

**Call to Order:**

The regular scheduled meeting of Monday, December 2<sup>nd</sup>, 2013 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Yetsko, Mr. Slanoc, and Mrs. Chobany. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor, Mr. Wisor-Borough Engineer; Mr. Squillario-Public Works, Chief Miller-Public Safety, and Michelle Claar-Borough Secretary. Absent was Mayor Fox.

A Public Hearing on 1024 Gillespie Avenue was first conducted. Mr. Emerick chaired the hearing with Mr. Tim Campbell of Stiffle r-McGraw to attest. The property owners were not present. Mr. Emerick presented documentation as the owners (Melissa Weymer and William Cramer) of the property. County Tax records reflected the same. Mr. Emerick presented into the evidence the following:

- 29 pictures of the property
- Tax records
- Engineer's report
- Notice of letters submitted to property owners and lien holders
- Notice of public hearing sent to property owners
- Writ of order

Mr. Emerick questioned Mr. Campbell on his findings of the property and his report. In Mr. Campbell's opinion; the garage meets the borough's definition of a dangerous structure and is recommending demolition. The house requires minor repairs and is not considered a dangerous structure. No entry was the house was attempted or made. Mr. Emerick requested remarks from Council and advised he will need a motion to approve the Engineer's report on the condition of the property.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED THE ENGINEER'S REPORT OF THE FIELD SURVEY OF THE PROPERTY LOCATED AT 1024 GILLESPIE AVENUE AND DEEMED AS A DANGEROUS STRUCTURE IN ACCORDANCE WITH THE BOROUGH ORDINANCE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, AND MRS. CHOBANY. MS. McCARTHY. MOTION CARRIED 6-0.

Mr. Emerick concluded the hearing and asked for public comment to which there was none.

Reports:

**Managers Report:**

Mr. Koban furnished a written report prior to the meeting. Mr. Koban recapped several topics in his report. Mr. Koban commented on the Transportation Funding Bill and suggested that the Sonman Avenue Bridge be scheduled for the next project.

Mrs. Chobany questioned the new flood prone zones and maps. She was approached by a resident concerning the insurance and the zones that are affected. The Firm maps are available in the borough office and the FEMA website.

**Solicitor's Report:**

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick advised that the 1013 Hopfer Avenue property in moving forward with participation of the land owners to have the trailer scrapped.

ON MOTION OF MR. YETSKO, SECONDED BY MR. SLANOC, COUNCIL UNANIMOUSLY MOTIONED TO TABLE ANY ACTION ON THE 1013 HOPFER AVENUE PROPERTY. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, AND MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

Mr. Emerick advised that the Estep vs Portage Borough case, Sekerak, and Kowalczyk is still pending litigation.

Mr. Emerick commented on the Portage Water Authority agreement for police protection services. A question arose whether or not Portage Township needs to be involved with the agreement; and whether or not the fire hydrants can even be charged for. Mr. Emerick also commented on the indemnity clauses of the agreement as well as security checks, hazardous conditions, enforcements, disputes, appointment of police, and drive-by's. Mr. Kissell suggested researching the appointment of police but there was no second. Mr. Yetsko suggested having all three attorneys get together to discuss the agreement.

ON MOTION OF MR. VANDZURA, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY MOTIONED TO HAVE MR. EMERICK RESEARCH ANY CASE LAW TO DETERMINE IF PORTAGE TOWNSHIP WOULD EVEN NEED TO BE INVOLVED IN THE POLICE PROTECTION AGREEMENT WITH THE PORTAGE WATER AUTHORITY. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, AND MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

Mr. Emerick asked Council if they had any further questions on the 1024 Gillespie Avenue public hearing. Mr. Vandzura questioned the status of liens and any potential Tax and Judicial Sales.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, COUNCIL UNANIMOUSLY AGREED TO HAVE MR. EMERICK CONTACT THE LIEN HOLDERS FOR ANY REMOVAL AND CONTINUE THE PROCESS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, AND MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

**Engineers Report:**

Mr. Wisor furnished a written report to Council. There was no activity reported on the Dulancey Intersection project.

Mr. Wisor reported that the threshold for prevailing wage projects increased from \$25,000.00 to \$100,000.00 to commence in 2014. Mr. Wisor provided a quote on the borough building roof project.

The Mountain Avenue project is moving forward.

The Mainline Pharmacy project is complete.

**Police Report:**

Chief Miller furnished a written report prior to the meeting. Chief Miller advised that he had nothing additional to report and advised that the incidents were low for the month.

**Public Works Report:**

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

**Treasurer's Report:**

Ms. Claar furnished a written report prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$73,085.22. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY AND MS. McCARTHY. MOTION CARRIED 6-0.

**Correspondence:**

There was no correspondence at this time.

**Minutes of the Previous Meeting:**

The minutes from the November 4<sup>th</sup>, 2013 regular meeting were distributed prior to the meeting.

