A regular/reorganization meeting of Portage Borough Council was held on Monday, January 5, 2026, at 6:30 p.m., in Borough Council Chambers.

Those in attendance were:

George Wozniak, President
Ron Cadwallader
Mayor Bob Fox
Henry Harrison
Ron Portash
Perry Scarton
Mark Slebonick

Also present were: Robert Koban, Borough Manager; Attorney Michael Emerick, Solicitor; Fran Steberger, Director, Public Works; David Rosamilia, Police Chief; Brian Shura, Stiffler McGraw; and Sharon Squillario, Recording Secretary.

Guests: Jean Kinley; Marion Slebodnick; Gary Vaughn, Jr.; Gary Vaughn, Sr.; John Crum; Jean Rakar; Ray Clawson, Mainline Newspapers; Irene Huschak, Portage Area Historical Society; District Magistrate John Prebish; Dave Hayes.

I. CALL TO ORDER

Mr. Wozniak called the meeting to order at 6:30 p.m., which was followed by the Pledge of Allegiance and a moment of silence.

II. PUBLIC HEARING – VARIANCE REQUEST

Attorney Emerick apprised the group that a public hearing will be held at this time for a request for a variance from the Provisions of Section 104 of the Portage Borough Billboard Control Ordinance. The property is located at the Lee Street Arch, with the current owner being Norfolk Southern and the application filed through the Portage Area Historical Society (PAHS). The variance is requested to permit the PAHS to paint an additional 16' x 32' mural at the Lee Street Arch which would be in excess of the area and height regulations of Section 104 of the Billboard Control Ordinance. Attorney Emerick placed into the record the PAHS application, the PAHS request for variance with supporting documents, and proof of publication of the public hearing for the variance request. He then asked Mrs. Huschak to speak regarding the request.

Mrs. Huschak stated that she provided photos of the proposed location of the mural when she submitted the variance request. She commented that the artist has most of the mural painted; however, they do not have a date when it will be finalized. Mrs. Hushak informed Council that the platform and steps have been completed; and the local contractor did a tremendous job on this project (low bidder). She stated that many people have asked why the platform needed replaced; and she explained that the former platform had boards replaced numerous times and was repainted several times. The former platform was just old and needed replaced. Mrs. Huschak explained that when the platform was replaced, they were able to move it back further so you can now see more of the mural and is also double in size.

Mrs. Huschak noted that, as it relates for the 911 memorial trail, the Historical Society has put a lot of time and energy into this. The trail is coming up past the football stadium, down Lee Street and up Route 53. Mrs. Huschak explained that the original 911 Alliance asked her to come and put forth

the history. She noted that she called Jeff McCaully today to get an update; and Mr. McCaully stated that Norfolk Southern is almost done but is waiting for a permit from the Cambria County Planning Commission, which is the last step; and in the spring everything should be ready to go. There are two people that need to sign easements yet, but they have informed Mr. McCaully that they will be signing. Mrs. Huschak stated that they have a path down to Kane Run where there was an existing bridge that has been renovated. Hopefully next year, she pointed out, she will be able to get a brush hog and go the entire way to Pump Station.

Attorney Emerick questioned Mrs. Huschak if there will be any more requests for variances, to which Mrs. Huschak responded that she does not know. Attorney Emerick questioned if there are anymore plans for the Lee Street Arch, to which Mrs. Huschak replied that the Historical Society does not have any plans currently but they have had people wanting to see veterans walking to the platform, people leaving the station, etc. Therefore, she is unable to say if there will be any further requests in the future.

Attorney Emerick questioned if there were any concerns or questions from the citizens present, and there were none. Attorney Emerick then closed the record on the hearing. He explained that, since this is the reorganization meeting of Council, the new Council, once sworn in, will take a vote with regard to the agenda where they will wrap up all Old Business and Unfinished Business from 2025 and then review the New Business included on the agenda.

III. CITIZENS INPUT ON AGENDA ITEMS

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY AGREED TO GO OUT OF ORDER OF THE AGENDA FOR CITIZENS INPUT ON AGENDA ITEMS. MOTION CARRIED 7-0.

Mr. Wozniak recognized Gary Vaughn, Jr. Mr. Vaughn stated that he wanted to address the proposed business registration Ordinance that is included on the agenda. He noted that his first question would simply be why Council is doing that. He realizes that his question might be rhetorical because Council has no obligation to provide any answers to the questions, but he was wondering what the purpose of the business registration requirement was. Mr. Vaughn stated that other than serving as a $50 money grab discouraging potential new businesses, how does Council feel this proposed new business requirement helps our business community. He pointed out that he read the approved minutes and discussion of the August 18, 2025 meeting, where Mr. Fox stated that his concern is people failing to obtain a State license to prove they are a business, and also because he feels that, if a reputable business comes to town, they are going to have an EIN number. Mr. Vaughn commented that he is hoping that Mr. Fox simply misspoke because all of Council, especially the Solicitor, should know that not every business is required to obtain or have a State license. There are a lot of businesses that have no involvement from the State at all; and as far as the EIN, these numbers are only required if the business hires employees, operates as a Corporation or partnership, or files certain tax returns. Most sole proprietors simply use their SSN to conduct business. Mr. Vaughn stated that the false belief that a business must possess some State license to be legitimate or it must have an EIN number to be reputable would simply be foolish and clearly cannot be the reason to regulate potential new businesses.

