

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
January 4, 2011

President Gregory Carl called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, James Orner, Stephen Reed and Frank Wetzel. Others present were Mayor Brosius; Ryan Tira, Borough Solicitor; Timothy Fink, Police Chief; Paul Ruane, Code Enforcement Officer; Thomas Slodysko, Street Supervisor; and Janice Bowman, Borough Secretary. Council members Robert Long and Jonathan Rees were absent.

Executive Session

The council went into an Executive Session at 7:03 p.m. to discuss personnel issues. The meeting was reconvened at 7:35 p.m. No action was required concerning the personnel issues that were discussed.

The six visitors present introduced themselves.

Public Comment

No public comment was offered.

Mayor Brosius left the meeting because she was not feeling well.

Mayor's Report

In the Mayor's absence, Chief Fink informed the council that several meters need new mechanisms. He was given approval to purchase them with payment to be from the Parking Meter Fund.

Twelve Christmas covers for the meters have been stolen.

Mrs. Groninger asked if the Chief has submitted the police reports to the Daily Item. She said that residents, especially the elderly and those who live alone, are interested in knowing if crimes are occurring in their neighborhoods. Chief Fink stated that he has tried in the past and the reports had not been published. Francis Scarcella, the reporter from the Daily Item volunteered to obtain the reports for publication. The Item only publishes a report if charges are filed and the information is obtained at the magistrate's office, unless the Chief gives a

“story” to the reporter. He also stated that if the police chief faxes the list of police calls to the Daily Item, he will see that the calls are published. Mr. Wetzel stated that he sees Sunbury’s police calls in the paper and would like to see this done on a regular basis. Chief Fink said that he will supply the information to the Daily Item on a weekly basis.

Chief Fink stated that no one attended the Crime Watch meeting that was held last evening.

Street Supervisor’s Report

Mr. Tom Slodysko thanked the council for the bonus that he received last week. The crew decorated the downtown area before Christmas and now is in the process of removing the decorations. The crew is replacing lights in the downtown area. He noted that this requires time to change the globes because the hardware is old and must be cut.

Mr. Reed asked about the status of the driveway at the 2nd Street Building. Mr. Slodysko stated that on the recommendation of Mr. Lytle, he is waiting to do the work until spring.

Mrs. Groninger asked if Mr. Rine has been contacted about the damage to his sidewalk. Mr. Slodysko stated that he has called him, but he has not answered the phone and does not have an answering machine. Mr. Reed asked if a letter had been sent. One had not yet been sent. Mr. Orner stated that he also tried to call Mr. Rine. A letter will be sent.

Mrs. Groninger thanked Mr. Slodysko for painting the curbing at Queen Street and Brickyard Avenue and on Orange Street at Fifth Street. Council discussed whether a resolution is required to have the line painted beyond the specified length. Mr. Tira advised that the length of the no parking segment should be stipulated by ordinance. He recommended that if there are numerous locations, they should all be included in the ordinance.

Code Enforcement Officer’s Report

Mr. Paul Ruane requested that the council appoint James A Sanders and Ken Young as the Sewage Enforcement Officer and Alternate Sewage Enforcement Officer. Upon motion by Mr. Carl, seconded by Mr. Wetzel, the council voted unanimously to approve the appointments as requested.

Mr. Ruane presented a subdivision plan for Richard Bunting. The subdivision transfers 12 feet of land from Richard Bunting Jr. to Richard Bunting Sr. and has been approved by the Northumberland Planning Commission. Upon motion by Mr. Wetzel, seconded by Mrs. Groninger, the council voted unanimously to approve the subdivision.

Mr. Ruane informed the council that beginning January 1, sprinkler systems are required in new homes. He has attended a seminar on the topic. The systems are not required in additions, just new homes.

Northumberland Sewer Authority Report

Mr. Jim Orner reported that the next meeting will be on January 24, 2011 at 4:30 p.m. at the Sewer Authority.

Emergency Services Board Report

No report. The next meeting will be on February 7, 2011 at 6:00 p.m.

Fire Chief's Report

Fire Chief Jim Troup reported on the activity of the Fire Department for the month of December 2010.

Committee Reports

Community Development

Mr. Carl announced that the committee would meet on January 10, 2011 at 7:00 p.m. The meeting will be at the 2nd Street building at 175 Orange Street.

It was decided that all other Borough meetings will be held at 221 2nd Street until further notice.

