

A meeting of Portage Borough Council was held on Monday, November 7th, 2016, at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy, President
Mayor James Kissell
Dave Hayes
Todd Learn

John Morgan
George Wozniak (arriving late)
Jerome Yetsko

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

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; Randy Griffith, Tribune Democrat.

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 advised Council that a meeting has been scheduled for November 3rd; with Attorney Thomas Zumpella, for the Kowalczyk vs Portage Borough litigation.

Mr. Koban informed Council that he received confirmation that grant writer; Tim Longwill, and DCNR representatives; Jay Schreibman and James Young will be present for the November Committee meeting to discuss the Recreation Director/Manager position. A discussion also took place on whether or not to invite other organizations to this meeting, but council agreed that the discussion should first be held with only Council members to get the facts on the grant funding, associated costs, and to determine how the program will move forward. The Portage Township Supervisors have advised they will not be moving forward with the project and the Portage Area Joint Recreation Commission did not have any official vote to move forward.

As it relates to the 2016 Multi-model Transportation Grant for the Main Street Sidewalk project; PennDot submitted a letter explaining why we were not a successful applicant. The Borough was encouraged to re-apply for 2017-2018 grant funding with applications being accepted through December 16th, 2016. Mr. Koban questioned Council as to how they want to proceed with a new application for grant funding.

ON MOTION OF MR. LEARN, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED TO MOVE FORWARD WITH THE MULTI-MODEL TRANSPORTATION GRANT FUNDING FOR THE MAIN STREET SIDEWALK

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

Mr. Wozniak entered the meeting at 6:40 p.m.

Mr. Koban informed Council that he researched the book value for the 2009 Crown Vic Cruiser. The book value was between \$3,500-\$4,000. Mr. Koban advised that there were two entities interested in buying the cruiser; Cambria County Prison notified the borough followed by Sankertown Borough. A discussion took place on whether to take bids or sell it to an intergovernmental entity. Council discussed asking price options.

ON MOTION OF MR. LEARN, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY AGREED TO NOT ADVERTISE FOR BIDS BUT TO ACCEPT AN OFFER FROM THE CAMBRIA COUNTY PRISON. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. WOZNIAK, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 7-0.

Mr. Kissell advised he spoke with Josie Kostan (Women's Club) and was informed that the lights are flickering on the bottom side of the Main Street Arch and mini-park has some electrical issues for decorating.

B. Solicitor

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

Attorney Emerick apprised Council that the USDA loan is still pending with the closing. The USDA is still in the process of reviewing all the paperwork.

As it relates to the Borough Roof Project, Mr. Emerick informed Council that the Insurance Company for the sub-contractor had agreed to \$87,000.00 for the damages. This does not include any inspection, legal, or engineering fees. Mr. Kissell questioned the \$10,000.00 deduction from American Roofing as well. Mr. Koban commented that the Borough still has not paid anything to either the Contractor or sub-contractor and bad weather is approaching.

Regarding the Nicholson properties at Sugar Alley and Main Street, Mr. Emerick advised that the properties are listed as "Nicholson Estates". Mr. Emerick commented that there are actually four (4) properties within the estate and sought direction from Council on how to proceed.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY AGREED TO MOVE FORWARD WITH MR. EMERICK PERFORMING TITLE SEARCHES ON THE "NICHOLSON ESTATES" AND TAKING LEGAL ACTION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. WOZNIAK, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 7-0.

C. Engineer

Mr. Wisor commented that he had forwarded a copy of his report to Council prior to the meeting. Mr. Wisor had nothing additional to report.

D. Chief of Police

Chief Miller was absent but provided a copy of his written report to Council prior to the meeting. Mr. Yetsko informed Chief Miller that he received a complaint of a toilet and junk in the back yard of a Mountain Avenue property.

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 the public works crew has been working on the sidewalk at the Library for the streetlight and came across underground gas tanks. Mr. Bowman commented that the tanks were empty but you could smell gas. A discussion took place on notifying the DEP and the Library, associated costs for removal, and grant funding availability.

V. CORRESPONDENCE

Cambria County Emergency Management sent an e-mail notice they will offering EMA classes for borough officials.

The Council of Governments sent notice that a meeting is scheduled for November 9th, 2016 at 6:00 at the Cambria County Airport.

Cambria County Commissioners sent notice of the Cambria County Premise Alert for residents. The alert system is for any person(s) of all ages having disabilities or special health needs or conditions. This system provides first responders with advance knowledge, allowing for quick responses during crises, evacuations, and disasters.

Cambria County Prevention Coalition sent notice of a town hall forum to be held on Tuesday, November 15th, 2016 at the JFK Auditorium, Saint Francis University in Loretto, from 6:00 – 7:30 p.m. The forum topic is discovering the costs and consequence of underage drinking.

