

**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**September 4, 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 Greg Carl, Adam Klock, Stephen Reed, Ty Sees, James Troup, and Frank Wetzel. Others present were Mayor Zboray; Levi Woodward, substituting as the solicitor in place of Ryan Tira; Timothy Fink, Chief of Police; Tom Slodysko, Street Supervisor; and Janice Bowman, Borough Secretary. Council member Jonathan Rees was absent.

**Public Comment**

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

**Mayor's Report**

Mayor Zboray noted that he and the Police Chief collected money from the meters last week and he feels that with the additional enforcement, there is more money in the meters.

Issues continue with tractor trailers at Duke and Water Streets. The police assist to relieve traffic congestion.

A cancer walk will be conducted on Saturday, October 27<sup>th</sup>. The walk organizes at the C.W. Rice building.

New planters, two rectangular and two round, arrived for the downtown. They will be planted this fall and placed downtown.

The event on Sunday, See You in September, was well attended. Mayor Zboray noted that approximately 2,000 people were in town for the event. The vendors in the park were pleased with the turnout and all made money. He noted that the book signing was unbelievable. He said that Theodore "Dutch" Van Kirk signed over 200 books. Mayor Zboray thanked Tom Slodysko for his help to get the park ready for the day. He also thanked the Borough office employees, Jan, Jane, and Ann, for their work. He noted his appreciation to all the volunteers for their work to make the event a success.

**Emergency Services Board Report**

The committee will meet next Monday at 6:00 p.m.

## **Committee Reports**

### **Community Development**

Mr. Carl reported that he and Steve Reed met with Dick Simpson and others who are interested in overseeing the Pineknoller Park Ballfield.

Mr. Carl reported that the pool was opened a week longer than usual, mainly because there were lifeguards who were able to work.

A dog swim was held the last two days that the pool was opened. More than \$600 was raised and will be designated for the Dog Park.

The Bowl Slide was opened in August. The original agreement with Jimmy James of FMS Waterslides was that he would return before the slide opened to do a final coating on the slide. However, Mr. James was unable to complete the work and the Borough completed the work, and purchased the supplies. Mr. Carl moved to send a letter to Jimmy James of FMS Waterslide Services requesting that he reimburse the Borough for the money spent on the supplies to coat the Bowl Slide. Mr. Klock seconded the motion. Discussion ensued. Council voted unanimously to approve.

Mr. Klock asked if any of the people who attended the meeting about the ballfield agreed to serve on a Pineknoller Park Ballfield committee. He noted that because there was not a committee this past year, but just one person in charge, the concession stand was not opened this summer. Mr. Reed stated that the subject did not come up, but the group was willing to help at the ballfield. Mr. Klock suggested forming a committee with this group to provide oversight to the ballfield.

Mr. Klock asked if someone would contact the recycling volunteers to see if they are willing to serve on a committee for the Recycling Center. Mr. Wetzel stated that he would contact Bill Gross.

Mr. Klock asked if there is an account set up for the dog park, if someone would like to make a contribution. He was informed that there is. Mr. Reed stated that the price for the fencing is \$12,000 completely installed and \$6,000 for the materials with volunteers installing the fence.

Mr. Klock stated that there are trees at the pool that were identified as needing to come down. He said that they will do the work on a weekend.

Mr. Carl said the committee would meet next Monday. He said that the preliminary numbers for attendance are not yet available. He noted that the committee will need to consider a soda vendor for next year. The ten year contract with Coca Cola ended this year. Money is still owed to the Borough from the contract. \$6,000 was received at the beginning of the agreement, and another \$6,000 is owed. The company office in Harrisburg has been contacted about the money due because the office in Sunbury was closed.

Mr. Carl told the council that Rebecca Kline has agreed to manage the pool next year. She worked at the pool part-time at the end of this season. She is certified to teach water safety through the Red Cross. Mr. Carl stated that Phil Hallden volunteered to assist with building the tower for the Bowl Slide. He has offered to continue to help at the pool with maintenance. Mr. Klock stated that the drainage system that was engineered at the pool is pretty involved. He suggested that the system be documented for future reference.

Mr. Carl stated that he would like to have a discussion with the council and solicitor about the engineering bill that was received for the bowl slide project.

Mr. Reed noted that the steps at the old police station are in poor shape. He feels that something should be done about them.

#### Finance

The committee will meet on September 19<sup>th</sup> at 6:30 to begin the 2013 budget. The departments have been requested to submit their budgets to the committee.

#### Personnel

Personnel issues will be discussed in the Executive Session..

Public Safety - No report.

#### Rules

The committee will meet at 6:00 on Monday. Mr. Klock added that the solicitor has been given the draft of the animal control ordinance.

Mr. Carl stated that he was asked if the Borough is going to address rental properties because of the new rental ordinance in Sunbury. He was concerned that tenants who are evicted from Sunbury will move to Northumberland. Discussion ensued. The Borough's current ordinance includes a clause that provides for the property owner to receive notice whenever the police are called to a rental unit for some type of disruptive conduct. If the police are called to a rental property three times within a one year time frame, the tenant is to be evicted. Police Chief Tim Fink told council that people are concerned when the police are called because of the 3-strike rule.

