

A meeting of Portage Borough Council was held on Monday, February 5th, 2018, at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy	John Morgan (late)	James Kissell	David Hayes
	Todd Learn	Jerome Yetsko	

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Scott Maul, Public Works; Chief Miller, Public Safety; Ms. Claar, Secretary, and Kaelyn Wozniak. Absent was George Wozniak and Emily Canavan, Jr. Councilor

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.

REFLECTION/PLEDGE OF ALLEGIANCE

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

RECOGNITION OF GUESTS

Ron Portash, Mainline Publications; Calem Illig, Altoona Mirror

Ms. McCarthy requested that the Gaunt Public Hearing be held first. The minutes for the public hearing were recorded separately.

After the Gaunt Public Hearing, Ms. McCarthy commenced with the regular meeting of Council.

REPORTS

A. Borough Manager

Mr. Koban provided his report in written form prior to the meeting. Mr. Koban elaborated on several issues in his report.

- Mr. Koban commented that the Intermunicipal Drug Task Force Agreement and ordinance will be addressed later in the meeting for adoption.
- Mr. Koban advised Council that there has been no headway with the Portage Area School District Board concerning the letter of support for the Recreation Manager/Director study.
- A certificate of deposit was renewed with 1st Summit Bank for an additional thirty (30) months at 1.36% with the step-up option. Rates were also obtained from First National of Cresson, Lilly First Bank, and S & T Bank I Portage.
- Mr. Koban elaborated on the Restroom Project for Crichton McCormick Park. Mr. Wisor had presented pictures of several types of restrooms for Council to choose from. Mr. Wisor commented that there would be price differences based on the number of stalls and the type of building. Several discussions took place on how many stalls for each gender, sewer & water connections, long term vs short term goals, design, and funding. Council agreed to move forward with the design presented by Mr. Wisor and to provide specs and estimates prior to going out for bid. Mr. Morgan arrived during the discussion.
- Mr. Koban informed Council of the upcoming Cambria County Borough Association Dinner that we will be hosting. Ms. Claar provided information from when the Borough sponsored it back in 2009. The info provided a list of businesses, the speaker, menu, and door prizes. Mr. Koban also commented that we need to discuss where the event will be held. Suggestions were Portage Moose, Royal Ballroom, and the Crimson Room.

ON MOTION OF MR. MORGAN, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED TO HOST THE CAMBRIA COUNTY BOROUGH ASSOCIATION DINNER AT THE ROYAL BALLROOM. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

- Mr. Koban apprised Council that the property (Vivis) purchased by the Borough has been submitted to the Cambria County Redevelopment Authority for funding to have the building demolished. Ms. Claar advised that the Redevelopment Authority has approximately 7 structures for the spring demolitions. The Authority will contact Ms. Claar within the next few weeks for an update to when it will be placed on the demolition list. Mr. Kissell suggested that once the structure is demolished, the Borough could possibly contact Habitat for Humanity or the Wounded Warrior program.
- As it relates to the Paul Kulick fire damaged structure on Johnson Avenue, Mr. Koban advised that State Farm had submitted a check for the municipal lien that was placed on the property back in 1977. The total amount received was \$2,568.49.
- Mr. Koban informed Council that a \$6,000 donation was received from Lynn and Dave Hershel, made payable to the Portage Endowment Fund. Mr. Koban commented that he spoke with Mr. Morgan and the funds would be used for the Restroom Project. Mr. Koban also explained that the check would have to be handed over to the Endowment Fund and then be requested back by the Portage Area Joint Recreation Association to fund the restroom project.
- Mr. Koban commented on the Workers Compensation for social members on the Portage Vol Fire Company concerning coverage. Ms. Claar contacted Ebensburg Insurance to inquire on social members. According to the State Workers Insurance Fund, social members are not covered under the workers compensation, only active members. Mr. Koban also commented that social members provide many hours assisting with various events by the fire Company.
- Ms. McCarthy questioned if the full-time position in the Public Works Department has been filled. Mr. Koban advised that he has one more interview and then will make his determination on whom to hire.
- Ms. McCarthy questioned the cd & loan interest rates submitted by the various financial institutions.