Mr. Vaughn apprised Council that since 2003, as a new business owner in the Borough for over 20 years, he has seen at least three Police Chiefs come and go. In 2003, Chief Don Kehn came into Mr. Vaughn's business and introduced himself and asked if Mr. Vaughn would voluntarily give his name, home address and a good emergency telephone number. Chief Kehn explained at that time that he wanted to add Mr. Vaughn to a list of all business owners and their contact information in the

event of an emergency such as a fire, vandalism or a break-in that might occur outside of business hours. Mr. Vaughn can also remember that when Ed Miller took over as Chief, he contacted Mr. Vaughn to update the voluntary list as well. Mr. Vaughn could be mistaken, but when Chief Rosamilia was hired, he believes he followed the same procedure. For those reasons, Mr. Vaughn pointed out, he does believe that it is wise for all business owners to provide emergency contact information to the local police department, but he also feels that it should remain voluntary and at no cost. Mr. Vaughn questions what is wrong with continuing that same protocol.

Lastly, but most importantly, Mr. Vaughn stated that he would not be doing any justice to potential new business owners if he failed to bring up the elephant in the room, which says that the Borough is not commercially or residentially zoned; and although he believes Mr. Scarton feels that it should be, right now there are no zoning Ordinances in place and passing this new regulation on new businesses does not provide Council with any teeth with regard to regulating a business. What Mr. Vaughn means is that if the devil himself would come into the Borough and wanted to open up any otherwise level business whatsoever and wherever in the Borough, there is absolutely nothing that Council, the Solicitor or the Police Chief could do about it. He noted that opening up of an otherwise legal business cannot be stopped by Council. A new business cannot be stopped even if they failed to comply with the new business registration requirement, and the Solicitor said so himself. Mr. Vaughn emphasized that Council is without the power to close any business, and Council cannot stop one from opening, with or without the proposed requirements for new business registration.

Mr. Vaughn rhetorically again questioned, other than having a $50 money grab from new businesses, what exactly is Council's purpose for requiring every new business to register and pay the fee. He would assume Council would want to encourage and not discourage new businesses from coming to town. Mr. Vaughn pointed out that this Council has vehemently denied being anti-business, but this is exactly what the proposed Ordinance actually is and amounts to nothing more than a money grab, unless Mr. Vaughn is wrong. Mr. Vaughn stated that, as he read the proposed Ordinance, it will not affect himself, so as he has no dog in this fight, and he would be happy to listen to anyone that feels he is mistaken in his views.

Mr. Koban noted that there are a couple of points he would like to mention on the history that generated the Ordinance from being created. He noted that the Borough has had a couple of undesirable or perhaps illegal businesses that came into town; and the Chief of Police attempted to go and get information; and it turned into an absolute train wreck trying to figure out who owned the building, who was leasing the building, current occupant, etc. Mr. Vaughn stated that there is nothing that Council could do about this and that it would be a police matter. Mr. Koban pointed out that the Ordinance was created to document the businesses coming into town so that Council knew who they were. As it relates to the $50 fee, if you are a legitimate business, Mr. Koban does not believe the $50 fee would stop someone from wanting to come into the Borough to open a business. Therefore, Mr. Koban does not necessarily agree with Mr. Vaughn's money grab comment. It was proposed upon the existing Ordinance as it stands in front of Council tonight that the $50 would cover the administration costs for the Chief of Police to go to the business if they did not apply, to get the information and for the Borough to keep it. Mr. Koban feels that the $50 fee was the agreed upon nominal fee that everyone on Council agreed to and that it would not stop a business from coming into town. If it was a $500 fee, Mr. Koban would think that Mr. Vaughn's money grab comment would be a good comment. Mr. Koban does not feel the $50 fee is going to be a deal breaker to someone coming into the Borough. He pointed out that he was a proponent of a small fee and relied on what Council decided.

Mr. Koban pointed out that the Ordinance is merely to get the businesses to register because we have had many concerned residents look at Council questioning if Council knew what kind of

business moved into town, and Council did not know because they could not contact them. There was more than one situation where Council heard there was business activity going on and the Council knew nothing about it. Mr. Koban stated that the picture that someone painted was that there was ill intent with the Ordinance, but this simply was not the case. The Ordinance was discussed in open forum to be just to know what businesses are in town, and it remains that today. Mr. Vaughn pointed out that there is no approval or denial process for the Borough with the Council having the power to approve or deny an application, to which Mr. Koban replied that Mr. Vaughn is correct. Mr. Vaughn stated that he would think that would be the reason for the application because if you are commercially or residentially zoned, you could then screen the applications. Mr. Koban emphasized that it is just to gather information on the business owner name, address, etc. Mr. Vaughn questioned what information that gives you to whether it is an undesirable business and what can Council do if the business became illegal. Mr. Koban replied that Council could then look into who owns the business. The information is just a general idea who to contact and who to look into to find out if it is an illegal business. Mr. Vaughn questioned if there is a problem with just walking into the business and asking who the owner is, to which Mr. Koban replied that for many years there was no problem doing that, but then the Borough started having transient businesses where you did not know what they were doing.

