

Call to Order:

The regular scheduled meeting of Monday, January 6th, 2014 was called to order by Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Yetsko, 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. Mr. Vandzura was absent.

VISITORS:

Rev. Donald Jeffers was in attendance to give the opening prayer for the New Year's meeting and Council, followed by the Pledge of Allegiance.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban elaborated on several issues in his report. Mr. Koban apprised Council that several sewer inspections have been completed on properties that are being sold or transferred. The inspection reports will be kept on file for any member of Council to review.

Mr. Koban elaborated on the Baum litigation documents that were provided to Council prior to the meeting and suggested that if Council had any other questions, an executive session would have to be called for.

Mr. Koban commented on the Portage Water Authority Agreement for police services. Mr. Emerick commented and advised that Portage Township does not have to be included as part of the agreement. Mr. Koban cautioned Council that since the Water Authority property is in the Township, the Borough would still have liability issues and would want to provide the police protection. Mr. Koban also provided a past history of the police services agreement between the Borough and the Water Authority and advised that an updated Agreement should be prepared. Mr. Yetsko questioned the liability issues. Mr. Emerick commented that he had conversed with Attorney Barbin and presented an amended agreement for Council to review and approve. Mr. Kissell commented that he would like to review the agreement prior to making any decisions. Council agreed to table the agreement until they had an opportunity to discuss it at the January Committee meeting. A discussion also took place on the fire hydrant issue with Highland Sewer and Water.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick informed Council that the 1024 Gillespie Avenue property was properly posted and a public hearing was held. The Notice of Findings will also have to be posted at the property. The issue was tabled until the January Committee meeting.

Mr. Emerick apprised Council that the 1013 Hopfer Avenue trailer has been entirely cleaned out and is ready to be scrapped. The Stagers and Tarachko's are working together to complete the project within a limited time frame.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED TO TABLE TAKING ANY FURTHER ACTION ON 1013 HOPFER AVENUE PROPERTY. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0.

The Kowalczyk and Sekerak litigation is still pending; no update.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor had nothing additional to report. Mr. Koban apprised Council that he is waiting on two additional engineering firms for the construction inspection services on the Mountain Avenue Sidewalk Project. 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.

Treasurer's Report:

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

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT IN THE AMOUNT OF \$59,698.02. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0.

Correspondence:

There was no correspondence.

Minutes of the Previous Meeting:

The minutes from the November 18th committee meeting, December 2nd regular meeting and the December 20th, 2013 special meeting were distributed prior to the meeting. Mayor Fox remarked the appointment of the Planning Commission board seat that will be addressed at the re-organization meeting to follow.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM NOVEMBER 18TH COMMITTEE

MEETING, DECEMBER 2ND REGULAR MEETING AND THE DECEMBER 20TH, 2013 SPECIAL MEETING. THE COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0.

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 \$26,729.53. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0.

Reports

Reports were received from the Portage Sewer Authority for November and the Portage Public Library for September. The agenda reflected reports for the Water Authority; Planning commission and CCBCEA but were not included in the packet

ON MOTION OF MR. KISSELL, SECONDED BY MR. SLANOC, THE COUNCIL UNANIMOUSLY APPROVED THE REPORTS FROM THE PORTAGE SEWER AUTHORITY AND THE PORTAGE PUBLIC LIBRARY AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. KISSELL, MR. YETSKO, MR. SLANOC, MRS. CHOBANY, MAYOR FOX, AND MS. McCARTHY. MOTION CARRIED 6-0.

Unfinished Business:

The Mountain Avenue Sidewalk project was discussed under the Borough Managers report and waiting for additional construction inspection services from Engineering firms.

Mr. Koban apprised Council that the CD's and entire plan for the Ten year comprehensive plan, Open Space and Recreation and Trail Feasibility plan were provided by the Eads Group. Copies of the above will be disseminated to Portage Township, Cassandra Borough, and the Portage Area Planning Commission. Mr. Koban also requested that the plans be reviewed and discussed at a later meeting with the above entities.

The Dulancey Drive Intersection Project is moving forward with PennDot.

The Mainline Pharmacy's punch list consisting of the removal of parking meters, signs, and drive thru have been completed. Council agreed to remove the item from the agenda. There was no update on the Comcast Cable agreement. Mr. Emerick will review the agreement and a discussion will be held between Council at the January Committee meeting.

The Sekerak litigation is still pending and discussed under the Solicitor's report.

There was no update on the Lee and Main Street Arch. Several representatives have been transferred and Ms. Claar will contact Mr. Rudy Husband.

The Caldwell Avenue flood wall replacement project is scheduled for early spring.

Another discussion was held on the 1024 Gillespie Avenue property with the possibility of contacting the County to place it on a Sheriff/Judicial Sale if there are any buyers. Mr. Koban explained the process the County must take for the sale.

Mr. Koban informed Council that the property located at 716 Orchard Street has been investigated by Chief Miller. Chief Miller had found an internet search that the owner of the property is Bryce Peters Financial Corp. The search revealed that the company has gone out of business and is in litigation for illegal house flipping, forged deeds on 235 properties, and has been assessed \$1 million dollars in restitution. Chief Miller also apprised Council that the house is need of repair and does not meet the dangerous structure ordinance definitions but the garage does not appear to be structurally sound. A further discussion will take place at the January Committee meeting.

The 1013 Hopfer Avenue property was discussed under the Solicitor's report and tabled until the January Committee meeting.

A discussion took place on the 835 Main Street property; the deceased Ed Gibson. Chief Miller apprised Council that Mark Gibson has been served with a ten day notice to make the necessary repairs and Ms. Claar advised that Mr. Gibson came in to apply for a building permit. Mr. Emerick will research to see if there is an estate for Mr. Ed Gibson, Jr.

The Police Services Agreement with the Portage Municipal Water Authority was discussed earlier in the meeting.

Mr. Koban apprised Council that he met with the Cambria County Commissioners regarding the Local Economic Revitalization Tax Assistance Act (LERTA) and will discuss at the January Committee meeting.

Good of the Borough:

Ms. McCarthy and Council commended Mr. Vandzura and Mayor Fox for their dedication and time for serving on the board.

Mayor Fox informed Council that Penn Dot drivers are driving too fast down Main Street while plowing snow. Mr. Squillario informed Council that he has reported these incidents several times to Penn Dot. Penn Dot representatives informed Mr. Squillario that several of these individuals are satellite drivers covering for PennDot. Mr. Squillario also provided a phone number to contact PennDot when the incident occurs and to obtain the license plate number, time, and/or truck number.

Adjournment:

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. SLANOC, THE MEETING WAS ADJOURNED AT 7:30 P.M.