Finance

The committee will meet on January 19, 2011 at 6:30 p.m.

Personnel

Mrs. Groninger stated that the committee meets as needed.

Public Safety

Mr. Wetzel stated that no one attended the Crime Watch meeting scheduled for last evening. He said that he is trying to obtain programming for the meetings. He is not sure whether attendance has declined because people are deterred by the evening meetings or because it is winter. The Attorney General's office will not return for another presentation unless a minimum number of attendees is guaranteed.

The Public Safety committee will meet on January 18, 2011 at 6:00 p.m.

Rules

The committee will meet on January 25, 2011 at 6:00 p.m. One topic of discussion will be outdoor furnaces.

Streets

Mr. Reed announced that the committee would meet on January 11, 2011 at 7:00 p.m.

Old Business

1. Upon motion by Mr. Carl, seconded by Mr. Reed, the council voted unanimously to apply for a Pennsylvania Conservation Corp Grant.
2. Mr. Carl asked if anyone on council would be interested in being interviewed by the Lake Augusta Committee for their opinions relating to the Lake Augusta Corridor and Smart Transportation. The committee had requested a list of three municipal officials to be interviewed. Mr. Carl, Mr. Wetzel and Mr. Slodysko were selected.

New Business

1. Upon motion by Mr. Orner, seconded by Mrs. Groninger Ordinance 2011-1 was unanimously approved. Ordinance 2011-1 sets property Tax rates for 2011. Millage

rates are set as follows: General real estate – 19.8 mils; Debt Service – 2.3 mils; Parks/Recreation – 1.0 mil; Street Improvement - .5 mils; and Fire Protection – 2.7 mils.

2. Upon motion by Mrs. Groninger, seconded by Mr. Orner, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$25,607; Liberty Splashland bills total \$118.64; 2nd Street Community Center bills total \$502.01; and Parking Meter Fund bills total \$29.64.
3. Upon motion by Mr. Carl, seconded by Mrs. Groninger, the council unanimously approved payment of bills due before the February 1, 2011 council meeting with the list to be ratified on February 1, 2011.
4. Upon motion by Mrs. Groninger, seconded by Mr. Wetzel, the council unanimously approved Resolution A-2011. This resolution is to obtain a \$100,000 Tax Anticipation Note from the Northumberland National Bank at an interest rate of 1.54% with a fee of \$100. The loan, to be dated January 20, 2011 will mature on July 20, 2011. Two proposals had been obtained. The second proposal was from the First National Bank with an interest rate of 2.3% plus a \$200 fee plus a \$168 state fee.
5. Mrs. Groninger asked about a letter received from Northumberland County requesting Tom Cropf's appointment to the Northumberland County Gang Awareness Task Force. Mr. Cropf had been appointed in 2010 and has been attending their meetings. Mr. Tira stated that it is not necessary to reappoint Mr. Cropf.
6. Mr. Carl moved to change the locks on the doors to the police station to regular locks. Mrs. Groninger seconded the motion. Roll call vote was unanimous to approve.

Mr. Troup asked if the council was going to reorganize since this is the first meeting of the year. Mr. Tira stated that Reorganization meetings are held after election years.

Mr. Carl adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
February 1, 2011

Borough Council President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, Robert Long, Stephen Reed, and Jonathan Rees. Others present were Mayor Brosius, Ryan Tira, Borough Solicitor; Timothy Fink; Police Chief; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council members James Orner and Frank Wetzel were absent.

Public Comment

Mr. Steve Cimino asked why no one was present from the newspaper, if they were contacted about the meetings. The council stated that the meeting dates were advertised in the Daily Item.

Mr. Adam Klock requested that the website be updated.

Mr. Troup asked if the tax increase would be announced in the paper. Council thought that a reporter had been present at the January 4, 2011 council meeting when the ordinance that sets millage rates was adopted.

Council Meeting Minutes

Upon motion by Mr. Reed, seconded by Mrs. Groninger, the minutes of the December 21, 2010 council meeting were approved unanimously.

Upon motion by Mr. Carl, seconded by Mrs. Groninger, the minutes of the January 4, 2011 council meeting were approved with Mr. Long and Mr. Rees abstaining because they were not present for the meeting.

Mayor's Report

Chief Fink stated that the police report had been sent to the Daily Item.

Mayor Brosius noted that the police are in the process of updating their training.