ON MOTION OF MR. KISSELL, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE NOVEMBER 4<sup>TH</sup>, 2013 REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

**Paying of Bills:**

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

ON MOTION OF MR. YETSKO, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED PAYING THE BILLS AND THE ADDITIONAL IN THE AMOUNT OF \$21,846.66. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

**Reports**

Reports were received from the Portage Water Authority and the Portage Sewer for October, PAJRC for September & October; Laurel Municipal Inspection Agency for October.

ON MOTION OF MR. KISSELL, SECONDED BY MRS. CHOBANY, 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, AND MS. McCARTHY. MOTION CARRIED 6-0.

**Unfinished Business:**

The Mountain Avenue Sidewalk project was discussed under the Engineers report.

There was no update on the Ten Year Comprehensive Plan, Open Space & Recreation, and the Trail Feasibility Plan.

There was no update on the Dulancey Drive Intersection Project.

The Mainline Pharmacy parking meters and project is almost complete.

The Sekerak legal fees were discussed under the Solicitor's report.

There was no update on the Comcast agreement but will be discussed at a later committee of the whole meeting.

There was no update on Lee Street and Main Street lease agreement. Ms. Claar will contact Mr. Rudy Husband.

A discussion was held on the Caldwell Avenue Retainer project with the removal of the wall and leveled to grade. A quote was received for \$9,000.00.

The 1024 Gillespie Avenue was discussed under the Public Hearing and the Solicitor's report.

There was no update on the property located at 727 Orchard Street.

The 1013 Hopfer Avenue property was discussed with the land owner to participate in scrapping the trailer.

ON MOTION OF MR. YETSKO, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY TABLED ANY ACTION ON THE 1013 HOPFER AVENUE PROPERTY. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR.

KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

The 835 Main Street property owned by Ed. Gibson was discussed. Chief Miller advised that he will speak with Mr. Mark Gibson concerning the steps and the supports to the balcony. Chief Miller also advised that he will provide Mr. Gibson with a thirty notice to make the necessary repairs and obtain any building/compliance permits.

**New Business:**

Mr. Koban presented the 2014 proposed budget for Council to review. There was only one additional fiscal impact since the November committee meeting. Mr. Koban advised Council that there has not been a cost of living adjustment to the compensation plan since 2008. Mr. Koban proposed to Council of increasing the base rate on the compensation plan by One Percent (1%). The total wage increase for borough employees would reflect a 3% overall increase per employee.

ON MOTION OF MR. VANDZURA, SECONDED BY MR. KISSELL, THE COUNCIL UNANIMOUSLY APPROVED TO INCREASE THE COMPENSATION BASE RATE BY ONE PERCENT (1%) AS A COST OF LIVING ADJUSTMENT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

The 2014 proposed budget for the General Fund, State Liquid Fuels, compensation plan, and tax millage rate was reviewed by Council again for advertisement of public inspection.

ON MOTION OF MR. KISSELL, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED TO ADVERTISE THE 2014 PROPOSED BUDGET FOR PUBLIC INSPECTION TO INCLUDE THE GENERAL AND STATE LIQUID FUELS FUNDS TO BE APPROVED AT A SPECIAL MEETING ON DECEMBER 20<sup>TH</sup>, 2013. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

Mr. Koban presented Council with a garbage fee schedule for 2014 reflecting no increase in garbage collection services to borough residents. The curbside monthly billing will be \$13.85 per month and pre-paid bags at \$30.00 per pack of ten.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED RESOLUTION 16-2013 BY SETTING THE GARBAGE COLLECTION RATES FOR 2014. COUNCIL MEMBERS VOTING AFFIRMATIVELY

INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

Ms. Claar presented the 2014 meeting schedule for regular and committee meetings for council to review. Council agreed to make one change on the July schedule to have only one meeting as a regular meeting from July 7<sup>th</sup> to Monday, July 21<sup>st</sup>, 2014.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.

There was no update on the Portage Municipal Authority for the police protection agreement.

Ms. Claar advised that letters of interest have been received for all three boards and commissions. Letters were received from: Sharon Squillario for PAJRC, Raymond Bowman for Portage Municipal Water Authority, and Robert Fox for the Portage Areal Planning Commission.

**Good of the Borough:**

The annual Christmas parade will be held on Saturday, December 14<sup>th</sup>, 2014 at 2:00 sharp. The WinterFest weekend will commence on Friday, December 13<sup>th</sup>, 2013.

Free Parking during December

Special meeting for budget adoption and Christmas dinner to be held on Friday, December 20<sup>th</sup>, 2013 at 6:00 p.m.

**Adjournment:**

ON MOTION OF MR. KISSELL, SECONDED BY MRS. CHOBANY, COUNCIL UNANIMOUSLY ADJOURNED THE MEETING AT 7:57 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, AND MS. McCARTHY. MOTION CARRIED 6-0.