

A meeting of Portage Borough Council was held on Monday, May 3rd, 2021 at 6:30 p.m. at the Administration Office.

Those in attendance were:

Todd Learn

David Hayes

Kami Rocker-Lidwell

Bruna Kissell

Ron Cadwallader (arrived late)

Brent Kinley

George Wozniak

Also present were: Robert Koban, Borough Manager; Brian Shura with Stiffler-McGraw; Michael Emerick, Solicitor; Scott Maul; Public Works Director, and Michelle Claar; Borough Secretary. Chief Gregory was absent.

REFLECTION/PLEDGE OF ALLEGIANCE

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

RECOGNITION OF GUESTS

Mr. Wozniak recognized the guests that were in attendance; Ron Portash; Portage Dispatch, Ms. Jean Kinley, Raymond Kowalczyk, Jane Viscusi, Ramona Sledobnick, Lisa Ebersole, Tom Mazur, and Devonie McCabe-Portage Library.

Mr. Ray Kowalczyk was in attendance to observe.

Mrs. Jane Viscusi, Lisa, and Ramona were in attendance to address the alley issue at their properties. The ladies informed Council that they hired an Attorney to file against the unopened alleys; particularly. Mrs. Viscusi commented that the residents have taken care of the alley by cutting grass, not the borough, and they want the alley to be given back to the property owners. They questioned the process with legal action. Mr. Emerick advised the ladies to confer with their attorney for further information. Lisa commented that if they didn't maintain the grass that they would be fined by the police per the grass and weed ordinance. Mr. Wozniak questioned them if any of them have been cited to which they replied negatively. The other concern was from a neighbor who is burning wire and garbage that is creating noxious odors during the day and evening. Mr. Wozniak informed the ladies to contact the police department and/or file a citizen complaint form so the incident can be documented.

Mrs. McCabe provided an update for the Portage Library. She informed Council of the following;

- Their website is now available and updated
- Book sale in June 12th 15th, and 19th, 2021
- Grant money from the Community Foundation for purchase of new printer and furniture
- Food program for youth
- Summer Reading Program at Park Pavilion
- Added additional members
- 4% of funds received are only from federal and state
- Drop box for the handicapped
- 50th anniversary of the library on Main Street

Council thanked Mrs. McCabe, board, and staff at the library for all their efforts within the community. Mrs. McCabe commented that any events will be forwarded to the Secretary to also place them on the borough website.

Mr. Tom Mazur was in attendance to address an issue he has with the ditch line on Orange Avenue flooding the area. Mr. Maul informed Mr. Mazur that the Public Works Dept will be trenching and cleaning out the ditch within the next several weeks. Mr. Mazur also commented on a dispute he has with his neighbor creating fumes from painting in his garage and questioned

if there were any borough ordinances. The DEP has been notified. Mr. Koban also advised that another business in the borough had to obtain a permit for it being a business as a paint shop.

REPORTS

A. Borough Manager's Report

Mr. Koban provided a copy of his report to Council prior to the meeting. Most of the items are on the agenda for discussion.

- Mr. Koban commented that one item on the agenda pertaining to the appointment of the vacant Sewer Authority seat will have to be tabled until a "Meet and Greet" is scheduled with the candidate. Mr. Wozniak suggested that Ms. Claar contact the candidate for a meeting to be held on Monday, May 17th, 2021 at 6:30 p.m.
- Mr. Koban provided additional information on the agreement that was on the agenda relating to the Municipal Water Authority, borough, township, and police department. The original agreement in 2014 was not signed off on by the Township Supervisors. There are water authority properties that are located in the township and their approval was also needed for jurisdiction purposes. The issue is under new business on the agenda.
- Mr. Wozniak questioned the status of the 400 Caldwell Avenue property relating to the garage. Mr. Koban advised that he spoke with the family and they will try to remedy situation.

B. Solicitor's Report

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

- American Roofing-Mr. Emerick spoke with their counsel and he advised that he is working on a response.
- As it relates to DCNR Park Project, Mr. Emerick informed Council that he is still working with the language and preparation of the deeds with DCNR.
- Swift Reach Network-Mr. Emerick presented a draft agreement for council to review. One area of concern was relating to authorized/unauthorized users of the Network. Mr. Cadwallader advised that he spoke with Swift Reach and was informed that the Borough would be considered as an authorized user on the account. Mr. Cadwallader will research with Swift Reach and report back at the May Committee Meeting.
- Kowalczyk fence- Mr. Emerick advised Council that the appeal is pending at the Cambria County Courthouse.
- Gaunts 828 North Railroad-Mr. Emerick questioned if the Police Dept has located Mr. Art Gaunt. Mr. Koban commented that Chief Gregory was absent but had provided information prior to the meeting. The police had located him in the Township and is no longer there but might be at an address on Orchard Street. The police will investigate.
- As it relates to Mr. Greenawalt at 922 Sonman Avenue, Mr. Emerick questioned if there is any update of a potential buyer. Mr. Koban informed Mr. Emerick and Council that he spoke with Frank Lombardo again and Mr. Grove is having financial issues. The issue will remain on the agenda.

