

Call to Order:

The regular scheduled meeting of October 5th, 2009, was called to order by Ms. McCarthy. Members present were: Mr. Kissell, Mr. Vandzura, Mr. Slanoc arrived late, 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. Jr. Council Mr. Leydig and Ms. Cadwallader were also present.

Mr. Wozniak motioned, seconded by Mayor Fox to go out of order on the agenda to recognize the visitors, motion carried 6-0. Mr. Dwayne Kinsey from 918 Caldwell Avenue requested Council consideration for a streetlight to be installed on Elementary Alley. Mr. Kinsey advised that it is very dark in the alley and individuals have been stealing. Mr. Koban will investigate the area and report back to Council at the October committee meeting. Mr. Kinsey also commented on the condition of Elementary Alley and requested the alley be paved next to the car wash. Mr. Kinsey advised that the drains plug up and he has reported the problem several times. Mr. Squillario commented that repairs have been done to the alley and if a pipe needs to be installed, the homeowner can purchase the pipe and the Borough Public Works Department will install it. Mr. Koban and Mr. Squillario will investigate the condition of the alley and report back to Council at the committee meeting.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban had nothing additional to report. Ms. McCarthy questioned the price per ton on limestone. Mr. Squillario commented that the price for limestone had decreased by thirty cents per ton and the price of chloride increased by a penny.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick questioned Council if they had made any decisions on the Crichton McCormick park rules for firearms. Council advised that a discussion will be held again at the October committee meeting and to keep the issue on the agenda. Mr. Emerick informed Council that the mini-park lease with Mainline National Bank has been received with the proper signatures and is on file with the Secretary. Mr. Emerick advised that Mr. Joel Bobolsky has signed the deed over to the Borough and is ready to be filed with the Cambria County Recorder of Deeds. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the recording of the deed and the fees for filing, motion carried 7-0.

Engineers Report:

Mr. Wisor furnished a written report prior to the meeting. Mr. Wisor had nothing additional to report. Mr. Wozniak questioned if the Stop N Go property on Mr. Wisor's monthly report can be removed from his report. Mr. Koban advised Council that the County submitted a letter to have the Borough Manager stop at the Courthouse to sign the final paperwork. Mr. Koban suggested that the item remain on the agenda until everything has been filed.

Police Report:

Chief Miller furnished a written report prior to the meeting. Chief Miller informed Council that three parking meter tickets were issued since the prior report. Mrs. Chobany questioned when the new part time officer will be starting. Chief Miller advised that Officer Philip Vaught will be starting on Friday along with Officer Wyar.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting. Mr. Squillario had nothing additional to report. Ms. McCarthy commended the Public Works Department for the paving on Lee and Branch Street. Ms. McCarthy also questioned if the sewer lines would be extended into the Shady Springs area. Mr. Squillario advised that the lines will be extended only if grant funding is available through CDBG monies. Ms. McCarthy reminded Mr. Vandzura that Council sets the wages of the Water Authority board members and wanted him to relay the information back to the board for future reference.

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 7-0.

Correspondence:

The Portage Volunteer Fire Company/Cassandra Station sent notice they will be holding a Buffettman Beach Party on Saturday, October 24th starting at 6:00 p.m.

The Basilica of St. Michael the Archangel sent a request seeking the Borough's support in donating to the Military Mail Fund for the 2009 campaign.

Mr. Simpson with PennDot dropped off right of way maps for the Spring Run Bridge project on Main Street by Magistrate Decort's office. The right of way clearances will be completed by November 20th, 2009 with a bid letting date of January 1, 2010 and notice to proceed on March 15, 2010.

The Cambria County Borough's Association sent notice of the annual Fall Dinner Meeting to be hosted by Gallitzin Borough on Tuesday, October 27th, 2009 beginning at 5:30 p.m. Reservations must be made by Tuesday, October 20th, 2009.

Minutes of the Previous Meeting:

The minutes of the September 8th, regular meeting and September 21st Committee meeting were distributed prior to the meeting. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the September 8th, regular meeting and September 21st Committee meeting motion carried 7-0.

Paying of Bills:

The bills were distributed prior to the meeting. Additional bills were also presented for payment. Mr. Wozniak motioned, seconded by Mrs. Chobany to approve paying the bills plus the additional bills, motion carried 6-0. The bills listed totaled \$53,676.07.

