

A meeting of Portage Borough Council was held on January 5th, 2015 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy, President
Rebecca Chobany
Mayor James Kissell
Todd Learn

John Morgan
Jerome Yetsko

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Ray Bowman, Public Works; Officer Leyo, Public Safety and Michelle Claar, Secretary. Absent were Mr. Wozniak and Chief Miller.

I. CALL TO ORDER

Ms. McCarthy called the meeting to order at 6:30 p.m., which was followed by a roll call with all members being present.

II. REFLECTION/PLEDGE OF ALLEGIANCE

Mr. Kissell offered a reflection. The reflection was followed by the Pledge of Allegiance.

III. RECOGNITION OF GUESTS

Ms. McCarthy recognized the following guests: Amanda Petrunak, Mainline Newspapers; Mr. Larry Duray; representing the Portage Volunteer Fire Department (later in the meeting).

IV. REPORTS

A. Borough Manager's Report

Mr. Koban provided his report to Council prior to the meeting. Mr. Koban had nothing additional to add and commented that December was a short month due to the holidays.

Ms. McCarthy questioned the article in the Dispatch concerning the Joint Recreation Commission and the public attending the January Committee meeting. Ms. McCarthy commented that the January committee meeting was committed to discussion on the financial status of Crichton McCormick Park between Council and not a public input session. Mr. Koban also commented that the meeting is to discuss ideas and to rectify any issues with the Joint Recreation Commission. Ms. Petrunak informed Council that she attended the Joint Recreation Commission meeting and that Ms. Kinley had asked other organizations to attend the January committee meeting. Ms. McCarthy however commented that the committee meetings are open to the public but there will be no public input from residents or organizations. Ms. Petrunak stated that she will put an article in the Dispatch that the meeting is not intended for public input at this time.

B. Solicitor's Report

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

Mr. Emerick informed Council that an employee has appealed another unemployment compensation decision. A hearing will be scheduled by the PA Unemployment Compensation Board.

Concerning Kowalczyk v. Portage, Attorney Emerick advised that the interrogatories were completed and submitted to legal Counsel.

C. Engineer's Report

Mr. Wisor stated that he did provide a copy of his report prior to the meeting. Mr. Wisor presented a revised proposal for the Trout Run Flood Protection Project. Mr. Koban requested reviewing the proposal first and then discussing it with Council.

D. Police Chief's Report

Chief Miller was absent but provided his report to Council prior to the meeting. Mr. Koban introduced Officer Aaron Leyo; representing the police department. Officer Leyo commented that he enjoys working here thus far and the residents are friendly and welcoming.

E. Director of Public Works Report

Mr. Bowman reported that he provided a copy of his report prior to the meeting. Mr. Bowman advised that the public works department was out during the recent ice storm. Ms. McCarthy commented that she did not receive any complaints. Mr. Bowman also commented that they are ready for the next storm this week. Mr. Bowman informed Council that he was approached by a resident requesting that the alley at the Senior Center become a one-way due to road clearance. There was no action taken on the request.

V. CORRESPONDENCE

There was no correspondence.

VI. CITIZEN'S INPUT ON AGENDA ITEMS

Residents present addressed Council earlier in the meeting.

VII. MINUTES OF PREVIOUS MEETINGS

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED THE MINUTES OF THE REGULAR DECEMBER 1ST, 2014 MEETING AND THE DECEMBER 19TH, 2014 SPECIAL MEETING. MEETING AS PRESENTED. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

VIII. BILLS AND TREASURER'S REPORT

Ms. McCarthy noted that copies of the bills, additional bills and the Treasurer's report were distributed for review by Council members prior to the meeting.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT IN THE AMOUNT OF \$40,669.41. ON MOTION OF MRS. CHOBANY, SECONDED BY MR. LEARN, COUNCIL APPROVED THAT THE BILLS AND ADDITIONAL BILLS BE PAID AS PRESENTED IN WRITTEN FORM IN THE AMOUNT OF \$20,921.07. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

IX. REPORTS RECEIVED

Ms. McCarthy noted that the Water and Sewer Authorities' reports for November, 2014 were received, along with the Portage Library Board for July and October; the LMIA report for November and December. Ms. McCarthy advised that the October minutes from the Portage Water Authority were not received. Ms. Claar commented that the minutes were received from the Water Authority but were omitted from Council packets.

