

A committee of the whole meeting of Portage Borough Council was held on Monday, May 17th, 2021 at 6:30 p.m.

Those in attendance were:

Kami Rocker-Lidwell George Wozniak Bruna Kissell
David Hayes Bent Kinley Ron Cadwallader

Also, present were: Robert Koban, Borough Manager; Michelle Claar, Borough Secretary
Absent was Todd Learn.

REFLECTION/PLEDGE OF ALLEGIANCE

Mr. Kinley commenced with a reflection and then Mr. Wozniak proceeded with the Pledge of Allegiance.

RECOGNITION OF GUESTS

Mr. Ron Portash; Dispatch, Dino Scarton, Jean Kinley; Ms. Susan Beasley.

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

Mr. Wozniak first informed the public that they will be having a meet and greet with a Portage Sewer Authority candidate; Mr. Dino Scarton and requested the public step out into the hall and then return after the meet and greet.

Mr. Wozniak called for the public to enter the meeting and then recognized Ms. Susan Beasley. Ms. Beasley was questioning if the Borough had any type of zoning within the borough dealing with junk cars, high weeds, accumulation of junk and trash on properties, Main Street blight and dilapidated buildings, and conditions of some borough properties. Mr. Koban informed Ms. Beasley that there is no zoning within the borough but there are junk yard, public nuisance, and dangerous structures ordinances that can address some of her issues. Mr. Koban explained the process for the dangerous structure ordinance and advised that there are several properties on the unfinished business on the agenda that the Borough has filed civil complaints. Ms. Beasley commented that this is a beautiful borough and would like to see it kept that way. Council thanked Ms. Beasley for attending the meeting and advised that the borough properties are being cleaned up.

UNFINISHED BUSINESS

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

Item A: Update on Recreational Peer Group Committee-Meeting to be held on May 24th, 2021

Item B: Update on Borough Building Roof – There was no update

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

Item D – Update on PennDot Project on SR 164 –There was no update.

Item E – Update on Phase II for Main Street Multimodal Grant – There was no update.

Item F – Update on Phase 3A for Main Street Improvements/Sidewalks Right Side Caldwell and Mountain – To be incorporated with Phase II for funding and construction phase.

Item G – Update on Phase 3B MTF Grant for Main Street Improvements/Sidewalks for the left side of Caldwell and Mountain –PennDot emailed the grant acceptance agreement and it will be forwarded to Mr. Emerick for his review and approval at the June 7th regular meeting.

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

Item I – Update on DCNR Park Improvements Deeds- There was no update.

Item J – Update on Mainline Trail Feasibility Study-Mr. Koban informed Council that he did not have an opportunity to attend the public meeting on May 13th, 2021 at the Portage Area Elementary School relating the logistics of the Mainline Trail. Mr. Portash provided Council with additional information on the meeting. Mrs. Rocker-Lidwell will provide Council with additional information as well.

Item K – Update on proposed sidewalk ordinance- There was no update.

Item L – Update on Swift Reach Network with the Portage Municipal Authority – A short discussion took place on the capability of the Borough accessing the Network. Mr. Cadwallader had contacted Swift Reach and advised that the Water Authority had approved the Borough as a user. Mr. Cadwallader will contact Swift Reach again for an agreement.

Item M – Update on sump pump and drainage issues- There was no update.

Item N – Update on Gaunt Property-There was no update.

Item O – Update on Portage Sewer Authority resolution on testing – There was no update.

Item P- Update on Kowalczyk Fence Litigation- There was no update.

Item Q - Update on Christmas Decorations-There was no update.

Item R – Discussion on the collection of delinquent per capita taxes – Mr. Koban had informed Council that the borough has 4 options to determine if they want to have a per capita delinquent tax collector. Mr. Koban recapped each of the services being offered. They are J.P. Harris, Matt Sinosky, Berkheimer & Associates, or the borough. There is no cost to the borough for services and the late fees would be paid by the taxpayer. The per capita is a flat \$5.00 per year on individuals 18 years of age and older that reside in the Borough. Mr. Koban recommended Berkheimer and Associates since they are already the Earned Income and Local Services Tax Collectors. After the discussion;

ON MOTION OF MS. KISSELL, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO HAVE BERKHEIMER AND ASSOCIATES TO BE THE COLLECTOR OF THE DELINQUENT PER CAPITA TAXES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. KISSELL, MR. HAYES, MR. KINLEY, MR. WOZNAK, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

Item S – Update on proposed fence ordinance-Mr. Koban presented a revised draft of the fence ordinance for Council to review. Mr. Koban advised that after the discussion from the regular meeting, he suggested the following changes: all previous fences will be grandfathered, 2-foot setback from the property line, and height restrictions of no more than 6 feet for side and rear

fencing, and 4 feet for front and side fencing a street. There is also an appeal process included in the draft. The draft does not cover shrubs, bushes, or trees used as fencing. Mr. Hayes commented that this is limiting the usage of property to the landowner. Mr. Koban asked if there were any questions or comments. After there were no other remarks;

ON MOTION OF MR. KINLEY, SECONDED BY MS. KISSELL, COUNCIL APPROVED THE ADVERTISING OF THE ORDINANCE FOR ADOPTION AT THE JUNE 7TH, 2021 REGULAR MEETING OF COUNCIL. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. KISSELL, MR. KINLEY, MR. WOZNIAK, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 5-1 WITH MR. HAYES VOTING NEGATIVELY.

