

A meeting of Portage Borough Council was held on Monday, December 5th, 2016, at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy, President	John Morgan
Mayor James Kissell	
Dave Hayes	Jerome Yetsko
Todd Learn	

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Ray Bowman, Public Works; Chief Edward Miller, Public Safety. Mr. Wozniak was absent.

I. CALL TO ORDER

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

II. REFLECTION/PLEDGE OF ALLEGIANCE

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

III. RECOGNITION OF GUESTS

Ron Portash, Mainline Publications; Jean Kinley; Dorothy Moyer

Ms. McCarthy requested to go out of order to address the guests first.

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY AGREED TO GO OUT OF ORDER TO ADDRESS THE GUESTS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. MCCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETKSO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

Mrs. Moyer informed Council that there have been several rats within the area of Caldwell Avenue and she herself has had them in her home. Mrs. Moyer also commented that other residents have had them in their homes as well. Mrs. Moyer would like to have the sewer laterals and the system checked since the sewer project was just completed. She also commented that another resident has trash in a truck that could be bringing in the rats. She was concerned with diseases and safety of area residents and children. Ms. Claar advised Council that Mrs. Moyer did fill out a complaint form regarding the rats and forwarded the complaint to the Public Works Dept. Mr. Bowman advised that several areas were checked and there was no indication of rats in the sewer pipes/laterals. Mr. Bowman will re-investigate the Caldwell area sewer pipes and Ms. Claar will check on the garbage collection for the resident that has trash accumulated in a truck. Council had expressed their concern and thanked Mrs. Moyer for bringing the issue to their attention.

Ms. Jean Kinley was observing the meeting with no additional comments.

IV. REPORTS

A. Borough Manager

Mr. Koban commented that his report was provided to Council in written form prior to the meeting; and he asked if there were any questions from the Council. Mr. Koban informed Council that Mr. Gilpatrick spoke with Attorney McGlynn and Kyle from the Eads Group seeking advice concerning underground gas tanks by the Library sidewalk. At this point, there is no further plan in place to rectify the issue. Discussions will continue with the Library.

Mr. Koban commented that the Recreation Manager position is moving forward. There are several items on the agenda requiring official action relating to the Peer to Peer Study and the Circuit Rider grant funding with DCNR.

Ms. McCarthy advised that Mr. Wozniak mentioned vacant property (Old Silk Mill) on Farren Street that could be utilized for a Recreation Center.

B. Solicitor

Attorney Emerick noted that his report was provided to Council in written form prior to the meeting.

Mr. Emerick apprised Council that a hearing should be scheduled soon with the District Magistrate for the Gaunt property located at 532 Dulancey Drive. Mr. Emerick advised that Borough Engineer; Mr. Wisor might have to attend the hearing on behalf of the Borough. Mr. Emerick welcomed any members of Council to attend the hearing and will notify Ms. Claar of the date.

Mr. Emerick advised that legal documents are ready to be filed with the District Magistrate on the Nicholson Estates property located at 517/519 Main Street. Mr. Emerick requested a motion from Council to file the documents with the courts.

ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY AGREED TO HAVE MR. EMERICK PROCEED WITH FILING THE DOCUMENTS AND PAY THE FILING FEES; IN THE AMOUNT OF \$198.50 FOR THE NICHOLSON ESTATES AT 517/519 MAIN STREET. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

As it relates to the Borough Roof Project, Mr. Emerick informed Council that he did receive a phone call from the Insurance Carrier's sub-contractor and will be cutting the check in the near future for the \$87,000.00 for the damages to the contractor. Mr. Kissell questioned the timeframe with the weather and the financial status of the project. Mr. Emerick also commented that the Borough has not paid the Contractor any monies as of this date.