Mr. Vaughn questioned how you would make it fair for home businesses, such as someone selling cookies or something out of their home and how you would regulate them. Mr. Koban pointed out that he just wanted to correct the word “regulate.” He explained that the Borough is not regulating, approving or disapproving any business being in town or not being in town. It is just gathering information from the business that is moving into the Borough so that that information is on file. Mr. Vaughn questioned how this would be enforced against the home business, to which Mr. Koban replied that they would have to register as well. Mr. Koban explained that this was the intent of what Council discussed and there was never any discussion on regulating a business. Mr. Koban questioned if Mr. Vaughn read the proposed Ordinance and whether he felt there was any regulating, to which Mr. Vaughn replied that he did read the Ordinance and would feel the regulating would come into play where you are forcing someone to register and pay for it; and if they do not pay, he has heard that there will be a citation and so many dollars paid per day if they are not in compliance, which he thinks would be a regulation. Mr. Vaughn commented that he does not necessarily know if that would dissuade him from coming to Portage, if he was not already here, in having to pay the $50. Mr. Vaughn indicated that he does not know if there are other municipalities that require the payment of the fee, to which several Council members replied that there are. Chief Rosamilia pointed out that he sent out information to all businesses when he arrived to familiarize himself with the types of businesses in town and the contact information in the event of an emergency. Mr. Vaughn stated that he agrees with the fact that you need the contact information for the business owner in case of an emergency, but he is concerned with the fact that it is required, forced upon, and then enforced.

Mr. Wozniak recognized Gary Vaughn, Sr. Mr. Vaughn stated that he wanted to make a few comments regarding some agenda items which he reviewed line by line. His first question, concern or statement is Item VI. He questioned if the total revenue of $211.33 was the only thing we took in; and it was from parking meters. He questioned the $.33 and whether you can put pennies in the parking meters now. He also questioned what other revenues were brought in. Mr. Vaughn indicated that his second comment was regarding Item VIII.B regarding the borough roof. He commented that this issue has been going on for over five years; and he questioned whether one would need to make a right to know request for what this has cost in legal fees and what seems to be the issue.

As it relates to Item VIII.C., Mr. Vaughn commented that he sees that the Phase 5 sidewalk grant is still ongoing. He questioned if all of the taxpayers are still paying for some sidewalks yet some pay

for their own. Mr. Vaughn noted that his sidewalk cost about $5,000 and no one helped him pay for it. Concerning Item VIII.G. on the hydrants, he questioned what legal fees have cost so far with respect to the hydrants; and, also, as you look through the agenda, there are many buildings that are requiring legal issues, and he questions how much is being paid for that every year. Relative to Item VIII.I., concerning the license plate readers, Mr. Vaughn questions why the grant application would ask for equipment we do not have; i.e., four license place readers were asked for and we only have two cruisers. He knows that we did not get four license plate readers, but we asked for that many. Mr. Vaughn questioned as well if this is the way grants are written; i.e., asking for more than you need and hope you get at least what you want, which sounds like a political process.

Concerning the discussion on the agenda regarding the business license, Mr. Vaughn commented that he agrees that having the information in case of an emergency is a great idea; however, in the past it was voluntary and it did not cost anything. He believes that asking for the $50 is just one more Ordinance that this Council puts forward to grab a dollar or two out of someone's pocket. Mr. Vaughn noted that you have to pay to repair your own sidewalk and now you have to have a registration that has no business here. He commented that it is being nosey and one more example of discouraging new business. Mr. Vaughn noted that he has copy of the business license Ordinance being proposed, and perhaps it is the one before the last revision was made, but if the Ordinance being voted on at this meeting is not read, he will post the one he has to the public.

Mr. Vaughn further questioned that, if the Council is advertising for a Borough Manager, does that mean when Mr. Koban's resignation is approved, the town does not have a Manager; and if that is the case, who will be running the Borough until we get a new Manager. Mr. Vaughn noted that he expects no details or answers but would request time to speak in the non-agenda items portion of this meeting.

In answer to Mr. Vaughn's question as it relates to the Borough building roof, Mr. Koban explained that this his is ongoing litigation. There have been costs related to this; however, the Borough chose a battle that needed to happen. Unfortunately, Mr. Koban pointed out, this has drug on for many years, but not because of the Borough, and it has sat for quite some time without legal costs. Mr. Koban stated that setting the picture that there have been several years of legal costs is not a fair picture. Mr. Vaughn commented that when you look at some of the buildings' matters, they just drag on and on; and now the roof matter is dragging on and on as well. He questioned what seemed to be the biggest issue because the roof has been put on, so there must be some other issue.

