

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
June 26, 2012

President James Troup called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

Roll Call

Council members present were Gregory Carl, Adam Klock, Ty Sees, James Troup, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Timothy Fink, Police Chief; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council members Stephen Reed and Jonathan Rees were absent.

Public Comment

The five visitors present introduced themselves. No public comment was offered.

Mr. Bill Geise of Geise Associates, LTD, addressed the council about the technology management service he has provided for the police department for over two years. He said that he was recently contacted because the server was not running. The current server has a bad motherboard. They have managed to get it running temporarily with a used motherboard and have ordered a new server which will come in next week. The new server is a Dell with a five-year warranty. He feels that he has gotten a very good deal on the server and will be able to transfer the data over smoothly. With the new server, he does not feel that much service will be required.

Mr. Geise explained that his company is here to advise the council in how to use technology to offer better services to the community or to save money for the community. He noted that he has served on Borough Council in the past and appreciates the work of the council. He provided copies of their client policy to the council. He explained that their policy is that they do not enter into contracts. They do ask that if the Borough is going to work with them, that they do so exclusively. He would like to get a better backup for the police server. Mr. Geise said that he is willing to meet with the council to discuss any technology or questions that they may have. Mr. Klock asked if there would be a charge for the discussion, adding that he would not want to be surprised by a bill. Mr. Geise replied that as a resident of the Borough, he would not charge the council for advice. He added that the council would know when he is billing for a service before the service is provided.

Council Meeting Minutes

Upon motion by Mr. Wetzel, seconded by Mr. Sees, council vote was 3-0-2 to approve the council meeting minutes of June 5, 2012. Mr. Klock and Mr. Carl abstained.

Mayor's Report

Mayor Zboray informed the council that a Certificate of Appreciation has been received for Patrol Officer Kevin Rushton from the PA Aggressive Driving Enforcement Education Program. The police department also received one for 2011.

A letter of appreciation was received from Bill Ziegler, Director of Shikellamy Outdoor Education, and staff members for Chief Fink's instruction in firearm safety at the 5th Grade Camp.

Jon Apple, Captain of the Fire Police, has requested permission for the Fire Police to assist the Danville Fire Police on July 20, 2012 at the Danville Iron Heritage Parade and on July 21, 2012 at the Iron Heritage Fireworks Display.

Mr. Carl moved to approve the requests and Mr. Klock seconded the motion. Motion carried unanimously.

Municipal Auction – 2003 Ford Crown Victoria

The Municipal auction for the 2003 Ford Crown Victoria ended today. The high bid was \$711. Discussion ensued. Upon motion by Mr. Carl, seconded by Mr. Wetzel, council voted unanimously to accept the bid of \$711 for the 2003 Crown Victoria.

Mayor Zboray called the PennDOT district office about the paving on Route 11 and learned that the amount of area paved would be 412 feet on Front Street and 2,037 in the borough. He also learned that PennDOT is not certain that the paving will be funded.

Street Supervisor's Report

- Mr. Tom Slodysko stated that the crew is currently trimming trees along the curb line to clear the street for the fire trucks and large vehicles. The street department is only trimming the branches that hang over the street. Property owners who have bushes and limbs hanging in the alleyways will be contacted to trim their shrubbery. People with younger trees along the curb line will also be contacted to have their trees professionally pruned. The chipper was being used this morning and there is a problem with the clutch.
- The street debris is being sorted at the Recycling Center and the fill is being taken to a construction site rather than to a landfill.
- The street department will be working along the old Danville highway to gain more access for the water runoff.
- The patch on Prince Street has been repaired. The area will be paved this year when the other paving work is done.
- Quotes have been received from tree trimmers to remove trees and grind stumps along Second Street between Orange and Prince Streets. The quotes were \$5,200 from Gary's Tree Service to remove ten trees and ten stumps and \$4,000 from Ted's Tree Service to remove thirteen trees and twelve stumps. Mayor Zboray said that Ted's Tree Service had provided the lowest quote to remove trees at the cemetery and that they did a good job. The residents have been informed that the trees must be removed. Mr. Slodysko said that Mr. Reed felt that the Borough could pay for the tree removal since the project must move forward. Mr. Klock

questioned why the Borough would pay for the tree removal since technically the residents are responsible for the trees. He said that they spoke to four of the residents and every one they spoke to was on board with taking on that burden. Mr. Slodysko said that Mr. Reed asked him to see what the Borough Council wanted to do. Mr. Tira advised that the Shade Tree Commission must commence the process, and conduct an advertised meeting. After the Shade Tree Commission's meeting, the Borough can move forward and have the trees removed. Mr. Carl asked what happens if the home owner doesn't have their tree removed. Mr. Tira replied that the Borough may have the all trees removed and charge the homeowners for the cost of the removal of their tree(s). Discussion ensued. It was noted that when a stormwater and street project was undertaken in 2001, the Borough assumed the responsibility of removing and replacing trees.

