

A meeting of Portage Borough Council was held on July 21st, 2014, at 6:30 p.m., in Council Chambers.

- **REFLECTION/PLEDGE OF ALLEGIANCE**

Mr. Kissell offered a reflection. The reflection was followed by the Pledge of Allegiance.

Those in attendance were:

Sharon McCarthy
George Wozniak

Todd Learn
Jerome Yetsko

Mayor James Kissell

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Chief Miller, Public Safety; Ray Bowman, Public Works; and Michelle Claar, Borough Secretary. Absent were Mrs. Chobany and Mr. Morgan.

- **RECOGNITION OF GUESTS**

Ms. McCarthy recognized the following guests: Kelly Cernetich with the Altoona Mirror; Amanda Petrunak with the Dispatch; Mrs. Polly Vandzura; Thomas Cummings, Neil Penrod, Aaron Offman, and Deanna Lee representing the Portage Area Hockey Association; and Ms. Jean Kinley representing the Portage Area Joint Recreation Commission.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED TO GO OUT OF ORDER TO RECOGNIZE THE VISITORS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, AND MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

Mrs. Polly Vandzura was the first speaker and apologized to Council for the last outburst at the June committee meeting concerning the proposed sewer testing ordinance. Mrs. Vandzura had several suggestions for Council to consider so the residents have an opportunity to review what Council has before them during any issues or proposed ordinances:

- Provide documents on the proposed ordinances and/or any other documentation the Council has so the public can follow.
- Place the information on the website prior to the meeting
- Communication efforts between the Council and the residents
- Place maps, sketches, and/or drawings on the wall for the residents to follow

While Mrs. Vandzura commented that she did follow the right to know by requesting the proposed sewer testing ordinance, she also commented that this information should be made available to the public during the meeting. Mrs. Vandzura also commented that the residents should have a public comment period during the meeting. Mr. Koban advised that he was not an advocate of providing the information to the public since it is only in a draft or proposed form and commented that Council has to focus on what is being proposed, make a decision, and then call for public input. Mr. Koban presented several scenarios when information was provided before Council even had an opportunity to review, discuss or take action on which became misconstrued and convoluted by the public. Mr. Koban however did agree that Mrs. Vandzura has validity to her suggestions. Mrs. Vandzura also requested that the public have the most up to date information. Council advised Mrs. Vandzura they would take her suggestions into consideration but would not act upon it at the present time.

Mr. Thomas Cummings was the group speaker representing the Portage Area Hockey Association. Mr. Cummings also shared the following updates:

- Mr. Cummings provided pictures and specifications for the new rink.
- The PAHA is in the process of obtaining the necessary permits from Laurel Municipal Inspection Agency and advised that the rink is being treated as commercial will also be required to have inspections on the glass. The existing rink is 50'X100' and the proposed rink for stage 1 is 60'X120'. The second stage will be for a regulation rink of 160'.
- Several organizations and volunteers have provided labor hours and equipment to remove trees within the hockey rink site.
- In the process of filing the paperwork for a 501C-3 status for a non-profit organization. Mr. Aaron Offman's uncle is preparing the paperwork.
- Request to Council for a monetary donation or in-kind labor and equipment. Mr. Koban commented that he would like to have a projected or proposed financial plan with a project status prior to any monetary donation. Mr. Koban commented that a monetary donation would have to be considered during the budget process. Mr. Wozniak suggested that Mr. Cummings contact the National Guard in Johnstown for any equipment and labor needs.
- Request to utilize the Boroughs physical address to apply for the 501C-3 application. Mr. Emerick advised Mr. Cummings to contact the Associations Attorney concerning the physical address prior to him researching the legality for non-profit status applications.

IV. REPORTS

A. Borough Manager's Report

Mr. Koban provided a copy of his report to Council prior to the meeting.

Mr. Koban provided additional details to his report:

- Mr. Koban apologized for missing the meeting for the walk through tour at the old school building.
- Amfire has submitted two checks to the Borough for their share of the Dulancey Drive Intersection project each in the amount of \$35,000.00 for a total of \$60,000.00. The checks were deposited into the Capital Improvement Savings Account.
- Mr. Kissell questioned the status of the Dulancey intersection project as it relates to the Gas Company gas lines. Mr. Bowman commented that the Gas Company is behind schedule and work is now commencing with the sidewalks.

B. Solicitor's Report

Mr. Emerick reported that he provided a copy of his report prior to the meeting.