C. Engineer's Report

Mr. Shura provided a report prior to the meeting for Council to review.

- ❖ Mr. Shura informed Council that he walked the Trout Run Grant Project with Mr. Koban and Mr. Maul. Several minor design changes will be necessary due to the changes on

the stream over the last few years. An inspection report from the Army Corps of Engineers was provided to Mr. Shura from 2018. Mr. Shura advised Council that we may have to file an extension on the grant due to the design changes and required permitting.

- ❖ Mr. Shura provided Council with a draft copy for Section 302 of the Curb and Sidewalk revisions. A discussion will be held at May 17th committee meeting.
- ❖ Mr. Shura informed Council that one contractor was having difficulty with bonding issues but assured it will be resolved. DCNR should be issuing a notice to proceed once all the paperwork has been approved. Mr. Wozniak questioned if there were any issues with DCNR for the pickle ball stripping that Council approved last month. Mr. Shura advised that there were none.

D. Police Chief's Report

Chief Gregory provided a report to Council prior the meeting but was absent due to the recent loss of his Grandmother. Chief Gregory did however text message Mr. Koban with updates prior to the meeting.

E. Director of Public Works Report

Mr. Maul provided his report to Council prior to the meeting. Mr. Maul had nothing additional to add.

CORRESPONDENCE

There was no correspondence received.

CITIZEN'S INPUT ON AGENDA ITEMS

None

MINUTES OF PREVIOUS MEETINGS:

The minutes of the April 5th, regular and April 19th, 2021 committee meeting were distributed to Council prior to the meeting.

ON MOTION OF MR. LEARN, SECONDED BY MS. KISSELL, COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE APRIL 5TH REGULAR AND APRIL 19TH, 2021 COMMITTEE MEETINGS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

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. CADWALLADER, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$124,419.60. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK, MOTION CARRIED 7-0.

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. CADWALLADER, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED THE

BILLS AND ADDITIONAL BILLS TO BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$21,726.97. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

REPORTS RECEIVED

Mr. Wozniak noted minutes from the Portage Water Authority and the Portage Sewer Authority.

ON MOTION OF MR. LEARN, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED FROM THE PORTAGE WATER AUTHORITY FOR MARCH-APRIL 2021. AND THE PORTAGE SEWER AUTHORITY FOR MARCH, 2021. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

UNFINISHED BUSINESS

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

Item A: Update on Recreational Peer Group Committee-Mr. Koban commented that the meeting was held on April 26th, 2021 and presented Council with an informational sheet to be handed out to Council concerning the joining of forces to provide regional parks and recreation services. The next meeting was cancelled due to the Memorial Holiday but will be scheduled for Monday, May 24th, 2021 at 6:00 p.m.

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

Item C: Update on Trout Run Rehabilitation – Discussed under the Engineer’s report.

Item D – Update on PennDot Project on SR 164 – No update.

Item E – Update on Phase II (MTF) for Main Street Multimodal Grant –Mr. Koban informed Council that he received an email from Bruce Schweitzer that there are several issues relating to the decorative lighting poles and overhead lines.

Item F – Update on Phase 3A (CFA) for Main Street Improvements-No update.

Item G – Update on Phase 3B (MTF) for Main Street Improvements-Mr. Koban commented that he received official notification of the grant award and spoke with PennDot rep; Bruce Schweitzer, to determine if this funding could be included with the other grant funding for additional work to be done. A possible suggestion was from Johnson Avenue down to the Park. Mr. Koban will provide additional information when it becomes available.

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

Item I – Update on DCNR Crichton McCormick Park Improvements-Discussed earlier under Solicitor’s and Engineer’s Report

Item J – Update on Mainline Trail Feasibility Study Phase I- Mr. Koban informed Council that he has a hard copy of the study if Council will like to review it. The study was also emailed to Ms. Claar and then forwarded to Council in an electronic format.

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

Item L – Update on Swift Reach Network-Discussed under the Solicitor’s report.

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

Item N. Update on Gaunts-828 Railroad Street-discussed earlier in the Solicitor’s report.

Item O - Update on the Portage Sewer Authority resolution for testing-No update.

Item P - Update on Christmas decorations and mounting issues-No update.

Item Q – Update on proposed fence ordinance-Mr. Koban advised that he is still drafting the ordinance criteria prior to submitting to Mr. Emerick for proper language.