- Mr. Klock moved to hold a meeting of the Shade Tree Commission at 6:30 p.m. on July 17th to discuss the tree removal on Second Street between Orange and Prince Streets. Mr. Troup seconded the motion. Council unanimously approved the motion. [Note: The meeting date was changed to July 16th at 6:30 p.m. because not all members of the Shade Tree Commission were available on July 17th.] Mr. Tira advised that the Commission should also meet before then to review the project area. [Note: That meeting was advertised and held on July 5th.]
- Mr. Slodysko reported that there is an issue of parking near the garage on days that the pool is crowded. He reported that Todd Snyder has said that he was almost hit twice by cars that came down the driveway behind the garage. Mr. Troup suggested putting cones up to prohibit traffic from using this driveway.
- Mr. Carl stated that there is also a parking issue at the A.R.E.A. Services building. The lease agreement with A.R.E.A. Services includes access to three parking spaces for private vehicles. He noted that at times there are vehicles parked in up to six spaces. A.R.E.A. Services will be reminded of the agreement.
- Mr. Slodysko stated that a pre-bid meeting will be held on Friday morning at 9:00 for the 2nd Street curbing project.
- Mr. Klock requested that Mr. Slodysko provide a copy of the mileage logs from the trucks for the council meetings.

Code Enforcement Officer's Report

- Mr. Paul Ruane reported that the owner of the property at 855 Strawbridge Road wants to install a 50-foot wide right-of-way from Strawbridge Road near Susquehanna Road, back to other property that he owns which is in Point Township. The length of the right-of-way is 733 feet. Mr. Ruane showed the plans for the two lots to the council. Mr. Tira said that he needs to submit a storm water plan to the Borough and that the Borough's Planning Commission may need to become involved.
- Mr. Troup asked what can be done about a tree or shrub near an intersection that is blocking the view of the roadway. Mr. Ruane replied that if it is in the 25 foot triangle, they must cut it. Mr. Troup said that the bush is at Strawbridge and Fifth Streets intersection. Mr. Ruane will check on it.
- Mr. Wetzel asked about Neal Neidig's property on Duke Street. Mr. Ruane said that Mr. Neidig is in jail. The property is scheduled to be sold at the next county tax claims sale.

Emergency Services Board Report

Mr. Brian Ginck requested permission to spend the \$500 that is in the recruitment and retention budget for banners and signs to install in yards. Mr. Tira advised that the items may be purchased since the funds are in the budget. Discussion ensued.

Mr. Ginck informed the council that the Fire Department participated in the Touch of Truck program at the park with the Library. He said that the program was very well-received. He commended the library on their efforts for planning the event and said that the Fire Department is looking forward to participating next year.

During Pineknotters' Days, Fire Chief Brian Crebs said that the Fire Department will be giving away smoke detectors. They have several hundred to give away. They also plan to show off the new fire truck.

Sewer Authority Report

Mr. Adam Klock reported that the Sewer Authority voted to build a new treatment facility and forego the option of constructing a pipeline to Sunbury. Mr. Klock stated that he voted against the option because he did not feel he had enough information to go on and he was not satisfied with the quality of information put forth in the engineering study provided by Brinjac Engineering.

Mr. Klock said that he contacted Mid-Penn Engineering to double check some numbers that seemed to fluctuate significantly in the cost estimate for the horizontal directional drilling. He explained that this is the process of boring under the riverbed to get to Sunbury. Mr. Klock spoke to Lake Randall of Mid-Penn Engineering who offered to get some quotes at no cost. The quote in Brinjac's study that was provided to NSA was at a cost of \$2.8 million to do the boring under the riverbed. Mid-Penn Engineering obtained two quotes, one from Aaron Enterprises, Harrisburg, and another from Jason Williams of Earthwork Services. Both estimates were one half of that cost, a little under \$1.4 million. Mr. Klock said that his concern is the accuracy of the study that was done in the first place when one aspect of the study alone was overpriced by over 100% or \$1.4 million which would make the option of going to Sunbury look more expensive than it may actually be.

Mr. Troup said that he attended the same meeting and he agreed with Mr. Klock about the information that was given out. He explained that the engineer handed a sheet of paper out that had two columns and maybe ten things written down with prices behind them and this was the recommendation. Mr. Klock interjected that this was a \$7,500 study. Mr. Troup said that the board said it looks good, let's vote on it, with just this piece of paper, nothing else along with it. Mr. Troup said that he does not feel that you can vote on a \$10 million project on just that piece of paper. Mr. Klock stated that he is not saying that one option is better than the other; just that he does not feel the study was sufficient and that they had enough information to make a move that quickly when they had ample time to do more homework and gather more facts. He explained that DEP extended the compliance periods of when they had to meet certain milestones by at least three months. He said that he did not have the specific dates with him. Mr. Klock said that Earthwork Services confirmed that the quote that was received from Aaron Enterprises which was \$1,360,000. Mr. Klock

said that in the past, Brinjac's cost for the same work was \$2.8 million. Mr. Klock said that the capital cost for the pipeline is still more because of having to add in the treatment in Sunbury; but when the numbers are inaccurate to start with, it throws off the cost of the calculation per e.d.u. Mr. Klock said that he wasn't comfortable enough voting for that option based on the information that was presented. Someone said that since the project has to go out for bid, the bid might be lower than the \$10 million. Mr. Klock said that as they go on, they are learning that there are more add-ons, the extra bells and whistles, more things to consider, such as whether the tank should be replaced or refurbished. He feels that these are things that should have been calculated up front and the NSA should have been asked these questions by the engineer in the very beginning and only now are they getting into these additional questions that could change the scope of that work and drive the price up or down. He noted that it is not going to go down; it can only go up if they want to add on options.

Mayor Zboray asked if the size of the diameter of the pipe was increased. Mr. Klock explained that the pipe size from a 16" line to an 18" line, but the price escalated from \$800,000 to \$2.8 million. He explained that he is talking about two different quotes over two different periods of time. That is why he looked into getting a second opinion on the cost of the directional drilling. The cost does include the pipe. He said that he is not sure who quoted Brinjac that price. He said that the directional drilling will be 2,000 linear feet from the Borough side of the river to Adam Street in Sunbury. It would run under the river on each side of the island and across the island, parallel to the main street.

Mr. Geise said that when he was on council, they had the sewer plant also. He said that there is a lot of confusion about who is in charge of the sewer authority. Mr. Tira explained that there is a lawsuit in which the Borough has challenged the validity of the transfer of any assets from the Northumberland Sewer Authority to the NorthPoint Sewer Authority. The Borough is waiting, for about two months, for something to come back from Judge Sacavage. The NSA is charged to continue with the day to day operations until we have a decision. Mr. Klock said that he doubts if it qualifies as day to day operations, making those kinds of decisions (to build a new treatment facility).

Ms. Ruth Ford asked who would make the final decision. Mr. Klock stated that it depends on the judge's ruling on the outstanding litigation. Ms. Ford asked how much the people of Northumberland have to pay as far as the pros and cons. Mr. Klock explained that the NSA hasn't determined what percentage of any option the Borough would be responsible for, Point Township would be responsible for, and what Upper Augusta would be responsible for. He noted that under the current treatment agreements with the two townships, they are responsible to pay a percentage of any capital project that is performed that has anything to do with the treatment process itself. He explained that in the past there was a pumping station project that Point Township was responsible for 42% of the cost, the Borough was responsible for 53%, and Upper Augusta was responsible for the remaining percentage. Ms. Ford said that many residents of the Borough do not know what is going on and she feels that it is irritating that several people decide what's going to happen to our town and our facility. Mr. Tira said that he thinks Mr. Klock would love to have more people attend the sewer authority meetings to become informed on the issue and give their input. She said again that a lot of them don't know what's going on. Mr. Klock

said that he personally is trying to be as transparent as possible and get the issues out on the table, and take our time to make these decisions that are going to affect generations of residents here; but things have been happening very quickly and there has been very little discussion. Ms. Ford said that this doesn't seem lawful to her because the people that do not have to live with it are making the decision.

Committee Reports

Community Development

- Mr. Carl stated that the committee did not meet in June because of his work schedule. They will have a meeting at 7:00 p.m. on July 9th.
- Mr. Wetzel asked when the bowl slide will be finished. Mr. Carl stated that he anticipates that it will be done before summer is over. He has lost time working at the bowl slide because a co-worker was injured and he has had to work twelve hour days. He added that he has probably lost 80 hours so far that he could have worked there. Mr. Klock offered his lift to do whatever they can to get it going. Mr. Troup asked if anyone has shown up to help. Mr. Carl responded a couple kids have helped, but in other people's defense, it is hard to schedule times to work because either he or Mr. Slodysko must be there. Discussion ensued about the work involved.