As it relates to the Phase 5 sidewalk grant, Mr. Koban explained that Council had decided years ago to put sidewalks through the business district to create safe walking zones from the school district, up and down Main Street, and down to the park. This was a decision of Council, and there may be a difference in opinion. Mr. Vaughn commented that taxpayers are also paying a percentage for this; and he understands we are also doing other work on Main Street that the taxpayers are paying for but they do not do it for the residents in the town.

Relative to the hydrants, Mr. Koban noted that Council has the best interest of the residents in mind in deciding not to pay the hydrant fees; and the legal fees have been minimal related to this matter. Council does not feel it should pay for hydrants that do not meet code. Mr. Vaughn stated that sometimes it is in the best interest of the citizens just to pay it. Mr. Koban indicated that the Water Authority has had correspondence from the Borough since July and Council has not heard back from them; and this is the reason this matter remains on the agenda.

Concerning the LSA grant for the license plate readers, Chief Rosamilia explained that there will be a reader on the front of the cruiser facing forward and one on the rear of the cruiser facing backwards

for vehicles that are passing. The stationary readers read back to the police force. Mr. Vaughn questioned if it is read back to the officer or to the office, to which Chief Rosamilia replied that it reads back to the cruiser.

As it relates to the advertising of the Borough Manager position, Mr. Koban informed Mr. Vaughn that Council will have a plan in place at this evening's meeting to go forward.

Mrs. Huschak commented that she wanted to thank Mr. Harrison for his recent donation to the Historical Society. She noted that the Historical Society runs on donations from the community. They do a lot of fundraisers, but the community is wonderful to the Historical Society. Mr. Harrison had the Christmas display at his home; and Mrs. Huschak thanked Mr. Harrison for the large donation to the Historical Society.

IV. CITIZENS INPUT ON NON-AGENDA ITEMS

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY AGREED TO GO OUT OF ORDER OF THE AGENDA TO ADDRESS CITIZENS INPUT ON NON-AGENDA ITEMS. MOTION CARRIED 7-0.

Mr. Wozniak recognized Mrs. Rakar. Mrs. Rakar apprised Council that there are winter parking regulations on her street that people are not abiding by for snow removal; and then all of the snow falls on her property because she is the last house on the street. She is just requesting something be done to get people to move their cars to the appropriate side of the street. Mr. Koban commented that this matter came to our attention on Friday; and Mr. Steberger put a note in all of the property owners' mailboxes reminding them of the requirements. Mrs. Rakar stated that this has been a concern for some time, but Friday was the limit. Mr. Koban noted that he has asked Chief Rosamilia to keep an eye on this situation as well. Mrs. Rakar thanked Mr. Steberger for being so wonderful and hopes that the next Direct of Public Works is just as good.

Mr. Wozniak recognized Mr. Vaughn. Mr. Vaughn commented that he was rather surprised and grateful that he received answers to his questions on the agenda items; and he thanked Mr. Koban for this. As Mr. Vaughn has mentioned in the past, he and Mr. Koban have had pretty good discussions with each other; they do not always agree, but this time they do and he received answers. Mr. Vaughn noted that he did have the following comments. He stated that he may have lost the fight to insist on public transparency, but he has not given up the battle. Mr. Vaughn pointed out that Council is determined to make its own decisions without educating the folks that put them in their seats. He noted that waiting to hear about it in the future is always the reply from Council; however, 30 days later is a long time to wait to find out what Council has decided for the taxpayers. Mr. Vaughn indicated that Council seems to forget they work for the taxpayers. The information and decisions that Council makes at the table will be visible one way or the other; and Council can either change its approach to being transparent, or they can say hello to many right to know requests, which Mr. Koban can attest to the fact that Mr. Vaughn has made a few requests.

V. REPORTS

- Borough Manager

Mr. Koban apprised Council that during the course of the month, he has spent some portion of time answering right to know requests from Mr. Vaughn as well as others in the community and outside the community. He also spent considerable time preparing the 2026 budget. As it relates to the

Phase 4 lighting project, Mr. Koban reported that the project is 98% complete, to which Mr. Shura interjected that it really is 100% complete, less the punch list items. Mr. Shura noted that a final walk-through of the project will be done on Thursday, January 8 relative to the punch list items; and he included Pay Application #2 in his report for payment. Mr. Koban questioned how reimbursement works with this grant, to which Mr. Shura replied that with DCED grants, you have to expend the monies before you are reimbursed and you have to show that something has been paid and may have to provide cancelled checks. After this, you can request reimbursement at any time.

Mr. Koban commented that he mentioned in his report that the business registration Ordinance that was discussed earlier in the meeting is included in the Council packets for adoption. Mr. Koban reported that the windshield in the police vehicle cracked in November and an insurance claim was filed for that in December.

Mr. Koban stated that, as mentioned earlier in the meeting, we were successful in obtaining an LSA grant in the amount of $39,452. Mr. Koban noted that we have a substantial completion work-through of the park lighting project on Thursday, January 8, 2026 at 8:30 a.m. He and Mr. Scarton will be in attendance and he invited any Council member to attend as well.