Mr. Reed asked if the NRAD equipment had been purchased. Chief Fink stated that it had not. Mr. Rees noted that money is in the budget toward that purchase, but the purchase wouldn't occur until after March when payments are received for the real estate taxes.

Street Supervisor's Report – No report

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the activity of the Code Enforcement Office for the past month.

Northumberland Sewer Authority Report

Mr. Adam Klock stated that at the January meeting, he was appointed President, Jim Orner was appointed Treasurer, and Michele Cope was appointed Secretary. Michele was also appointed as the Right-to-Know Officer. Brinjac was appointed as the Authority's engineer and Gene Brosius was reappointed as solicitor.

Mr. Carl asked if the Sewer Authority has to do any major renovation in the near future. Mr. Klock responded that there is a capital project expected, with approval due in the Spring. Mr. Klock asked if it would be possible to post the Authority's meeting minutes on the Borough website. Council was in agreement that the minutes could be posted. Mr. Klock stated that he would take his request to the Sewer Authority for their approval.

Emergency Services Board Report

Mr. Cimino stated that the Board would meet on Monday. Mrs. Groninger asked about a letter that Mr. Klock had presented to the council requesting the council's opinion on a letter that would be sent to people who have used the fire department's services requesting payment to replenish the supplies that had been used. Mr. Klock stated that he had asked the council to table the request until the Emergency Services Board discusses it further.

Fire Chief's Report

Chief Jim Troup provided the report of the department's activity for January.

Committee Reports

Rules

Outdoor Burner Ordinance – Mr. Tira commented on the proposed ordinance to control the use of outdoor wood-fired boilers. He questioned if the council wishes to limit the use. Mr. Long responded that the committee had discussed prohibiting any new outdoor wood-fired furnaces. Any existing furnaces could be grandfathered. Mr. Tira will review another ordinance that the committee has obtained and incorporate the two.

Executive Session

Mr. Carl stated that the council met in an Executive Session on January 25th to discuss personnel and litigation issues.

Upon motion by Mr. Carl, seconded by Mr. Rees, the council voted unanimously to adjourn for an Executive Session at 7:25 p.m. to discuss personnel and litigation issues. The meeting was reconvened at 8:40 p.m. Mr. Carl announced that no action would be taken.

Committee Reports

Community Development

Mr. Carl obtained three quotes for an exhaust fan at Liberty Splashland. Two companies provided quotes on the materials. One company included a quote for the installation. The quotes for materials were from Olympic Restaurant Equipment for \$6,500; Central Restaurant Equipment for \$4,800. Superior Metal Works, a company

based in Carlisle, provided a quote for materials and installation for \$6,951. This company was recommended by the Susquehanna Fire Equipment Company. Mr. Tira advised that quotes be obtained from other providers to include installation. Mr. Carl noted that Susquehanna Fire Equipment Company would install fire suppression at a cost of \$2,600. Mr. Carl stated that he would like the council to award the project at the March council meeting because of the time required to have the equipment fabricated and installed before the opening of the pool. Mr. Cimino asked how the pool would pay for the fan. Mr. Carl replied that he had budgeted \$5,000; the pool had a surplus of \$9,000 in 2010. He also stated that he would probably not move forward with some of the other smaller projects that were considered for 2011. Mr. Carl said that the concession stand sells more fried foods than anything else.

Finance

Mr. Rees stated that the committee would meet in April.

Personnel – no report

Public Safety – no report

Streets

Mr. Reed reported on the amount of salt that has been purchased for the roads this season.

Old Business

1. Mr. Reed asked about the status of the Verizon Wireless cell tower. Construction is expected to begin this summer.
2. At a prior meeting, a question was asked about the exterior lights being turned on at the 2nd Street building. The reason the lights are on during the night is for safety purposes.

New Business

1. Mrs. Groninger moved and Mr. Long seconded the motion to approve the payment of the bills. Discussion ensued. Roll call vote to approve payment was unanimous. Bills to be paid from the General Fund total \$37,242.19; Liquid Fuels bills total \$1,449.37; Liberty Splashland bills total \$56.92; Parking Meter Fund bills total \$549.80; and 2nd Street Community & Municipal Center bills total \$2,380.55.
2. Upon a motion by Mr. Rees, seconded by Mr. Long, the council unanimously approved payment of the bills included in the budget that are due before the March 1, 2011 council meeting.
3. Upon motion by Mr. Rees, seconded by Mr. Long, the council voted unanimously to transfer \$200 to the Debit Card account from the General Fund.
4. A proxy was received from the Employers Mutual Casualty Company (EMC) to elect four board members. No action was taken.

