

A meeting of Portage Borough Council was held on April 6th, 2015 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy, President
Mayor James Kissell
Todd Learn

John Morgan
Jerome Yetsko
George Wozniak
Becky Chobany

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

CALL TO ORDER

Ms. McCarthy called the meeting to order at 6:30 p.m., which was followed by a roll call with all members being present.

REFLECTION/PLEDGE OF ALLEGIANCE

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

RECOGNITION OF GUESTS

Ms. McCarthy recognized the following guests: Kelly Cernetich with the Altoona Mirror and Randy Griffith with the Tribune Democrat.

REPORTS

A. Borough Manager's Report

Mr. Koban provided his report to Council prior to the meeting. Mr. Koban advised that he reviewed Stiffler, McGraw's proposal concerning the Trout Run grant application and it will be discussed under the Engineer's report. Mr. Koban advised that the remaining issues will be addressed under unfinished and new business.

B. Solicitor's Report

Attorney Emerick provided a copy of his report prior to the meeting. Mr. Emerick informed Council that his issues are still pending litigation; Kowalczyk vs Portage. Mr. Emerick requested an executive session for a discussion on the Wyar vs Baum litigation.

C. Engineer's Report

Mr. Wisor provided a copy of his report prior to the meeting. Mr. Wisor provided several updates to his report.

- Bids were reviewed and tabulated from the Contractors for the Borough Building Roof Replacement Project. Their recommendation was to award the bid to American Roofing. The issue was further discussed under unfinished business.
- Mr. Koban questioned the revised proposal for the Trout Run Project concerning the grant application "not to exceed \$36,900.00" and the construction administration without construction costs of \$2,300.00. Mr. Koban questioned if this was an addition or if it was duplicated costs. Mr. Wisor commented that the \$36,900.00 was for the submission of the grant and would also be included as a reimbursable expense; IF, we were awarded the grant.

Mr. Koban advised that Council would need clarification prior to making a vote on the proposal. Ms. McCarthy questioned if everything was completed for grant submission and the timeframe remaining. There will be an additional cost of \$12,000.00 between the grant submission portions “not to exceed \$36,900.00” and then the preliminary costs for the bidding process; if awarded.

- Mr. Koban advised Council that he spoke with Chief McCoy regarding the financial status for the Portage Volunteer Fire Dept portion of the roof project. The bids were rejected from last year; which the lowest bid was \$82,000.00. There is a difference of \$40,000.00 between last year and this years’ bid of \$120,000.00. The major difference is from core samples being taken; asbestos was present in the roof which requires abatement. Mr. Koban provided a breakdown to Council on a per capita basis for Portage Township and Cassandra Borough; if they decided to donate to the project. Mr. Koban also advised Council that the agreement between the Borough and Fire Dept reflects a 50/50 split for all maintenance on the building. In accordance with the bid specifications and project awarding; Council has (60) sixty days to award from the bid opening date of March 16th, 2015. Mr. Kissell commented that the roof can’t wait and we need to move forward with the project. Mr. Koban commented that until the Portage Volunteer Fire Dept can obtain funding; along with increased donations from Portage Township and Cassandra Borough, the project cannot be awarded without the financial commitment. Mr. Wisor commented that we could request can extension on the awarding for an additional month. Mr. Koban advised that he will discuss the issue further with Chief McCoy and have an answer for the April Committee Meeting and award or reject at that time.

D. Police Chief’s Report

Chief Miller provided his report to Council prior to the meeting. Chief Miller had nothing to add to his report. Mrs. Chobany advised that she was approached by a resident concerning a patrol car parked at the intersection of Jefferson and Vine running speed. Ms. McCarthy questioned the status of part time patrol officers. Chief Miller advised that everything is okay for now.

E. Director of Public Works Report

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

- Mr. Bowman advised Council that he met with PennDot Rep; Mike Bowser to review and schedule the 2015 Street Resurfacing Program. The approval to advertise is reflected under additional agenda item.
- Mr. Morgan and Council commended the Public Works Dept for the commencing of the street sweeping program.
- Mr. Kissell commented that the posted street names are barely visible on Maken Street and Hammer; 2 speed limit signs on Cunard.
- Ms. McCarthy questioned the status of the Lee Street Bridge. Mr. Bowman advised that pictures were taken and there has been no update from Norfolk Southern.
- Mr. Bowman advised that the old Starlight building has another bulging spot on the outside of the structure.

F. Treasurer’s Report

Ms. Claar provided the Treasurer’s 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 \$83,401.07. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

CORRESPONDENCE

Comcast sent notice that effective April 19th, 2015 installation prices for unwired homes will increase from \$45.75 to \$50.00; and wired homes will increase from \$33.00 to \$50.00.

Ms. Claar advised Council that she spoke with Ms. Jean Kinley concerning the postage for the professional mailing campaign company. The company is requesting a separate check for postage in an amount not to exceed \$1,900.00. Council had previously motioned to pay the postage and mailing campaign. When the company submits the invoice for postage; Ms. Claar will prepare a check and have two signatures to pay the invoice.

CITIZEN'S INPUT ON AGENDA ITEMS

There was not public input on agenda items.