Mr. Koban informed Council that the LMIA property maintenance report was included with his report; and he noted that there were two properties that Council will have to decide whether to file charges on one and the other has been removed because the problem has been rectified (Caldwell Avenue). He questioned Council if they are comfortable with LMIA moving forward with action on the property at 817 Jefferson Avenue. Mr. Fox stated that this was in November of 2024, to which Mr. Koban explained that Mr. Plummer had started cutting some of the porch roof off and then he got sick, with the project sitting. Mr. Plummer had made a commitment to LMIA to take care of the property but nothing has been done. Council agreed to LMIA moving forward on this property; and Mr. Koban stated that he will contact LMIA in this regard.

- Solicitor

As it relates to the year-end wrap-up of litigation matters, Attorney Emerick commented that there are a few matters that he will need to discuss with Council in Executive Session. As it relates to the Prospect Street matter, Attorney Emerick questioned if there is any initiation of work on that property, to which both Mr. Koban and Mr. Steberger replied that there has not been. Attorney Emerick reiterated that we are still awaiting a response from the Municipal Authority as it relates to the hydrants.

- Engineer

Mr. Shura commented that, as mentioned earlier the Phase 4 lighting project has been substantially completed with a walk-through scheduled for January 8, 2026. The application for payment was attached to his report and can be presented at the next meeting of Council for payment.

Mr. Shura reported that the Phase 5 design is nearly complete. The HOP application was submitted; and comments were received back from PennDOT on December 29, which are being addressed and the HOP will be resubmitted shortly. Mr. Shura stated that there are still three outstanding easements. Randall had three easements for signature and only signed one; and he will work with Mr. Steberger in addressing this. Mr. Shura pointed out that the easements are the only thing that will be needed before going out to bid.

Mr. Shura stated that EADS is looking at late January/early February to start the water project construction. They are looking to start on Borough and Township local roads first as PennDOT will not allow them to work on State roads during the winter; so you may be looking at March or April for the project to start on Main Street. Mr. Shura commented that it is hoped that they will be able to address the Main Street area before the Phase 5 project begins because, if not, restoration will have to be discussed with them.

- Chief of Police

Chief Rosamilia stated that his report was provided to Council prior to the meeting and he asked for any questions on his report, to which there were none.

- Director of Public Works

Mr. Steberger stated that his report was provided to Council prior to the meeting and he asked for any questions on his report, to which there were none.

As it relates to the backhoe, Mr. Steberger informed Council that Mr. Logan Cadwallader was using the backhoe to haul snow from behind the Borough building; and at some point the backhoe slowed down, stopped and would not move, with none of the brakes being applied. In checking into the problem, Mr. Steberger stated, it may be a transmission fault code. He did do some diagnostics; and the concern is something electrical. Mr. Steberger talked with Case who has a representative that comes through town every morning; and he will be stopping tomorrow to get the code. Mr. Steberger is assuming it is a sensor of some sort, but will know more tomorrow morning.

VI. CORRESPONDENCE

No Correspondence to be presented.

VII. MINUTES OF PREVIOUS MEETINGS

No Minutes presented for approval.

VIII. BILLS TO BE PAID AND TREASURER'S REPORT

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY APPROVED THE BILLS TO BE PAID IN THE AMOUNT OF $27,133.03 AS PRESENTED. HYDRANT AMOUNT HAS NOT BEEN UPDATED AND REMAINS AT $13,162.88. THIS NUMBER IS NOT INCLUDED IN THE BILLS TO BE PAID AND WILL NOT BE PAID. VIA ROLL CALL VOTE, MOTION CARRIED 7-0.

As it relates to the Treasurer's Report, Mr. Koban explained to Council that Mrs. Squillario is still familiarizing herself with compiling the Treasurer's Report. Next month, he pointed out, the report will include everything that has come in as revenue.

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY APPROVED THE TREASURER'S REPORT AS PRESENTED. VIA ROLL CALL VOTE, MOTION CARRIED 7-0.

IX. MINUTES/REPORTS

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY ACCEPTED THE SEPTEMBER AND OCTOBER 2025 REPORTS RECEIVED FROM THE PORTAGE AREA JOINT PARKS AND RECREATION COMMISSION. MOTION CARRIED 7-0.

X. UNFINISHED BUSINESS

As it relates to the Parks and Recreation Director position, Mr. Koban informed Council that he completed an update on the online portal and provided an update on where we are at finding a qualified applicant. The grants administrator would like to schedule a meeting with representatives of Council in the near future relative to this grant. Mr. Wozniak questioned if this is the individual we have been working with in the past, to which Mr. Koban replied affirmatively.

Concerning the Blair Street truck restrictions, Mr. Koban commented that the amount for the audit of $2,500 was included in the 2026 budget. He stated that we may not be able to do anything until the weather breaks in the spring, to which Mr. Shura commented that we may be able to get to this earlier.

Mr. Koban had no further updates to the items listed under Unfinished Business.

XI. BUILDINGS

Mr. Koban commented that he had no further updates other than what has been discussed previously in the meeting.