- As it relates to 1024 Gillespie Avenue, Mr. Koban informed Council that the Public Works Department completed the demolition of the garage and cut back the huge tree. Mr. Koban also commended the Public Works Department for all their efforts and the use of the excavator from Groff Tractor was a huge asset in the demolition process. Ms. Claar provided a breakdown of the associated costs, including labor and equipment for the demolition (approximately \$2,500.00). Mr. Koban did not have a chance to review the breakdown prior to the meeting. Mr. Emerick questioned if Council wants to proceed with filing a lien against the property.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY AGREED TO HAVE MR. EMERICK PROCEED WITH FILING A LIEN AGAINST THE 1024 GILLESPIE AVENUE PROPERTY IN THE AMOUNT OF \$2,500.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

- The proposed Sewer Use Ordinance for lateral testing was reviewed in its entirety from the changes as discussed at the June committee meeting. Mr. Koban commented that the new ordinance would clarify language and give homeowners one year to comply with lateral testing after the completion of the new sewer project. Mr. Emerick recapped the following changes:
 - ❖ Section 5 (b) Lateral Testing applies to the entire borough, not only the third ward
 - ❖ Section 5 (b1) Lateral Testing is amended to remove “the property owners shall perform a pressure test of all underground sanitary piping. The property owner is not responsible for performing the test.
 - ❖ Section 5(c) lateral testing applies to the entire borough, not only the third ward.
 - ❖ Section 5(c)1 shall be amended from within six months to a year from the completion of the project to as much as one (1) year to be in compliance after completion of the project. Mrs. Vandzura questioned what determines the compliance of the ordinance to which Mr. Koban replied the pressure testing after completion of the project.
 - ❖ Section 5(d) shall apply to the entire borough following sanitary sewer system construction, not just the third ward.
 - ❖ Section 5(d) 2 shall be amended from within six months to be in compliance to within one (1) year to be in compliance.
 - ❖ Section 6 relating to notice to property owners: Mr. Emerick clarified that thirty days (30) was the timeframe from the date of notice to which Mr. Koban stated it was correct.
 - ❖ Section 8(b) relating to application for certificate of compliance lateral testing-by removing other person designated or approved by the Portage Area Sewer Authority.
 - ❖ Section 12 relating to the expiration of certificate of compliance amended from one (1) year from the date of issuance to three (3) years from the date of issuance.
 - ❖ Section 15 relating to penalties. Ms. McCarthy questioned the steep penalty of \$600.00 for each violation to which Mr. Emerick replied that most ordinance violations are consistent with \$600.00. Council agreed to keep the \$600.00 to remain consistent with previous ordinance penalties.

Mr. Emerick requested if there were any other changes before any Council action.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE ABOVE CHANGES TO THE PROPOSED SEWER USE ORDINANCE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

ON MOTION OF MR. YETSKO, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF A PROPOSED ORDINANCE OF THE BOROUGH OF PORTAGE ADOPTING A SEWER USE ORDINANCE PROVIDING FOR LATERAL TESTING OF PROPERTIES FOR

THE PURPOSE OF THE REDUCTION OF INFLOW AND INFILTRATION INTO THE SANITARY SEWER SYSTEMS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

- As it relates to Portage v. Sekerak, Mr. Emerick apprised Council that he will be checking on the status of the case at the Cambria County Courthouse tomorrow for Nicholas Sekerak regarding the failure to respond to the interrogatories from the Borough's Motion for Sanctions.
- Concerning Kowalczyk v. Portage, Mr. Emerick provided an overview of the litigation to Mr. Learn and Mr. Wozniak concerning the purchasing of alleys owned by the Borough. Mr. Emerick advised that he received an interrogatory letter from Mr. Kowalczyk's Attorney and will have to respond with answers. Council agreed to have Mr. Emerick, Mr. Koban, and Ms. Claar assist in the response to the interrogatory letter on the Kowalczyk litigation.

C. Engineer's Report

Mr. Wisor reported that he provided a copy of his report prior to the meeting and had nothing to add.

