

The regular meeting of Portage Borough Council was held on Monday, May 2nd, 2016 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy
George Wozniak

James Kissell
Jerome Yetsko

David Hayes

Todd Learn

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Ray Bowman, Public Works; Aaron Leyo, Public Safety and Michelle Claar, Secretary. Absent were Chief Miller, Mr. Morgan and Jr. Councilor; Alexis Wozniak.

I. CALL TO ORDER

Ms. McCarthy called the meeting to order at 6:30, which was followed by a roll call.

II. REFLECTION/PLEDGE OF ALLEGIANCE

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

Mr. Kissell acknowledged and presented Mr. Victor Miller with a plaque and a wooden key to Portage Borough for his volunteerism throughout the Portage Area. Mr. Miller had collected donations for various organizations and events for many years and was recognized by the PA Dept of Aging Volunteer Spotlight award. Mr. Kissell also advised that the Food Pantry will be open from 9:00 – 12:00 noon on Wednesday, May 14th, 2016.

III. RECOGNITION OF GUESTS

Ron Portash-Mainline Newspapers; Kelly Cernetich-Altoona Mirror; Randy Griffith-Tribune; Kelly Coldren and several reps from Skills of Central PA; Patty Rousell-Portage Fire Dept, Millie Smith, and Victor Miller.

REPORTS

A. Borough Manager's Report

Mr. Koban provided his report prior to the meeting. Mr. Koban had nothing additional to add. Ms. McCarthy commended Mr. Koban and Ms. Claar on the 2015 Borough audit report.

Ms. McCarthy questioned the Portage Water Authority Board decision to withdraw from completing a water line replacement project on Caldwell. Mr. Koban advised that the board met on April 7th and had various reasons for withdrawing. Ms. McCarthy also questioned that if the Caldwell Ave sewer project is completed and paved, would any future work by the Water Authority be subject to us paying twice.

Ms. McCarthy commended the owner (Mr. Sklarsky) of 1024 Gillespie Avenue that had the structure demolished. This property was on the Borough's agenda for quite some time.

A. Solicitor's Report

Attorney Emerick provided a copy of his report prior to the meeting. Mr. Emerick elaborated on the Pre-default meeting held on April 21 which the contractor did not attend. According to Mr. Emerick, Mr. Campbell advised that he met with R.L. Abatement insurance adjustor on Friday and will provide additional information once he receives it back. Mr. Koban recommended moving forward with terminating the contract and performance bond attachment. Mr. Koban also commented that we don't have a contract with the subcontractor (R.L. Abatement) and to hold American Roofing responsible for all issues. A lengthy discussion took place and the timeframe for any resolution. Patty Rousell, Pres. of the PVFD advised Council that the board was in agreement with the borough on moving forward.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY TABLED MOVING FORWARD WITH BOND ATTACHEMNT UNTIL MR. CAMPBELL PRESENTS ADDITIONAL INFORMATION AND OFFER FROM THE INSURANCE CARRIER AND TO PLACE IT ON THE MAY COMMITTEE MEETING AGENDA. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0.

As it relates to Skills of Central PA-Mr. Emerick presented a letter for Council to review concerning the drug and alcohol treatment facility located at 123 Main Street. The letter was being requested by the PA Drug & Alcohol Program seeking the approval and permission from Portage Borough Council to permit the services located at 123 Main Street. The letter also stipulated that the proposed facility would never provide in-patient services nor would it ever be a methadone or suboxone clinic. After a small discussion;

ON MOTION OF MR. HAYES, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED A LETTER FOR SKILLS OF CENTRAL PA TO ESTABLISH A DRUG AND ALCOHOL TREATMENT FACILITY AT 123 MAIN STREET IN PORTAGE BOROUGH; AND ALSO ASSURING THAT THE FACILITY WOULD NEVER PROVIDE IN-PATIENT SERVICES NOR WOULD IT EVER BE A METHODONE OR SOBOXONE CLINIC. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0.

As it relates to Wyar Vs Portage, the case has been closed and no request was submitted to the Supreme Court for review. Mr. Emerick advised the issue will be removed from his agenda.

Mr. Emerick advised that the Kowalczyk vs Portage is still pending in Cambria County Court of Common Pleas.

B. Engineer's Report

Mr. Wisor provided a copy of his report prior to the meeting. Mr. Wisor provided Council with the minutes from the pre-default meeting concerning the borough roof. The issue was discussed earlier in the Solicitors report. Mr. Koban commended Stiffler & McGraw for the PennDot grant being well written. Mr. Wisor had nothing additional to add.

C. Police Chief's Report

Chief Miller was absent but provided his report to Council prior to the meeting. Officer Aaron Leyo representing the Police Department and had nothing additional to report, only that incidents were down for the month. Mr. Koban commented that the police department office renovation is moving forward with the carpeting being installed last week by Stevens Carpet One and the furniture needs to be ordered. Mr. Koban commended the Public Works Department for all their efforts and hard work with not having to hire a contractor. A discussion also took place on security of the building. Mr. Koban advised that a security system was on order.

