

Call to Order:

The regular scheduled meeting of Monday, January 7th, 2013 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Slanoc, Mrs. Chobany, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Wisor-Engineer, Mr. Emerick-Solicitor, Chief Miller-Public Safety, Mr. Squillario-Public Works, and Michelle Claar-Borough Secretary, Junior Councilors; Emily Chobany and Joseph Randazzo.

RECOGNITION OF VISITORS

ON MOTION OF MAYOR FOX SECONDED BY MR. KISSELL, THE COUNCIL MOVED TO GO OUT OF ORDER TO RECOGNIZE ANY AND ALL VISITORS, MOTION CARRIED 7-0.

VISITORS:

Present were Sarah Wolford with the Dispatch; Samson Gruss, Steve Koval with the Portage Municipal Authority; and Matt McCoy with the PVFC.

Mr. Koval with the Portage Municipal Water Authority informed Council of the re-organization for the board in 2013. Steve Koval-Chairperson; Ray Vandzura-Vice Chairperson; Tom Hodgkinson-Secretary; Tom Kunko-Treasurer, and Jerome Yetsko-Board member. Mr. Koval commented that the board is stable and has successfully been awarded a grant for water improvements and is looking forward to working together in 2013.

Mr. Matt McCoy; Captain of the PVFC presented Council with a request and proposal for a new fire hydrant to be installed at 505 Main Street; (the old freight station on Main Street between North and South Railroad Avenues). Mr. McCoy informed Council that Highland Sewer and Water has an existing 12" inch water line that runs by the tracks of the freight station that could be utilized as a backup fire fighting source in case of another large fire. Mr. McCoy commented that the Borough would have to make the request to Highland Sewer and Water. The proposal submitted by Highland Sewer Authority was estimated at \$4,786.63 for materials only plus a monthly service charge of \$6.67 per month for the hydrant. Highland Sewer and Water will provide the labor and equipment at no charge. The estimated labor & equipment amounted to \$1,515.68. Mr. Koban and Council had several questions on the proposed hydrant; location, right of way; and an additional water resource for that area of the borough. Mr. McCoy also informed Council that the residents in that area would also benefit with a fire hydrant and reduce their homeowners insurance. Council requested that Mr. McCoy contact Highland to mark the area where the fire hydrant would be located and to discuss the issue in more detail at the January 21st committee of the whole meeting. Mayor Fox commented that he is happy to see that the fire department is being proactive on additional resources.

While members of the fire department were present; Mr. Koban elaborated on the third party billing request that remains on the agenda. The issue will also be discussed at the committee meeting before removing from the agenda. Mr. Koban also commented that he would like to set up another meeting with the PVFD concerning the workers compensation; list of activities for 2013, and an updated list of officers. Another discussion took place on removing the bathroom upstairs to construct a gear storage area with shelving. All the plumbing has been disconnected. The issue will also be discussed at the committee meeting.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban elaborated on several issues in his report and apologized for not having his report in the packets due to illness. Ms. McCarty commended Mr. Koban on the efforts and time spent on the 2013 budget message. Mr. Koban apprised Council that he received a letter from Amfire Mining Company committing their share of the funds for the intersection improvement project at Main Street and Dulancey Avenue. Mr. Koban also commented that Mr. Richard Rice deserved a lot of credit for getting the project to move forward. With the passing of Mr. Rice; Mr. Joe Beyers has been working with Amfire, PennDot and Mr. Koban on moving forward with the project. Mr. Koban advised that we have missed the window of opportunity to receive funding this year. Mr. Koban will contact PennDot to setup a future meeting to see what could be worked out. Mr. Vandzura suggested contacting Senator Wozniak for additional assistance on the project. Mr. Koban will provide an update to Council at the January committee meeting.

Ms. McCarthy acknowledged two visitors that just entered the meeting; Mr. & Mrs. John Kutlinski. The Kutlinski's informed Council that they will be opening up a new business at 605 Main Street (old radio station) called the "Treasure Seekers". The business will sale household items, consignment items, garage and shop items. Council welcomed the new business owners and wished them success.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick informed Council that a Notice of Default was sent to Mr. Sekerak on January 3, 2013. If no response is received by Mr. Sekerak by January 15th, 2013, a request for a hearing to assess fines will be filed with the court.