B. Solicitor

Attorney Emerick noted that his report was provided to Council in written form prior to the meeting. Mr. Emerick elaborated on several issues in his report that are also on the agenda under buildings:

- Mr. Emerick advised that American Roofing responses to the Borough counterclaim is due by February 6th, 2018.
- The Crum property at 907 Jefferson Avenue was tabled from last month due to weather.
- The property at 1309 and 1315 Jefferson Avenue was discussed. The two properties will be filed together in a civil action filed with the Cambria County Court of Common Pleas, if there is no action taken by owner.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY TABLED THE ISSUE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MR. HAYES, MR. WOZNAK, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-1 WITH MR. KISSELL VOTING NO.

- Mr. Emerick advised that a personal representative could be appointed for the 616 Dulancey Avenue (Adams) property. Ms. McCarthy informed Mr. Emerick that she spoke

with Chuck Adams but he was unsuccessful in obtaining a phone number for his niece. Ms. McCarthy questioned if a court appointed representative can be selected. Mr. Portash commented that he might be able to make contact with the niece and Mr. Hayes commented that he might be able to get information from social media. In the meantime, Mr. Emerick will research if a court appointed representative can be named.

- As it relates to the 933 Sonman Ave Property (Greenawalt), Mr. Emerick advised that a public hearing will be held on Monday, March 5th, 2018 at 6:30 p.m.
- A discussion took place on the enforcement of the sewer laterals by the Portage Area Sewer Authority. Mr. Emerick commented that the enforcement can be pursued by the Borough Council.

C. Engineer

Mr. Wisor commented that he had forwarded a copy of his report to Council prior to the meeting. Mr. Koban commented that the Sonman Avenue Bridge should be reviewed again for grant funding through the 12-year program so that it is not overlooked for the next funding period.

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.

Ms. McCarthy extended the sympathy for Chief Miller's mother that passed away New Years Eve.

E. Director of Public Works

Mr. Maul noted that a copy of his report was provided to Council prior to the meeting. Mr. Maul had nothing additional to report. Ms. McCarthy commended the Public Works Department for the great efforts on keeping up with the recent snow storms and maintaining the roads. Mr. Learn questioned the status of the concrete floors, doors, and insulation on the maintenance building. Mr. Maul advised that Mr. Koban had signed several purchase orders and the concrete floor is completed.

CORRESPONDENCE

There was no correspondence.

MINUTES OF PREVIOUS MEETING

As it relates to the minutes from the January 2nd, regular and re-organization meeting and the January 15th, 2018 committee meeting. Ms. McCarthy advised that a correction to the January 2nd regular meeting regarding a letter being sent to the Arch Bishop regarding the Sacred Heart Church properties should be amended from Ms. McCarthy to the Finance Committee of the Holy Family Church. Mr. Learn advised that a correction needs to be made to the January 2nd re-organization meeting concerning the motion for the interest charges on Mr. Paul Kulick's municipal lien. Council members voting negatively should have been Mr. Wozniak and not Mr. Learn.

ON MOTION OF MR. YETSKO, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE JANUARY 2ND REGULAR AND RE-ORGANIZATION MEETING AND THE JANUARY 15TH COMMITTEE MEETING AFTER THE ABOVE CORRECTIONS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

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. HAYES, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT IN THE AMOUNT OF \$49,655.90 AND APPROVED THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$54,023.16. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MAYOR KISSELL, MR. HAYES, MR. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

REPORTS RECEIVED

Ms. McCarthy noted that reports were received from the Portage Water Authority (Dec) and the Portage Sewer Authority (Dec).

ON MOTION OF MR. WOZNAK, 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. YETSKO, MR. MORGAN, AND MR. LEARN. MOTION CARRIED 6-0.

UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- A. Update on Recreation Manager/Director position:
Discussed earlier in the meeting under the Borough Manager's report.
- B. Update on Borough Building Roof: Discussed earlier in the meeting under the Solicitor.
- C. Update on Trout Run Rehabilitation: There was no update. Waiting for funding announcement to apply.
- D. PennDot project on SR 164 and Main Street Phase II-there was no update.
- E. Update on proposed restrooms at Crichton McCormick Park-the issue was discussed earlier in the meeting under the Manager's report. Mr. Wisor did comment that surveying and drawings will need to be performed.
- F. Update on sewer testing on the administration building
Mr. Koban advised that a building committee meeting needs to be scheduled to discuss the issue with the Portage Vol Fire Dept. Mr. Kissell suggested Thursday, February 15th at 7:00 p.m.
- G. Update on planning for the Cambria County Borough Association Dinner was discussed earlier in the meeting under the Borough Manager's report. A list of current businesses will be presented at the February committee meeting.

BUILDINGS

Mr. Koban provided the following update:

- A. Update on Mark Kissell property at 1309 and 1315 Jefferson Avenue
The issue was discussed earlier in the meeting.
- B. Update on Clair Adams property at 616 Dulancey Drive
The issue was discussed earlier in the meeting.

- C. Update on Shoenfeld property at Orange and Grove St
The issue will be visited in the Spring
- D. Update on Greenawalt Property at 933 Sonman Avenue
The issue was discussed earlier in the meeting and a public hearing will be held at the March 5th regular meeting.
- E. Update on Crum Property at 907 Jefferson Avenue
Mr. Emerick informed Council that an executive session will be needed for litigation
- F. Update on Gaunt property at 828 North Railroad
A public hearing was held earlier in the meeting.

NEW BUSINESS

- A. Approval of the proposed ordinance for an Intermunicipal Agreement with the PA Attorney General Office for a Drug Task Force. The proposed ordinance was properly advertised.

ON MOTION OF MR. LEARN, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED ORDINANCE 1-2018 BY ENTERING INTO AN INTERMUNICIPAL DRUG TASK FORCE AGREEMENT WITH THE PA ATTORNEY GENERAL OFFICE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

- B. Review and approve an amendment to the Snow and Ice Emergency ordinance 6-2001 by designated certain locations. Mr. Kissell remarked that he would like to have Mr. Wozniak review the list prior to advertising.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY TABLED THE ADVERTISING OF A PROPOSED AMENDMENT TO THE SNOW AND ICE EMERGENCY BY DESIGNATING CERTAIN LOCATIONS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

- C. Approval to advertise a proposed ordinance for a DCED small borrowing for a 2018 F550 truck with accessories. Proposals were received from several financial institutions to obtain a small borrowing loan.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING OF A PROPOSED ORDINANCE FOR FINANCING A SMALL BORROWING DEBT WITH 1ST SUMMIT BANK, IN THE AMOUNT OF \$70,570.00 FOR A FIVE (5) YEAR TERM AT 2.625% INTEREST; FOR THE PURCHASE OF AN F-550 TRUCK, SNOW PLOW, AND ALUMINUM BED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

- D. Approval of the 2018 list of activities presented by the Portage Volunteer Fire Company to be covered under the Borough's workers compensation.

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED THE PORTAGE VOLUNTEER FIRE COMPANY LIST OF ACTIVITIES FOR 2018 TO BE COVERED UNDER THE BOROUGH'S WORKERS COMPENSATION INSURANCE. COUNCIL MEMBERS VOTING AFFIRMATIVELY

INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY, MOTION CARRIED 6-0.

GOOD OF THE BOROUGH

Ms. McCarthy read council a letter that was sent from the Finance Committee of the Holy Family Church to the Archbishop and Cardinal of the Sacred Heart properties. Ms. McCarthy commented that she would also like to send the Tax Collector; Joanne Redfern, a letter to submit the taxes to the proper owner. Mr. Emerick advised that the taxes will only be mailed to the owner's address that is on file with the 2018 tax roles through Cambria County.

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL WENT INTO EXECUTIVE SESSION FOR PERSONNEL ISSUES. MOTION CARRIED 6-0.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL WENT OUT OF EXECUTIVE SESSION, MOTION CARRIED 6-0.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL WENT INTO THE REGULAR MEETING. MOTION CARRIED 6-0.

ADJOURNMENT/EXECUTIVE SESSION

THERE BEING NO FURTHER BUSINESS ON THE AGENDA, ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, THE MEETING WAS ADJOURNED AT 8:46 P.M. MOTION CARRIED 6-0.