ON MOTION OF MR. MORGAN, SECONDED BY MRS. CHOBANY, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

X. UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- Item A: Short and Long Range Goals Based on Long Range Plan –to be scheduled for a future committee meeting.
- Item B: Comcast Cable Agreement – Mr. Koban indicated that he will be working with Mr. Emerick and Cheryl McCabe with Comcast
- Item C: LERTA – Mr. Koban reported that he met with Commissioner Chernisky and will be setting up a future meeting with all of the Commissioners to review the proposal.
- Item D: Request from Mr. Phil Stager to relocate the Stager sign back to the wagon area at the Arch was discussed. Mr. Learn advised that he spoke with Mr. Mike Stager and they will be placing the sign on their own property on the other side of Main Street. Mr. Kissell questioned whether the sign complies with the Sign Ordinance or if it would be grandfathered in. There being no further action, Council agreed to have the issue removed from the agenda.
- Item E: Update on Trout Run repairs – discussed earlier in the meeting.

Buildings:

- 907 Jefferson Avenue: no update
- 933 Sonman Avenue: no update
- 612 Orchard Street: no update
- 828 North Railroad Street; the old starlight building-Mr. Koban commented that he looked at the property and it seems to be abandoned. There are tarps on the roof and windows are open on the top floors. Mr. Koban advised Council that he does not feel that the building will meet the criteria for the Dangerous Structure Ordinance. Mr. Kissell questioned if the building would be considered a historical structure and that maybe it could be repaired.

XI. NEW BUSINESS

A. Mr. Emerick presented a draft ordinance for Council to review and approve for advertising relating to the loan obligation with First Summit Bank for the 2008 Truck, 2008 Kubota Tractor, and the trailer. Mr. Emerick advised that in accordance with the Borough's Home Rule Charter; an ordinance is required. After a discussion,

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED TO ADVERTISE THE FINANCIAL LOAN OBLIGATION WITH FIRST SUMMIT BANK IN ACCORDANCE WITH THE HOME RULE CHARTER. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

B. Mr. Emerick presented a resolution for Council approval concerning the base amounts for competitive bidding.

ON MOTION OF MR. YETSKO, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 1-2015 BY ESTABLISHING THE BASE AMOUNTS REQUIRING COMPETITIVE BIDDING AND WRITTEN AND TELPHONIC QUOTATIONS AS PER SECTION 2 OF ORDINANCE 2-2014 IN 2015. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

XII. ADDITIONAL AGENDA ITEMS

1. Mr. Emerick questioned the appointment of an ordinance compliance officer to enforce the lateral testing ordinance. The minutes did not reflect any official appointment. After a discussion;

ON MOTION OF MR. KISSELL, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 2-2015 BY APPOINTING THE PORTAGE AREA SEWER AUTHORITY AS THE ORDINANCE COMPLIANCE OFFICER TO ENFORCE THE PROVISIONS OF THE LATERAL TESTING ORDINANCE. MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

2. Ms. Claar advised Council of a new house bill; Act 164 of 2014 mandating and appointing a Deputy Tax Collector. The deputy collector will be empowered to collect taxes for the duration of any incapacitation of the Tax Collector. The Cambria County Controller's Office submitted a form to be completed by the municipality by January 9th, 2015 advising of the appointment.

ON MOTION OF MRS. CHOBANY, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 3-2015 BY APPOINTING MRS. MILDRED CHAPPELL AS THE DEPUTY TAX COLLECTOR, IN ACCORDANCE WITH ACT 164 OF 2014. MEMBERS VOTING AFFIRMATIVELY INCLUDED MS. McCARTHY, MRS. CHOBANY, MAYOR KISSELL, MR. LEARN, MR. MORGAN, AND MR. YETSKO. MOTION CARRIED 6-0.

XII. GOOD OF THE BOROUGH

Mr. Kissell informed Council that he received the United States Flag along with a Certificate of Authenticity from the Joseph Kompardo Family. On behalf of the Kompardo Family, Mr. Kissell and Ms. McCarthy presented the U.S. Flag to PVFC Lieutenant; Larry Duray. The Kompardo's dedicated and contributed a lot of their time to the Fire Department. Mr. Kissell also commented that the flag flew over the Capital.

Mrs. Chobany extended deepest sympathy to the Burkett family on their recent loss of a family member. Ms. McCarthy also extended sympathy to the Swank Family.

XIII. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, ON MOTION OF MRS. CHOBANY, SECONDED BY MR. YETSKO, THE MEETING WAS ADJOURNED AT 7:12 P.M.