

Call to Order:

The regular scheduled meeting of February 7th, 2011 was called to order by Ms. McCarthy at 6:30 p.m. 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-Solicitor, Mr. Wisor-Engineer, Chief Miller-Public Safety, and Michelle Claar-Secretary. Absent was Mr. Squillario.

Mayor Fox motioned, seconded by Mr. Wozniak to go out of order to recognize the visitors, motion carried 6-0.

VISITORS:

Present were: Jerome Yetsko, Ashley Watt-Dispatch, Ray Lee-PVFC, and Ron Cadwallader-PVFC.

Fire Chief Ray Lee presented grid alarm card changes for Council to review. This was an additional agenda item issue. Mr. Lee provided detailed information on the alarm card procedures with the 911 Center and advised that Council is required to approve the changes. Mr. Lee commented that apparatus, personnel, and line-up changes were amended. Mr. Kissell motioned, seconded by Mrs. Chobany to approve the alarm card changes, as presented by Fire Chief Lee, motion carried 7-0. Ms. Claar will submit a letter to the Cambria County 911 Center and the PVFC advising of the approved alarm card changes. Mr. Koban questioned Chief Lee as the status of the property transfer from Mainline National Bank to the Fire Department. Mr. Lee commented that the property transfer paperwork is still in the hands of the Attorney's.

Ron Cadwallader provided an updated schedule of events for the Cambria County Firemen's Convention that will be sponsored by the Portage Volunteer Fire Department. Ron also advised Council that the insurance company is preparing the certificates of liability insurance. There were several issues under new business on the agenda that Council addressed at this time.

- New business #9A: Request to block the alley (Branch St) from Mountain Avenue to the borough building. Mr. Kissell motioned, seconded by Mr. Slanoc to approve blocking the alley on Branch Street from Mountain Avenue to the borough bldg. Ms. McCarthy polled and motion carried 7-0.
- New business #9B: block off Central Alley from Jerome Yetsko's garage to the boro building (including Branch Street). Ron commented that he will provide jersey barriers in the alley next to Jerome Yetsko's to deter parking. Mr. Vandzura commented that this is above & beyond an accommodation for parking. Mr. Kissell motioned, seconded by Mr. Slanoc to approve the blocking of Central Alley from Jerome Yetsko's garage to the borough bldg including Branch Street. Ms. McCarthy polled and motion carried 7-0.
- New Business #9C: Request to provide an exception to the consumption of alcoholic beverages pertaining to Ordinance 3-1980. Mayor Fox commented that the motion

should reflect a designated area. After a discussion, Mr. Kissell motioned, seconded by Mr. Vandzura to exempt the PVFC from Ordinance 3-1980 concerning the consumption of alcoholic beverages in the designated tent area only during the Cambria County Firemen's Convention. Ms. McCarthy polled and motion carried 7-0. Council commended Ron and the PVFD for all their efforts and support. Jerome Yetsko did not have any questions for Council at this time.

Reports:

Managers Report:

Mr. Koban furnished a written report prior to the meeting. Mr. Koban provided Council with the first draft of the shared police services agreement between the Borough and Portage Township. Mr. Koban requested that Council review the agreement prior to the Committee meeting for discussion. Mr. Vandzura questioned the status of the injured fireman. Mr. Koban advised that the fireman will be undergoing another surgery. Ms. McCarthy commented on an issue presented by the Summerfest Committee to utilize the legal services of the Borough. Mr. Koban had nothing additional to report and will address other information under old and new business.

Solicitor's Report:

Mr. Emerick furnished a written report prior to the meeting. Mr. Emerick advised that he has not had any contact from Mr. Bookhammer regarding the Main Street property and requested Council direction on how to proceed. Mr. Wozniak motioned, seconded by Mr. Slanoc to have the Borough Engineer; Mr. Wisor, perform a field inspection in accordance with the dangerous structure ordinance. Mr. Kissell remarked on the removal of buildings on Main Street and the empty storefronts and was not in favor of demolition of buildings. Mr. Emerick advised that the issue is now from a safety hazard and an inspection must be performed to determine if the building is 50% damaged. After a lengthy discussion, Ms. McCarthy polled each member, voting yes: Mr. Vandzura, Mr. Slanoc, Mrs. Chobany, Mr. Wozniak, and Mayor Fox. Voting no was Mr. Kissell. Motion carried 6-1.