5. Preservation Assistance Grant applications are due on May 3, 2011. Eligible applicants include local governments. The Borough could obtain up to \$6,000 in funding for preserving and caring for historical documents. Funding may also be used to obtain a professional to complete the work. The name of the professional is required for the application. The council's consensus was to apply for the grant. Mr. Tira advised that the completed grant application be submitted to the council for approval. No match is required for this grant.
6. Mr. Klock asked about guidelines for the Appeals Board. The information will be provided.

Upon motion by Mr. Rees, seconded by Mr. Reed, the meeting was adjourned at 8:42 p.m.

Mr. Carl moved and Mr. Long seconded a motion to reconvene the meeting. The meeting was reconvened at 8:43 p.m.

An estimate for flooring for the Savidge Room and kitchen in the 2nd Street Community Center was obtained and must be bid. Mr. Long moved and Mrs. Groninger seconded a motion to advertise for the bids with the deadline set for 4:00 p.m. on March 1, 2011. Roll call vote to approve was unanimous.

Upon motion by Mr. Carl, seconded by Mr. Rees, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
March 1, 2011

Borough Council President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Brosius, Ryan Tira, Borough Solicitor; Timothy Fink; Police Chief; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council member Robert Long was absent. The six visitors present introduced themselves.

Public Comment

Paul Ruane, the Commander at the American Legion Post 44, informed the council that the American Legion is planning a pig roast and motorcycle ride to benefit Cpl. David Noblit, a Marine from Herndon, who was wounded in Afghanistan. The event is scheduled for April 16, beginning at 11:00. The route for the bike ride is planned to start at the Northumberland Legion and travel to Selinsgrove to New Berlin to Danville, and back to the Northumberland Legion. The fire police will assist with traffic control. Mr. Tira advised Mr. Ruane that PennDOT be contacted with the plans.

Mr. Steve Cimino commented that it is nice to see that the media is present.

Meeting Minutes of February 1, 2011

Upon motion by Mr. Reed, seconded by Mr. Rees, the minutes of February 1, 2011 were approved unanimously.

Mayor's Report

- Mayor Brosius noted that there have been numerous car burglaries. Chief Fink added that the information was sent to the radio.
- The police had their annual update training last month.
- Mayor Brosius stated that the Revitalization Committee met last evening and received a request from Julia Marano to participate in the Pennsylvania Clean-up on April 16, 2011. Anyone willing to volunteer should contact Ann Roll. A rain date is set for April 30th.
- The Red Cross Bloodmobile is scheduled for March 10 from 1:00 to 6:00 p.m.
- The Joseph Priestley House is holding an Open House on March 13th.

Street Supervisor's Report

- Mr. Tom Slodysko reported that Todd Snyder, a regular employee, is back to work following an injury.

- Mr. Slodysko has tried to develop a list of street names for signs and has discovered that some names are spelled differently on various maps. He is researching the correct spellings. Mr. Reed asked about the type of signs and about several that have faded.
- A problem with the spouting at the 2nd Street offices is creating icy conditions on the sidewalk. The crew will see what must be done to correct the problem.
- Mr. Reed asked why the water company was working at the water tank on Prince Street. It is thought that there may be a leak.
- Mayor Brosius asked if there is a list of potholes. Mr. Slodysko stated that he knows where the main ones are and that the crew will start in the downtown area and canvas the town.
- Mayor Brosius said that an access road from Route 11 to the Old Danville Highway is in bad condition.
- Manhole covers are lifting above the street surface and causing damage to the plow. The crew is repairing them.
- Four loads of salt have been used this winter. Aggregate was mixed with the salt.
- Mr. Reed stated that he received a call from Len Zboray that a plow caused damage at the top of the cemetery driveway off of Vista Avenue. Mr. Reed and Mr. Slodysko will meet with representatives of the Cemetery Board.

Code Enforcement Officer's Report

Mr. Ruane reported that on February 22nd a zoning hearing was held for a property on Duke Street. A veterinarian requested permission to establish an office on the first floor and will live on the 2nd floor.

Northumberland Sewer Authority Report

Mr. Jim Orner reported that the authority met on Monday, February 28. Steve Slayton, an attorney for the Sewer Authority, reported that the IRS has forgiven \$30,000 in penalties and is considering forgiving an additional \$45,000 in penalties. The new clerk has completed her probationary period and the board has increased her pay by \$1.00 per hour. The authority will be hiring an additional employee. Cindy Lark's pension fund was turned over to the authority. Documented evidence of cleaning grease traps has not been reported by the local restaurants. The next meeting will be at 4:30 p.m. on March 28th.

Emergency Services Board Report

The Board submitted a letter to the council for their consideration. The letter would be sent to residents who have had a fire at their property and requests payment to replace materials that were used. The residents would be asked to submit the bill to their insurance company. If the insurance policy does not have a provision to reimburse the fire company for materials, the residents would not be asked to pay. Commercial properties would also be asked to submit the bill to their insurance company. Vehicle accidents and rescue work are not included in this proposal. The next meeting of the Emergency Services Board will be on March 7th at 6:00 p.m. Mr. Tira recommended that the letter be authorized by council and adopted as part of the Fire Department ordinance so it is clear and not ambiguous as to when it applies, etc.

The Emergency Services Board bank account has gone dormant. One signer is no longer on the Board so it is necessary for the Board to appoint a second signer to the account and have the account active.

Fire Chief's Report

Chief Jim Troup stated the county is changing to a new radio system in 2012. New high-band radios will be required for the system. He requested that council consider how the radios may be funded.

Chief Troup noted that NIMS classes are required for firefighters, police and council members.

Committee Reports

Community Development

Mr. Carl stated that he and his son completed the wiring in the Savidge Room at the 2nd Street Community Center. The entire project of renovating the room will be completed in a few months.

Mr. Carl informed the council that quotes were received for the fan hood and installation at the pool. Only one company, SMI, met all requirements for the bid. Mr. Carl moved and Mrs. Groninger seconded a motion to award the quote to SMI for a price of \$6,951. Mr. Carl stated that Susquehanna Fire will install the fire suppression. The total cost of the project is approximately \$9,500. Motion passed unanimously.

The committee will meet on March 14, 2011 at 7:00 p.m.

Mr. Reed noted that he is still looking for vendors for the Farmer's Market and requested that if anyone knows of someone who may be interested to have them contact him or the office.

The electrical wiring in the police evidence lab has not been completed.

Finance

Mr. Rees announced that the next committee meeting will be on April 20th at 6:30 p.m.

Personnel

Mrs. Groninger stated that one member of the Street Crew, Todd Snyder, has returned to work. Steve Carr, the other crew member, is still recuperating.

Personnel issues will be discussed in Executive Session.

Public Safety

Mr. Wetzel stated that the committee would meet on March 15th at 6:00 p.m. The Crime Watch Committee may move their meetings to the Savoy, beginning in April.

Rules

Mr. Tira revised the proposed ordinance that addresses outdoor wood-fired boilers. He provided copies for the council's review. The next committee meeting is set for March 22, at 6:00 p.m.

Chief Fink stated that he has received complaints from several residents on Elliott Drive about cars being parked on the street. The street is narrow and emergency vehicles and plows cannot navigate the street with the parked cars. The rules committee will review the current ordinance.

Mr. Klock asked who cites property owners who do not clear their sidewalks. The police cite those who violate the ordinance. Mr. Wetzel stated that the officers should patrol the town after a storm. Council discussed the difficulty in locating the owners for properties that have been foreclosed in order to issue citations.

Streets

Upon motion by Mr. Reed, seconded by Mr. Wetzel, the council voted 5-1 to approve Larson Design's Proposal of \$5,885 for professional services for the stormwater project on Hanover Street. Mr. Wetzel cast the dissenting vote.

Mr. Reed announced that the Street Committee meeting scheduled for March 8 is cancelled.

Old Business

Mrs. Groninger said that it was brought to the council's attention at the last meeting that the news media wasn't present when the council voted on the 2011 budget. At that meeting, Mr. Rees read a statement. Since a Daily Item reporter was present this evening, Mrs. Groninger read Mr. Rees's following statement:

"Over the past few years, council has worked hard to keep taxes down. This has not been easy as the total assessed valuation in the borough has been going down the past few years. Thus, in order to pass a balanced budget, we must either cut our expenses or raise taxes. While council has trimmed certain areas of the budget, there are some increases (such as insurance and utilities) that are largely out of our control. Some of the budgeted expense increases for 2011 are:

- the PMRS employer contribution - \$34,204 increase. This is offset some by an increase in state aid for the plan that is budgeted under income.
- Healthcare - \$27,183 increase. With insurance companies needing to cover more in 2011 as regulated by ObamaCare, as well as our group having a high usage, our rates have skyrocketed.
- Insurance - \$22,225 increase. Our insurance rates had a huge increase, especially our workman's comp.
- Police Department salary - \$17,277 increase. This is required per the police contract. All non-police employees have a salary freeze this year.