BUILDINGS:

Item A – Update on Mark Greenwalt- 922 Sonman Avenue- Mr. Koban was informed that Mr. Greenwalt has moved out of state and there is approximately \$10,000.00 in liens on the property. Mr. Koban suggested that a timeframe should be established for some type of resolution and the demolition of the structure since it has been ongoing. G & R Excavating was contacted by Mr. Lombardo but there is no proposal or agreement, as of yet for the demolition. After another discussion;

ON MOTION OF MR. CADWALLADER, SECONDED BY MRS. ROCKER-LIDWELL, COUNCIL UNANIMOUSLY APPROVED TO SEND A THIRTY (30) DAY LETTER TO PRESENT A SIGNED AGREEMENT FOR ANY DEMOLITION OF THE STRUCTURE. THE HAVE COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. KISSELL, MR. KINLEY, MR. WOZNIAK, MR. CADWALLADER, MR HAYES, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

Item B – Update on 616 Dulancey Drive property (Clair Adams): Placed on judicial sale in 2021.

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

Item D – Update on Steve Panick - 925 Main Street – Steve is in the process of removing the windows and has been working on water issues in the basement by using a sump pump in the back.

Item E – Update on 909 Jefferson Avenue - Patrick Nicholson-There was no update.

Item F – Update on Thomas garage at 400 Caldwell Avenue-Mr. Koban advised that a field study will be performed by Stiffler & McGraw.

As it relates to buildings, Mr. Wozniak brought to Council attention of a property in the 800 block of Prospect Street that has been partially demolished. Ms. Claar will check with LMIA to see if a demo or compliance permit was issued.

NEW BUSINESS:

1. Approval of an ordinance for an amendment to the handicap parking space

ON MOTION OF MR. CADWALLADER, SECONDED BY MRS. ROCKER-LIDWELL, COUNCIL UNANIMOUSLY APPROVED ORDINANCE 1-2021 FOR THE HANDICAP PARKING SPACE AT 827 ORCHARD STREET. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. HAYES, MR. WOZNIAK, MS. KISSELL, MR. KINLEY, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

2. Appointment to the Portage Area Sewer Authority board

ON MOTION OF MR. CADWALLADER, SECONDED BY MS. KISSELL, COUNCIL UNANIMOUSLY APPOINTED MR. DINO SCARTON TO THE PORTAGE AREA SEWER AUTHORITY BOARD FOR THE REMAINING TERM UNTIL DECEMBER 31ST, 2024. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. HAYES, MR. WOZNIAK, MS. KISSELL, MR. KINLEY, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

3. Review and approve the Swift Reach Network Agreement-as discussed earlier in the meeting.

ON MOTION OF MR. HAYES, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY TABLED THE ISSUE UNTIL THE JUNE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. HAYES, MR. WOZNIAK, MS. KISSELL, MR. KINLEY, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

4. 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 MRS. ROCKER-LIDWELL, COUNCIL UNANIMOUSLY APPROVED THE BILLS AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$7,495.97. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. HAYES, MR. KINLEY, MR. WOZNIAK, MR. CADWALLADER, MS. KISSELL, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

GOOD OF THE BOROUGH

A request was received from the Portage Area National Honor Society and Trout Run Watershed to participate in a clean up at Crichton McCormick Park.

ON MOTION OF MRS. ROCKER-LIDWELL, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY APPROVED THE PUBLIC WORKS DEPARTMENT TO ASSIST IN THE CRICHTON MCCORMICK PARK CLEAN-UP ON WEDNESDAY, MAY 19TH, 2021. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. HAYES, MR. WOZNIAK, MS. KISSELL, MR. KINLEY, MR. CADWALLADER, AND MRS. ROCKER-LIDWELL. MOTION CARRIED 6-0.

Ms. Kinley questioned the status of the hockey at the park and notice there are not many kids there lately.

Mr. Hayes had a few questions regarding the pickle ball court at Crichton McCormick Park, to which Mr. Koban responded.

There being no further business,

ON MOTION OF MR. CADWALLADER, SECONDED BY MS. KISSELL, COUNCIL UNANIMOUSLY ADJOURNED THE MEETING. MOTION CARRIED 6-0.

The meeting adjourned at 7:32 p.m.