Item R. Update on delinquent per capita tax collection-Mr. Koban advised that all the quotes are in and will be reviewing them prior to the committee meeting on May 17th, 2021.

Item S. Update on services with the Cambria County Humane Society-Chief Gregory informed Mr. Koban that he was still awaiting on a return call and proposed agreement. After a short discussion by council;

ON MOTION OF MR. LEARN, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY APPROVED TO REMOVE THE ISSUE FROM THE AGENDA UNTIL THE CAMBRIA COUNTY HUMANE SOCIETY PROVIDES THE INFORMATION. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MS. KISSELL, MR. LEARN, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

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): Discussed earlier in the meeting.

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

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

Item D – Update on Steve Panick at 925 Main Street– A demolition permit was applied for.

Item E- Discussion on 400 Caldwell Avenue garage (Thomas) – Discussed earlier in the meeting.

Item F. Update on 909 Jefferson (Nicholson) Mr. Koban-There was no update.

NEW BUSINESS:

A. Review of letters of interest for the Portage Area Sewer Authority.

As stated earlier in the meeting, there was one letter of interest received. There will be a meet and greet on Monday, May 17th, 2021 at 6:30 with the candidate.

B. Review and approve the police services between Portage Borough, Portage Municipal Authority, Portage Township, and Portage Borough Police.

ON MOTION OF MR. LEARN, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY APPROVED THE POLICE SERVICE AGREEMENT BETWEEN THE PORTAGE

BOROUGH MUNICIPAL AUTHORITY, PORTAGE TOWNSHIP, PORTAGE BOROUGH AND THE POLICE DEPARTMENT TO PROVIDE POLICE SERVICES AT THE MUNICIPAL AUTHORITY PROPERTIES IN PORTAGE TOWNSHIP. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MS. KISSELL, MR. LEARN, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

C. Review and approve the PennDot MTF Grant Award for Main Street Improvements Phase 3B

ON MOTION OF MR. CADWALLADER, SECONDED BY MRS. ROCKER-LIDWELL, COUNCIL UNANIMOUSLY APPROVED THE PENNDOT MTF GRANT AWARD LETTER FOR MAIN STREET PHASE 3B, IN THE AMOUNT OF \$327,654.00, WITH A 30% LOCAL MATCH OF \$98,296.50. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MS. KISSELL, MR. LEARN, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

ADDITIONAL AGENDA ITEMS

A. Approve a grant funding request with CFA for a Paving Project at Crichton McCormick Park
Mr. Koban informed Council that the Rotary Club would like to sponsor a bigger community project and suggested paving improvements throughout Crichton McCormick Park. Mr. Rimini and Decoplan Associates; Tim Longwell will be preparing the grant application. After a discussion on drainage issues, locations, ballfields, etc.,

ON MOTION OF MR. LEARN, SECONDED BY MRS. KISSELL, COUNCIL UNANIMOUSLY APPROVED A GRANT FUNDING REQUEST FOR A CFA GRANT FOR PAVING IMPROVEMENTS AT CRICHTON MCCORMICK PARK, IN THE AMOUNT OF \$146,001.54. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MS. KISSELL, MR. LEARN, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

B. Approve the commitment of funds for the grant funding through CFA for Park paving.
Mr. Koban commented that along with the Rotary Club and the grant process through DCNR, local matches (15%) are generally required. Mr. Koban commented that the Borough, Township, and Rotary Club could provide these local matches.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. KINLEY, COUNCIL UNANIMOUSLY APPROVED THE COMMITMENT OF \$20,000.00 FOR A GRANT THROUGH COMMONWEALTH FINANCING AUTHORITY FOR PARK PAVING IMPROVEMENTS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MS. KISSELL, MR. LEARN, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

GOOD OF THE BOROUGH

Ms. Jean Kinley commented on a property located at 705 Cambria Street that Council will need to keep a close watch on as a dangerous structure.

Mr. Koban provided Council with a recap of the Main Street Improvements Projects Grant funding Awards that will be utilizing a majority of the local matches through the Capital Improvement Savings Account. The recap is as follows:

Main Street Phase 2	Grant: \$440,905.00	Match: \$132,300.00
Main Street Phase 3A	Grant: \$298,165.00	Match: \$127,785.50
Main Street Phase 3B	Grant: \$327,654.00	Match: \$ 98,265.00
Total Grant	\$1,066,724.00	\$358,382.00

There being no further business,

ON MOTION OF MR. LEARN, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY ADJOURNED THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. CADWALLADER, MR. HAYES, MR. KINLEY, MR. LEARN, MS. KISSELL, MRS. ROCKER-LIDWELL, AND MR. WOZNIAK. MOTION CARRIED 7-0.

The meeting adjourned at 8:07 p.m.