

A meeting of Portage Borough Council was held on March 2<sup>nd</sup>, 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

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

### **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: Amanda Petrunak, Mainline Newspapers; 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 added that part time patrol officer; Gale Berkin has resigned effective on March 12<sup>th</sup>, 2015. Mr. Koban advised that the other 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; Wyar vs Portage and Kowalczyk vs Portage.

#### **C. Engineer's Report**

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

- Mr. Wisor advised that representatives from his office will be here tomorrow; Tuesday, to take core samples of the administration building roof. Another set of ads will be published for the roof project and there are approximately 6-7 contractors that picked up bids. The bids will be opened, read, and awarded at the March 16<sup>th</sup>, 2015 committee meeting.
- As it relates to the Mountain Avenue Corridor Enhancement Project; Mr. Wisor advised that the final paperwork has been completed and will be closed out.
- Mr. Wisor had sent Mr. Koban an e-mail regarding DCED grant funding for a Flood Mitigation Program. The Trout Run Crib Wall project and permits could be eligible costs

within the grant guidelines. Mr. Wisor provided the following criteria for the grant application:

- A 15% cash match for the borough
- Eligible project costs
- Grant funding available from \$50,000.00 to \$500,00.00
- \$100.00 non-refundable application fee due at the time of submission
- 2% for grant administration
- Projects over \$100,000 will be required to have an audit performed
- Subject to PA Prevailing Wage Act
- Engineering fees can be included in eligible costs
- Right of Way or encroachment fees
- Applications accepted between March 1, 2015 and June 30<sup>th</sup> of each year

Mr. Koban commented that with the Public Works Department only having three employees; time to this project would take away other pressing issues and suggested having the entire project contracted out. Mr. Wisor will provide project costs estimates, project narrative, and grant application procedures for Council review at the March 16<sup>th</sup> committee meeting and then move forward at the April 6<sup>th</sup> regular meeting of Council.

#### D. Police Chief's Report

Chief Miller was absent but provided his report to Council prior to the meeting. Officer Aaron Leyo represented the police department. Ms. McCarthy questioned if there were any complaints during the month. Officer Leyo advised that a few citations were issue violating the snow parking ordinance. Officer Leyo had nothing additional to add.

#### E. Director of Public Works Report

Mr. Bowman provided a copy of his report prior to the meeting. Mr. Bowman advised Council that the Cambria County Solid Waste Authority will be implementing a new program with recycle bins. The current recycle bins are being loaded from the side and the new trucks will be loading from the front. Mr. Bowman advised that where the bins are now; there is not enough space and will have to be either moved back or relocated. A discussion took place on how far the bins could be moved back and other possible locations, if it is not feasible. Mr. Bowman advised that the new recycle bins project will definitely be done this year.

#### F. Treasurer's Report

Ms. Claar provided the Treasurer's report prior to the meeting.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$60,388.73. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 6-0.

### **CORRESPONDENCE**

Comcast sent notice that the Payment Center located in Blairsville will be closing effective April 3<sup>rd</sup>, 2015. Service and maintenance technicians will continue to operate from that location. The full service center is available at 201 N. Tremont Ave in Greensburg, PA. Another area addressed was that customers may now return equipment at all UPS Store Locations. Equipment can be returned without wrapping or boxed and the store will ship directly to Comcast. Mr. Koban advised that this issue will be addressed during contract negotiations.

The Cambria County Borough Association sent notice of the Annual Spring Dinner to be held on Tuesday, April 21<sup>st</sup>, 2015 at the Historic Noon-Collins Inn in Ebensburg. Ebensburg Borough will be hosting the dinner and the guest speaker will be District Attorney; Kelly Callihan. The social hour begins at 5:30 p.m. with the meeting starting at 6:30 p.m, and dinner to follow. The cost is \$20.00 per person.

### **CITIZEN'S INPUT ON AGENDA ITEMS**

There were no citizens present.

### **MINUTES OF PREVIOUS MEETINGS**

The minutes from the February regular and committee meetings were presented prior to the meeting.

ON MOTION OF MR. YETSKO, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE FEBRUARY 2<sup>ND</sup>, 2015 REGULAR MEETING AND THE FEBRUARY 17<sup>TH</sup>, 2015 COMMITTEE OF THE WHOLE MEETING AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 6-0.

### **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 MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED TO PAY THE BILLS AND THE ADDITIONAL BILLS IN THE AMOUNT OF \$ 19,976.21. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 6-0.

### **REPORTS RECEIVED**

Ms. McCarthy noted that the Water and Sewer Authorities' reports for January, 2015 were received, along with the Portage Area Joint Recreation Commission for December and January, 2015.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. McCARTHY, MOTION CARRIED 6-0.

### **UNFINISHED BUSINESS**

Mr. Koban provided an update as follows:

- Item A: Short and Long Range Goals Based on Long Range Plan –ongoing at monthly committee meetings.