While these items alone entail an increase of over \$100,000, since other expenses have been cut, the deficit in order to balance the budget is just over \$78,000 or a 2.775 millage increase this year. As the median house in the Northumberland Borough has an assessed value of 12,250, the median household will see an increase of \$34. Including this years' increase, the total increase for the median household for the past five budgets is \$62, an average of \$12.40 a year for the past 5 years."

Mrs. Groninger noted that each year the council is asked for more from everybody and each year something else has to be cut. She does not feel that council can be faulted for this increase.

Mr. Ty Sees asked who is on the healthcare plan. Mr. Tira replied that individuals would not be discussed. Mr. Carl stated that Mr. Sees had received the information from the Borough Office. Mr. Adam Klock questioned whether a board member on the Sewer Authority may be on the

insurance plan. He was informed that Benecon had advised that board members may be included on the plan. The board member referred to pays his own premium, the Sewer Authority does not pay for his coverage. The Borough Secretary was asked to confirm his eligibility with Benecon.

New Business

1. Mr. Rees moved to approve payment of the bills with the exception of the Workforce bills. Mr. Carl seconded the motion. Discussion ensued. The Workforce bill will be discussed in Executive Session. Roll call vote to approve was unanimous. Bills to be paid from the General Fund total 63,803.92; 2nd Street Community Center bills total \$481.49; and Liberty Splashland bills total \$88.66.
2. Mr. Rees made a motion to approve payment of bills due before the April 2011 council meeting. Mr. Wetzel seconded the motion. The motion was clarified to state bills for items that are included in the budget. Roll call vote to approve was unanimous.
3. Mrs. Groninger moved to transfer \$8,075.29 from the General Fund to the 2nd Street Community Center Fund. This amount was grant funding that should have been deposited in the 2nd Street Community Center Fund. Motion was unanimously approved.

Executive Session

The council meeting was adjourned at 8:29 p.m. for an Executive Session to discuss personnel issues. Mr. Carl stated that the meeting may or may not be reconvened.

The council meeting was reconvened at 9:29 pm. It was announced that personnel issues were discussed in Executive Session.

Upon motion by Mr. Carl, seconded by Mr. Wetzel, the council voted unanimously to pay the Workforce bills, totaling \$4,052.96.

Upon motion by Mr. Carl, seconded by Mr. Wetzel, the council voted unanimously to hire Joseph Rudolf of the firm ReedSmith in accordance with his proposal.

Mr. Rees moved and Mr. Wetzel seconded a motion to adjourn. The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

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March 15, 2011

Borough Council President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Robert Long, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Brosius; Timothy Fink; Police Chief; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council member Judith Groninger was absent. The six visitors present introduced themselves.

Public Comment

Jolynn Yankoskie told the council that she is considering purchasing the home at 659 Front Street. Drainage from underground springs comes out at the front of the home. The water crosses the sidewalk and goes into the street to the storm drain. She questioned who is responsible if ice builds up on the road. She was told that she would be responsible for the ice on her property.

Mayor's Report

Mayor Brosius noted that the February Police Report is in the Council's packets.

She presented the name of Marlin Neidig for consideration as a member of the Fire Police. A background check has been completed. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to approve the appointment of Mr. Neidig to the Fire Police.

Mayor Brosius announced that the Susquehanna University students would hold their day of service on April 9. Suggestions for ways to utilize the students were discussed. One was to clear brush at Pineknott Park. Another was to paint the tree covers for parking meters. The borough will respond to the letter, confirming that we would like to host the students.

Mr. Rees asked if it is legal to make a left turn at a red light onto Route 11 north from the one-way side of King Street. Chief Fink responded that it is.

Street Supervisor's Report

Mr. Thomas Slodysko stated that the town clock in front of the Norry Bank has malfunctioned. He will see to the repairs.

Mr. Slodysko suggested that the Borough consider adopting a policy to have residents park on one side of the street before a heavy snowfall. This would enable the crew to clear the snow on

the other side of the street to provide parking for the residents. Mr. Reed stated that he received a lot of good comments about the job the crew did clearing the snow.

Mr. Jim Troup asked why the crew doesn't replace the potholes that are in the intersection at Queen and Front Streets with bricks. Mr. Slodysko responded that the bricks are not the proper type for streets so the missing bricks have been replaced with macadam. The Borough has applied for a grant through PennDOT which would pay for stamped concrete to replace the bricks if awarded.

Code Enforcement Officer's Report

Mr. Paul Ruane reported that the apartment house at the corner of Queen and Front Streets has been sold.

There had been an issue with a tenant who has four dogs. The landlord is in the process of evicting the tenant.

Northumberland Sewer Authority Report

Mr. Jim Orner reported that the Authority met today to open bids for their project. The Authority discussed possible ways to purchase nutrients credits to delay spending money or to have additional time to find grant funding for upgrades to the plant rather than paying interest for a loan. Mr. Adam Klock noted that there are a lot of variables to be considered in weighing the options. In August of 2010, credits cost \$9 per pound of nitrogen. The price of credits has dropped by 2/3 since last fall. The credits today would cost \$25,000 so the option is more feasible now than it was last August. Mr. Wetzel asked when compliance is required. Mr. Klock stated that the date is fluid, but is now in 2013. The deadline for the revisions to the plan may be extended. Once the plan is finalized, the permitting will be issued. Mr. Klock asked if the Authority could meet at this office on March 28th. Approval was given. The meeting will be held at 4:30 p.m.

Emergency Services Board Report

The Board will meet on April 4th at 6:00 p.m.

Fire Chief's Report

No report

Committee Reports

Community Development

Mr. Carl reviewed the topics discussed at the committee meeting held on March 14th.

2nd Street Community Center

1. Flooring bids are due on April 5th.
2. Mr. Carl has completed most of the electrical work in the Savidge Room and will install emergency lights and switches.
3. Windows do not close properly. Gary Wolfe will be contacted to see what can be done.
4. Mark Walberg has agreed to examine the gym walls and recommend the best way to repair them.

Grant Funding

1. An application has been submitted to the Luther Savidge Trust for funding to complete the Savidge Room.

2. The Joseph Anselmo Sr. Community Trust has awarded \$4,000 for the 2nd Street Playground. \$1,000 was received last year and the additional \$3,000 will be paid this year. The money is for the pavilion, tables and benches.
3. The applications for the Sunbury-Northumberland Trust are due in May. Council was asked to consider if there are any projects that should be submitted for funding.

Liberty Splashland

Mr. Carl provided packets for rates and policies for Liberty Splashland. He requested that the council approve the adjusted pool rates for the 2011 season and review the policies for consideration at a later meeting. Upon motion by Mr. Long, seconded by Mr. Rees, the council unanimously approved the new rates. They are as follows:

1. Family pass fee is \$150 for up to 6 family members living in the same household. Additional family members would be charged \$25 per person.
2. Single pass is \$80.
3. A 10% discount at a Family rate of \$135 and single rate of \$72 would be offered until May 13th.
4. Daily admission rate is \$5.00.
5. Senior admission rate is \$3.00.
6. A new category was added for a Dry dock admission of \$3 for anyone who wants to spend time at the pool, but not go swimming. The individual may not be wearing swimwear.
7. Group rates are \$4.25 per person for groups of 20 to 49 people and \$3.95 per person for groups of 50 or more. For groups that come to the pool on a regular basis, additional discounts will be offered.
8. The rates for private parties vary depending on the number of guests, the number of hours and the features included. Rates range from \$90 to \$200 per party. An additional fee of \$15 is charged if pool employees conduct the clean-up. A non-refundable deposit of \$50 will be required.

Pineknott Park Ballfield

Mr. Carl stated that the committee had spoken with Brian Luden at the last meeting and agreed that:

- The ball teams will be required to register and provide rosters.
- A cash register is to be purchased for the concession stand and all bills are to be paid by check through the Borough Office.
- Records of concession stand sales and other income at the ballfield are to be kept.
- Game schedules are to be submitted to the Borough Office.

Farmers' Market

One person had contacted the Borough Office about the Farmer's Market.

An article will be placed in the next newsletter.

The next committee meeting will be held on April 11th at 7:00 p.m.

Finance

Mr. Rees announced that the committee will meet on April 20th at 6:30 p.m.

Personnel

Personnel issues will be discussed in the Executive Session.