Mr. Emerick apprised Council that Mr. Moschgat is working with his Attorney on the title search prior to being transferred. Mr. Koban informed Council that Mr. Moschgat has run into a dilemma with the structure being commercial; it will have to have an asbestos study. Mr. Koban was concerned that if the structure is already a dangerous structure; what would be the best resolution to get into the structure to obtain the asbestos study. Mr.

Koban commented that he will contact Mr. Fred Walters with the DEP Air Quality for an additional information and report back at the committee meeting.

The Kowalczyk litigation is still pending; no update.

Mr. Koban informed Council that the 1021 Caldwell Avenue property has been completely demolished by G & R; along with seeding the property prior to the meeting. Mr. Koban commented that the property will most likely have to be re-seeded in the spring. A discussion took place on the sale of the property and if 4 sale signs could be posted. Questions aired on the bidding process and appraisal of the property. Mr. Emerick commented that the property would have to be publicly bid to the highest bidder. Mayor Fox remarked on the appraisal process and questioned whether a bid would be come in too low without the appraisal.

ON MOTION OF MR. SLANOC, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED HAVING NO APPRAISAL ON THE 1021 PROPERTY AND PLACE A PUBLIC BID FOR THE HIGHEST BIDDER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor had nothing additional to report. Mr. Wisor informed Council that he spoke with Eric Lydic from PennDot regarding a kick-off meeting for the Mountain Avenue Sidewalk project sometime in January. Mr. Wisor also commented that that a technical price proposal must be submitted to PennDot and needs verification as to the procurement process for engineering services. Additional information will be provided at the January committee meeting.

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to add.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario had nothing additional to add. Mr. Kissell questioned the removal and cleaning of ice and snow on Main Street.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting.

ON MOTION OF MR. SLANOC, SECONDED BY MRS. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF

\$46,767.63. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Correspondence:

Christmas Tree pickup is scheduled for Tuesday and Wednesday, January 15th and 16th, 2013.

Comcast sent notice of they will be adding BBC World News to channel 111 of the digital preferred level of service effective January 8th, 2013.

Minutes of the Previous Meeting:

The minutes from the December 3rd regular meeting and the December 21st special meeting were distributed prior to the meeting.

ON MOTION OF MR. SLANOC, SECONDED BY MR. VANDZURA, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE DECEMBER 3rd REGULAR MEETING AND THE SPECIAL MEETING OF DECEMBER 21st, 2012. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Paying of Bills:

The list of bills and additional bills were distributed prior to the meeting

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE PAYING OF ALL BILLS IN THE AMOUNT OF \$9,427.31. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Reports

Reports were received from the Portage Water Authority for November; Sewer Authority for November; Portage Area Ambulance for November & December, Portage Joint Recreation for October; and Laurel Municipal Inspections for October.

ON MOTION OF MR. KISSELL, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE REPORTS FROM THE VARIOUS BOARDS AND COMMISSIONS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Unfinished Business:

There was no update on the Streetscape project.

The ten year comprehensive plan was discussed earlier under the Manager's report.

There was no update on the open space and recreation plan.

There was no update on the trail feasibility plan.

The 619 Main Street Property was discussed earlier in the meeting under the Solicitor.

The 1021 Caldwell Avenue Property was discussed earlier in the meeting under the Solicitor's report.

The Sekerak property located at 816 Gillespie Avenue was discussed under the Solicitor's report.

There was no update on the Comcast Cable agreement. Mr. Koban advised that the agreement negotiations should be held 2-3 years in advance of expiring agreement.

There was no update on the Lee Street Arch. Ms. McCarthy commented that large icicles are forming underneath the Lee Street Arch.

Mr. Koban informed Council that he will prepare a draft sewer testing ordinance at the January committee meeting. A letter was also received from Mrs. Paulette Vandzura concerning the proposed sewer testing of sewer lines and her request to hold a public hearing on the issue.

The third party billing was discussed earlier in the meeting and will be discussed at the committee meeting.

There was no update on the inspections/certifications for commercial and residential buildings. The issue will remain on the agenda.