Finance – no report

Personnel

Mr. Troup stated that the council would discuss personnel issues in the Executive Session.

Public Safety – no report

Rules

Mr. Sees said that the committee would meet on July 9th at 6:00 p.m.

Sewer – no report

Streets

- The opening of the bids for the Curbing Project was advertised for the Street Committee Meeting at 7:00 p.m. on July 10th. Since the Shade Tree Commission must conduct a public meeting regarding the trees to be removed, it was determined that the council could award the bid at the July 17th council meeting.
- Mr. Troup reported that the high bid on the Municibid Auction for the 1991 GMC Dump Truck was \$3,099.99. He stated that the council was hoping to receive more for the truck. Mr. Slodysko explained that when the truck was advertised on Municibid, the original ad was posted at the end of the day and not all the information about the spreader and plow was included. The next day, when more information was to be posted, a bid had already been received and Municibid would not allow additional information to be posted. He feels that there was not real representation of what it could have been. Mr. Tira advised that the council could reject the bid. Mr. Troup asked Mr. Slodysko to estimate what amount could

be obtained for the truck. He responded that he feels the Borough should be able to get \$5,000 with the spreader and plow. Mr. Klock moved to reject the bid and repost the listing on Municibid. Mr. Wetzel seconded the motion. Motion carried 5-0.

Old Business

1. Mr. Troup stated that he has learned from Todd Snyder and Steve Carr that there is a trash problem at the Pineknott Park baseball field again. The teams are not collecting their trash after the games. Mr. Slodysko said that there are photos of the garbage. Mr. Klock recommended that the teams be sent a letter about collecting the trash. The Borough Secretary stated that no teams have obtained permits from the Borough Office. Mr. Troup said that a letter should be sent to Brian Luden, telling him about the trash problem, and asking why the teams haven't obtained permits to play there. The cost of the permit is \$20. Discussion ensued. Mr. Sees stated that the trash is not just at the ballfield, it is also at the Sea Scout Dock and the Point.

New Business

1. Mr. Wetzel made a motion to pay the bills, seconded by Mr. Klock. Discussion ensued. Council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$14,653.04; Bills to be paid from the Park and Recreation account total \$2,431.13; Liberty Splashland bills total \$4,843.08; Parking Meter account bills total \$684.19; and bills to be paid from the General Contingency fund total \$194.83.
2. Upon motion by Mr. Klock, seconded by Mr. Wetzel, council voted unanimously to transfer \$77.95 from the General Fund to the Acorn Field Account. This amount was the discount on shipping for an item paid with the Borough's debit card.
3. Upon motion by Mr. Wetzel, seconded by Mr. Carl, council voted unanimously to transfer \$6,460.80 from the Liberty Splashland account to the General Fund for payroll through the June 22, 2012 payroll.
4. Mr. Wetzel moved to approve DEP Grant reimbursements of \$40,000 to James Gilfert, Sunbury Airport; and \$10,000 to Stahl Sheaffer Engineering. Mr. Klock seconded the motion. Discussion ensued. Mr. Sees asked if the bills were available for review. They are in the Borough Office. Mr. Sees asked there are guidelines for the grant so the Borough doesn't get into trouble with DEP. The Borough Secretary responded that there are guidelines and a contract. Roll call vote was 2-3. Mr. Wetzel and Mr. Carl voted yes; Mr. Sees, Mr. Troup and Mr. Klock voted no. Council requested to see the bills so they can reconsider the request after the Executive Session.
5. Mr. Klock moved to approve a handicap parking space requested by Angel Gonzalez near 284 Priestley Avenue for a period of one-year, after which point it must be re-visited on or after June 30, 2013. Mr. Gonzalez lives at 3 King Street.

Mr. Sees seconded the motion. Discussion ensued. The motion passed 4-1 with Mr. Wetzel dissenting.

Executive Session

Mr. Troup announced that council would be adjourning for an Executive Session to discuss personnel and litigation issues. He said that the meeting would be reconvened to consider the DEP grant disbursements.

Mr. Klock moved to adjourn the council meeting for an Executive Session at 8:37 p.m.

Mr. Carl left the council meeting at 9:30 p.m. during the Executive Session.

Mr. Troup reconvened the council meeting at 9:40 p.m.

Council discussed the DEP grant reimbursements. Mr. Sees moved to approve DEP grant reimbursements of \$10,000 to Stahl Sheaffer Engineering, and the actual amount of the invoices submitted to the Borough by James Gilfert, up to \$40,000. Mr. Klock seconded the motion. Motion carried unanimously.

Mr. Wetzel moved to adjourn. Mr. Troup adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary