

A meeting of Portage Borough Council was held on Monday, January 7th, 2019 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy
Jerome Yetsko

James Kissell
John Morgan

David Hayes
Todd Learn

George Wozniak

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Engineer; Scott Maul, Public Works; Chief Miller, Public Safety; Ms. Claar, Secretary. Ms. Wozniak-Jr. Council was also present.

CALL TO ORDER

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

REFLECTION/PLEDGE OF ALLEGIANCE

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

RECOGNITION OF GUESTS

Ron Portash, Mainline Publications, Jean Kinley, Randy Griffith-Tribune Democrat, Mrs. Moyer, Mr. Chuck Slebodnick, Mr. Russ Orlowsky.

ON MOTION OF MR. KISSELL, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY WENT OUT OF ORDER ON THE AGENDA TO RECOGNIZE THE VISITORS. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. LEARN, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

Ms. McCarthy called on Mrs. Moyer first. Mrs. Moyer advised that she was in attendance to address the re-occurring rat problem that exists along Caldwell Avenue that she believes is coming from the sewer lines. She informed Council of the issue over a year ago and is now back again. Mrs. Moyer elaborated that she has not had any issues in over 40 years until the new recently sewer system was installed. She has had damage in her basement and has used multiple poisons and traps to eliminate the rats. Chief Miller advised that he had inspected several areas in question and has found nothing. Mrs. Moyer commented that the storm water drains could also be an issue. Mr. Maul advised that he checked out several drains and no rodents were present. Council suggested to Mrs. Moyer to attend the next Portage Sewer Authority Board meeting to see if they could get some resolution to the problem. Mr. Koban informed Mrs. Moyer that the Borough hasn't received any other complaints within the area but will continue to investigate.

Mr. Orlowsky was inquiring on the stray cats within the borough since a structure was just recently demolished on Jefferson Avenue. Mr. Orlowsky informed Council that he has a group of individuals that started a program called "catch and release" for stray cats within the community. The program also has neutered the cats and placed them in homes. Chief Miller advised that the Humane Society was at full capacity and not accepting any more cats. Mr. Koban questioned Mr. Orlowsky to determine if he was willing to assist the borough with the stray cats and the program. Mr. Orlowsky agreed that he would discuss the issue in the near future.

Jean Kinley and Chuck Slebodnick were observing.

REPORTS

A. Borough Manager

Mr. Koban provided his report in written form prior to the meeting. Mr. Koban advised that he will address issues under building and old business.

- Hockey liner at Crichton McCormick Park-Mr. Koban advised that there has been no success in participating volunteers to install the liner. Mr. Kissell commented that the skating rink was successful last year with volunteers to help. Due to the upcoming cold temperatures and weather, the liner may not be installed this year.
- Emergency Generator-Mr. Koban informed Council that he attended the Portage Fire Company meeting last week regarding the financial assistance for the generator. The quotes providing by Blair Equipment and Lowes were now expiring. The Portage Fire Company will commit \$5,000.00 toward the purchase of the generator and obtain new quotes. Mr. Koban commented that the Portage Fire Company will spearhead the purchase and report back with a new quote for the January Committee meeting.
- Restroom Project-Mr. Kissell questioned if the project is complete. Mr. Koban advised that some concrete and fixtures still remain and Brickley Construction will be performing finals. Ms. McCarthy questioned if Portage Township was approached for their portion of the funding from prior years. Mr. Koban will be attending the next Portage Township meeting to address the issue.

B. Borough Solicitor

Attorney Emerick noted that his report was provided to Council in written form prior to the meeting. Mr. Emerick elaborated on several issues in his report that are also on the agenda:

- ❖ American Roofing Litigation-Mr. Emerick requested an executive session.
- ❖ 933 Sonman Avenue-Greenawalt & Windsor: Waiting on a hearing date from Cambria County Common Pleas Court.
- ❖ 828 N Railroad (Gaunts)-Mr. Emerick requested an executive session.
- ❖ 1309/1315 Jefferson Avenue (Joel Bobolsky) Mr. Kissell advised that the structures have been demolished and backfilled. Council agreed to remove the issue from the agenda.
- ❖ 616 Dulancey Drive (Clair Adams)-Mr. Emerick again requested an executive session.
- ❖ 406 Caldwell Avenue (Barclay); 925 Main Street (Lewis); and 720 Orchard (Plummer) Mr. Emerick presented the three (3) Civil Action – Law Complaints to be signed and authorized by Council Present, Ms. McCarthy.

ON MOTION OF MR. KISSELL, SECONDED BY MR. HAYES, COUNCIL UNANIMOUSLY AUTHORIZED MS. MCCARTHY TO SIGN OFF OF THREE CIVIL ACTION COMPLAINTS; JASON AND SARAH BARCLAY AT 406 CALDWELL AVENUE; DRAYTON LEWIS AT 925 MAIN STREET; AND ROY, PATRICIA AND HARRY PLUMMER AT 720 ORCHARD STREET. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

- ❖ As it relates to the 828 North Railroad Property, Mr. Morgan and members of Council commented on the condition of the porch roof and looks like it is ready to cave in. Mr. Kissell questioned if the Borough would be permitted to take any action. Mr. Emerick advised that the Borough can abate any nuisance. Mr. Koban suggested keeping an eye on the porch roof.

