

A meeting of Portage Borough Council was held on Monday, December 14th, 2020 at 6:30 p.m.

Those in attendance were:

George Wozniak	Todd Learn	Bruna Kissell
David Hayes	Ron Cadwallader	Bent Kinley

Also present were: Robert Koban (teleconference), Borough Manager; Gary Wisor and Brian Shura (teleconference) with Stiffler-McGraw; Chief Shaun Gregory (teleconference); and Michelle Claar, Borough Secretary.

REFLECTION/PLEDGE OF ALLEGIANCE

Mr. Kinley offered a reflection and a moment of silence for Portage Borough Mayor; James Kissell, and then proceeded with the Pledge of Allegiance. Mr. Wozniak then recognized Mr. Kissell for his services and accomplishments as Mayor.

RECOGNITION OF GUESTS

Mr. Wozniak recognized the guests that were teleconferencing which included: Jean Kinley, Ron Portash; Portage Dispatch, an and an anonymous number not listed.

ON MOTION OF MR. HAYES, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY APPROVED TO GO OUT OF ORDER ON THE AGENDA TO RECOGNIZE ANY PUBLIC INPUT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

Ms. Kinley commented if Council had masks on. Mr. Wozniak acknowledged that only 7 members were present with social distancing being followed. There were no other comments or concerns.

REPORTS

A. Borough Manager's Report

Mr. Koban was absent but teleconferenced in for the meeting. Mr. Koban provided a copy of his report to Council prior to the meeting. Mr. Koban advised that most of the issues and updates are listed on the agenda.

B. Solicitor's Report

Attorney Emerick was absent but provided a copy of his report prior to the meeting.

- American Roofing-Two more depositions will be held after the holidays. Mr. Emerick had noted of a voluntary mediation between the parties. This issue will be discussed further on whether to move forward with the mediation on Friday, December 18th, 2020.
- Mr. Emerick informed Council that he had contacted DCNR rep; Dan Pierce and copied Cheri Matter on what the next step would be after proceeding to move forward with the deed language.
- Mr. Emerick commented on the Plummer property located at 720 Orchard Street. Mr. Emerick advised that pursuant to the Court Order, they are requesting that a payment plan be worked out with the Plummer's before submitting the costs to the Courts. Council agreed to have Mr. Emerick send a letter to the Plummer's to work out a payment plan.

- Mr. Emerick noted that the Plummer's have until the end of the month to set up a payment plan with the Borough.
- Mr. Emerick noted that he is preparing a petition to recover the Borough costs for 828 North Railroad street.
- Kowalczyk litigation-moving forward with litigation.
- Mr. Emerick noted that objections were filed with Cambria County relating to the sale of 402 Caldwell Avenue to Mr. Patrick Nicholson. A hearing is scheduled for December 21st, 2020.

Engineer's Report

Mr. Wisor and Mr. Shura teleconferenced in on the meeting but provided a report prior to the meeting and elaborated on the following:

- DCNR Park Project-Mr. Wisor questioned the next process in adding language to specific deeds. Mr. Wisor also advised that he is preparing another bid package for the re-bid in the Spring. Mr. Wisor will present to Council prior to advertising. Mr. Koban informed Mr. Wisor to update Cherri Matter on the progress of the project.
- As it relates to the PennDot Main Street project, Mr. Cadwallader questioned the traffic control on Caldwell Avenue. Mr. Wisor advised that PennDot should have a maintaining traffic plan for the project. Mr. Cadwallader also commented that when the pre-construction meeting takes place in the Spring, the Water and Sewer Authority, Borough and Township should also be invited so everyone is made aware of the project to commence sometime in April.

D. Police Chief's Report

Chief Shaun Gregory teleconferenced into the meeting but provided a copy of the police report prior to the meeting.

E. Director of Public Works Report

Mr. Maul was absent but provided his report to Council prior to the meeting. There was nothing additional to report. Mr. Cadwallader acknowledged the efforts of Mr. Fran Steberger with Mr. Cadwallader being off due to Covid 19 quarantine.

CORRESPONDENCE

Ms. Claar advised that there was no correspondence.

