

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
September 18, 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 James Troup, Greg Carl, Adam Klock, Stephen Reed, and Ty Sees. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council members Jonathan Rees and Frank Wetzel were absent.

Public Comment

The five visitors present introduced themselves.

Brian Falso informed the council that he took over the Claire Mummau properties on Duke Street. Mr. Falso gave the council a letter requesting that he be informed in writing about code information. He told council that the GCR building is vacant. He asked for information about erecting signs. He stated that Paul Ruane had issued a stop work order on 176 Duke Street and since then he did what was required by the Code Office. He said that a neighboring property owner made structural changes without a building permit and that he has pictures of this building. Mr. Falso explained that his property consists of multiple buildings. 186 Duke Street will remain a residence. Puff Tobacco Company is interested in renting the property at 178 Duke Street. Another tire facility will be put back in the building that was GCR. The building on Queen Street currently houses the Corner Que and three apartments. The single family home will eventually be torn down and the parking lot will be enlarged.

Mr. Gene Brosius stated that he was asked to address the letter that requests that the Northumberland Sewer Authority transfer the assets to the Borough. Mr. Brosius stated that the judge had issued some injunctions. One of them stated that the authority could proceed to correct the actions that had violated the Sunshine Laws. At that time, they transferred the property to the NorthPoint Sewer Authority. Mr. Klock asked what has and has not been transferred to date. Mr. Brosius replied that the real estate and the rights-of-way were transferred. The bank accounts remain with the NSA. Mr. Tira said that paragraph nine of the judge's order states that any action taken contradictory to the court order is void and unenforceable. Therefore, Mr. Tira added, NorthPoint does not have a legal interest in the property. He said that the NorthPoint Sewer Authority would

be able to give a quit claim to the property and the Northumberland Sewer Authority could transfer the property back to the Borough.

Mayor's Report

- Mayor Zboray announced that the S. Luther Savidge Charitable Trust met yesterday and decided to grant \$6,000 to the Jolly Hollow Dog Park. The trust also agreed to grant funding to the Borough for holiday decorations. Mayor Zboray stated that he hopes the trustees will continue to donate toward replacing the old decorations.
- Liquid sugar was spilled on Hanover Street which the bakery had cleaned up.
- Duke Street was flooded again today during the heavy downpour. PennDOT will be contacted to try to alleviate drainage the problem.
- The banners have been posted for the cancer walk scheduled for October 27th.
- Mayor Zboray read a portion of Joe Diblin's column from Sunday's issue of the Daily Item which put the town in a positive light. He said that John Deppen's article in the same issue was also complimentary about the September 2nd event and the town.

Code Enforcement Officer's Report

Code Enforcement Officer Paul Ruane was not present. Mr. Troup read a resignation letter from Mr. Ruane which is effective December 31, 2012. Upon motion by Mr. Carl, seconded by Mr. Reed, council voted unanimously to accept Mr. Ruane's resignation with regret. The council will discuss filling the position in the Executive Session.

Street Department Report

- Mr. Slodysko reported that the street construction work is continuing.
- The FEMA funding has been received and the street crew has begun spreading the stone at the Point and Pineknottter Park pavilion to replace what was lost during the flood.
- Mr. Slodysko said that the street department would paint the yellow lines on the Old Danville Highway. The Susquehanna Valley COG did not award the bid for painting lines.
- Mr. Slodysko thanked Adam Klock for his equipment and for helping to remove several trees in the pool property area over the last weekends.
- The millings from the streets will be used at WestWay and stockpiled to used as needed.
- Door hangers are being printed and will be put on the residences along the streets to be paved to inform the residents.

Emergency Services Board Report – no report

Northumberland Sewer Authority Report

- Mr. Klock informed the council that the authority is looking for new software.
- NSA is shopping their electric rates.
- NSA has changed their phone and internet service to Verizon.

- NSA is to be contacted whenever there are new construction projects in the Borough so the authority knows how to bill the customer. He explained problems that had existed in the past with the authority being unaware of new construction or improvements or additions to current properties.