C. Engineer

Mr. Wisor commented that he had forwarded a copy of his report to Council prior to the meeting. Mr. Wisor had nothing additional to report.

D. Chief of Police

Chief Miller provided a copy of his written report to Council prior to the meeting. Chief Miller had nothing additional to report. Mr. Koban commented on the condition of the 925 Main Street property with it possibly ready to cave in. Chief Miller advised that the neighboring property owners were notified of the condition of the building.

E. Director of Public Works

Mr. Maul noted that a copy of his report was provided to Council prior to the meeting. Mr. Maul had nothing additional to report. Mr. Maul noted that we have used less salt this year than last.

CORRESPONDENCE

There was no correspondence.

MINUTES OF PREVIOUS MEETING

The minutes from the December 3rd, 2018 regular meeting, December 10th and 21st, 2018 special meetings were provided to Council prior to the meeting.

ON MOTION OF MR. LEARN, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE DECEMBER 3RD, DECEMBER 10TH, AND DECEMBER 21ST MINUTES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

BILLS AND TREASURER'S REPORT

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

ON MOTION OF MR. HAYES, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT, IN THE AMOUNT OF \$50,603.05; AND APPROVED THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$20,341.59. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

REPORTS RECEIVED

Ms. McCarthy noted that reports were received from the Portage Water Authority (November) and the Portage Sewer Authority (Nov) LMIA-Nov,

ON MOTION OF MR. LEARN, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

UNFINISHED BUSINESS

Mr. Koban provided an update as follows:

- A. Update on Recreation Manager/Director position:
The grant application was submitted and discussed earlier in the meeting.
- B. Update on Borough Building Roof: Discussed under the Solicitor's report.
- C. Update on Trout Run Rehabilitation: Mr. Koban updated Council on the inspection from the Army Corp of Engineers last month. Some progress has been made on the recommendations but still some area of concern. Mr. Koban advised that grant funding is still being sought.
- D. PennDot project on SR 164-No Update
- E. Update on Main Street Phase II: There was no update.
- F. Update on Main Street Phase III Sidewalk: There was no update.
- G. Update on restroom project at Crichton McCormick Park-Discussed earlier in the meeting.
- H. Update on Sonman Avenue Bridge-no update
- I. Update on creek wall repairs at Johnson Avenue-No update; Spring
- J. Update on funding/hiring for PAJRC maintenance worker-no update
- K. Update on volunteers for the Ice Hockey rink liner-discussed earlier in the meeting and Council agreed to remove the issue from the agenda.
- L. Discussion on candidates for the Portage Area Planning Commission. Ms. Claar advised that the ad ran a second time in the Dispatch with no letters of interest received for the 5-year term. Mr. Hayes commented that if there are no candidates, we would be interested. Mr. Koban informed Mr. Hayes that he will have to submit a letter of interest; as been past practice, and then Council can appoint at the January Committee of the Whole Meeting.
- M. Grant funding form Frank Burns' Office for Park Improvements-No update

BUILDINGS

Mr. Koban provided the following update:

- A. Update on 1309/1315 Jefferson (Kissell) issue to be removed from the agenda-closed.
- B. Update on 933 Sonman Ave (Greenawalt)-discussed earlier in the meeting.
- C. Update on 616 Dulancey Drive (Adams) discussed earlier in the meeting.
- D. Update on junk vehicles. no update. Chief Miller advised that this
Is work in progress.
- E. Update on 828 North Railroad (Gaunts) discussed earlier in the meeting.
- F. Update on 720 Orchard Street (Plummer) discussed in earlier in the meeting.

- G. Update on 406 Caldwell Avenue (Barclay) discussed earlier in the meeting.
- H. Update on 925 Main Street (Lewis) discussed earlier in the meeting.
- I. Update on 532 Dulancey Drive (Gaunt)-file citation.
- J. Update on demolition of 1007 Conemaugh Avenue-waiting on the Cambria County Redevelopment Authority for grant funding.

NEW BUSINESS

- A. Review and approval to establish the base amounts requiring competitive bidding for 2019.

ON MOTION OF MR. YETSKO, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 1-2019 BY ESTABLISHING THE 2019 BASWE AMOUNTS REQUIRING COMPETITIVE BIDDING AS PER SECTION 2 OF ORDINANCE 2-2014. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

GOOD OF THE BOROUGH

ON MOTION OF MR. YETSKO, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY WENT INTO EXECUTIVE SESSION FOR LITIGATION PURPOSES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. LEARN, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY WENT OUT OF EXECUTIVE SESSION AND INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

There being no further business,

ON MOTION OF MR. LEARN, SECONDED BY MR. MORGAN, COUNCIL UNANIMOUSLY MOVED TO ADJOURN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. MORGAN, MR. YETSKO, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 6-0.

THE MEETING WAS ADJOURNED AT 8:10 P.M.