

**Call to Order:**

The regular scheduled meeting of June 1st, 2009 was called to order by Council President Ms. McCarthy at 6:30p.m. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Slanoc, Mrs. Chobany, 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. Absent was Mr. Wozniak. Junior Council members Mr. Leydig and Ms. Cadwallader were also present.

Mr. Kissell motioned, seconded by Mayor Fox to go out of order on the agenda to recognize the visitors, motion carried 6-0. The visitors were David Hurst from the Altoona Mirror and Jeremy Portash with the Dispatch. Mr. Ron Cadwallader was also in attendance to observe.

**Reports:**

**Managers Report:**

Mr. Koban furnished a written report prior to the meeting. Mr. Koban had nothing additional to report. Mrs. Chobany questioned if the Jefferson Avenue final bridge inspection was completed. Mr. Koban advised that the contractor will be in next week to re-grade and re-plant grass seed in several areas of property owners within the project site.

Mr. Kissell questioned the status on a partially demolished trailer on Blair Street and if it was going to be removed. Mr. Koban explained the chain of events thus far and since the trailer is abandoned, no permit is required. The trailer will be scrapped out. Mr. Koban advised that Mr. Randy Stager will have to submit a letter to Council, the Portage Area School District and Cambria County to have the taxes on the trailer exonerated.

Mrs. Chobany informed Council that she received a complaint from Bethany Church parishioners of vehicles parking in their back lot and blocking the garage doors during fire company activities. Other individuals may be parking there without any knowledge of the situation. Mr. Koban will notify the Fire Department again and request the block off the area during future events.

**Solicitor's Report:**

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick completed a title search on the Harpo's building and presented a copy of the deed showing two parcels for Council to review. The search revealed that the 2007 property taxes remain unpaid in the amount of \$1,709.80. Mr. Koban will write a letter to Mr. Bobolsky advising him of the unpaid taxes prior to a clear title and transfer. The 2008 taxes are paid in full.

Mr. Emerick presented a proposed Developer's Agreement for Council to review on the new Sheetz Store. Mr. Emerick recommended several amendments which included:

- The developer will be responsible for obtaining any and all permits
- The developer shall reimburse the Borough for all costs associated with this project including but not limited to engineering, legal, and administrative.
- The developer agrees that if any disputes to construction, improvements, or interpretations to the final plan shall be controlled and adhered to by the Borough Engineer.

Council agreed with the above recommendations. Mr. Kissell motioned, seconded by Mrs. Chobany to approve the Developer's Agreement for Sheetz with the above changes, motion carried 6-0.

#### **Engineers Report:**

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor had nothing additional to report. Council thanked Mr. Wisor for the representation at the Committee Meeting regarding the funding for the Main Street Streetscape Project and how informative PennDot representative; Vince Greenland, was in explaining the different funding options.

#### **Police Report:**

Chief Miller furnished a written report prior to the meeting. Chief Miller had nothing additional to report. Ms. McCarthy commented on the number of incidents and activity during the month. Chief Miller advised Council that he was called out by Officer Wyar to assist in reconstruction accident that occurred. The State Police couldn't respond to the accident to reconstruct. Mrs. Chobany requested additional drive-bys on Jefferson Avenue due to neighborly disputes.

#### **Public Works Report:**

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario informed Council that met with Karl Vickroy to review the plans he submitted for his Eagle Scout project at the Arch. Mr. Vickroy would like to get started on the project as soon as possible. Mr. Vickroy's grandmother will be maintaining the flower gardens. Mr. Vandzura questioned the location area on the plan. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the plans submitted by Mr. Vickroy to begin his Eagle Scout Project at the Arch, motion carried 6-0.

Mr. Squillario informed Council that he will be signing the grant paperwork for the LED signal grant on Friday. The Borough portion of the grant will be paid through the General Fund for a total amount of \$1,398.59.

Mr. Kissell questioned why the speed limit control device is not being used. Mr. Koban commented that it was an excellent point and should be utilized. Mr. Squillario will meet with Chief Miller to set up the speed limit control device in problem areas.

**Treasurer's Report:**

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

**Correspondence:**

The Municipal Authority sent notice they will be replacing water meters throughout the community and are requesting that all customers make sure that their inside shut-off valve is working properly. The water will have to be turned off before installing the new meters. Mr. Cadwallader commented that the replacement of water meters will take approximately two years for completion.

Comcast sent notice of a discounted monthly price when subscribing to the Comcast HD Triple Play Bundle effective June 21, 2009. Customers will be notified via newspaper ad and a bill message.

**Minutes of the Previous Meeting:**

The minutes of the May 4th regular meeting and May 18<sup>th</sup> committee meeting were distributed prior to the meeting. Ms. McCarthy advised that the May 18<sup>th</sup> Committee meeting minutes need to be corrected where the meeting was called to order by Mayor Fox and her not being present. Mayor Fox motioned, motioned, seconded by Mrs. Chobany to approve the May 4<sup>th</sup> regular meeting and the May 18<sup>th</sup> meeting minutes with the above changes, 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 Mr. Slanoc to approve paying the bills plus the additional bills, motion carried 6-0. The bills listed totaled \$24,723.58.