MINUTES OF PREVIOUS MEETINGS

The minutes from the March regular and committee meetings were presented prior to the meeting. Ms. McCarthy advised that the March 2nd regular meeting minutes were incomplete under New Business; Issue A concerning the type of material for replacement of sidewalk during the upcoming sewer project. Ms. Claar apologized for the oversight and advised the incomplete sentence would read; after a discussion, we would discuss on a case by case basis.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF MARCH 2ND, 2015 (AFTER THE ABOVE CORRECTIONS) AND THE MARCH 16TH COMMITTEE MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

BILLS AND TREASURER'S REPORT

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

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED PAYING THE BILLS AND ADDITIONAL BILLS AS PRESENTED IN THE AMOUNT OF \$36,142.04. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

REPORTS RECEIVED

Ms. McCarthy noted that the Water and Sewer Authorities' reports for February, 2015 were received; along with the Portage Area Ambulance for Jan-Feb, 2015 and LMIA for February, 2015.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED THE REPORTS FROM THE VARIOUS BOARDS AS PRESENTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- Item A: Short and Long Range Goals Based on Long Range Plan – the Portage Area Planning Commission will be updating the goals list for a discussion at a future committee meeting.
- Item B: Comcast Cable Agreement – Mr. Koban advised that a meeting will be scheduled at the Borough Office with Comcast, Mr. Koban, and Mr. Emerick at a date to be announced. Council is encouraged to attend once the date is set.
- Item C: LERTA – Mr. Koban advised that the letters were written to the Cambria County Commissioners and the packet will be going out in the mail this week. Mr. Koban did not request to attend a meeting with the Commissioners.
- Item D: Trout Run Crib wall project was discussed under the Engineers report.
- Item E: Snow Emergency Ordinance-
 - Mr. Wozniak advised that the Cambria County 911 Center is assisting in the preparation of street maps reflecting fire hydrant locations
 - Mr. Wozniak also advised that he spoke with Chief McCoy and the designation of snow emergency routes/roads will be addressed on a case by case basis.
 - Mr. Wozniak informed Council that he was in attendance at the control burn on Saturday and provided details on the training. An ambulance was also converted into a recovery unit.
 - Mr. Wozniak questioned if the barriers were constructed yet and Mr. Bowman advised that he will schedule it as soon as possible.
- Item F: DCNR Grant funding for Crichton McCormick Park-
 - ❖ Mr. Koban informed Council that he has received several e-mails from grant writer; Tim Longwill, seeking pertinent information from the PAJRC, The Eads Group, and Ms. Kinley prior to grant submission. Mr. Koban commented that he is not sure where the grant is going due to the lack of information, cost estimates, etc to the grant writer. There will be a meeting on April 9th with the PARJC and the grant writer to discuss the issues noted above. Mr. Koban also advised that the Borough is not holding up any process for grant submission. The deadline for grant submission is April 16th, 2015.
 - ❖ The grant “terms and conditions” were reviewed by Mr. Emerick and a grant resolution will also have to be approved by Borough Council as being the applicant. Mr. Koban was listed as the project manager on the grant application and Ms. Claar will also assist with any other documentation that is required.
- Item G: Mailing Campaign Letter-Ms. Claar provided an update earlier in the meeting.

BUILDINGS:

- Mr. Koban advised that he will be writing letters to the property owners for 907 Jefferson and 933 Sonman Avenue.
- 612 Orchard Street: Mr. Koban sent a certified letter to Mrs. Watters but she has not responded back yet.
- 828 North Railroad Street; the old starlight building-discussed earlier in the meeting.

MOTIONS:

A. Borough Roof Replacement Project

After a discussion earlier in the meeting concerning the funding for the project by Portage Fire Dept, Portage Township, and Cassandra Borough, Council recommendation:

ON MOTION OF MR. LEARN, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY TABLED THE AWARDING OF THE BIDS FOR THE BOROUGH BUILDING ROOF REPLACEMENT PROJECT UNTIL THE APRIL 20TH COMMITTEE MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

B. Grant Application to DCNR for Crichton McCormick Park Restroom

A discussion was held earlier in the meeting with council decision:

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 6-2015 BY MAKING A GRANT APPLICATION TO THE PA DEPT OF CONSERVATION AND NATURAL RESOURCES FOR THE CRICHTON McCORMICK PARK RESTROOM PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

C. Approval of Trout Run grant application and NPDES permit for the crib wall project

A discussion was held earlier in the meeting with council decision:

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED THE PROPOSAL SUBMITTED BY STIFFLER, McGRAW FOR THE GRANT APPLICATION, PERMITTING, ADMINISTRATION, AND CONSTRUCTION DOCUMENTS FOR THE TROUT RUN PROJECT; IN AN AMOUNT NOT TO EXCEED \$36,900.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

NEW BUSINESS

A. 2014 Audit and Financial Statements

Ms. Claar presented Council with the 2014 Audit and Financial Statements completed by Kotzan and Associates and requested permission to advertise.

