status of the sewer line replacement project on Johnson Avenue and expected paving to be completed by the end of the month.

Mr. Vandzura informed Council that the Portage Water Authority will be holding a ground breaking on Tuesday, September 25th, 2012 at the Martindale Reservoir. Mr. Vandzura will provide a time a later date.

ADJOURNMENT

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE MEETING WAS ADJOURNED AT 8:05 P.M.