

Call to Order:

The regular scheduled meeting of Monday, April 1st, 2013 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Yetsko, Mr. Slanoc, Mrs. Chobany, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor, Chief Miller-Public Safety, Mr. Squillario-Public Works Director, and Michelle Claar-Borough Secretary. Absent were Mr. Wisor-Borough Engineer, Junior Councilors; Emily Chobany and Joseph Randazzo.

RECOGNITION OF VISITORS

ON MOTION OF MAYOR FOX, SECONDED BY MR. YETSKO, THE COUNCIL MOVED TO GO OUT OF ORDER TO RECOGNIZE ANY AND ALL VISITORS, MOTION CARRIED 7-0. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

VISITORS:

Present were Sarah Wolford with the Dispatch; Zack Geiger with the Altoona Mirror and Justin Dennis with the Tribune. Officer Wyar was also in attendance.

Mr. Koban informed Council of an incident that Officer Wyar had responded to at 732 Prospect Street (Mr. Ken Turchak). Officer Wyar and Mr. Koban elaborated on the details of 12 cats and 4 kittens that were removed from the home and also the unsanitary conditions in which the resident resided. Officer Wyar advised that the resident has moved out of the home. Officer Wyar presented pictures to Council. Mr. Koban advised Council that he is very concerned with the unsanitary health issues, stench, and deplorable condition of the home for habitation. Mr. Turchak will be charged with cruelty to animals. Officer Wyar had contacted the Department of Health, Crisis, and the Area on Aging for resources. The owner of the property is listed as Mr. John Good. Mr. Koban commented that it was uncertain whether Mr. Good was still living or deceased. A lengthy discussion and debate took place on how to remedy the situation and the legality of the problem. Mr. Emerick commented there are two options the borough could pursue: the public nuisance or the dangerous structure ordinance. Mayor Fox suggested contacting the County or State for assistance. Mr. Koban requested Councils direction on how to proceed.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL AGREED TO HAVE MR. EMERICK MOVE FORWARD WITH THE NEXT PROCESS BY REVIEWING EITHER THE PUBLIC NUISANCE OR DANGEROUS STRUCTURE ORDINANCE. 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:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban had nothing additional to add to his report. Ms. McCarthy questioned the outcome of the meeting held with the fire department concerning the workers compensation and the vehicle parked in the back parking lot with a flat tire. Mr. Koban advised that he will update council at the April Committee meeting and also contact the Fire chief regarding the vehicle.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick thanked Mr. Koban, Mr. Vandzura, and Mayor Fox for attending the Sekerak hearing on March 27th, 2013 in Ebensburg. Mr. Emerick informed Council that the Judge ordered Mr. Sekerak to present a signed contract for demolition of the building by the April 23rd hearing at 9:00 a.m. or he could possibly face jail time.

Mr. Emerick informed Council that the transfer is still being finalized with the Moschgat and Bookhamer property at 619 Main Street. Mr. Koban commented that he thought the property had already transferred. Mr. Emerick commented that it has not been recorded with the County. Mr. Emerick will contact the Attorneys for clarification and report back.

The Kowalczyk litigation is still pending; no update.

Engineers Report:

Mr. Wisor was excused for the meeting but furnished a written report to Council. Mr. Koban advised that surveying work will begin on the Mountain Avenue project once the weather breaks.

Police Report:

Chief Miller furnished a written report prior to the meeting. Council expressed their deepest sympathy for Chief Miller's mother-in-law (Delores Iachinni). Chief Miller added that 77 incidents were handled during the month.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario commented that the street sweeping will be delayed one week due to the inclement weather but will start on Main Street on Thursday and Friday.

Mr. Squillario advised that he will be meeting with the Army Corps of Engineers on Tuesday, April 2nd to investigate the retaining wall on Caldwell Avenue.

Treasurer's Report:

Ms. Claar furnished a written report 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 \$133,115.97. 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 Trout Run Watershed Association sent notice of the Earth Week Clean-up to be held on April 26th, 2013. A time will be provided at a later date. Mr. Dennis Beck is also requesting assistance from the Public Works Department.

The PA Department of Conservation and Natural Resources sent notice of a tree vitalization grant program for the fall planting season. The deadline for grant submission is July 1st, 2013.