CITIZEN'S INPUT ON AGENDA ITEMS

None

MINUTES OF PREVIOUS MEETINGS:

The minutes of the November 2nd regular and November 16th, 2020 committee meetings were distributed to Council prior to the meeting.

ON MOTION OF MR. KINLEY, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE NOVEMBER 2ND, REGULAR AND NOVEMBER 16TH, 2020 COMMITTEE MEETINGS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

TREASURER'S REPORT

Mr. Wozniak noted that copies of the Treasurer's report were distributed for review by Council members prior to the meeting.

ON MOTION OF MR. KINLEY, SECONDED BY MS. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$93,437.67. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

REPORTS RECEIVED

Mr. Wozniak noted minutes from the Portage Sewer Authority. Mr. Cadwallader commented that the Portage Water Authority minutes will be presented at the next meeting.

ON MOTION OF MR. HAYES, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED FROM THE PORTAGE SEWER AUTHORITY FOR OCTOBER, 2020. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

APPROVAL OF BILLS

Ms. Claar provided an itemized list of bills and additional bills for Council to review and approve.

FOLLOWING A ROLL CALL VOTE, ON MOTION OF MR. HAYES, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY APPROVED THE BILLS AND ADDITIONAL BILLS TO BE PAID, AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$38,704.21. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

UNFINISHED BUSINESS

Mr. Wozniak questioned Mr. Koban if he had any updates on the agenda items.

Item A: Update on Recreational Peer Group Committee-No Update

Item B: Update on Borough Building Roof – Discussed earlier in the meeting.

Item C: Update on Trout Run Rehabilitation – There was no update.

Item D – Update on PennDot Project on SR 164 – Discussed earlier in the meeting

Item E – Update on Phase II for Main Street Multimodal Grant – Under Engineer's Report

Item F – Update on Phase 3A for Main Street Improvements/Sidewalks Right Side Caldwell and Mountain –No Update

Item G – Update on Phase 3B for Main Street Improvements/Sidewalks for the left side of Caldwell and Mountain –No Update

Item H – Update on Sonman Avenue Bridge 12 Year Plan – There was no update.

Item I – Update on Small Community Grant Funding through DCNR for Park Improvements. Discussed earlier under Solicitor’s Report

Item J – Update on Mainline Trail Feasibility Study Phase I- Mr. Koban informed Council that an e-mail was received from Jane Sheffield with the Allegheny Ridge Association seeking another \$5,000.00 for a feasibility study. Mr. Koban advised that he will discuss the issue at the next meeting.

Item K – Update on Petitioning the Courts to disqualify a buyer from purchasing property- Discussed earlier in the meeting.

Item L – Update on 2021 proposed budget regarding the garbage collection. Mr. Koban advised Council that he could not upload the budget to his computer due to the lack of internet access. Mr. Koban will brief Council at the Friday, December 18th special meeting at 6:00 p.m.

Item M – Update on an amendment to the Sidewalk Ordinance-Mr. Koban informed Council that he requested Mr. Wisor to update the ordinance so that it can be in conformity with the PennDot specifications. Mr. Koban commented that he would like to stay proactive for all sidewalks are uniform in nature.

Buildings:

Mr. Wozniak questioned if there were any updates on the buildings:

Item A – Mark Greenwalt/Rebecca Windsor, 922 Sonman Avenue (penalty dated 4/8/19): Ms. Claar informed Council and Mr. Koban that Frank Lombardo called earlier in the day and stated that he is moving forward with contacting an interested buyer. Mr. Hayes commented that he informed Mr. Lombardo to provide information to the Borough Secretary to present to Mr. Koban and Council.

Item B – update on 616 Dulancey Drive property (Clair Adams): No Update.

Item C – Update on junk vehicles-Nicholson-Discussed under the Solicitor’s report

Item D – Update on Roy and Patricia Plummer at 720 Orchard Street –discussed earlier in the meeting.

Item E – Update on Jason and Sarah Barclay at 406 Caldwell Ave-There was no update.

Item F – Update on Drayton Lewis for 925 Main Street (penalty hearing 7/22/19) – There was no update.