The procedures and policies for new appointments to boards and commissions were presented to Council for review and discussion at the January committee meeting.

Ms. Claar advised Council that there were no letters of interest received for the Portage Area Planning Commission. The Commission now has two vacancies: one from the borough and one from the Township.

Ms. McCarthy questioned if the Caldwell Avenue Bridge was still on the schedule for the wall repairs. Mr. Koban advised that the project is on the board.

New Business:

The Portage Area Sewer Authority submitted a loan guarantee request for Council to consider on a sanitary sewer extension and storm water separation project. Ms. Claar apologized that the letter was not included in council packets. The PASA is applying for the funding of the project through either RUS or PennVest. As one of the funding requirements, the municipality must guarantee the loan. Mr. Vandzura commented that there is no estimate amount of the loan guarantee on the letter. Mr. Squillario advised Mr. Vandzura that the estimated amounts were discussed at an earlier meeting. A discussion was also held on breaking out the costs between the Township and the Borough for the project. The project consists of installing approximately 31,000 linear feet of new sanitary sewer pipe to serve 147 addresses in the Martindale area of Portage Township. The project also consists of Ward 3 in the Borough of replacing 18,000 linear feet of

existing pipe to reduce inflow and infiltration problems entering the system. After a discussion,

MR. KISSELL MOTIONED, SECONDED BY MR. YETSKO, TO APPROVE THE PORTAGE AREA SEWER AUTHORITY REQUEST FOR A LOAN GUARANTEE ON THE PROPOSED SEWER EXTENSION & STORMWATER SEPARATION PROJECT. MS. McCARTHY POLLED EACH MEMBER WITH VOTING AFFIRMATIVELY WERE MR. KISSELL, MR. YETSKO, AND MAYOR FOX. VOTING NEGATIVELY WERE MRS. CHOBANY, MR. SLANOC, MR. VANDZURA, AND MS. McCARTHY. MOTION FAILED 4-3.

Good of the Borough:

Mayor Fox questioned the donations that were approved in the 2013 budget. Mr. Koban advised that there was an additional \$500.00 budgeted for 2013. Mr. Kissell commented that a donation request was submitted for the Portage Area Food Pantry in the amount of \$500.00.

ON MOTION OF MAYOR FOX, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED A DONATION REQUEST TO THE PORTAGE AREA FOOD PANTRY IN THE AMOUNT OF \$500.00. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0-1 WITH MR. KISSELL ABSTAINING SINCE HE IS ON THE BOARD OF THE FOOD PANTRY.

Mr. Jerome Yetsko submitted a letter to Council that he wanted to have reflected in the borough minutes. Mr. Yetsko was appointed to the Portage Municipal Water Authority Board and requested that he receive no compensation for his services on the Water Authority. The letter is on file in Secretary's office.

Mr. Ray Vandzura requested a moment of Council's attention. Mr. Vandzura presented a letter of resignation from the Portage Municipal Water Authority Board effective immediately. The letter is on file in Secretary's office. Ms. McCarthy read the letter to Council.

ON MOTION OF MR. KISSELL, SECONDED BY MAYOR FOX, THE COUNCIL UNANIMOUSLY ACCEPTED THE RESIGNATION OF MR. RAYMOND VANDZURA FROM THE PORTAGE MUNICIPAL WATER AUTHORITY BOARD. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0-1 WITH MR. VANDZURA ABSTAINING.

Mr. Steve Koval requested that the position be advertised as soon as possible.

ON MOTION OF MAYOR FOX, SECONDED BY MR. CHOBANY, THE COUNCIL UNANIMOUSLY APPROVED THE ADVERTISING IN THE DISPATCH FOR ONE

VACANT WATER AUTHORITY BOARD MEMBER AND ONE VACANT PLANNING COMMISSION MEMBER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. VANDZURA, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 7-0.

Ms. McCarthy and Council thanked Mr. Vandzura for his time and efforts while serving on the Portage Municipal Water Authority Board.

Mayor Fox requested assistance from the Public Works Department to remove the Christmas tree placed at the Old Harpo's lot. Council approved the Public Works Department to assist in the removal of the Christmas tree.

Adjournment:

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, THE MEETING WAS ADJOURNED AT 7:47 P.M.