**Other Reports**

Monthly reports were received from the Water & Sewer Authority, the Portage Area Planning Commission, and the Joint Recreation Commission. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve reports from the Water & Sewer Authority, the Portage Planning Commission, and the Joint Recreation Commission, motion carried 6-0.

**Unfinished Business:**

Mr. Koban advised that the Stop N Go Property has been cleaned up on the outside and we are waiting until the one hundred twenty day notice has expired before cleaning the inside of the building. Mr. Koban informed Council that CBIZ was notified to provide liability coverage on the property. The premium amount was not available prior to the meeting. The Main Street Streetscape Project funding will remain on the agenda until completed.

Mr. Koban informed Council that Mainline National Bank will prepare a draft lease agreement for the mini-park and present it at the next meeting of Council.

The title search for Harpo's was discussed under the Solicitor's report.

A discussion was held on the Welcome to Portage Sign. Ms. Claar presented pictures that Mr. Kissell had e-mailed for Council review. Mr. Koban suggested that he would like to obtain a picture from Martinsburg Borough before choosing a sign and discuss at the next committee of the whole meeting.

Mr. Koban commented that another meeting is scheduled for the property maintenance codes with Mr. Vandzura, Mr. Slanoc, and Mayor Fox. The codes to be considered will follow the International Property Maintenance Code handbook that was supplied by Somerset County Building Codes Enforcement Agency. A draft of the codes will be provided at the next committee of the whole meeting. Mr. Kissell questioned the Sunshine Law and the official action of Council at committee of the whole meetings. Mr. Emerick advised that official action can only be taken at a scheduled, advertised meeting.

Mr. Koban informed Council he sent a letter to Ms. Anna Patney regarding the property located at 1317 Gillespie Avenue. Mr. Koban spoke with Anna's daughter, Lorie Patney and stated they were not aware of being the owners of the Gillespie Avenue Property. Mr. Koban recommended them to seek the service an attorney to review the deed and tax records to confirm that they are actually the owners. Mr. Koban will advised that he will give her a few weeks and if no response, then another letter will be sent seeking her intentions.

Mr. Koban informed Council that he has received four letters of interest for a grant writer position that was published as an article in the newspaper. Since there are four letters, Mr. Koban advised that there will be no need to place an ad at this time in the help wanted section seeking a grant writer. Mr. Koban will be meeting with the regionalization committee to review the letters already received and report back to Council on their findings. Mr. Kissell questioned if the Borough and the Township will be involved in the interviewing and hiring process. Mr. Koban advised that all parties will be involved in the process.

Mr. Koban suggested the 501C-3 status and non-profit organization to remain on the agenda for the next committee meeting.

The Portage Area Long Range Plan to move forward was discussed. Mr. Kissell commented on the cost of the plan and the costs that were associated with the Township. Mr. Koban advised that the plan will be split based on a per capita rate between Portage Borough, Cassandra Borough, and the Township if all approve to move forward with the plan. Mrs. Chobany motioned, seconded by Mr. Slanoc to approve the Portage Area Long Range Plan by moving forward and to make application for funding purposes as presented by the Eads Group and the Planning Commission, motion carried 6-0.

#### **New Business:**

The Portage Area Joint Recreation Commission sent a request to utilize the Borough skidsteer with/operator and a laborer for digging a trench to Projects Kids Place. Mayor

Fox motioned, seconded by Mrs. Chobany to grant permission to the Portage Area Joint Recreation to utilize the skidsteer with an operator and a laborer for trenching at Project Kids Place, motion carried 6-0.

Ms. Melody Voss submitted a request for a handicap parking space at her residence at 616 Prospect Street. Ms. Voss was informed by the Secretary that she will be responsible for the advertising costs, \$150.00 for the sign and post, and a \$10.00 yearly maintenance fee. Mayor Fox questioned if handicap parking patrons were exempt from the snow removal ordinance. The patrons should be notified in the future that they are not exempt from the snow removal ordinance. Mr. Squillario investigated the area and found no issues of concern. Mr. Kissell motioned, seconded by Mr. Slanoc to approve Ms. Voss request to have a handicap space installed at 616 Prospect Street, motion carried 6-0.

### **Good of the Borough:**

Ms. McCarthy congratulated the candidates in the primary election and thanked the Woman's Club for the decorating at the Arch and around town.

Mayor Fox questioned if thank you letters were sent to the sponsors of the Borough Association Dinner. Ms. Claar advised she is in the process of obtaining four addresses then they will be mailed out. The letters were already prepared.

Mr. Koban commented on the Rails for Trails meeting and suggested that Council be involved in the upcoming project.

Mr. Koban informed Council that he would like to change his office hours during the summer from Fridays to Thursdays during the summer. The office hours will be on Tuesdays and Thursdays from 6:30 - 10:00 p.m. during the summer, ending in September. Council agreed to the new office hours. The change will be posted on the Borough Website and as an article in the Dispatch.

### **Adjournment:**

Mayor Fox motioned, seconded by Mrs. Chobany to adjourn, motion carried 6-0. The meeting adjourned at 7:15 p.m.