Other Reports

Monthly reports were received from the Water & Sewer Authority and the Planning Commission. Mrs. Chobany motioned, seconded by Mr. Wozniak to approve the monthly reports from the Water & Sewer Authority, and the Planning Commission, motion carried 7-0.

Unfinished Business:

The Main Street Streetscape project will be discussed at the September committee meeting.

Mr. Koban advised that he will have to obtain another picture to send to Mr. Slanoc for the Welcome to Portage sign.

The committee for the international property maintenance codes is moving forward and will have another meeting to finalize some issues before presenting to Council.

The Patney property issue was to be removed from the agenda from last month.

The non-profit 501C-3 status will be discussed at a future meeting. The issue will remain on the agenda since the new grant writer position will have a bearing on the status.

Mr. Koban advised that another discussion will take place at the October Committee meeting concerning the fire arms issue at the Park.

The business district sign was discussed. Mrs. Bonnie Fox informed Mr. Squillario that the sign dimensions will be 8X36 with 6" lettering. Mr. Squillario advised that the signs will cost \$26.00 per sign with a left and right arrow showing the business district on Route 53. Mayor Fox motioned, seconded by Mr. Slanoc to approve the cost of \$26.00 per sign for the business district, motion carried 7-0.

Mr. Emerick reviewed the Intergovernmental Cooperation Agreement and the consulting agreement for the grant writer position. Mr. Emerick commented that the consulting agreement conflicted in several areas with the intergovernmental cooperation agreement and should be removed or amended (approximately twelve issues). The Intergovernmental Cooperation Agreement should also be incorporated into the Consulting Agreement. Mr. Emerick went back and forth between the agreements reflecting the conflicts. Mr. Koban informed Council that the committee for the grant writer position will be known as the Portage Alliance and he will be the main contact. Mr. Kissell questioned the liability that

Mr. Koban will be placing on himself and the borough. Mr. Kissell also commented on the chain of command and the legalities of each municipality. After a lengthy discussion, Council agreed to have Mr. Emerick and Mr. Koban review all the conflicts and make the necessary changes/amendments to the Intergovernmental Cooperation Agreement and the Consulting Agreement. The Ordinance and the grant writer consulting agreement were tabled until the November regular meeting.

The police procedures and policies were reviewed at the last committee meeting. Mr. Kissell motioned, seconded by Mr. Vandzura to approve the police procedures and policies, motion carried 7-0.

New Business:

The Commonwealth of PA sent the 2009 State Aid in the amount of \$18,768.08 on September 25th, 2009. The 2009 MMO for the non-uniform was \$14,222.00 leaving a balance of \$4,546.08 for council decision on where to place the remaining funds. Mrs. Chobany motioned, seconded by Mr. Vandzura to place the remaining funds of \$4,546.08 in the non-uniform pension plan account, motion carried 7-0.

A letter regarding the mini-park property issue from Mr. Joseph was tabled until an agreement can be drawn up.

Nicole Forst sent a letter to Council requesting permission to establish a therapeutic massage business in her home located on 389 Mountain Avenue. Ms. Forst submitted her credentials and license. Mr. Koban commented that Ms. Forst was informing Council of her intentions. Mayor Fox commented on the ordinance and suggested that a motion was not necessary. Mr. Koban advised that the letter was sent to Council and a formal motion should be decided upon. Mr. Kissell motioned, seconded by Mr. Vandzura to grant permission for Ms. Nicole Forst to open a therapeutic massage parlor at 389 Mountain Avenue, motion carried 7-0.

Good of the Borough:

Ms. McCarthy commended the Woman's Club for the fall and Halloween decorating throughout the Borough and requested an acknowledgment in the Dispatch.

Ms. McCarthy advised that she received information that the Halloween parade was scheduled for October 18th. The band and football players have scheduling conflicts with that date. Mr. Koban advised that the date has been changed to Sunday, October 25th and verified with the Knight of Columbus. Mr. Kissell motioned, seconded by Mrs. Chobany to hold trick or treat on Sunday, October 25th following the parade or from 4:00 - 6:00 p.m, motion carried 7-0.

Adjournment:

Mrs. Chobany motioned, seconded by Mr. Wozniak to adjourn, motion carried 7-0. The meeting adjourned at 7:40 p.m.