A discussion took place on the Plummer property located at 1021 Caldwell Avenue. Mr. Kissell commented that the borough can't keep demolishing homes due to the condition of the foundations. Mr. Vandzura questioned the cost if the Borough was to perform the work versus an outside contractor. Mr. Koban commented that if the demolition is over \$10,000.00, the demolition would have to be advertised for bids. Mayor Fox commented that there is no easy answer since it was brought to Council's attention. Mrs. Chobany motioned, seconded by Mr. Slanoc to table the issue for further discussion at the February Committee meeting, motion carried 7-0.

Engineers Report:

Mr. Wisor furnished a written report to Council. Mr. Wisor informed Council that the necessary permits were applied for on the Gillespie Avenue Bridge stabilization project

that is due for completion by June 30, 2011. Ms. McCarthy questioned what the status of the Sheetz issue is reflecting no activity on the agenda. Mr. Wisor advised that there are still financial securities that have not been released and the issue should not be removed until the securities have been released.

Police Report:

Chief Miller furnished a written report prior to the meeting. Ms. McCarthy commented that the incidents were down for January. Chief Miller also informed Council that he was on vacation during the month.

Public Works Report:

Mr. Squillario furnished a written report prior to the meeting but was absent from the meeting.

Treasurer's Report:

Ms. Claar furnished a written report prior to the meeting. Mr. Slanoc motioned, seconded by Mrs. Chobany to approve the Treasurer's report, motion carried 7-0.

Correspondence:

Bertha Markovich sent a thank you for a Council members meeting pay donation to the Portage Area Food Pantry.

The Municipal Authority sent notice of a 5% increase in the water rates for 2011.

The Portage Area WinterFest sent a thank you for the annual donation and continued support for WinterFest 2010.

The Woman's Club of Portage submitted a request for Mr. Vic Miller to solicit for donations to the annual Easter Egg hunt. Council approved for Mr. Miller to solicit for donations.

Cambria County Board of Elections sent a reminder for all upcoming candidates to complete their State of Financial Interest forms for the Municipal Primary Election. The deadline for filing petitions is Tuesday, March 8th, 2011. The form must also be on file with the Secretary.

Cambria County Tax Claim Bureau sent notice of two proposed tax sales to be held on March 25th, 2011. The properties are 1007 Conemaugh Avenue and 828 North Rail Road Street. When the estate is sold, delinquent taxes will be exonerated.

Minutes of the Previous Meeting:

The minutes from January 4th regular and the January 17th committee meeting were distributed prior to the meeting. Mr. Slanoc motioned, seconded by Mrs. Chobany to approve the minutes from January 4th regular and the January 17th committee meeting, motion carried 7-0.

Paying of Bills:

The bills were distributed prior to the meeting. Mr. Kissell motioned, seconded by Mr. Wozniak to pay the unpaid bills and additional bills in the amount of \$29,708.00. Ms. McCarthy polled and motion carried 7-0. Mr. Kissell questioned the COGS invoice in the amount of \$450.00. Mr. Koban informed Mr. Kissell that the Borough is a member of the COGS and the annual fee is \$450.00. The fee was once paid for by the Cambria County Commissioners. Mr. Koban also advised that the COGS is utilized as the bidder for all salt, ice, paint, pipe, and other road materials.

Other Reports

Reports were received from the Municipal Water Authority and the Sewer Authority. Mr. Vandzura commented that the agenda reflected the Joint Recreation Commission but should have been the Portage Area Planning Commission. Ms. Claar commented that this was a clerical error. Mr. Kissell motioned, seconded by Mayor Fox to approve the monthly reports as presented with the above changes, motion carried 7-0.

