

Call to Order:

The regular scheduled meeting of October 4th, 2010 was called to order by Ms. McCarthy at 6:36 p.m.

Members present were: Mr. Vandzura, Mrs. Chobany, Mr. Wozniak, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Solicitor, Mr. Wisor-Engineer, Jake Kehn-Public Safety, and Michelle Claar-Secretary. Absent were Mr. Kissell, Mr. Slanoc, Chief Miller, and Mr. Squillario.

Mr. Emerick commenced with the public hearing for the Kenneth Plummer Property. Mr. Emerick requested the minutes to reflect no representation from Kenneth and Melissa Plummer, and Cambria Thrift Consumer Discount. Mr. Emerick presented several documents and entered into exhibit the following:

- Exhibit 1 The engineers field report meeting the criteria of the Borough ordinance for dangerous buildings
- Exhibit 2 Letters submitted to Kenneth & Melissa Plummer and Cambria Thrift advising the owners they have thirty days to perform the necessary repairs to the structure as deemed dangerous by the engineers field report
- Exhibit 3 Letter submitted to Portage Borough from Mr. Timothy Campbell of Stiffler, McGraw & Associates advising that the repairs were not made.
- Exhibit 4 Letter from Mr. Emerick to the Plummer's and Cambria Thrift advising a public hearing to be held on September 6th at 6:30 p.m. for noncompliance of the necessary repairs.
- Exhibit 5 Letter from Chief Miller of the Portage Police Department notifying and serving the Plummer's and Cambria Thrift of a public hearing for September 6th, 2010 at 6:30 p.m.
- Exhibit 6 Letter from Mr. Emerick notifying the Plummer's and Cambria Thrift of rescheduling the public hearing from September 6th to October 4th, 2010 at 6:30 p.m.
- Exhibit 7 Documentation from Chief Miller of the Portage Police Department notifying and serving the Plummer's and Cambria Thrift of a rescheduled public hearing on October 4th, 2010 at 6:30 p.m.
- Exhibit 8 Documentation from the Cambria County Tax Bureau reflecting the delinquent real estate taxes in the amount of \$1,920.00.
- Exhibit 9 Photographs presented by Mr. Timothy Campbell of Stiffler, McGraw & Associates of the Plummer property reflecting the dangerous structure.

Mr. Emerick questioned Mr. Gary Wisor and Mr. Timothy Campbell as to the condition of the structure and per their recommendation, deemed the structure as dangerous and a

public safety issue. There was no representation from either the Plummer's or Cambria Thrift. Mr. Emerick called upon the public for any comments. Mr. David Burkett was a complainant on the property and confirmed the dangerous structure as a safety and health hazard. Mr. Burkett thanked Council for taking the necessary action to resolve the issue. Mr. Emerick requested Council's direction on how to proceed. Mr. Wozniak motioned, seconded by Mr. Vandzura to have Mr. Emerick proceed with the next step in accordance to the Dangerous Structure Ordinance by recommending demolition and preparing the findings in fact to be presented to the Plummer's and Cambria Thrift. Ms. McCarthy polled and motion carried 5-0.

VISITORS:

Mr. David Burkett was in attendance for the public hearing on the Plummer property. Mr. Burkett commented that he resides beside the property and is glad to see that the Borough is trying to resolve the issue. Ms. McCarthy commented back that everything takes time. Mr. Burkett thanked Council for their actions on the issue.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban recapped several items in his report. Mr. Vandzura questioned the paving project to begin at the Historical Society and commented on the preservation of bricks. Ms. McCarthy commended the Rotary Club for their generous donation of \$5,000.00 for the mini-park fountain that will be installed by the Public Works Department. Ms. McCarthy also thanked Mr. Vandzura and Mr. Koban for all their efforts with the Rotary and the mini-park. A discussion took place on what type of recognition the Borough could give the Rotary. Mr. Koban commended Chief Miller and Jerry Brant for their efforts in securing grant funding from PCCD for an equipment grant in the amount of \$10,000.00.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick reviewed the municipal electric aggregation proposed ordinance and agreement with First Energy. Mr. Koban elaborated on the meeting he attended along with Mayor Fox. Mr. Koban discussed the rate caps, with the generation portion of the bills that could increase up to 60% as early as January 1, 2011. Mr. Koban also explained the program and how it would effect residential participation. Residents can either opt in or out of the program. The Borough has two options in January: leave it alone or participate in the municipal aggregation. A lengthy discussion was held on the issue and Mr. Koban explained the time constraints. After the discussion, Mrs. Chobany motioned to approve the municipal electric agreement with First Energy. Ms. McCarthy polled each member, motion carried 5-0. This was also a item 9C on the agenda. While under the Solicitors Report; Council discussed item 9D on the agenda concerning the advertising of the proposed ordinance for the municipal electric

aggregation. Mayor Fox motioned, seconded by Mr. Wozniak to approve the advertising of a proposed ordinance for municipal electric aggregation. Ms. McCarthy polled each member, motion carried 5-0. Mr. Emerick questioned the status of the Kowalczyk fence. There are two options available to Mr. Kowalczyk from Council decision: let him build the fence on the unimproved or inform him that he is in non-compliance of the ordinance. After a discussion, Mr. Wozniak motioned, seconded by Mrs. Chobany to send a letter that he cannot install a fence on the alley per non compliance of the ordinance. Ms. McCarthy polled and motion carried 5-0. Mr. Emerick will respond in writing to Mr. Kowalczyk's Attorney.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor had nothing additional to report.