XII. GOOD OF THE BOROUGH

Nothing to report.

XIII. EXECUTIVE SESSION

Mr. Koban noted that the Borough Charter states that the reorganization meeting cannot convene until 8:00 p.m. and asked for an Executive Session at this to discuss litigation.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY AGREED TO ENTER INTO EXECUTIVE SESSION FOR LITIGATION DISCUSSIONS. MOTION CARRIED 7-0.

Mr. Hayes joined the meeting at this time. Mr. Steberger and Chief Rosamilia departed the meeting at this time.

XIV. ADJOURNMENT OF EXECUTIVE SESSION

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY AGREED TO ADJOURN OUT OF EXECUTIVE SESSION. MOTION CARRIED 7-0.

XV. RECONVENE INTO REGULAR MEETING

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY AGREED TO RECONVENE FROM THE EXECUTIVE SESSION INTO THE REORGANIZATION MEETING. MOTION CARRIED 7-0.

XVI. COUNCIL OATHS

At 7:45 p.m., District Magistrate John Prebish joined the meeting at this time and administered the oath of office to Mr. Wozniak, Mr. Cadwallader, Mr. Slebodnick, Mr. Scarton, Mr. Harrison and Mr. Portash.

Mayor Fox informed those present that he was sworn in on Friday in the event that District Magistrate Prebish was unable to attend this evening's meeting.

District Magistrate Prebish departed the meeting at this time.

XVII. CONVENING OF REORGANIZATION MEETING

At 8:00 p.m., Mr. Wozniak called the Reorganization Meeting to order.

XVIII. NOMINATIONS

Mayor Fox presided over the meeting for the nomination/election of a Council President

Mr. Slebodnick nominated Mr. Wozniak for Council President.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL APPOINTED MR. GEORGE WOZNIAK AS COUNCIL PRESIDENT. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 6-0, WITH MR. WOZNIAK ABSTAINING.

Mr. Wozniak now presided over the meeting for nomination/election of the remaining officers and appointments.

As it relates to the position of Vice-President, Mr. Cadwallader was nominated.

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL APPOINTED MR. RON CADWALLADER AS COUNCIL VICE-PRESIDENT. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 6-0, WITH MR. CADWALLADER ABSTAINING.

Solicitor:

ON MOTION OF MR. PORTASH, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY APPOINTED ATTORNEY MICHAEL EMERICK AS BOROUGH SOLICITOR FOR 2026-2027. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

Engineer:

Mr. Koban reported that letters of interest were received from The EADS Group and Stiffler-McGraw.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY APPOINTED STIFFLER McGRAW AS BOROUGH ENGINEER FOR 2026-2027. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

Vacancy Board:

ON MOTION OF MAYOR FOX, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY APPOINTED MR. CADWALLADER AS THE 1ST MEMBER OF COUNCIL TO THE VACANCY BOARD, MR. PORTASH AS THE 2ND MEMBER OF COUNCIL TO THE VACANCY BOARD, AND SHERRI THOMAS AS THE ELECTOR AT LARGE TO SERVE ON THE VACANCY BOARD. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 5-0, WITH MR. CADWALLADER AND MR. PORTASH ABSTAINING.

President Pro-Tempore:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. HARRISON, COUNCIL APPOINTED MR. SLEBODNICK TO SERVE AS PRESIDENT PRO-TEMPORE. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 6-0, WITH MR. SLEBODNICK ABSTAINING.

Earned Income Tax Collector:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY APPOINTED BERKHEIMER AS EARNED INCOME TAX COLLECTOR. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

Emergency Management Director:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY APPOINTED MR. GEORGE WOZNIAK AS EMERGENCY MANAGEMENT DIRECTOR. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 6-0, WITH MR. WOZNIAK ABSTAINING.

XIX. DESIGNATIONS

Department Heads:

ON MOTION OF MR. SCARTON, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY DESIGNATED MR. FRANCIS STEBERGER AS DIRECTOR OF PUBLIC WORKS AND MR. DAVID ROSAMILIA AS POLICE CHIEF. MOTION CARRIED 7-0.

Cambria County Council of Governments:

ON MOTION OF MAYOR FOX, SECONDED BY MR. CADWALLADER, COUNCIL DESIGNATED MR. PERRY SCARTON AS THE DELEGATE TO REPRESENT THE BOROUGH AT THE CAMBRIA COUNTY COUNCIL OF GOVERNMENTS. MOTION CARRIED 6-0, WITH MR. SCARTON ABSTAINING.

Bank Depository:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY DESIGNATED FIRST SUMMIT BANK AS THE FINANCIAL DEPOSITORY FOR THE GENERAL FUND, LIQUID FUELS, AND CAPITAL IMPROVEMENT SAVINGS ACCOUNT AND ANY OTHER FINANCIAL ACCOUNTS. MOTION CARRIED 7-0.

Bank Signatories:

ON MOTION OF MR. SLEBODNICK, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 1-2026 BY DESIGNATING MR. RON CADWALLADER AND MAYOR BOB FOX AS OFFICIAL SIGNATORIES ON THE GENERAL FUND, STATE LIQUID FUELS, AND CAPITAL IMPROVEMENT FUNDS AND OTHER FINANCIAL DOCUMENTATION. MOTION CARRIED 7-0.

Borough Safety Deposit Box:

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 2-2026 BY DESIGNATING FRANCIS STEBERGER AND MAYOR BOB FOX AS SIGNATORIES FOR THE BOROUGH SAFETY DEPOSIT BOX CONTENTS AT FIRST SUMMIT BANK. MOTION CARRIED 6-0, WITH MAYOR FOX ABSTAINING.

General Circulation Newspaper:

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY DESIGNATED THE DISPATCH AS THE FIRST NEWSPAPER AND THE TRIBUNE DEMOCRAT AS THE SECOND FOR GENERAL CIRCULATION OF OFFICIAL LEGAL NOTICES AND ADVERTISEMENTS. MOTION CARRIED 7-0.

Building Committee:

ON MOTION OF MR. PORTASH, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY DESIGNATED MR. CADWALLADER AND MR. WOZNIAK TO SERVE ON THE BUILDING COMMITTEE. MOTION CARRIED 7-0.

XX. NEW BUSINESS

A. Appointment to Planning Commission

ON MOTION OF MR. HARRISON, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY APPOINTED MR. GREG SHUNIAK TO THE PLANNING COMMISSION FOR A FIVE-YEAR TERM COMMENCING 2026-2030. MOTION CARRIED 7-0.

Following the vote by Council, Mr. Hayes questioned how Mr. Shuniak would qualify for this appointment as he believes Mr. Shuniak lives in Cresson and thus is not a member of the Borough or Township. Mayor Fox commented that Council would have to verify this and, therefore, the appointment of Mr. Shuniak to the Planning Commission would be contingent upon verification of his residency.

B. Amendment to Chapter 13 - Ordinance

Mayor Fox requested that the Amendment to Chapter 13 to add part 5, which will require all businesses to be registered with the Borough, be tabled.

ON MOTION OF MR. PORTASH, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY AGREED TO TABLE ACTION ON CHAPTER 13 TO ADD PART 5, WHICH WILL REQUIRE ALL BUSINESSES TO BE REGISTERED WITH THE BOROUGH. MOTION CARRIED 7-0.

Mr. Koban then read the proposed Ordinance into the minutes as follows:

An Ordinance of the Portage Borough Council Amending Chapter 13 to Add Part 5 Which Will Require All Businesses to be Registered

WHEREAS, the Portage Borough Council has previously enacted general business regulations within the Borough; and

WHEREAS, Council has determined that businesses located within the Borough should be registered.

NOW THEREFORE the Portage Borough Council hereby **ORDAINS** as follows:

Section 1. ***Amendment*** Chapter 13 of the Portage Borough Code of Ordinances is hereby and herein amended to include Part 5 as follows:

Section 2. ***Short Title.*** This ordinance shall be known and referred to as the Portage Borough Business Registration Ordinance.

Section 3. ***Purpose.*** So that the Borough of Portage may best perform services for the benefit of the community and businesses thereof, a centralized registry of all businesses, as defined in this Part, is hereby established.

Section 4. ***Definitions.***

"Borough" The Borough of Portage

"Business" Any enterprise, activity, profession or any other undertaking conducted in the Borough for profit or ordinarily conducted therein for profit, any trade, business, profession. vocation or commercial activity for making sales or providing services within the Borough.

Section 5. ***Registration Required and Fee.***

(a) Every Business in the Borough established after the enactment of this Ordinance shall register with the Borough Office on a

registration form provided by Borough Council. This registration shall take place prior to opening.

(b) A non-refundable, one-time registration fee in the amount of fifty dollars ($50.00) shall be paid when the registration form is submitted to the Borough Office.

(e) The registration fee may be amended from time to time by Resolution of Borough Council.

Section 6. ***Change in Business Location.*** Should any Business change the place of operation within the Borough, said change of location shall be registered on a new application filed with the Borough. There shall be no additional fee for a change of location registration.

Section 7. ***Change of Business Ownership.*** Should any Business change ownership, said change shall be registered on a new application filed with the Borough. There shall be no additional fee for a change of ownership application.

Section 8. ***Violations and Penalties.***

(a) Any person who shall violate or fail to comply with any provision of this Part shall pay a civil penalty in the amount of six hundred dollars ($600.00).

(b) A separate violation shall occur for each day that the violation continues.

(c) In addition to the civil penalty, violators shall be assessed court costs and reasonable attorney fees incurred by the Borough in any enforcement proceeding.

Section 9. ***Remaining Provisions of Chapter 13 to Remain in Effect.*** The remaining Parts and provisions of Chapter 13 of the Portage Borough Code of Ordinances shall remain in full force and effect.

Section 10. ***Inconsistent Ordinance and Resolutions Repealed.*** To the extent of any inconsistencies between this Ordinance and other Borough ordinances or resolutions, said ordinances and/or resolutions are hereby and herein Repealed only to the extent of the inconsistencies.