Committee Reports

Community Development

- Mr. Carl stated that the committee met on September 10th. On September 15, he and Mr. Reed met to consider the work to be done in the gym. The repair to the ceiling was considered. Someone from Zartman's will be asked to look at the ceiling. Quotes will be obtained for the ceiling.
- The committee also looked at the old Borough Building. Mr. Klock stated that he would move his lift to that location so the cupola may be repaired. The building is to be emptied.
- An auction of the property is planned for October 20th. The doors will open at 10:00 a.m. and the auction will begin at noon. The property is zoned R-2.
- Mr. Carl stated that there is \$1,534.62 in the Parks and Recreation Account that is not designated for any specific project. He moved to designate this money for the dog park. Mr. Klock seconded the motion. Council approved unanimously.
- Playground equipment at the Pineknott Park is damaged. The street department will remove the equipment.
- A rental fee for use of the Savidge Room and kitchen was discussed. Mr. Tira recommended that a rate schedule be adopted with details of the rental.
- An estimate of \$1,500 to \$1,800 to repair the walls in hallway was received from Bruce Killian. Mr. Carl moved to accept the quote from Bruce Killian, not to exceed \$1,800. The price does not include painting. Mr. Reed seconded the motion. Council unanimously approved the motion.
- An estimate of \$560 to install the kitchen cabinets was received from Jim Aikey. He also provided estimates to install prefabricated countertops and sinks (labor only) or an estimate to fabricate and install the countertops and sinks. Discussion ensued. Upon motion by Mr. Carl, seconded by Mr. Klock, council voted to approve the quote of \$560 for installation of the cabinets. The work is to be done in a timely manner. Council decided not to vote on the countertop installation at this time.
- The repairs to the Fire Police building will be done in October by the group from Career Link.
- The committee had reviewed a proposal to apply for funding for the gymnasium through Kickstarter.com. This is a funding platform for creative projects. The committee had discussed the possibility of dividing the gymnasium renovation into three stages. However, the idea of Kickstarter.com is to obtain enough funding to complete the project. The proposal, if approved by Kickstarter.com, is listed on the website with an end date for donations. Donors are given "rewards" depending on the amount donated. The suggested rewards are postcards and drawings of the 2nd Street Community Center, t-shirts, a room design by Barb Kistner, an entertainment center built by Chris Sorace. The goal for the completed project is to hold a concert by Memory Lane, with reserved seating for

- Mr. Carl moved and Mr. Klock seconded a motion to apply for funding of \$325,000 through Kickstarter.com. Council voted unanimously to approve.

Finance

Committee meeting will be held tomorrow night at 6:30 p.m. to review the 2013 budget requests.

Personnel

Mr. Troup stated that personnel issues would be discussed in the Executive session.

Public Safety – no report

Rules

- Mr. Sees stated that he and Mr. Klock went to check the parking problem at the Chinese Restaurant on Duke Street. Mr. Sees stated that he thinks “no parking” signs should be installed on both sides of the alley. The restaurant is designated as take-out only. Mr. Klock stated that there is a table in the restaurant which should be removed. The committee had considered making the street a one-way street but not to make this recommendation. Mayor Zboray suggested that the Borough ordinance be reviewed in case “no parking” is already prohibited. This had happened at Depot Avenue, where the ordinance designates that parking is not permitted in the alley, but the signs were missing.
- Mr. Tira said that he has done a preliminary review on the cat ordinance. Mr. Tira asked if the licensing of cats should be incorporated into the ordinance and also said that there are other items that he would like to discuss with the committee to have clarified before drafting the ordinance.
- Mr. Sees stated that the committee does not plan to move on any changes to the rental ordinance at this time; the current ordinance does have a three strike rule.
- Mr. Falso asked about the sewer rates for commercial properties. Mr. Klock explained that NSA currently uses formulas that consider, for example, the number of seats in a restaurant; or the number of bays in a garage. Mr. Klock stated that they are also looking at the option of billing based on water usage.

Sewer

- Continuing Services Agreement Retained Engineer
Mr. Brian Book, of Hazen & Sawyer, explained the Continuing Services Agreement Retained Engineer. The agreement provides for the Basic Retainer Services for \$1.00 with additional services based upon the Engineer’s Standard

Fee Schedule. The basic services include attend the annual organizational meeting, provide telephone consultations and endeavor to keep the Borough informed of regulatory changes that may affect operations. The cost of \$1 is mostly a formality to set up a legal structure in case something would come up. The term of the agreement is continuous with the right of either party to terminate the agreement with a seven day notice. Mr. Klock added that if the council wishes Mr. Book to attend a meeting, it would require a letter of request for him to appear. Council could also decide to request his presence at each meeting, or once a month, etc.