ON MOTION OF MR. YETSKO, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF THE 2014 AUDIT AND FINANCIAL STATEMENTS AS PREPARED BY KOTZAN AND ASSOCIATES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 7-0.

B. WinterFest Request

A letter was received from the WinterFest Committee seeking approval to plant an evergreen on Main Street. A discussion was held on whom would maintain it and if there were any liability issues. Mr. Koban advised that in the past, the Public Works Department has assisted in placing and removing the evergreen tree each year.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE WINTERFEST COMMITTEE REQUEST TO PLANT AN EVERGREEN TREE ON THE OLD HARPO'S LOT ON MAIN STREET. COUNCIL MEMBERS VOTING

AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 7-0.

C. Safety Deposit Box

Ms. Claar advised Mr. Koban that she received an invoice from S&T Bank for the yearly safety deposit box for 2015. The price increased from \$45.00 to \$55.00. Ms. Claar obtained a price from 1st Summit Bank at a cost of \$19.55/year. A resolution leasing the safety deposit box and naming individual access is being requested by 1st Summit Bank. Mr. Koban also commented that he would like to review the items before placing them in the safety deposit box.

ON MOTION BY MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 7-2015 AUTHORIZING AN ANNUAL LEASE FOR A SAFETY DEPOSIT BOX WITH 1ST SUMMIT BANK AND NAMING FIVE INDIVIDUALS TO GAIN ACCESS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 7-0.

D. Request from PVFD to be named on insurance policy

Mr. Koban commented on the certified letter which we received from the Portage Volunteer Fire Department concerning the insurance on the building. The PVFC is requesting that they be added to the policy. Mr. Koban in turn had forwarded the letter to Ebensburg Insurance Agent; Carol Myers, seeking additional information. There would be no additional cost but Mr. Koban suggested reviewing both the borough and fire dept policy for any duplication of coverage. Mr. Koban commented that the agreement between the borough and fire dept also reflect that they should be paying for half of the insurance.

ON MOTION BY MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED ADDING THE PORTAGE VOLUNTEER FIRE COMPANY TO THE BOROUGH INSURANCE POLICY AT NO ADDITIONAL CHARGE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 7-0.

E. Third Party Administrator the PSAB CDL Drug and Alcohol Testing Program

PSAB submitted a notice that WORKNET has resigned from administrating the drug and alcohol testing program and is recommending FIRSLAB to perform the third party administration.

ON MOTION BY MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE ASSOCIATION MEMBER SERVICES AGREEMENT BETWEEN PORTAGE BOROUGH AND FIRSLAB AS THE THIRD PARTY ADMINISTRATOR FOR THE PSAB CDL DRUG AND ALCOHOL TESTING PROGRAM. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 7-0.

Additional Agenda Item:

A. Advertising of the 2015 Street Resurfacing Program

Ms. Claar presented Council with the form of advertisement from the PennDot municipal service rep; Mr. Mike Bowser. The following locations for the 2015 resurfacing program include:

| | |
|----------------|---|
| Johnson Avenue | from SR 164 to School Road |
| Sherman Street | from Caldwell Avenue to End |
| Grant Street | from Caldwell Avenue to End |
| Grove Street | from Hopfer Avenue to Fremont Street |
| Hopfer Avenue | from Lee Street to Grove Street |
| Webster Avenue | from Lee Street to a distance of 490 feet |

ON MOTION BY MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF THE 2015 STREET RESURFACING PROGRAM WITH SEALED BIDS BEING RECEIVED UNTIL 4:00 P.M. ON MONDAY, MAY 4TH 2015 WITH BID OPENING AT 6:30 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 7-0.

GOOD OF THE BOROUGH

- Ms. Claar advised that the advertisement for the vacant Water Authority seat was properly advertised in the Dispatch with letters of interest to be received by 4:00 p.m. on April 10th, 2015.
- The Cambria County Borough Association Dinner will be held on Tuesday, April 21st at the Historic Noon Collins Inn at 5:30 p.m.
- The PIP and CHIP and the street sweeping schedule were advertised in the Dispatch and provided to Council.
- Ms. McCarthy advised that she attended a Municipal Water Authority meeting concerning fire hydrants. Ms. McCarthy also provided a list of operating and non-operating hydrants within the Borough and the Township. Ms. McCarthy also commented that there is no contention between the PWA, PVFC, and HWSA.
- Ms. McCarthy commented on the increase of water and sewer rates, and the improvement projects affecting both the Township and the Borough residents. With the projects affecting the Borough and the Township; Ms. McCarthy commented that for the betterment of the community; consolidation should be researched again. Both municipalities are also declining in population. The last attempt at consolidation was slated back to April of 2001. Mr. Koban commented that the idea should not come from the Borough and should be at the recommendation of the Portage Area Planning Commission. There was too much negativity from the last attempt; especially with providing police protection between the borough and the township.

ADJOURNMENT

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED TO GO INTO EXECUTIVE SESSION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. WOZNIAK, SECONDED BY MRS. CHOBANY, COUNCIL UNANIMOUSLY APPROVED TO GO OUT EXECUTIVE SESSION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED TO GO INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, THE MEETING WAS ADJOURNED AT 8:28 P.M.