- Ms. McCarthy questioned the status of the specifications for bids on the administration building roof. Mr. Wisor advised that they have been working with Union Roofing to determine the composition of the existing roof and will provide specifications and bidding requirements at the August regular meeting.
- As it relates to Mountain Avenue Sidewalk Enhancement Project, Mr. Wisor informed Council that the project thus far is over 50% completed. According to Mr. Wisor, the project funding will have some additional monies available due to the elimination of concrete crosswalks through the alleys. Mr. Koban suggested that additional sidewalks could be poured from Apple Alley to Farren Street, according to the figures presented by Mr. Wisor. Mr. Koban suggested of an amount not to exceed \$5,000.00 to complete the block with concrete sidewalks. A discussion took place on whether to obtain additional quotes to complete the project down to Main Street.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE ADDITIONAL WORK FROM APPLEY ALLEY TO FARREN STREET WITH BOROUGH FUNDING THE SIDEWALK IN AN AMOUNT NOT TO EXCEED \$5,000.00 FOR THE MOUNTAIN AVENUE SIDEWALK ENHANCEMENT PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

D. Police Chief's Report

Chief Miller reported that he provided a copy of his report prior to the meeting and had nothing additional to report.

- Ms. McCarthy questioned if the window had been repaired on the 2005 cruiser that was kicked out. Chief Miller advised that the window has been repaired and the 2014 cruiser had kick bars installed in the back windows.

E. Director of Public Works Report

Mr. Bowman reported that he provided a copy of his report prior to the meeting.

- Mr. Bowman advised that the pedestrian traffic signal has been fixed on Mountain Avenue and Main from the parts remaining from the Dulancey Drive light.
- Traffic lines and spaces have been painted.
- Ms. McCarthy questioned the status of the back road to the Park being completed as a joint venture between the Borough and the Township before the Summerfest event. Mr. Koban and Mr. Bowman apprised Council that there is a more serious issue relating to the back road with drainage problem but it could be repaired prior to the Summerfest. A lengthy discussion took place on how to rectify the problem instead of filling in the potholes every year. Another issue that took place was whether or not the back road was the Borough's responsibility or the Joint Recreation Commissions. Mr. Bowman advised that the back road is not liquid fuels eligible. Mr. Koban commented that IF, the back road is the Boroughs responsibility, then we need to schedule and budget the necessary funds to make the necessary repairs. Ms. Kinley also agreed that clarification is needed on whose responsibility it is. Ms. Kinley also commented on the condition of the road through the Parks Main Entrance at the canon. There are several potholes within the park as well that need repaired prior to the Summerfest. Council, Mr. Koban and Mr. Bowman advised that the above issues will be repaired and corrected prior to the Summerfest Event.

F. Treasurer's Report

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT IN THE AMOUNT OF \$59,323.71. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

V. CORRESPONDENCE

Representative Frank Burns sent notice of a Consumer Alert Seminar to be held on Wednesday, August 27th at noon at the Portage Senior Center.

The Cambria County Commissioners (only Mr. Lengenfelder and Mr. Wissinger signed) sent a letter (on file and council provided a copy) concerning the LERTA by amending the LERTA zone. The Commissioners are requesting that the entire Borough NOT be included in the Zone and to determine certain areas. Mr. Koban will provide additional information under old business.

Cambria Care Center sent notice of a Golf Tournament and Dinner to be held on Friday, September 5th, 2014 at the Ebensburg Country Club with registration at 11:30 a.m. The

proceeds benefit the Volunteer Fireman's Association of Cambria County & Vicinity Fire School Program.

Portage Vol Fire Company sent an update on the change of officers effective July 1, 2014. Mr. Ronald McCoy is now the Fire Chief. (Council was provided a copy)

The Intermunicipal Relations Committee located in Altoona sent a letter advising of changes, special programs, and partnerships for the municipalities of Blair and Cambria Counties. The changes included recycle, composting, fees, and memberships.

Commissioner Thomas Chernisky sent a separate letter of support concerning the LERTA to which Mr. Koban had read to Council. Mr. Chernisky recommended that the Borough Council, businesses, and residents should show support for the entire Borough of a targeted zone. The issue will be addressed under old business.

VI. CITIZEN'S INPUT ON AGENDA ITEMS

Ms. Jean Kinley advised Council that the previous Public Works Director; Mr. Don Squillario had promised to pave the small walkway by the little league field but nothing has been started. Mr. Koban commented that he was not informed or the issue was not brought to his attention. Mr. Bowman advised that he was aware of a cost estimate that was obtained by Mr. Squillario for the paving. Mr. Bowman also commented that since Mr. Squillario's retirement in March; the Public Works Department has been spread a little thin and has not had an opportunity to discuss the issue with Mr. Koban. Ms. Kinley also informed Council that an organization has donated money for the project and inquired on when the project will get underway. Ms. Kinley also commented that it was making the Joint Recreation look bad. Mr. Koban advised that the Public Works will place and schedule the project on their board.