The cat issue was discussed.

#### Sewer

The next NSA board meeting is scheduled for 7:00 p.m. on September 17<sup>th</sup>.

A resignation letter from James Orner, effective August 31, 2012, was read by Mr. Klock. Mr. Klock moved to accept Mr. Orner's letter. Mr. Wetzel seconded the motion and added that a letter of appreciation for his service be sent to Mr. Orner. Roll call vote to approve was unanimous.

Mr. Klock recommended that the sewer authority is still serving an important role and he requested that the vacancy be advertised on the Borough website so a new member may

be appointed at the Borough Council meeting on September 18<sup>th</sup>. Mr. Klock said that he does not know how much longer the authority must remain in existence but there are topics to be discussed about the transition of the employees from the authority to the Borough. Mr. Troup stated that he would set up a meeting with the Personnel Committee, the solicitor and the Teamsters' representative.

Mr. Klock stated that three sewer committee meetings have been held in the past two weeks to review the study conducted by the engineer from Hazen and Sawyer.

Several items are not yet available and the Sunbury Sewer Authority is meeting tonight to discuss questions that were submitted to them.

Mr. Klock said that the committee has heard the results of the evaluation and his personal opinion is that both options warrant fair consideration. The current consent order with DEP is for building a new plant. Mr. Klock said that there is a meeting on Friday with DEP and that he would like permission to request that DEP allow the Borough to explore two options to treat the Borough's sewage, not just the option of building a new plant per the consent order.

Mr. Brian Book, the engineer, stated that the consent order establishes a time line of March 28, 2013, to submit a water quality permit application; of May 31, 2014, to issue a notice to proceed to the contractor(s) to build; and of July 31, 2015, to issue a certificate of substantial completion.

The main question is whether DEP would accept any alternative on this schedule which currently references the SBR alternative. This is the alternative that NSA submitted to DEP in May.

Mr. Klock stated that there would be several items of negotiation with Sunbury to make that option viable. One is whether they would contractually dedicate capacity to the Borough to accommodate growth to Point Township that is already in their 537 Plan. Another item would be offsetting credits which would alleviate cost to the Borough.

Mr. Book explained that beginning October 1, 2012 the Borough must comply with the Chesapeake Bay Tributary strategy at the Maryland line. The Borough will be short on the nitrogen and phosphorus removal that must be done as part of Pennsylvania's compliance. DEP allows for trading so Pennsylvania as a whole is compliant with the amount of nitrogen and phosphorus that is contributed to the Chesapeake Bay. He has estimated that the Borough will be short about 30,000 to 40,000 pounds, based on the Borough's operating plant to date. The cost to purchase the credits for this amount is about \$120,000. Sunbury will have credits and it may be possible to secure some of the credits at a reduced cost if the option to contract with Sunbury is selected. He explained that when the flows are below the 1.125 million gallons, the Borough's capacity has a value to Sunbury if we regionalize. If Sunbury were willing to help the Borough with the credits up front, it could have an impact on the total cost of going to Sunbury and also if the Borough would receive consideration for capacity allocated for the Borough that is not required, Sunbury could sell credits in the future.

Mr. Klock explained that the committee reviewed the pros associated with each alternative. He said that the pros of building a new treatment facility are local control of land development process and clear capacity allocation. The Borough would be guaranteed of the capacity needed and there would be no chance of the capacity being used by someone else. He noted that if an agreement with Sunbury would include a guaranteed capacity, it would level the playing field.

Mr. Book explained how land development occurs. Anyone with a raw piece of land makes application to the treatment plant which determines whether the treatment plant has the capacity to accept the additional sewage. The application would be made to Northumberland, if a new treatment facility is built; or to Sunbury, if the option to contract with Sunbury is chosen.

Mr. Book noted that the Borough's plant, currently permitted for 1.125 million gallons, is hydraulically overloaded now. Both options, contracting with Sunbury or building a new plant, are to be planned for the 1.125 million gallon capacity. He stated that this is an inconsistency that he cannot explain. The reduction of I & I will lower the treatment costs. The engineer's estimate for treating in Sunbury is composed of 1/3 of the cost to build the infrastructure and 2/3 to operate. If the Borough opts to build a plant, 2/3 of the costs would be to build the infrastructure and 1/3 of the costs to operate the plant. By reducing I & I, there is a disproportional benefit by going to Sunbury. With every 50,000 gallons of flow that is reduced, the difference is \$40,000 less for the cost to go to Sunbury.

Mr. Klock stated that the employees at the Norry Sewer Plant would be able to correct the I & I if they are not running a sewer plant. He does not anticipate the reduction of staff with either option.

Mr. Klock noted that other benefits of contracting with Sunbury are:

- If grant funding is available, a new regional system will probably be favored. The land at the Point may be used for recreation or other purposes.
- A collection license is easier to obtain than the higher certification license. Less training requirements are required of the operator if we have a collection system instead of a treatment system. Currently two licensed operators are required.
- In the future, if the facility needs upgrades, the cost would be distributed among more communities.

