

A meeting of Portage Borough Council was held on May 4th, 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.

OPENING OF BIDS

Ms. McCarthy informed the guests that the 2015 Street Resurfacing Program bid opening would commence first. Mr. Bowman advised that there were three (3) bidders total; New Enterprise, Grannas Brothers, and HRI, Inc. with the following prices:

Item	Qty		New Enterprise		Grannas		HRI, Inc.	
			Unit	Total	Unit	Total	Unit	Total
1	343	TON	\$ 79.70	\$ 27,337.10	\$ 74.10	\$ 25,416.30	\$ 106.00	\$ 36,358.00
2	1029	TON	\$ 77.05	\$ 79,284.45	\$ 74.10	\$ 76,248.90	\$ 104.00	\$ 107,016.00
Sub Total				\$ 106,621.55		\$ 101,665.20		\$ 143,374.00

Ms. McCarthy commented that while Mr. Bowman and Mr. Wisor were reviewing the bids for accuracy, performance bonds, and other required paperwork, the award will take place later in the meeting.

RECOGNITION OF GUESTS

Ms. McCarthy recognized the following guests: Attorney Scott Dunlap; representing Marshall Dennehey, was in attendance to provide an update on pending litigation. Jackie Beck with the Women's Club was also present. Kelly Cernetich with the Altoona Mirror and Amanda Petrunak with the Dispatch.

Ms. McCarthy called upon Mrs. Beck; representing the Women's Club. Mrs. Beck presented Council with a proposal for four seasonal banners to be installed on Main Street, from the Arch up through the Borough. The seasonal banners including brackets totaled approximately \$2,580.00. There would be a total of 64 banners total for all four seasons. The Women's Club has funds to pay for one season of banners and is requesting the Borough to fund the other three. A lengthy discussion took place on the various issues:

- Size of the banner to be placed on the poles; tapered poles
- Location and count
- Vinyl vs cloth due to cleaning and static electricity collected by dust
- Digital printed or embroidery
- Maintenance (treatment) and cleaning of the banners
- Timeframe for each season
- Other suppliers and municipalities that have banners

Council requested that Mrs. Beck come back at the May 18th committee meeting with additional information on three issues: Updated pricing and other community banner info; vinyl, cloth, or sunbrella material for easier cleaning and maintenance; bracket information and an estimated count of banners. Mr. Koban commented that the Portage Area Business Association had implemented this project in the past and cautioned on the material selection.

St. Joseph Church; Mark Stefanko presented a written request to Council concerning the parking at St. Joseph's Church and was seeking two requests; line painting spaces on Orchard Street, and parking in Walnut Alley only during church services. A lengthy discussion took place on the line painting by either the Borough Public Works Dept or through a contractor, where the lines would begin and end, and parking in Walnut Alley.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, COUNCIL APPROVED TO PAINT LINES FOR PARKING WITH A NOMINAL FEE OF \$150.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, AND MS. McCARTHY, MOTION CARRIED 6-1 WITH MR. KISSELL VOTING NO.

Mark Stefanko commented that he obtained a cost from a contractor for line painting; to which Council advised that it would be cheaper by the contractor.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, COUNCIL RESCINDED THE ABOVE MOTION FOR THE NOMINAL FEE OF \$150.00 AND APPROVED TO HAVE THE CONTRACTOR PAINT THE LINES ON ORCHARD STREET AT THE DIRECTION OF THE PUBLIC WORKS DIRECTOR. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 7-0.

Mr. Scott Dunlop was in attendance to discuss pending litigation with Council.

ON MOTION OF MR. KISSELL, SECONDED BY MRS. CHOBANY, COUNCIL UNANIMOUSLY APPROVED TO GO INTO EXECUTIVE SESSION FOR LITIGATION PURPOSES. 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 MRS. CHOBANY, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED TO GO OUT OF THE EXECUTIVE SESSION AND RESUME 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 or action, Council thanked Mr. Dunlop for attending the meeting.

Mr. Bowman and Mr. Wisor reviewed the bidding documents for the award of the 2015 Street Resurfacing Program. Based on the recommendation of Mr. Wisor and Mr. Bowman;

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY AWARDED THE BID TO THE LOWEST BIDDER; GRANNAS BROTHERS, IN THE AMOUNT OF \$101,665.20 FOR THE 2015 STREET RESURFACING 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.

REPORTS

A. Borough Manager's Report

Mr. Koban provided his report to Council prior to the meeting.

- Mr. Koban advised that the Portage Area Sewer Authority has approved all of the work to install the storm sewer for the parallel system. The Borough will be responsible for approximately \$158,334.00 for the project.
- Mr. Koban sent out a letter to the Municipal Water Authority to permit them to utilize the GIS mapping for the Trout Run Stream Wall Project.
- Mr. Koban advised that the Comcast Cable negotiations is moving forward but commented that it is a very frustrating process. The Telecommunications Act determines what fees can be encompassed with the franchise. Comcast has agreed to some of the issues that were presented from the list. The current agreement will still remain in effect until answers are provided and we agree to the proposal.
- Ms. McCarthy questioned the construction status of the Acid Mine Drainage Treatment Plant. Mr. Koban advised that he and Mr. Bowman attended a meeting with the DEP regarding the plant.
- Ms. McCarthy commented on a program concerning property blight and maintenance codes. Mr. Koban advised that the issue was researched several years ago and fizzled out due to zoning. Mr. Emerick commented that the Laurel Municipal Inspection Agency has a program for property maintenance codes and several municipalities have been joining the program. Mr. Emerick elaborated on the program and also advised that LMIA could enforce the maintenance codes only at the Borough's request.
- Mr. Kissell questioned if there were any Crime Watch Signs installed. Mr. Bowman advised that there are 7 left. Mr. Kissell commented that the last Crime Watch meeting was covered well by the media and the public. Mr. Kissell also encouraged other Council members to attend the meetings.
- The remaining issues will be addressed later 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 and Wyar vs Portage
Baum vs Portage was discussed earlier with Mr. Dunlop in executive session.

