

A meeting of Portage Borough Council was held on Monday, June 17th, 2019 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy
Jerome Yetsko

David Hayes
James Kissell

George Wozniak
Todd Learn

John Morgan

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Scott Maul, Public Works; and Chief Miller, Public Safety. Absent were Ms. Claar, Secretary; and Gary Wisor, Borough Engineer.

The minutes were prepared by listening to the tape recorder. Some of the conversations were difficult to hear.

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.

Ms. Jean Kinley, Ron Portash-Mainline Newspapers,

ON MOTION OF MR. KISSELL, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO GO OUT OF ORDER ON THE AGENDA TO ADDRESS THE PUBLIC CONCERNS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

Ethan Geer was in attendance to observe the Council meeting.

REPORTS

A. Borough Manager

Mr. Koban provided his report in written form prior to the meeting. Mr. Koban elaborated on several issues on his report and advised that most issues were reflected on the agenda.

- Mr. Koban provided additional information to Council regarding the fall of a resident at 610 Grant Street. There was a pothole alongside the curb that she fell into and was hospitalized for several days. She is requesting that the Borough pay for her glasses and co-pays for her insurance.
- Ms. McCarthy questioned the status of the Mark Greenawalt civil suit and the letter he submitted to Mr. Koban requesting permission to sell his property.
- Ms. McCarthy questioned the Nicholson property on Main Street with the latest incident of a customer almost falling into the foundation. Chief Miller advised that he sent Mr. Nicholson a ten-day notice to correct the issues.

B. Borough 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:

- ❖ American Roofing Litigation-an executive session was called.
- ❖ 933 Sonman Avenue-Greenawalt & Windsor: discussed earlier in the meeting and a final order was entered by the Court.
- ❖ 828 N Railroad (Gaunts)-Mr. Emerick advised that the Gaunt property is placed on the judicial sale list in October, 2019.
- ❖ 616 Dulancey Drive (Clair Adams)-On next year's judicial sale
- ❖ 720 Orchard (Plummer)-Mr. Emerick advised that the Borough can either move forward with a judgment or move the property to a judicial sale with a judgment against the Plummer to cover the Borough's costs.

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO MOVE FORWARD WITH THE LITIGATION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. MORGAN, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

- ❖ 406 Caldwell Avenue (Barclay); Default judgement was filed and the Westmoreland County refunded the Borough \$158.90.
- ❖ 925 Main Street (Lewis): Default judgement was filed with the courts. Awaiting on a date.

C. Borough Engineer

Mr. Wisor was absent but had e-mailed a copy of his report to Council prior to the meeting.

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 commented on the number of scams going on with area residents.

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 commented on Lee Street regarding the paving portion and the bricks. A short discussion took place.

CORRESPONDENCE

None

MINUTES OF PREVIOUS MEETING

The minutes from the May 6th regular and May 20th, 2019 committee meeting were provided to Council prior to the meeting.

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF MAY 6TH, REGULAR MEETING AND ALSO THE MAY 20TH, 2019 COMMITTEE MEETING MINUTES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. MORGAN, MR.

HAYES, MR. WOZNAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

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. YETSKO COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT, IN THE AMOUNT OF \$131,790.32; AND APPROVED THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$7,234.98. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

REPORTS RECEIVED

Ms. McCarthy noted that reports were received from the Portage Water Authority (Apr'19) and the Portage Sewer Authority (Apr'19); Portage Library 2018 and Jan'19

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

UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- A. Update on Recreation Manager/Director position:
Discussed earlier in the meeting. Waiting of grant agreements from DCNR.
- B. Update on Borough Building Roof: Discussed under the Solicitor's report.
- C. Update on Trout Run Rehabilitation: Another grant application was submitted.
- D. PennDot project on SR 164-Mr. Wisor reported that he met with Mr. Koban and Mr. Schweitzer of Penn to discuss the desired construction items and locations that the Borough grant money will be allocated for on the project.
- E. Update on Main Street Phase II: There was no update.
- F. Update on Main Street Phase III Sidewalk: Mr. Wisor reported that the South side of Main Street for curbs, sidewalks, buffer, and lighting are unfunded. He is in the process of preparing another grant funding application that is to be submitted by July 31st, 2019.
- G. Update on restroom project at Crichton McCormick Park-Stiffler, McGraw provided the punch list items to Brickley Construction and the issues will be addressed by next month.
- H. Update on Sonman Avenue Bridge-no update
- I. Update on creek wall repairs at Johnson Avenue-
Mr. Maul provided quotes for blocks and Jersey barriers from Marion Center Supply. A lengthy discussion took place on the style, cost, and requested pictures of the barriers.