Mr. Reed asked about the rate costs for treatment. Mr. Klock stated that he and Dan Ramer, the authority manager in Sunbury, reviewed the treatment costs, line item by line item. He said that he would like the billing to be done the way the Borough currently bills Point Township. The Borough would be billed an approximate cost throughout the year. At the end of the year, the actual costs for treatment would be calculated per percentage of flow from the municipalities and that a reconciliation would occur. He added that everyone would be paying the same rate for treatment.

Mr. Carl said that he was told that Sunbury's rates are higher than the Borough's. Discussion ensued about whether Sunbury's bills include charges for water.

Mr. Klock noted that Borough rates were increased this year, but had not had a significant increase up until now. He added that both options will increase the rate for the Borough residents.

With either option, it will be necessary to obtain credits. Mr. Book explained that the Borough will start being deficient on October 1, 2012, but won't reconcile that until Thanksgiving of 2013. At that time, approximately \$60,000 of credits will be required. Mr. Klock estimated that this would cost residents under \$2 per month for the credits. He added that an agreement with Sunbury could be reached that would lower the costs since they have credits that are not used.

Mr. Book said that the current market value is \$4.00 per credit, but the Borough may negotiate to buy the credits from anyone who has certified credits. He said that his estimate was based on buying 30,000 credits at \$4.00 per credit.

Mr. Book estimated that in 2015, for the Northumberland community for sewage, if they were to build the SBR, the annual cost required to operate would be \$1,014,000. The option of an interconnection with Sunbury would cost \$1,018,000. These options are essentially the same cost, which is why if Sunbury does negotiate either the provision of the credits that Northumberland needs or an additional value for the credits that will be the long term credits, after Northumberland is hooked up, that has more bearing on comparing the two alternatives than just comparing the two numbers. He added that is why it is important to know if Sunbury wants the Borough to hook up and what they are willing to do to make it happen.

Mr. Klock stated that beyond that it is a managerial decision, how the authority is run. Will they be aggressive in addressing I & I? If so, over the long term, the option to go to Sunbury would be less costly. Mr. Klock asked how the Borough compares with other municipalities with the ratio of normal flow to storm water flow? Mr. Book said that they look at the average daily flow; the dry weather peak which he explained as everyone going to the bathroom during halftime at the Super Bowl; and the wet weather peak. The normal ratio is 1 to 2 to 3 million gallons. NSA's engineer established that the Borough's flow ratio is 1 to 3 to 6 million gallons. The Borough has 3 million gallons of wet weather flow, which could be reduced by 50%.

Mr. Klock moved to allow those who attend the meeting with DEP to request that DEP loosens the restrictions on the consent order to allow further study on the second option of regionalizing treatment with Sunbury Municipal Authority. The meeting is to be held at 9:00 a.m. on Friday, September 7<sup>th</sup>. Mr. Sees seconded the motion. Council approved unanimously.

#### Streets

Mr. Reed stated that the curbing is being installed, the trees have been removed. Paving should begin shortly after the curbing is finished.

Mr. Reed said that at the last meeting, there were questions about bushes at Madison and Woodrow and at Fifth and Strawbridge. He said that he has been unable to meet with the residents. Mr. Troup said someone just moved in to the house at Fifth and Strawbridge. Mr. Reed will try again to contact someone.

### **Old Business**

1. Ms. Bogovich asked if there is any news on a sale of the old Borough Building. Discussion ensued. Mr. Sees moved to conduct an auction of the old Borough Building with a minimum price to be determined in Executive Session. Mr. Wetzel seconded the motion. Council unanimously approved the motion.

### **New Business**

1. Upon motion by Mr. Reed, seconded by Mr. Wetzel, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$27,633.60; Liberty Splashland bills total \$6,481.39; bills to be paid from the 2<sup>nd</sup> Street Community and Municipal Center account total \$402.26; bills to be paid from the Parking Meter account total \$776.15; and bills to be paid from the Park and Recreation fund total \$126.18.
2. Upon motion by Mr. Wetzel, seconded by Mr. Klock, council voted unanimously to approve the transfer of the PHEAA payment of \$4,890.32 from the General Fund to the Liberty Splashland Fund.
3. A notice from the Northumberland County Tax Claims office was received to come forward to oppose the sale of the property at 446 Water Street clear of any taxes, liens, mortgages, etc. No action was taken to oppose the sale at this time.
4. Mr. Sees stated that the Rules Committee has not yet reviewed the request from Robin Keefer, a resident of Duke Street, for no parking signs in Park Avenue near her property. Ms. Keefer explained that people going to the Chinese Restaurant park in front of her garage and driveway. Mr. Klock suggested that the Rules Committee should go to see the property at their next meeting.

Mr. Troup adjourned the meeting for an Executive Session at 8:34 p.m. to discuss personnel and real estate issues. He noted that the council may return for a vote.

The executive session was adjourned at 9:30 p.m. and the council meeting was not reconvened.

Respectfully submitted,

Janice R. Bowman  
Borough Secretary