- Item B: Comcast Cable Agreement – Mr. Koban advised that a future conference call will be scheduled with Mrs. McCabe and Mr. Emerick.
- Item C: LERTA – Mr. Koban reported that he did meet with Commissioner Chernisky and will setting up a meeting in the near future.
- Item D: Trout Run Crib wall project was discussed under the Engineers report.
- Item E: Snow Emergency Ordinance-To be discussed at the March Committee meeting
- Item F: Borough Building Roof project-Bids to be opened and read at the March 16th, 2015 committee meeting.
- Item G: DCNR Grant funding for Crichton McCormick Park-there was no update

### **MOTIONS:**

The proposed amendment to the Personnel Policy concerning uniform and non-uniform benefits was properly advertised in the Dispatch.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED ORDINANCE 2-2015 BY AMENDING SECTIONS OF THE PERSONNEL POLICY: CHAPTER 1, PART 1H, SECTION 155, SUBSECTION F; SECTION 156-SUBSECTION G, PART II; SECTION 161 SUBSECTION 3 AND PART II SECTION 1690-2. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

The Portage Area Joint Recreation submitted a cost estimate of \$3,600.00 for the mailing campaign seeking donations for Crichton McCormick Park. The associated costs will be shared between Portage Borough and Portage in the amount of \$1,800.00 each.

ON MOTION OF MR. LEARN, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED SHARING THE CRICHTON MCCORMICK PARK MAILING CAMPAIGN COSTS; IN THE AMOUNT OF \$1,800.00, TO THE PUBLIC SAFETY MARKETING COMPANY. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

### **BUILDINGS:**

- 907 Jefferson Avenue: Chief Miller informed Mr. Koban that he spoke with Mr. James Leahey; President of the First National Bank of Lilly. Mr. Leahey advised that the property is still in the process of being sold. Mr. Koban commented that the structure is getting worse and the Bank has had enough time. Mr. Koban would like to move forward with taking some type of action. Council agreed to have Mr. Koban write a letter to Mr. Leahey seeking their intentions.
- 933 Sonman Avenue: Mr. Kissell commented that he could talk with the Pastor of the Church to see if they are still interested in the property. Mr. Koban advised that this structure has already been stripped out. Council agreed to have Mr. Koban send a letter to the property owner seeking a resolution.

- 612 Orchard Street: Mr. Koban sent a certified letter to Mrs. Watters concerning the property. Council was provided a copy of the letter.
- 828 North Railroad Street; the old starlight building-Mr. Koban commented that this structure is worsening due to the weather conditions. Council agreed to have Mr. Koban write a letter to the property owner. Mr. Bowman will take pictures to keep on file.
- Mr. Koban commented on the condition of the former Empire Graphics building located at 925 Main Street. Mr. Koban advised that the Borough Tax Collector; Mrs. Redfern will research the tax records to determine the owner.
- A discussion took place on the former Duffy's Building/Gary's Steals and Deals located at 709 Main Street and the Mustang Saloon located at 629 Bedford Street. Ms. Claar advised that the Mustang Saloon has closed down.

### **NEW BUSINESS**

**A.** Mr. Kyle Fritz; with The Eads Group, submitted a request on behalf of the Portage Area Sewer Authority, seeking Council direction on the replacement of brick restoration for the upcoming sanitary/storm sewer project. Mr. Fritz also submitted a plan reflecting the existing Main Street sidewalks with the type of material; concrete, brick, and asphalt. The Authority is requesting either concrete or asphalt sidewalk be installed where the brick is removed. After a discussion, Council agreed to review and discuss on a case by case basis.

**B.** The Laurel Municipal Inspection Agency is requesting a primary and an alternate representative from the Borough. Mr. Koban and Mr. Kissell were appointed a few years ago. Mr. Yetsko and Mr. Morgan nominated Mr. Kissell as the primary and Mr. Koban as the alternate.

ON MOTION BY MR. YETSKO, SECONDED BY MR. MORGAN, COUNCIL APPOINTED MR. KISSELL AS THE PRIMARY AND MR. KOBAN AS THE ALTERNATE REPRESENTATIVE TO THE LAUREL MUNICIPAL INSPECTION AGENCY BOARD. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 5-0-1 WITH MR. KISSELL ABSTAINING.

**C.** Mr. Koban requested Council permission to advertise for part time patrol officers due to the resignation of Officer Berkin.

ON MOTION BY MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED TO ADVERTISE FOR PART TIME PATROL OFFICERS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

**D.** Ms. Claar informed Council that the boroughs deferred compensation plan with Metlife has not had any representative for several years. A representative from Metlife; Robert Vamos, out of the Johnstown office was helpful and advised he could assist the borough employees. Mr. Vamos and Metlife are requesting a Broker of Record for the plan.

ON MOTION BY MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 4-2015 NAMING MR. ROBERT VAMOS

WITH METLIFE AS THE "BROKER OF RECORD" FOR THE PORTAGE BOROUGH 457 DEFERRED COMPENSATION PLAN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

### **GOOD OF THE BOROUGH**

Ms. McCarthy commented on the condition of the Lee Street Bridge and the chunks of concrete that are falling from the inside. Mr. Bowman confirmed that there is a potential safety concern. Mr. Kissell suggested obtaining some type of net. After a discussion, Mr. Bowman was instructed to take pictures of the inside of the Lee Street Bridge and Mr. Koban will write Norfolk Southern a letter.

Mr. Kissell advised that a Crimewatch meeting will be held on Tuesday, March 24<sup>th</sup>, 2015 at 7:00 p.m.

Mr. Koban advised that the Portage Rotary will be sponsoring a St. Patrick's Day Dance on Saturday, March 14<sup>th</sup>, 2015 at 6:30 p.m. The band is PT Cruisers and will be held at the Royal Ballroom.

### **ADJOURNMENT**

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE MEETING WAS ADJOURNED AT 7:12 P.M.