Police Report:

Chief Miller furnished a written report prior to the meeting. Officer Kehn was in attendance to represent the police department. Mrs. Chobany commented on a K-9's unit for the Borough. Mrs. Chobany submitted signed petitions that were disseminated through the local stores in the Portage Area. The individual that circulated the petition wanted to remain anonymous. Mr. Koban commented that the issue was removed from the agenda but if Council so desires, he would research the issue further. Mrs. Chobany commented that the Borough has the community support for donations. Mr. Wozniak commented that he attended a training seminar and expressed the publicity that a K-9 brings to a municipality. Several members of Council agreed upon the financial burdens, a full time officer that would require an ordinance amendment, civil service, and additional equipment. Officer Kehn had nothing additional to report.

Public Works Report:

Mr. Squillario was absent but furnished a written report prior to the meeting. There were no additions for the Public Works Department.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the Treasurer's report, motion carried 6-0.

Correspondence:

Comcast submitted several notices: local office hour changes, channel change of WPCB by replaced by WKBS, and a price decrease for HD equipment from \$8.74 to \$3.20 per month.

Cambria County Boroughs Association dinner meeting will be held on Tuesday, October 26th and the Royal Ball Room in Portage. Social hour will begin at 5:30 with Mark Critz as the guest speaker. Reservations must be turned in by Wednesday, October 20th.

Minutes of the Previous Meeting:

The minutes from September 7th, 2010 regular and September 20th committee meeting were distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the minutes from the September 7th, 2010 regular and September 20th committee meeting, motion carried 5-0.

Paying of Bills:

The bills were distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mayor Fox to pay the unpaid bills and additional bills in the amount of \$69,493.65, motion carried 5-0.

Other Reports

Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the monthly reports as presented, motion carried 5-0.

Unfinished Business:

There was no update on the Mainline Heritage Association.

The grant funding for Gillespie Avenue Bridge repairs will not be reviewed by DEP until next Spring.

The Harpo's Building is scheduled for demolition in the fall. Remaining on agenda until it is demolished.

There was no update on the Rails to Trails grant funding.

There is no update on the Main Street Streetscape project.

The insurance for part time officers will be addressed at the October committee meeting.

The Cambria County SERT Agreement with Portage Borough Police Department was reviewed. Mr. Wozniak motioned, seconded by Mr. Vandzura to approve the advertising of the proposed intermunicipal agreement and ordinance with Cambria County SERT and Portage Borough, motion carried 5-0.

Mr. Koban presented a shared services agreement for Council to review between the Portage Municipal Water Authority and the Portage Area Sewer Authority. The agreement is the same as the shared services with Portage Township and Cassandra Borough. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve Resolution 8-2010 by entering into an agreement with Portage Municipal Water Authority for shared services, motion carried 5-0.

Mr. Wozniak motioned, seconded by Mrs. Chobany to approve Resolution 9-2010 by entering in an agreement with the Portage Area Sewer Authority for shared services, motion carried 5-0.

New Business:

Ms. Claar presented a list of the various boards and organizations that will be anticipating expired terms at the end of the year. Mayor Fox motioned, seconded by Mrs. Chobany to

approve the advertising for letters of interest on the various boards and organizations that are due to expire at year end, motion carried 5-0. The boards include the Portage Municipal Water Authority, Portage Area Sewer Authority, Portage Area Planning Commission and the Joint Recreation Commission.

Mr. Koban advised that the 2010 State Aid was received from the Commonwealth for the municipal minimum obligation. The amount received from State Aid was less than anticipated. The amount received was \$13,232.74 leaving a balance of \$1,427.26 to be payable from the General Fund; that was not budgeted for 2010. Mayor Fox motioned, seconded by Mr. Wozniak to approve depositing the 2010 State Aid into the non-uniform pension plan with the balance to be paid from the General Fund in the amount of \$1,427.26, motion carried 5-0.

Good of the Borough:

Ms. McCarthy advised that another meeting will be held on October 13th at Bethany Church for the Harvest Fest on Sunday, October 24th, 2010. Ms. McCarthy requested that the annual donation to the Bill Carpenter Halloween Fund be donated to the Harvest Fest for this year since there will be no Halloween Parade. Mr. Wozniak motioned, seconded by Mayor Fox to donate the \$100.00 to the Harvest Fest event, motion carried 4-0-1 with Ms. McCarthy abstaining.

Mayor Fox informed Council that the Our Town production will be meeting on Wednesday October 6th, 2010 at the High School Cafeteria at 7:00 p.m.

Adjournment:

Mayor Fox motioned, seconded by Mrs. Chobany to adjourn, motion carried 5-0. The meeting adjourned at 8:25 p.m.