C. Engineer

Mr. Wisor commented that he had forwarded a copy of his report to Council prior to the meeting. Mr. Wisor informed Council that they are moving forward on the Main Street Sidewalk project documentation through the PennDot Multi-model grant funding due by December 16, 2016. Mr. Wisor commented that the scope of work remains same and the estimated construction cost is \$440,905.50.; increased by 5% from last years' application. A breakdown was provided for Council consideration and a local match of thirty (30%), in the amount of \$132,271.65. Mr. Wisor requested a resolution for each.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 13-2016 BY AUTHORIZING THE GRANT FUNDING APPLICATION THROUGH PENNDOT MULTI-MODEL MAIN STREET SIDEWALK PROJECT IN THE ESTIMATED CONSTRUCTION COST

IN THE AMOUNT OF \$440,905.50. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETKSO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 14-2016 BY COMMITTING TO THE THIRTY (30%) PERCENT LOCAL MATCH OF GRANT FUNDING THROUGH PENNDOT; IN THE AMOUNT OF \$132,271.55 THAT WILL BE ALLOCATED FROM THE CAPITAL IMPROVEMENT FUND. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETKSO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

D. Chief of Police

Chief Miller provided a copy of his written report to Council prior to the meeting. Chief Miller had nothing additional to report.

E. Director of Public Works

Mr. Bowman noted that a copy of his report was provided to Council prior to the meeting. Mr. Bowman advised Council that the last of the Christmas decorations were hung. Ms. McCarthy questioned if all the equipment is ready for the winter. Mr. Bowman commented that a freezing rain will be developing tomorrow between the hours of 6:00 a.m. – noon.

V. CORRESPONDENCE

The Portage Food Pantry sent a thank you for the donation of \$200.00.

The Portage Public Library sent a thank you for the donation of \$1,000.00

Ms. Bern Sigado sent a thank you to the Public Works Dept employees for this years' street cleaning and upcoming snow removal.

Comcast sent notice they will be discontinuing the Fox College Sports channels effective on December 31st, 2016. Ms. McCarthy also commented on the increases with the cable boxes and equipment averaging \$5.00 per month.

The Portage Area Planning Commission sent a donation request for the 2017 budget season in the amount of \$500.00.

PennDot sent a certified letter notifying they will be entering borough properties in order to conduct surveys, engineering studies, soil explorations and tests for developing plans for highways improvements in the area.

VI. MINUTES OF PREVIOUS MEETING

As it relates to the minutes from the November 7th regular and November 21st, committee meetings, Ms. McCarthy commented that several issues on the November Committee meeting required correction. The minutes reflected that Mr. Wozniak was absent and that Mr. Morgan had been excused earlier in the meeting. Ms. Claar advised that she has amended the minutes to reflect the changes.

ON MOTION OF MR. YETSKO, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE NOVEMBER 7TH, 2016 REGULAR MEETING AND THE NOVEMBER 21ST COMMITTEE MEETING

MINUTES WERE CORRECTED WITH THE ABOVE CHANGES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

VII. BILLS AND TREASURER'S REPORT

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

ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT IN THE AMOUNT OF \$94,371.17 AND APPROVED THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$90,482.16. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

VIII. REPORTS RECEIVED

Ms. McCarthy noted that reports were received from the Portage Water Authority (Oct); Portage Sewer Authority (Oct); and Portage Area Ambulance Association (Oct)

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

IX. UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- A. Update on Recreation Manager/Director position: discussed earlier in the meeting.
- B. Update on Borough Building Roof: Discussed earlier in the meeting.
- C. Update on Trout Run Rehabilitation: Mr. Wisor spoke with John Rusnak from the COE concerning the original scope of work for the grant that was denied. The COE is expecting any unsatisfactory components will need to be in the process of being remedied by the next inspection in 2018. Mr. Wisor advised that the grant application can be re-submitted during the next filing period between March 1st to June 30, 2017 with the same scope of work.
- D. Update on promoting tourism in Portage: Mr. Portash advised that he will be finishing the brochure in January.

X. BUILDINGS

Mr. Koban provided the following update:

- A. Update on 532 Dulancey Drive (Gaunts): pending with District Magistrate Prebish.

- B. Update on Nicholson property on Main Street and Sugar Alley: discussed earlier in the meeting.
- C. Update on Mark Kissell property at 1315 Jefferson Avenue: no update

XI. NEW BUSINESS

A. 2017 Budget

The 2017 operating budget for the General Fund, State Liquid Fuels, and Capital Improvement Funds were presented to Council for approval to advertise. The General Fund Operating Budget included: 2017 Salary projections, 2017 amended compensation plan, 2017 tax millage and earned income rates. The 2017 tax rates will remain the same at 16.5 mills for General Purposes and .5 mills for Fire Protection.