VII. MINUTES OF PREVIOUS MEETINGS

The minutes from the May 19th committee meeting, June 2nd regular and June 23rd committee meeting were presented to Council prior to the meeting. Mr. Yetsko and Ms. McCarthy informed Ms. Claar that the June 2nd regular meeting had Mr. Wozniak listed twice and Mr. Yetsko was omitted.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF MAY 19TH COMMITTEE MEETING, JUNE 2ND REGULAR MEETING, AND THE JUNE 23RD, 2014 COMMITTEE MEETING AFTER THE ABOVE CHANGES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. MCCARTHY. MOTION CARRIED 5-0.

VIII. BILLS AND TREASURER'S REPORT

Ms. McCarthy noted that copies of the bills and additional bills report were distributed for review by Council members prior to the meeting.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT AND AGREED THAT THE BILLS AND ADDITIONAL BILLS BE PAID AS PRESENTED IN WRITTEN FORM. THE BILLS TOTALED \$46,540.91. COUNCIL MEMBERS

VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

IX. REPORTS RECEIVED

Ms. McCarthy noted the following reports were received from the Water and Sewer Authorities reports for May, 2014 along with the Portage Area Joint Recreation Commission from April through June 2014.

ON MOTION OF MAYOR KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

X. UNFINISHED BUSINESS

Mr. Koban provided an update on the following:

- Item A: Mountain Avenue Sidewalk Project-Mr. Koban also commented that the project should have an earlier completion date than anticipated. The issue was discussed in greater detail under the Engineer's report.
- Item B: Short and Long Range Goals Based on Long Range Plan –next future committee meeting
- Item C: Dulancey Drive Intersection Project–project is moving forward
- Item D: Sekerak Legal Fees – discussed by Attorney Emerick under the Solicitors report.
- Item E: Comcast Cable Agreement – Mr. Koban advised that the issue will be discussed at the next committee meeting.
- Item F: Lee Street Arch/Norfolk Southern – Mr. Koban advised Council he had left several phone messages for Mr. Kaplaniak regarding the agreement for the Main Street Arch. Ms. Claar also informed Council that she had e-mailed Mr. Kaplaniak on Monday, July 14th with no response or reply back.
- Item G: Caldwell Avenue Flood Wall Replacement Project – Mr. Koban advised that the retainer wall project has been completed by B & R Construction and the Public Works Department. Mr. Koban commended the employees for their efforts and commented that the excavator rental was a tremendous asset on the project. Mr. Bowman had presented before and after pictures to Council. Mr. Koban also commented on the top finished layer and would have liked a smoother finish. Mr. Koban apprised Council that due to site conditions on the footer, Mr. Raptosh recommended additional work that included rebar, labor and concrete for an extra footer. The additional work totaled \$5,000.00.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED THE ADDITIONAL WORK FOR B&R CONSTRUCTION IN THE AMOUNT OF \$5,000.00 FOR THE CALDWELL AVENUE RETAINER WALL PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

- Item H: 1024 Gillespie Avenue –the garage has been demolished. Ms. McCarthy questioned if the item can be removed from the agenda. Mr. Koban requested the item remain on the agenda due to the deteriorating condition of the house. A discussion was held on the possibility of placing the property on the upcoming Sheriff Sale, Upset Sale, or Judicial Sale. Mr. Koban also commented that the liens would have to be forgiven.

ON MOTION OF MAYOR KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED TO HAVE MR. EMERICK START THE PROCESS OF PLACING THE 1024 GILLESPIE AVENUE ON THE NEXT JUDICIAL TAX SALE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