Unfinished Business:

Mr. Koban informed Council that a group of individuals met to discuss the Mainline Heritage Association. The group will determine what the function of the organization will be; what goals to set, and how to resolve legal issues of the Association. Mr. Koban advised that another meeting will be scheduled to obtain answers to the legal questions and update Council the next meeting.

There is no update on the Stop N Go Property or the Harpo's building for demolition. Mr. Koban will be setting up another meeting with Mr. Custer's office to speak with them face to face on the delay of the demolition. Mr. Kissell advised Council that he spoke with a representative from Mr. Custer's office and the Stop N Go property is not on the list. Mr. Koban will also verify this at that meeting.

Mr. Koban updated Council on the progress of the Rails to Trails. Mr. Koban commented that he is waiting on the confirmation letter from DCED advising of the \$40,000.00 for the long range LUPTAP grant. Mr. Koban explained that the Rails to Trails have three phases to the project overall. Portage Township will also be participating in the project for the installation of water and sewer lines underneath the trails to serve their residents. Mr. Koban also informed Council that the Community Foundation for the Alleghenies presented the Planning Commission with a \$1,500.00 grant to help fund the project.

There is no update on the Main Street Streetscape project.

There was no update on the transfer of property from Mainline National Bank to the Portage Fire Department.

The Bookhammer property located at 619 Main Street was discussed under the Solicitor's report.

The earned income tax will be discussed at the February committee of the whole meeting.

The JHA agreement will be reviewed and discussed at the February committee meeting. Gillespie Avenue Bridge stabilization project was discussed under the Engineer's report. There was a letter of interest received from Thomas Kunko for the position on the Municipal Water Authority board. An interview will be held at the February Committee meeting. Mr. Kunko will be notified by Ms. Claar.

Council was presented with two agencies services to administer the Uniform Construction Code Enforcement: Cambria-Somerset COGs and Cambria County Building Codes Enforcement Agency. Council deliberated on the pro's and con's of each agency. Mr. Kissell commented that if we are already a member of COGS and pay dues, we should retain COGS. Mr. Koban explained that we are not currently with COGS for building code enforcement services. Mr. Kissell recommended we stay with Somerset County Building Inspections. Mr. Koban explained that would not be an option since Somerset County exercised their right to cancel the agreement for codes enforcement. Mr. Koban commented that several surrounding municipalities within Cambria County are members of the Cambria County Bldg Codes Enforcement Agency and recommended their services to administer the code. Ms. Claar commented that two representatives from the Borough would need to be appointed to the CCBCEA board if they were appointed. Mr. Koban explained to Mr. Kissell that at each re-organization meeting, two members of Council are also appointed to represent the Borough at Cambria Somerset COGS. After a lengthy discussion, Mr. Vandzura motioned, seconded by Mrs. Chobany to appoint Cambria County Building Codes Enforcement Agency as the third party administrator to enforce the Uniform Construction Codes for Portage Borough. Ms. McCarthy polled and motion carried 6-1 with Mr. Kissell voting no. With the appointment of the Cambria County Building Codes Enforcement Agency, an intermunicipal agreement would need to be advertised and an ordinance adopted. Mr. Slanoc motioned, seconded by Mr. Vandzura to advertise the participation with the Cambria County Building Code Enforcement Agency to enforce the uniform construction codes and approve the intermunicipal agreement. Ms. McCarthy polled and motion carried 6-1 with Mr. Kissell voting no.

New Business:

All new business items were addressed earlier in the meeting.

Good of the Borough:

Mr. Slanoc commended the Public Works Department for all their efforts during the recent snow storms. No complaints were received from area residents.

Adjournment:

Mr. Vandzura motioned, seconded by Mr. Wozniak to adjourn, motion carried 7-0. The meeting adjourned at 9:38 p.m.