The Cambria County Borough Association sent notice of the annual Spring Dinner to be held at the Gallitzin Sportsman's Association on Tuesday, April 16th, 2013 commencing at 5:30 p.m. RSVP is requested by April 10th, 2013. After roll call, Mr. Vandzura, Mayor Fox, Ms. McCarthy, Mr. Koban and Ms. Claar will be attending.

Minutes of the Previous Meeting:

The minutes from the March 4th regular meeting and the March 18th committee meeting were distributed prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE MARCH 4TH REGULAR AND THE MARCH 18TH COMMITTEE MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Paying of Bills:

The list of bills and additional bills were distributed prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, THE COUNCIL UNANIMOUSLY APPROVED THE PAYING OF ALL BILLS IN THE AMOUNT OF \$25,815.77. 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

Reports were received from the Portage Water Authority for February; Sewer Authority for February; LMIA for February and the Joint Recreation for January.

ON MOTION OF MRS. CHOBANY, SECONDED BY MAYOR FOX, THE COUNCIL UNANIMOUSLY APPROVED THE REPORTS FROM THE VARIOUS BOARDS AND COMMISSIONS. 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 the Mountain Avenue Sidewalk Project is on hold due to the inclement weather. The surveying will resume when the weather breaks. Stiffler, McGraw submitted an invoice for the engineering services that will be paid out of the Capital Improvement Fund. Mr. Koban also e-mailed Council an updated schedule for the project.

Mr. Koban advised that a meeting is to be scheduled in the near future for the Portage Area ten year plan, open space and recreation, and the trail feasibility plan. One more public meeting will be held and Mr. Koban will advise Council when the dates become available.

Mr. Koban informed Council that maps were given to Penn Dot to review for the Dulancey Intersection project. The project is still moving forward.

The 619 Main Street Property was discussed earlier in the meeting under the Solicitor.

Mr. Koban suggested that the 1021 Caldwell Avenue property be re-seeded before placing an advertisement for bids, possibly next month.

The Sekerak property located at Gillespie Avenue was discussed under the Solicitor's report.

There was no update on the Comcast Cable agreement.

Mr. Squillario advised that he made several attempts to contact Norfolk Southern regarding the Lee Street Arch but has not had any response.

Mr. Koban advised that he submitted the draft sewer testing ordinance; that was approved by Council to move forward at the March 18th, committee meeting, to the Sewer Authority and their attorney for review. The Sewer Authority will review the draft at their April meeting.

Mr. Koban had a meeting with the Fire Department concerning the third party billing. The Fire Department requested the current ordinance remain in effect with no changes. Mr. Koban commented that the issue can be removed from the agenda and it can be revisited in the future if there are any changes.

Mr. Koban informed Council that a meeting has been scheduled with the Fire Department, Borough, Township, and Highland Sewer & Water regarding the installation of a fire hydrant at 505 Main Street. The meeting will be held on Thursday, April 11th, 2013 at the Crimson Room. Mr. Koban will provide Council with the time of the meeting.

The Caldwell Avenue retainer wall was discussed earlier in the meeting under the Public Works report.

Mr. Koban will provide additional information on the LERTA (Local Economic Revitalization Tax Assistance Act) at the April committee of the whole meeting.

Mr. Koban advised Council that he spoke with Mr. Beyers with the Eads Group regarding the Proposed Sewer Project grant application that will include the 5,000 lf of pipe for Ward 3 within the Borough. Council motioned to approve the loan guarantee request at the February 4th, 2013 regular meeting which included a total of 18,000 of pipe. The Portage Area Sewer Authority is requesting a letter from the Borough approving the loan guarantee for the grant application. Ms. Claar will prepare a letter to the Sewer Authority.

New Business:

The property at 732 Prospect Street was addressed at the beginning of the meeting.

Good of the Borough:

Mr. Kissell questioned if the public works department will need a part time employee to assist with any upcoming projects. The part time position was budgeted for in 2013.

Mayor Fox commented that he was contacted by a resident concerning community service hours for students. Mayor Fox will be meeting with the resident tomorrow to discuss the issue. Suggestions for community service hours were the Food Pantry, sweeping gravel, the mini-park, and Crichton McCormick Park.

Mr. Slanoc commented that the Bunny Dash went very well with over 375 runners.

Adjournment:

ON MOTION OF MR. YETSKO, SECONDED BY MRS. CHOBAN, COUNCIL UNANIMOUSLY ADJOURNED THE MEETING AT 7:30 P.M.