The Portage Area Junior-Senior High School sent notice they will be sponsoring the annual Secret Santa Program.

VI. MINUTES OF PREVIOUS MEETING

As it relates to the minutes from the October 3rd regular and October 17th, 2016 meetings,

ON MOTION OF MR. YETSKO, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE OCTOBER 3RD, 2016 REGULAR MEETING AND THE OCTOBER 17TH, COMMITTEE MEETING AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. MCCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNAK AND MR. YETSKO. MOTION CARRIED 7-0.

VII. BILLS AND TREASURER'S REPORT

Ms. McCarthy noted that copies of the 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 \$50,288.53 AND AGREED THAT THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$29,409.32. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

VIII. REPORTS RECEIVED

Ms. McCarthy noted that reports were received from the Portage Water Authority (Sept); Portage Sewer Authority (Sept); LMIA (Sept/Oct); and Food Pantry Profit & Loss.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

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: no new information, discussed earlier.
- C. DCED approval for public works maintenance building loan: discussed earlier
- D. Update on Trout Run Rehabilitation (seek new grant funding): no update
- E. Update on promoting tourism in Portage: Mr. Portash is working on the brochure.
- F. Pro Disposal submitted a renewal agreement for garbage collection services in 2017. All prices and services will remain the same as in 2016; Monthly services at \$10.52 and prepaid bags at \$27.50/pack of ten. Recycling services will also remain the same. The agreement will commence January 1st, 2017 through December 31st, 2017.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED A RENEWAL AGREEMENT WITH PRO DISPOSAL FOR GARBAGE COLLECTION SERVICES FROM JANUARY 1ST, 2017 THROUGH DECEMBER 31ST, 2017. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

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: A discussion took place on the timeframe for any repairs or course of action. A building permit was applied for and is valid for one year. There is also pending litigation on the property. Mr. Kissell advised they are moving forward. A discussion took place on keeping the issue on the agenda. Mr. Morgan suggested leaving the issue on the agenda.

NEW BUSINESS

A. Advertise for part time patrol officer

Mr. Koban informed Council that a part time officer has not been able to commit to the working hours to fill the monthly schedule. Chief Miller also advised that it is difficult to fill the schedule for police coverage. Mr. Koban requested approval to advertise for a part time officer to fill the roster. The advertising for the position can be published in the Tribune, Mainline Newspapers, and the borough website.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO ADVERTISE FOR A PART TIME PATROL OFFICER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

B. Purchase of a Certificate of Deposit

Mr. Koban advised Council that a certificate of deposit was budgeted for \$3,000 in the 2016 approved Budget. Ms. Claar obtained various interest rates from various banks within the area.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 7-2016 BY PURCHASING A CERTIFICATE OF DEPOSIT, IN THE AMOUNT OF \$3,000.00 FROM 1ST SUMMIT BANK AT AN ANNUAL PERCENTAGE YIELD OF 1.21 FOR A 30 MONTH TERM. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

C. Cambria County Hazard Mitigation Plan

Cambria County Emergency Management sent notice they were updating the Cambria County Hazard Mitigation Plan. The updated plan will be forwarded to the Pennsylvania Emergency Management Agency and the Federal Emergency Management Agency. Ms. Claar contacted the County for the draft of the plan. Once all Cambria County municipalities adopt a resolution, the plan will be submitted to each. The plan consists of over 240 pages. Mr. Emerick provided an overview of the amendments.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 8-2016 BY ADOPTING THE DRAFT OF THE CAMBRIA COUNTY HAZARD MITIGATION PLAN TO BE SUBMITTED TO PEMA AND FEMA. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

D. WinterFest Request

The WinterFest Committee provided a Christmas Tree decoration seeking permission to hang on the parking meters on Main Street.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED THE WINTERFEST COMMITTEE REQUEST TO DECORATE THE PARKING METERS ON MAIN STREET WITH CHRISTMAS TREES, AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

E. Re-appoint to the Portage Area Planning Commission

The letters of interest for the upcoming expiring term was advertised a second time in the Dispatch. Mr. Richard Bernazzoli sent in a re-appointment letter.

ON MOTION OF MR. YETSKO, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY RE-APPOINTED MR. RICHARD BERNAZZOLI TO THE PORTAGE AREA PLANNING COMMISSION TO A (5) FIVE YEAR TERM COMMENCING JANUARY 1ST, 2017 THROUGH DECEMBER 31ST, 2021. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. LEARN, MR. MORGAN, MR. WOZNIAK AND MR. YETSKO. MOTION CARRIED 7-0.

XI. 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 Building Committee will be meeting on Thursday, November 17th, 2016 at 6:30 p.m.

Ms. McCarthy reminded the public to vote tomorrow.

XII. ADJOURNMENT/EXECUTIVE SESSION

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