ON MOTION OF MR. YETSKO, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO ADVERTISE THE 2017 GENERAL, STATE LIQUID FUELS, AND CAPITAL IMPROVEMENTS BUDGETS FOR PUBLIC INSPECTION IN THE TRIBUNE-DEMOCRAT; WITH ADOPTION AT A SPECIAL MEETING ON FRIDAY, DECEMBER 16TH, 2016 AT 6:00 P.M. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

B. Portage Water Authority Appointment

Mr. Craig Castel submitted a letter of interest for the Portage Water Authority Board and met with Council prior to the meeting.

ON MOTION OF MR. KISSELL, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPOINTED MR. CRAIG CASTEL TO THE PORTAGE MUNICIPAL WATER AUTHORITY BOARD TO A FIVE (5) YEAR TERM COMMENCING JANUARY 1ST, 2017 THROUGH DECEMBER 31ST, 2021. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

C. 2017 Garbage collection rates for borough residents

As it relates to garbage collection services for 2017, the prices and services will remain the same as in 2016.

ON MOTION OF MR. MORGAN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 10-2016 BY SETTING THE 2017 GARBAGE COLLECTION SERVICES AND RATES AT \$14.30/MO CURBSIDE SERVICE AND \$31.00 FOR PRE-PAID BAGS (PACK OF TEN). COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

D. 2017 Regular and Committee meeting dates

Ms. Claar provided Council with a calendar of meeting dates for regular and committee meetings in 2017.

ON MOTION OF MR. HAYES, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF THE 2017 REGULAR AND COMMITTEE MEETING DATES IN THE DISPATCH. COUNCIL MEMBERS

VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

E. Free Parking on Main Street

Each year the Council announces and approve free parking on Main Street during the month of December.

ON MOTION OF MR. LEARN, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED "FREE PARKING ON MAIN STREET" DURING THE MONTH OF DECEMBER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

F. Grant funding through DCNR for a Recreation Manager/Director

Mr. Koban advised that with the recent committee meeting discussions with Jay Schreibman and James Young, he would like to move forward with the grant funding process.

ON MOTION OF MR. LEARN, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY AGREED TO MOVE FORWARD WITH THE PA DCNR GRANT FUNDING APPLICATION FOR THE RECREATION DIRECTOR/MAMANGER PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

ADDITIONAL AGENDA ITEMS

1. DCNR Grant application

Mr. Koban received an e-mail from grant writer; Mr. Tim Longwill requesting several items for the grant application. The first is to determine the grant Agreement Signature Page and naming either the Borough Manager or Council President. Mr. Kissell suggested the Borough Manager since he is familiar with the process.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 11-2016 BY NAMING THE BOROUGH MANAGER; ROBERT A KOBAN AS THE GRANT SIGNATORY ON THE PA DCNR GRANT APPLICATION FOR THE RECREATION DIRECTOR/MAMANGER PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

2. Commitment of funds for the PA DCNR Peer to Peer Study grant

Mr. Koban advised that the local match for the grant application; based on \$11,000, would be a \$1,000.00 commitment.

ON MOTION OF MR. HAYES, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 12-2016 BY COMMITTING A LOCAL MATCH OF \$1,000.00 FOR THE PEER TO PEER STUDY GRANT THROUGH THE PA DCNR FOR THE RECREATION DIRECTOR/MAMANGER PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

XII. GOOD OF THE BOROUGH

WinterFest has been scheduled from Friday, December 9th through Sunday, December 11th, 2016. The Christmas parade will be held on Saturday, December 10th at 2:00 sharp.

The special budget adoption meeting will be held at 6:00 p.m. sharp on Friday, December 16th, 2016.

Mr. Kissell requested the Public Works Department crew remove the stone pile that is on the ice rink at Crichton McCormick Park.

XI. ADJOURNMENT/EXECUTIVE SESSION

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. LEARN, SECONDED BY MR. KISSELL, THE MEETING WAS ADJOURNED AT 7:19 P.M.