ON MOTION OF MR. HAYES, SECONDED BY MR. WOZNAK, COUNCIL UNANIMOUSLY APPROVED TO TABLE THE ISSUE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

J. Update on Small Community Grant Funding through Frank Burns' Office for Park Improvements was submitted.

K. Update on Mainline Trail Feasibility Study Phase I- Mr. Hayes provided information on the Mainline Trail project. The Group had met with several property owners and the project is moving forward with another meeting to be held in July.

L. Update on Welcome to Portage Signs-Mr. Koban suggested that the signs be re-painted before they start deteriorating.

M. Update on Tree Revitalization Grant through DCNR for Crichton McCormick Park
Mr. Koban advised that Sharon Squillario is working with Brittany Blackham on the Tree Revitalization grant and the letter of item was successful. Mrs. Squillario will be working with DCNR with tree forestry.

BUILDINGS

Mr. Koban provided the following update:

- A. Update on 933 Sonman Ave (Greenawalt)-discussed earlier in the meeting.
- B. Update on 616 Dulancey Drive (Adams) discussed earlier in the meeting.
- C. Update on junk vehicles. no update. Chief Miller advised that is a work in progress.
- D. Update on 828 North Railroad (Gaunts) discussed earlier in the meeting.
- E. Update on 720 Orchard Street (Plummer) discussed earlier in the meeting.
- F. Update on 406 Caldwell Avenue (Barclay) discussed earlier in the meeting.
- G. Update on 925 Main Street (Lewis) discussed earlier in the meeting.
- H. Update on 532 Dulancey Drive (Gaunt)-file
- I. Update on demolition of 1007 Conemaugh Avenue-The Cambria County Redevelopment Authority sent an e-mail advising they are finalizing the bid documents and hoping to open bids at their meeting in June.

NEW BUSINESS

1. Request from Portage Water Authority to install a water service line on Apricot Alley.
Mr. Cadwallader submitted a request for authorization to install a water service line on Apricot Alley for a new manufactured home located at 903 Oak Street.

ON MOTION OF MR. HAYES, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED TO AUTHORIZE THE PORTAGE WATER AUTHORITY TO INSTALL A WATER SERVICE LINE DOWN APRICOT ALLEY; FROM SONMAN AVENUE,

BETWEEN OAK STREET AND VINE STREET. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0

2. Approval to advertise for a full time and part time patrol officer.

Mr. Koban informed Council that with the resignation of Officer Leyo, he would like to place an ad on Indeed, CareerLink, and the Dispatch.

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

GOOD OF THE BOROUGH

Ms. McCarthy commended the efforts of Irene Huschak for everything she does for the Historical Society and the Portage Yards Sales,

Mr. Hayes suggested budgeting \$5,000.00 for fireworks in the 2020 budget for the 4th of July next year. Mr. Koban commented that in the past, several residents were not happy with tax dollars being spent on fireworks. A short discussion took place on the fireworks with the pro's and con's.

Mr. Kissell and Mr. Hayes commented on the lack of US Flags on Main Street. Mr. Koban advised that banners were purchased for flags in the past. Mr. Koban advised that Council had discussed the issue in the past and they decided on the banners. Mr. Koban also commented that we don't have the equipment (bucket truck) to put up the flags, which becomes a safety issue.

Ms. McCarthy advised that Mr. Randy Stager provided her information on a land back statute for blighted structures. Mr. Emerick will gather additional information for the July meeting.

Mr. Koban requested an Executive Session for litigation and personnel purposes:

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY WENT INTO EXECUTIVE SESSION FOR LITIGATION AND PERSONNEL PURPOSES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY WENT OUT OF EXECUTIVE SESSION AND INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY WENT INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

There being no further business,

ON MOTION OF MR. HAYES, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY MOVED TO ADJOURN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

THE MEETING WAS ADJOURNED AT 8:45 P.M.