NEW BUSINESS:

A. Approval to purchase a certificate of deposit with 1st Summit Bank from a redeemed certificate of deposit with 1st National Bank.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 23-2020 BY PURCHASING A CERTIFICATE OF DEPOSIT WITH 1ST SUMMIT BANK, IN THE AMOUNT OF \$9,994.81 AT AN APR OF .36% FOR A 24 MONTH TERM. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

B. Review letters of interest for the Portage Area Water Authority, Sewer Authority, and Portage Area Joint Recreation Commission.

Ms. Claar provided letters of interest/re-appointment for the following:

Portage Area Sewer Authority re-appointment letter from Donald Squillario (5 year)

Portage Area Joint Recreation Association re-appointment letter from David Squillario and a letter of interest from Edward Alexander. (3 year)

Portage Area Water Authority (5 year) letters of interest were received from Matt McCoy, Sharon McCarthy, Christopher McCall, Mark Slebodnick, Jeremy Shuniak, and Lawrence Durray.

There were no letters of interest received for the Portage Area Planning Commission.

After a discussion, Council agreed to hold a meet and greet for all candidates on Friday, December 18th, 2020 commencing at 6:30 p.m. at 15 minutes intervals.

Mr. Wozniak commented that the since there was a letter of re-appointment for the Portage Area Sewer Authority and the position can be appointed this evening:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPOINTED MR. DONALD SQUILLARIO TO THE PORTAGE AREA SEWER AUTHORITY FOR A FIVE (5) YEAR TERM COMMENCING JANUARY 1ST, 2021 THROUGH DECEMBER 31ST, 2025. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

C. Approval of amending the Parking Meter Zones times and rates

ON MOTION OF MS. KISSELL, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY APPROVED ORDINANCE 6-2020 BY AMENDING ORDINANCE 7-2007; CHAPTER 15 PART 5; SUBSECTION 501 RELATING TO THE RATES AND TIMES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

GOOD OF THE BOROUGH

Special adoption budget meeting at 6:00 p.m. on Friday, December 18th, 2020 via teleconferencing.

Mr. Wozniak commented on the Free Parking during the month of December.

ON MOTION OF MR. HAYES, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY APPROVED FREE PARKING DURING THE MONTH OF DECEMBER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

Mr. Cadwallader enlightened Council on the Swift Reach Networks; which is a mass emergency notification network for businesses to convey messages to the public. The Portage Water and Sewer utilize Swift for all their water/sewer announcements. Mr. Cadwallader commented that the borough could join their plan by splitting the costs since they have the residential data base already set up. The borough would also be responsible for any announcements they would like to go out to borough residents. Mr. Wozniak requested the issue be placed on the December 18th agenda for further discussion.

Ms. Kissell questioned Ms. Claar if Mr. Layo got in contact with her. Ms. Kissell informed Council on the issues she had with Mr. Layo concerning her taxes and informed him I was trying to get a

hold him. Mr. Layo had e-mailed Ms. Claar and advised I had the incorrect e-mail, which I did not. Ms. Claar also informed Council that there 14 paychecks that were being held for Mr. Layo. Mr. Koban advised he spoke with Jeff Vasilko with the Portage School District and the County. They have no issues with the reporting. Mr. Koban will reach out to Mr. Layo for the correct paperwork to turn into the Borough before releasing the paychecks.

Ms. Kinley suggested to Borough Council to acknowledge all the efforts of the Emergency personnel during the corona virus pandemic; the Portage Ambulance, Portage Police, and the Portage Vol Fire Department. Mr. Wozniak and Council informed Ms. Kinley they were going to acknowledge all of them.

Ms. Kissell commented that there will be no viewing for Mr. Kissell and that any memorial donations can be made to the Portage Food Pantry.

Additional agenda item:

A. Motion to advertise for letters of interest for the Mayor position.

While acknowledging Mr. Kissell services to the borough, Mr. Wozniak commented on the formality of any vacant position of the Borough. The Borough has 30 thirty day to fill the position, if not, then the vacancy board would appoint. If there is no appointment, then the Cambria County Courts will appoint to the vacant position.

ON MOTION OF MR. HAYES, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING FOR LETTERS OF INTEREST FOR PORTAGE BOROUGH MAYOR. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.

There being no further business,

ON MOTION OF MR. LEARN, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY ADJOURNED THE MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, AND MR. WOZNIAK. MOTION CARRIED 6-0.