Public Safety

Mr. Wetzel stated that the committee discussed the parking area at the police department. The committee feels that the sidewalk should be placed behind the parking area and the police should back into the parking area so the cars are eighteen inches from the curb. The curb is to be reinstalled at the street and a sign is to be posted stipulating "Authorized Parking Only". Mr. Long so moved and Mr. Wetzel seconded the motion. Council voted unanimously to approve.

The fire police would like to add a statement to their bylaws about being a felon. Mr. Wetzel stated that he felt that they could revise their bylaws as they want.

Mayor Brosius stated that the committee discussed holding an EMA meeting in June. She requested that the parties concerned suggest dates for the meeting.

The committee discussed the radios for the emergency personnel since the county will be changing to high band radios. No action was taken.

The suggestion was made that Tom look at the pit behind the C.W. Rice building for an idea of how to block off the stairwell at the end of the 2nd Street building.

The committee will meet on April 19th at 6:00 p.m.

Rules

Mr. Long stated that the meeting scheduled for March 22 will be cancelled.

Streets

An engineer from Larson Design will be in the Borough tomorrow morning to review the proposed street work.

The next committee meeting will be on April 12th at 7:00 p.m.

Old Business

New Business

1. Upon motion by Mr. Rees, seconded by Mr. Long, the council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$13,662.89; Liberty Splashland bills total \$126.54; and 2nd Street Community Center bills total \$1,305.15.
2. Chief Fink asked if the council has a preference about where to install the soda machine outside the 2nd Street Community Center. The council feels that the machine should be kept where it is located outside the door at the police station. An electrician will be contacted to install the wiring for the machine and for the evidence lab.
3. Mr. Steve Cimino informed Chief Fink that a meter in the downtown area is not working. Chief Fink stated that the police are aware of several meters that are not working and they are being replaced.

Executive Session

The council adjourned for an Executive Session at 8:22 p.m. to discuss personnel issues.
The meeting was reconvened at 8:50 p.m.

Mr. Carl moved and Mr. Wetzel seconded a motion to accept an agreement with the police association as discussed in the Executive Session. Council approved unanimously.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
April 5, 2011

President Gregory Carl called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, Robert Long, James Orner, Stephen Reed, and Frank Wetzel. Others present were Mayor Brosius, Ryan Tira, Solicitor; Timothy Fink, Chief of Police; Thomas Slodysko, Street Superintendent; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council member Jonathan Rees was absent.

The four visitors present introduced themselves.

Public Comment

Mr. James Troup asked about the dumpster that has been located at 3rd and Orange Streets for several months. The resident has been paying the fee according to the dumpster ordinance.

Meeting Minutes

Upon motion by Mrs. Groninger, seconded by Mr. Reed, council approved the minutes of the March 1, 2011 council meeting by a 5-0-1 vote. Mr. Long abstained.

Upon motion by Mr. Long, seconded by Mr. Carl, council approved the minutes of the March 15, 2011 council meeting by a vote of 5-0-1. Mrs. Groninger abstained.

Mayor's Report

- Mayor Brosius noted that the March report from the Police Chief is in the council members' packets.
- Training is going on for Officer Rushton concerning Animal Cruelty and Sergeant Kriner for High Impact Supervision.
- Chief Fink provided a copy of another municipality's ordinance that addresses bath salts. He requested that the council consider adopting a similar ordinance. Discussion ensued.

Upon motion by Mrs. Groninger, seconded by Mr. Long, the council voted unanimously to advertise an ordinance that prohibits the sale, possession or delivery of synthetic cannabis and other synthetic drugs.

- Mayor Brosius reported that the polling place for the residents of the second ward is being changed to St. Mark's Church at 187 King Street. The Girl Scout Little House was the former location for the second ward poll. The Election Board is mailing the information to all voters in the second ward.
- The Lake Augusta Waterfront Plan will be presented for public review on April 6, 2011 at 2:00 p.m. at the Degenstein Library in Sunbury.
- Susquehanna University students will be volunteering in the Borough on Saturday. If there is supervision, they will clean up at Pineknott Park. Mr. Luden may be available to oversee the group. If it rains, the students will paint the Christmas tree meter covers in the gym at 2nd Street.
- Mayor Brosius provided pictures of two young volunteers, Micah and Morgan Minnier, who picked up branches in the King Street Park. She noted that the boys were three years old.

Street Supervisor's Report

- