

Call to Order:

The regular scheduled meeting of February 2nd, 2009 was called to order by Council President Ms. McCarthy at 6:30 p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mrs. Chobany, Mr. Wozniak, and Mayor Fox. Also present were Robert Koban-Borough Manager; Mr. Emerick-Borough Solicitor; Mr. Wisor-Engineer; Don Squillario-Public Works; Chief Miller-Public Safety; and Michelle Claar-Secretary. Mr. Lane was not in attendance.

Mr. Wozniak motioned, seconded by Mrs. Chobany to go out of order to recognize the visitors, motion carried 6-0. Ms. Ellen Gonchar was in attendance to observe. Mr. Vandzura introduced Ms. Gonchar as a member of the WinterFest Committee. Mr. Randy Griffith was in attendance representing the Tribune Democrat. Other visitors present were Dave Squillario, Jean Kinley, Polly Vandzura, and Tisha Stefanik representing the Dispatch.

Mr. John Borsato was in attendance to address a snow plow parking ticket he received on McClelland Street. Mr. Borsato explained that he has a medical condition with his foot and can't move his vehicle from one side to the other per the ordinance. He does not have any other family members that can assist him in moving his truck. If an infection would develop, he could risk losing his foot. Mr. Borsato questioned if he could have consideration for his condition. Mr. Koban and Council informed Mr. Borsato there are many residents in the community that are elderly and have disability problems. Mr. Kissell suggested contacting a next door neighbor. Mr. Borsato commented that there are no signs stating the snow removal ordinance on McClelland Street. Mr. Squillario informed Council that there are signs posted at the entrances to the town and other places. Mr. Borsato advised Council that he would like to build a garage in the back yard but the alley is closed and requested if the alley can be opened to gain access to the back. Mr. Squillario elaborated that the Engineer would have to be involved in determining the grade problems and drainage issues from the hill. Mr. Koban advised Mr. Borsato that he will investigate the alley and report back to Council. Mr. Borsato also informed Council of dog owners that don't clean up after their pets and feces remain on the property. Mr. Borsato commented that he has tried to contact the Police Department but there is no officer on duty or they are out of the office when he comes down. Mr. Koban and Chief Miller advised Mr. Borsato to keep trying the phone number or call the non-emergency number and an officer will call him back.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban recapped several issues in his report. Mr. Koban informed Council that the Planning Commission has scheduled the yearly meeting to invite all organizations within the Portage Area to discuss the short and long term plans on March 14th at 9:30 am at the Portage High School. Ms. McCarthy and Mr. Koban commented that the meeting is beneficial and informs all the

organizations of their upcoming plans and goals. Mr. Koban advised Council that Chief Miller has joined the Cambria County 9-1-1 Advisory Board. Ms. McCarthy commended Chief Miller.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick provided Council with his recommendation for the Joint Recreation Commission expansion from a seven member board to a nine member board. The agreement reflects the Borough appointing three members; the Township three members, and the Schools with one member. Mr. Emerick advised that the agreement can be amended; if, all parties agree to the amendment. The Borough and Township can each appoint one additional member (four members each) and one from the schools since it serves only as an advisory capacity. The Agreement would need amended as well as the Ordinance (2-1997) and require advertising. Mr. Emerick contacted the Portage Township Solicitor to inform him of Councils intent to amend the agreement and to have the issue placed on the Township agenda for the Wednesday meeting. Mr. Emerick advised Council that the Portage School Board will also have to be notified. A lengthy discussion was held on the cost of the advertising, members to serve at-large, the procedure for handling the resignations, and re-appointment. Mrs. Chobany motioned, seconded by Mr. Wozniak to move forward with amending the agreement from a seven member board to a nine member board. Remarks were made. Mayor Fox commented that the workload can be reduced with adding the additional two members. Mr. Kissell commented that Council is only satisfying the situation at hand and instead accept the resignations. Ms. McCarthy polled each member, motion carried 5-1 with Mr. Kissell voting no. Mr. Koban informed Council that he spoke with a Township Supervisor to advise them of Councils intention. Mayor Fox commented that he will be attending the next School Board meeting and can inform them of the amendment.

Engineers Report:

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor advised Council that the Sonman Avenue Bridge was on the twelve year plan for deficient bridges but not currently listed in the first four years (TIP). Stiffler, McGraw & Associates are working with Cambria County Representative; Mr. David Belz to get the project updated for priority to the four year (TIP). Mr. Wisor also advised that the Gillespie Avenue Bridge will be the next bridge to be included in the twelve year program. Mr. Wisor informed Council that there was no update on the application for the Smart Transportation Project for Main Street. Mr. Vandzura questioned the window for acceptance of the application or any preliminary phases. A discussion was held on the scope of the project with a preliminary plan that was already submitted. Mr. Kissell questioned the possibility of a second access if the Lee Street Bridge could be repaired and increase the tonnage weight limits. Mr. Kissell also questioned if it would qualify for any federal funding. Mr. Squillario and Mr. Wisor advised that the Lee Street Bridge does not meet the requirements of a twenty foot span for federal funding.

Police Report:

Chief Miller furnished a written report prior to the meeting. Mr. Miller commented that crime has slowed down during the month of January. Domestic disputes were higher in number. Mrs. Chobany questioned Chief Miller on his thoughts of a K-9 for the police department. Chief Miller commented that a canine is a valuable tool but wouldn't be feasible for a small community. Chief Miller commented that Northern Cambria, Cresson, and Gallitzin Borough have canines available if the borough requires one. Mrs. Chobany questioned the response time from other municipalities versus one of our one. A lengthy discussion was held on the training, coverage of a shift, cost, drug problems, etc. Mr. Koban informed Council that the issue was dropped from the agenda last year and requested a motion from Council if they chose to re-visit the issue. Mrs. Chobany motioned, seconded by Mr. Kissell to place the issue on the agenda for the February 17th committee meeting for discussion, motion carried 5-1 with Mr. Wozniak voting no.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Ms. McCarthy commended the public works crew for maintaining the streets during the snow storms. Ms. McCarthy questioned the salt and cinder supply as well as the overtime hours according to the budget. Mr. Koban and Mr. Squillario confirmed that everything is on budget. Mr. Squillario advised that liquid chloride is being used for the first time. Mayor Fox commented on the buildup and water problems at the Post Office. Mr. Squillario advised that he is working with the Water Department on the issue.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the Treasurer's Report, motion carried 6-0.

Correspondence:

PSAB sent notice of the 98th Annual Conference to be held from March 22nd-25th, 2009 at the Hershey Lodge.

Comcast sent notice effective February 26th, 2009 they will be adding channel 806 on the digital starter level of service.

Comcast sent notice they will be closing the Carrolltown Payment Center on February 28th, 2009. Payments may be made at Sunoco in Ebensburg and Leyo's IGA in Patton.

Minutes of the Previous Meeting:

The minutes of the January 5th regular meeting and the January 19th committee meeting were distributed prior to the meeting. Mr. Wozniak motioned, seconded by Mr. Vandzura to approve the January 5th and January 19th, 2009 minutes, motion carried 6-0.

Paying of Bills:

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mrs. Chobany motioned, seconded by Mayor Fox to approve paying the bills plus the additional bills, motion carried 6-0. The bills listed totaled \$22,408.37.

Other Reports

Monthly reports for December were received from the Water & Sewer Authority, Portage Fire Department, Portage Library, and the Portage Ambulance Association. The reports were approved as received. The Planning Commission submitted a yearly attendance sheet.

Unfinished Business:

The Stop N Go Property was discussed earlier in the meeting.

The Main Street Streetscape Project was discussed earlier in the Engineer's report.

The Rex Alley one-way ordinance was reviewed. Mrs. Chobany motioned, seconded by Mr. Kissell to approve the advertising of the proposed amendment to add Rex Alley to the One-Way streets established, motioned carried 6-0.

The revised Municipal Cooperation Agreement was reviewed by Council. Mr. Vandzura motioned, seconded by Mayor Fox to adopt Ordinance 1-2009 implementing the Municipal Cooperation Agreement between Portage Borough, Portage Township, and Cassandra Borough, motion carried 6-0.

Mr. Koban elaborated on the Sundance Lounge letter to the Pennsylvania Liquor Control Board. There are financial issues with moving forward on the establishment. Mr. Kissell motioned, seconded by Mr. Wozniak to rescind the motion of sending a letter to the PLCB for support of a liquor license for the Sundance Lounge, motion carried 6-0.,

New Business:

The Joint Recreation Commission resignations were discussed. Ms. Kinley submitted her written resignation letter at the January Committee meeting with Council to approve at the February meeting. Mrs. Chobany motioned to table the resignation of Ms. Kinley until the March meeting pending the decision of Portage Township and the School District accepting the nine member board. A lengthy discussion was held between Council, Ms. Kinley and Mr. Dave Squillario regarding the appointments, time-frame of the pool opening, and the process of approving the nine member board. Ms. Kinley advised that the Park cannot operate without Mr. Squillario or Mr. Stu Leman. The motion failed due to the lack of second to table the resignation of Ms. Kinley. Another discussion took place regarding Mr. Squillario volunteering his time until March. Mr. Squillario commented that he will not volunteer if he is not on the board and Ms. Kinley commented that Mr. Leman will also submit a resignation. Mr. Koban explained the procedure for resigning and re-appointment. Mr. Kissell commented on the verbal resignation of Mrs. Vandzura from the January meeting. Mrs. Vandzura advised she will submit the written resignation. After a discussion, Mrs. Chobany motioned, seconded by Mr. Kissell to accept the resignation from

Mrs. Vandzura for the Joint Recreation Commission, motion carried 5-0-1 with Mr. Vandzura abstaining. Mr. Kissell motioned, seconded by Mr. Wozniak to re-appoint Mr. Dave Squillario to the Joint Recreation Commission for a three year term expiring in 2011, motion carried 6-0. Council did not accept Ms. Kinley's resignation until additional information is available on the nine member board in March.

Somerset County Building Inspections submitted the 2009 services agreement for Council to approve. The agreement remained the same from 2008. Mayor Fox motioned, seconded by Mr. Kissell to approve the 2009 services agreement with Somerset Building Inspections, motion carried 6-0.

Council member Steven Lane submitted a letter of resignation from Ward 3 due to personal issues. Mrs. Chobany motioned, seconded by Mr. Wozniak to accept Mr. Lane's resignation and approve the advertising of the vacant position, motion carried 6-0.

Ms. Claar advised Council that Mr. Lane was an authorized signatory for checks with 1st Summit Bank on the General Fund, Liquid Fuels, Tax Clearing, and Jefferson Avenue which will require another signatory. Ms. Claar commented that Mayor Fox is quite available in case of an emergency. First Summit Bank submitted new signature cards. Mrs. Chobany motioned, seconded by Mr. Wozniak to authorize Mayor Fox as the second signatory on bank checks from First Summit Bank for all funds, motion carried 5-0-1 with Mayor Fox abstaining.

Mr. Koban and Ms. Claar updated Council on the progress of the Cambria County Borough Association meeting. Ms. Claar contacted Donna Dunegan with the Association and tentative date is scheduled for April 21st but there are several problems concerning the hall and the caterer's at New Germany Grove. Ms. Dunegan will contact Ms. Claar when information is available. Mr. Vandzura was successful with confirming a guest speaker and Mr. Wozniak contacted Dough Boyz for certificates. Ms. Claar prepared a letter for businesses seeking their support. Mr. Kissell will contact Mr. Jeffers for the invocation speaker. Mr. Vandzura suggested contacting the WinterFest/Summerfest for placemats. The meeting plans will be discussed further at the Committee meeting on the 17th.

The interview dates and appointments were discussed and required approval to advertise. Mr. Koban cautioned the time frame of the ad in the Dispatch and the Tribune. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the advertising of the special meeting on Wednesday, February 18th, at 6:30 pm for interviews and appointments to the boards and council vacancy in the Dispatch first; if on time, and then the Tribune if not in time, motion carried 6-0. Mayor Fox questioned the wording in sections of the Charter and asked if it could be changed or amended. Mr. Koban explained that any changes to the Charter would have to be done by referendum.

Good of the Borough:

Mr. Kissell commented on the hazards of ice and snow at the recycle bins and on Main Street. Mr. Kissell advised that several residents had slipped or fallen trying to get to the recycle bins and putting coins in the parking meters on Main Street. Mr. Kissell

motioned to extend the free parking on Main Street from December through February due to the snow piles. The motion died to the lack of a second.

Adjournment:

Mayor Fox motioned, seconded by Mr. Wozniak to adjourn, motion carried 6-0. The meeting adjourned at 8:03 PM.