- Item I: LERTA – Mr. Koban elaborated on the Cambria County Commissioners last meeting and the letter the Borough had received. Mr. Koban advised that he will meet again with the Portage Area School District. A discussion was held among members of Council as to where the zones or locations could be considered as a LERTA area. Council agreed to have Mr. Koban and Mr. Bowman research the boundaries and determine what locations would best serve the LERTA zones and present to Council at the next council meeting.
- Sign Inventory and Plan to Meet FWHA Compliance was discussed earlier under the Engineer's report and the plan was implemented prior to the June 14, 2014 deadline. A sign inventory and replacement will be placed on the schedule.
- Item J: Police policy and procedures regarding supplemental income was tabled until the next meeting and was discussed in an executive session due to personnel issues.
- Item K. As it relates to the bonding of Council; the issue was tabled until the next meeting. Mr. Koban does have the information provided by the insurance companies but has not had an opportunity to review the figures.
- Item L. Mainline Trail Grant Funding- Mr. Koban apprised Council of an e-mail he received from Randy Stager concerning grant funding and thought Mr. Stager would be here to provide additional information on the grant. In summary, ARCorp is committed to pursuing a connection along the corridor of the Main Line Trail and is considering municipal participation on the thoughts of the trail program, application, and how the relationship would be between the Borough and ARCorp. The process would have to name the Borough as the applicant in the grant. Prior to the meeting, Mr. Koban was informed that the Borough will be approached next year to consider the grant funding.

XI. NEW BUSINESS

Item 1. The proposed sewer use testing ordinance was discussed earlier in the meeting and approved to advertise.

Item 2. As it relates to the 2005 Ford Cruiser, a discussion was held on the sale of the 2005 Ford Cruiser to the Cambria County Sheriff's Office. Council questioned if the vehicle had to be placed out for public bid. Mr. Emerick advised that the vehicle did not have to be publicly bid since it would be sold to an inter-municipal entity. Mr. Koban informed Council that he felt comfortable with the offer presented by the Cambria County Sheriff's Office.

ON MOTION OF MAYOR KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED TO SELL THE 2005 FORD CRUISER TO THE CAMBRIA COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$3,500.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

ADDITIONAL AGENDA ITEMS:

- Item 1: As it relates to the 1007 Conemaugh Avenue Property (Vivis). Mr. Koban advised Council that he investigated the property that was brought up from last month's meeting by an area resident. Chief Miller commented that the property owner has received and paid in full several citations and the grass is being cut. Plywood has been nailed down on the roof and the broken windows have been removed and boarded shut. There is no apparent danger of the fence falling into the neighbors' yard. Mr. Koban advised that the property owner has not yet decided if they are going to repair the structure or sale it. Chief Miller also apprised Council that District Magistrate Decort suggested that all citations and public nuisances be documented for the property to be considered a public nuisance. Mr. Koban commented that the resident can file a complaint civilly at Magistrate Decorts Office.
- Item 2: As it relates to 1027 Gillespie Avenue property (Miller). Chief Miller and Mr. Koban advised that they investigated the property and noticed that the shed/barn in the back yard is in deplorable condition. The structure is approximately 20X30. The home does not present any dangerous structure or public nuisance. After a discussion, Council agreed to have Chief Miller send a ten (10) day notice to the property owner concerning the dilapidated shed/barn.
- Item 3. As it relates to 907 Jefferson Avenue property (Lilly FNB). Chief Miller informed Council that the First National Bank of Lilly has made several repairs on the home by nailing plywood on the roof and removing the loose shingles and broken out windows but the garage in the back is in poor condition. The walls of the garage are leaning even though the windows have been boarded up. After a discussion, Council agreed to have Chief Miller send another letter to the owner to determine their intentions of rectifying the problem with the garage.

GOOD OF THE BOROUGH

The Summerfest event will be held August 8th through the 10th, 2014. Ms. McCarthy polled council for participating in the parade. There will be two members of council in the parade. Summerfest will also need volunteers for the soda booth.

Mr. Kissell updated Council on a Department of Environmental Protection seminar he attended in Harrisburg last week. Mr. Kissell also suggested having Borough shirts/polo's for Council members to attend meetings and other municipal events. A discussion will be held at the next committee meeting. Ms. Kinley commented "you got to be kidding me". Ms. Kinley questioned that if borough council members resigns or leaves; the member still wearing the shirt/polo would be a misrepresentation of the Borough member.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY AGREED TO GO INTO EXECUTIVE SESSION FOR PERSONNEL ISSUES AND LITIGATION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

ON MOTION OF MR. WOZNIAK SECONDED BY MAYOR KISSELL, COUNCIL UNANIMOUSLY AGREED TO GO OUT OF EXECUTIVE SESSION AND INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. LEARN, SECONDED BY MAYOR KISSELL, COUNCIL UNANIMOUSLY AGREED TO ADJOURN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MAYOR KISSELL, AND MS. McCARTHY. MOTION CARRIED 5-0. THE MEETING ADJOURNED AT 9:03 P.M.