C. Engineer's Report

Mr. Wisor provided a copy of his report prior to the meeting. Mr. Wisor had nothing additional to report.

- Mr. Koban informed Council that he sent text messages to Matt McCoy several times and has had no response on the financial obligation for the borough roof project. Agreements were provided to Denys Theys; Secretary of the PVFD. Mr. Koban will provide an update at the May Committee meeting. Mr. Koban also commented that there were several agreements between the PVFD and the Borough concerning the building maintenance and cost sharing. Mr. Koban also recommended forming a building committee within the near future.

D. Police Chief's Report

Chief Miller provided his report to Council prior to the meeting.

- Chief Miller advised that incidents were down for the month of April.

E. Director of Public Works Report

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

- Council commended the Public Works Dept for the completion of the street sweeping prior to the Easter Holiday. The streets looked great.
- Mr. Wozniak questioned the barriers. Mr. Bowman advised that there was no place to store the barriers but a few could be built, if needed. There are three complete sets to block the streets.
- Mr. Bowman advised that the speed data machine needs a battery.

F. Treasurer's Report

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

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$168,181.84. 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

There was no correspondence.

CITIZEN'S INPUT ON AGENDA ITEMS

There was no public input on agenda items.

MINUTES OF PREVIOUS MEETINGS

The minutes from the April 6th, 2015 regular and April 20th committee meetings were presented prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF APRIL 6TH REGULAR AND 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.

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 \$24,678.23. 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 March, 2015 were received; along with the Portage Area Ambulance for March 2015, LMIA for March, PAJRC for March, and Portage Library for January and March, 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 – to be discussed at the May committee meeting.
- Item B: Comcast Cable Agreement –discussed under the Manager’s report
- Item C: LERTA –The Cambria County Commissioners meeting is next Thursday. Mr. Koban will provide an update after their meeting or at the May committee meeting.
- Item D: Trout Run Crib wall project was discussed under the Engineers report.
- Item E: Snow Emergency Ordinance-none
- Item F: DCED Grant funding for Crichton McCormick Park-
 - ❖ Mr. Koban informed Council the Mr. Longwill will be in attendance at the May 18th committee meeting to discuss and obtain answers to various questions relating to the restrooms grant. The grant application is due by June 30th, 2015.
- Item G: Mailing Campaign Letter-The campaign/donation letters were all mailed and a final invoice was submitted by PS Marketing in the amount of \$4,085.57. Portage Township will be billed for half the cost.

BUILDINGS:

- Mr. Koban advised that he will be writing letters to the property owners at 907 Jefferson Ave
- 933 Sonman Avenue-Mr. Emerick will search for owner information and any liens.
- 612 Orchard Street: No update or response back.
- 828 North Railroad Street-the structure is vacant

MOTIONS:

A. Borough Roof Replacement Project

Mr. Koban informed Council that the Portage Volunteer Fire Department still has not responded on their intentions for the roof project concerning the funding or the assistance from the Portage Township Supervisors. Mr. Kissell commented that it is imperative the roof project be completed.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY TABLED THE AWARDDING OF THE BIDS FOR THE BOROUGH BUILDING ROOF REPLACEMENT PROJECT UNTIL FINANCIAL COMMITMENT IS RECEIVED FROM THE PORTAGE VOLUNTEER FIRE DEPT. 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. The Women's Club request for installation of seasonal banners by the Public Works Dept and the purchase of three sets by the Borough and one set through the Women's Club was at the beginning of the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY TABLED THE WOMEN'S CLUB REQUEST TO PURCHASE THREE (3) SETS OF SEASONAL BANNERS UNTIL ADDITIONAL INFORMATION IS OBTAINED AT THE MAY 18TH 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. St. Josephs Church request to spray paint lines on Orchard Avenue and parking on Walnut Alley was discussed earlier in the meeting.

GOOD OF THE BOROUGH

- Spring Clean-Up will be held on May 5th and 6th, 2015. Only curbside customers may participate in the clean-up.
- The Great Portage Yard Sale will be held on Saturday, June 13th, 2015. Maps can be purchased at the Portage Historical Society.
- Concurrent Technologies Environmental Facility; in Johnstown, will be holding a hazardous waste collection on Saturday, May 16th, 2015 from 9:00 a.m. to 1:00 p.m.
- Council extended their sympathy to the passing of John Miko and with condolences to the family. Mr. Miko was an asset to the PAJRC and Summerfest and they lost a great man.
- Mr. Koban suggested that Council consider the next phase of the Main Street Sidewalk Improvement Project. The next phase would run from Mountain Avenue to Johnson Avenue. Mr. Koban advised that for any type of grant funding, the project would need to be shovel ready. Mr. Koban requested council approval to move forward with the next phase.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED TO MOVE FORWARD WITH THE NEXT PHASE OF THE MAIN STREET SIDEWALK PROJECT FROM MOUNTAIN AVENUE TO JOHNSON AVENUE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MRS. CHOBANY, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ADJOURNMENT

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