Section 11. ***Severability.*** In the event that any section or provision of this Ordinance is declared to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions hereof.

Mr. Koban noted that included with the Ordinance is a Business Registration Application containing the following information: name of business, location of business, business phone number, business fax number, business email address, business owner(s), business owner(s) addresses(es), business owner(s) social security number(s), type of entity, President or responsible party, registered address, state of registration, date of registration and EIN number.

Mayor Fox noted that he did recommend tabling action on approval of the Ordinance and application. He stated that he wanted to make a recommendation, based on discussion at previous meetings, that we look at removing the business owner's social security number and EIN number from the application itself.

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY AGREED TO REVISE THE BUSINESS REGISTRATION APPLICATION TO REMOVE THE BUSINESS OWNER'S SOCIAL SECURITY NUMBER AND EIN NUMBER FROM THE APPLICATION. MOTION CARRIED 7-0.

Attorney Emerick questioned if Council will enact action on the Ordinance at next month's meeting or will be taking action at this meeting to advertise the Ordinance for public inspection after the revisions are made to the Business Registration Application.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY AGREED TO ADVERTISE FOR PUBLIC INSPECTION ORDINANCE AMENDING CHAPTER 13 TO ADD PART 5 WHICH WILL REQUIRE ALL BUSINESSES TO BE REGISTERED, AFTER THE REVISIONS ARE MADE TO THE BUSINESS REGISTRATION APPLICATION AS NOTED ABOVE. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

C. Borough Manager Resignation

ON MOTION OF MAYOR FOX, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY ACCEPTED, WITH REGRET, THE RESIGNATION OF ROBERT KOBAN AS BOROUGH MANAGER AND DECLARED THE POSITION VACANT. MOTION CARRIED 7-0.

D. Advertisement of Borough Manager Position

ON MOTION OF MR. PORTASH, SECONDED BY MR. HARRISON, COUNCIL UNANIMOUSLY AGREED TO ADVERTISE THE BOROUGH MANAGER POSITION. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

E. Advertisement of Secretary/Treasurer Position

ON MOTION OF MR. HARRISON, SECONDED BY MR. CADWALLADER, COUNCIL UNANIMOUSLY AGREED TO ADVERTISE THE SECRETARY/TREASURER POSITION. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 7-0.

F. Discussion on Parking Behind Old Kegg

Mr. Scarton stated that he asked that this matter be placed on the agenda for discussion by Council. He commented that he looked at the area; and he does not feel the problem is as bad as Council had been told. Mr. Scarton noted that one idea that he had was, where the curbing stops, from the former pharmacy area to the Old Kegg, they have curbing that splits the parking areas into two separate parking spaces, and past the Old Kegg the curbing stops. He suggested possibly placing a sign past the curbing stating, "No Parking: Delivery Hours 8-12." This would be one way to eliminate the problem brought up at a previous Council meeting regarding truck deliveries. From what Mr. Scarton understands, there is only 6-8 dollies that are being used to haul things in and out

of the Old Kegg, so they are only in the area for 10 minutes or so. Mr. Koban pointed out that he did discuss this concern with Chief Rosamilia back in December, who agreed to keep an eye on the area to make sure the trucks were not blocking passage in the alley. Mr. Scarton commented that there is a lot of room in the area; and he does not understand why a vehicle could not go around the trucks. Mr. Wozniak suggested that Mr. Steberger review the area, to which Mr. Scarton suggested that other Council members review the area as well.

G. Additional Services for Stephanie Gallo

Mr. Koban apprised Council that he included in his report a list of a couple of items that Mrs. Gallo needs to complete; and he wanted to make sure that Council was in agreement with these items before expending any additional funds. Council was in agreement with Mrs. Gallo completing the listed items.

XXI. DESIGNATION OF BOROUGH MANAGER AND SECRETARY/TREASURER

Mr. Koban informed Council that, according to the Borough Charter, Council can fill the position of Borough Manager temporarily with a Council member. He requested a nomination from Council.

ON MOTION OF MR. SLEBODNICK, SECONDED BY MR. PORTASH, COUNCIL APPOINTED MAYOR ROBERT FOX TO FILL THE BOROUGH MANAGER POSITION TEMPORARILY UNTIL THE POSITION IF FILLED. FOLLOWING A ROLL CALL VOTE, MOTION CARRIED 6-0, WITH MAYOR FOX ABSTAINING.

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. SLEBODNICK, COUNCIL UNANIMOUSLY APPOINTED SHARON SQUILLARIO TO FILL THE SECRETARY/TREASURER POSITION TEMPORARILY UNTIL THE POSITION IS FILLED. MOTION CARRIED 7-0.

XXII. ADJOURNMENT

ON MOTION OF MR. CADWALLADER, SECONDED BY MR. PORTASH, COUNCIL UNANIMOUSLY AGREED TO ADJOURN THE MEETING AT 8:31 P.M. MOTION CARRIED 7-0.

Respectfully submitted,

Sharon Squillario
Recording Secretary