Ms. McCarthy informed Officer Leyo that he is to notify Borough Council if they are called to any incidents at the proposed treatment facility at 123 Main Street.

Director of Public Works Report

Mr. Bowman provided a copy of his report prior to the meeting. Mr. Bowman advised Council that Peoples Natural Gas will be working in several locations with gas line replacement on Vine Street, Caldwell and Johnson Avenues. Mr. Bowman presented construction scheduled prepared by Peoples Gas for Councils review.

Mr. Bowman advised that he has several complaints regarding the dust and slow traffic through the borough due to the sewer construction project.

Millie Smith questioned if the sewer project was going to start at the railroad tracks down to route 53.

Ms. McCarthy commented on Norfolk Southern repairs to the Lee Street Bridge and acknowledged Mrs. Irene Huschak. Mrs. Huschak sent a letter to Senator Frank Burns and Norfolk Southern, expediting the necessary repairs. Mr. Koban will follow up with another letter to Norfolk Southern for repairs to the walls and cc Mr. Burns office.

A. CORRESPONDENCE

There was no correspondence

B. CITIZEN'S INPUT ON NON-AGENDA ITEMS

None

C. MINUTES OF PREVIOUS MEETINGS

Ms. Claar provided a copy of the April 4th, regular prior to the meeting.

ON MOTION OF MR. YETSKO, SECONDED BY MR. LEARN COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE APRIL 4TH, 2016 REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0.

D. BILLS AND TREASURER'S REPORT

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

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT IN THE AMOUNT OF \$132,416.79; THE BILLS AND ADDITIONAL BILLS TO BE PAID IN THE AMOUNT OF \$24,778.62. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0.

E. REPORTS RECEIVED

Ms. McCarthy noted the Portage Water and Sewer Authorities' minutes for March, 2016 were received; along with the minutes from the Portage Joint Recreation Commission for February and March'16; and LMIA for April.

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

F. UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- Item A: Borough Building Roof-discussed earlier under the Manager and Solicitor's report
- Item B: Recreation Park Manager- Mr. Koban advised Council that he is trying to schedule a meeting with Windber Park Manager for a future committee meeting.
- Item C: Mandatory Recycling-Mr. Koban recommended that the program become mandatory to borough residents. This would be less garbage and rubbish at the landfills if everyone would do their part in recycling. Mr. Hayes commented that Pro Disposal was sorting through the garbage/recycle and took only what they wanted. Other comments included the processing of the program, weight and size of the bins, and some residents did not receive a bin. Mr. Koban advised that Pro Disposal has the bins if a resident didn't receive one. Mr. Learn questioned if it was mandatory, how would it be enforced. After a short discussion, Council agreed to leave the issue on the agenda and copies of the recycle ordinance from other municipalities will be reviewed at the May Committee meeting.
- Item D: Grant Writer-Mr. Koban informed Council that he did not receive any documentation or a revised agreement from Jerry Brant for grant writing services prior to the meeting.
- Item E: Summer Helper-Mr. Koban recommended that Mr. Barry Layo be called back as the summer helper. The position was budgeted for in 2016. Mr. Koban commented that it is difficult to train and supervise any youth for the position. Mr. Layo worked well with the Public Works crew. Council agreed to have Mr. Layo be called back as the summer helper.

Buildings:

- 532 Dulancey Drive/Gaunts-Mr. Emerick sent letters out to the Gaunts and Mr. Miller advising they have until May 20th, 2016 to be in compliance with the Demolition Agreement before taking any legal action.
- Nicholson Property-Mr. Koban advised that there was been no action or any repairs to the Main Street property by Mr. Nicholson. The issue will be on the May Committee meeting for further discussion and action.

MOTIONS

- A. Review of proposed ordinance for a financial loan obligation with First Summit Bank.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY ADOPTED ORDINANCE 1-2016 BY INCREASING THE INDEBTEDNESS OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$70,000.00 FOR THE IMPROVEMENTS TO A PUBLIC WORKS MAINTENANCE BUILDING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0.

NEW BUSINESS:**A. Donation request from Portage Historical Society**

Mrs. Hushak submitted a donation request for either labor, materials, or monetary for a platform repairs and steps that are no longer structurally sound. Mrs. Huschak completed the donation request form in its entirety and also presented documentation that the Portage Station Museum was selected as a Point of Interest stop on the route of the September 11 National Memorial Trial. Mr. Koban commented that there was no extra money budgeted in donations for 2016 and there were no estimates or proposals for repairs to the platform and steps.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY TABLED THE REQUEST FOR THE PORTAGE AREA HISTORICAL SOCIETY UNTIL AN ESTIMATE OR PROPOSAL FOR THE PLATFORM AND STEPS ARE RECEIVED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. McCARTHY. MOTION CARRIED 6-0

GOOD OF THE BOROUGH

Spring Clean-up will be held for curbside customers only on May 10th, and 11th, 2016.

B. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MR. YETSKO, SECONDED BY MR. KISSELL, THE MEETING WAS ADJOURNED AT 7:28 P.M.