- Mr. Book said that he may attend a meeting because he is curious or he thinks it is the best way to maintain contact with the Borough Council. He said that the council need not worry that the Borough will be billed for a phone call or if he comes to a meeting. Mr. Book noted that the only time the Borough will be charged for his services, is after the council takes a motion and authorizes him to do the work. He prefers the lump sum fees for work proposed rather than billing on an hourly basis. He feels that the lump sum provides the council with an accurate number before the work is done.
- Mr. Tira stated that the Borough will need an engineer to transfer the NPDES Permit from the Northumberland Sewer Authority to the Borough. Mr. Book stated that there are legal issues relative to whether to transfer the permit or apply for a new permit. Mr. Tira advised that more discussion on the topic should occur in Executive Session.
- Mr. Klock moved to approve the Continuing Services Agreement Retained Engineer with Hazen & Sawyer with a \$1 retainer fee. Mr. Sees seconded the motion. Council approved unanimously.
- Mr. Klock moved, and Mr. Sees seconded the motion to accept Hazen & Sawyer's letter proposal for engineering services to transfer the NPDES permit at a lump sum cost of \$790. Council approved unanimously.
- Mr. Tira stated that he drafted a resolution to authorize someone on Borough Council to take over the wastewater treatment plant and take all steps necessary with DEP to get all necessary permits required. He explained that a second resolution recommended is to name someone to execute on the documents required for banking and to transfer the assets from the NSA to the Borough. Mr. Carl moved to authorize Adam Klock and Ty Sees as the Borough representatives named in both of the resolutions. Mr. Reed seconded the motion. Council approved unanimously.
- Mr. Klock announced that Ben McCollum has submitted an application to be appointed to the NSA and NorthPoint Sewer Authority to fill Jim Orner's position on the authorities. Mr. Klock moved and Mr. Reed seconded the motion to appoint Mr. McCollum to fill Mr. Orner's position. Council approved unanimously.

Streets

- Mr. Reed stated that the paving may begin next week because the company. The Shade Tree Commission plans to meet tomorrow morning with the forester from

the Penn State Extension Office to discuss trees to be planted where the trees had been removed.

- Mr. Reed asked about purchasing the fence for the dog park. Mr. Tira advised that the council should authorize the purchase of the fence. Mr. Troup moved to authorize the purchase of chain link fencing for the dog park once the funds are available, not to exceed \$6,000. Mr. Sees seconded the motion. Discussion continued about different types of fencing. The motion was withdrawn.
- Mr. Troup moved to approve the purchase of either chain link fencing or PVC coated fencing at a cost not to exceed \$8,000, contingent on receipt of the Savidge Trust funding. Mr. Sees seconded the motion. Council approved unanimously.
- Mr. Tira recommended that rules be established for the dog park. Several communities have established rules for their dog parks and information will be obtained from them.

Old Business

1. Correspondence was received from the Housing Authority of Northumberland County concerning a resolution to use CDBG funds for blighted properties in the county. Council discussed the resolution. No action was taken.

Mr. Reed left the meeting at 8:36 p.m. and returned at 8:41p.m.

New Business

1. Upon motion by Mr. Reed, seconded by Mr. Troup, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$72,381.64; Liberty Splashland bills total \$206.13; bills to be paid from the Parks and Recreation account total \$294.43; and bills to be paid from the Parking Meter fund total \$6.18.
2. Upon motion by Mr. Sees, seconded by Mr. Carl, council approved by a vote of 4-1 to designate Trick or Treat Night as October 31, 2012 from 6:00 p.m. to 9:00 p.m. Mr. Klock cast the dissenting vote.
3. Upon motion by Mr. Klock, seconded by Mr. Sees, council voted unanimously to approve the use of King Street Park for the Halloween Parade. Mr. Klock stated that he received an email from Elaine Rockey, the chairman of the Halloween Parade. She is seeking volunteers for the parade committee. The information will be posted on the website and Facebook and included in the next newsletter. Mr. Klock stated that a request was also made for a donation toward the parade. In past years, the Borough donated \$200 for the parade. The Finance Committee will review the request and the Borough budget. Mr. Sees stated that he may be able to obtain a donation also.
4. Upon motion by Mr. Carl, seconded by Mr. Troup, council voted unanimously to transfer the PennVest and Debit Card accounts to the Northumberland National Bank.

5. Upon motion by Mr. Sees, seconded by Mr. Carl, council unanimously approved the Borough's Minimum Municipal Obligation (MMO) for 2013 to be submitted to the Pennsylvania Municipal Retirement System.

Mr. Troup adjourned the Executive Session at 9:04 p.m. to discuss personnel and litigation issues. He stated that the meeting may be reconvened.

The council meeting was reconvened at 9:47 p.m.

Mr. Klock moved to authorize Mr. Sees to act on behalf of the Borough to pursue health insurance options. This includes permission to provide sensitive information. Mr. Carl seconded the motion. Council approved unanimously.

Mr. Carl moved to adjourn. The meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary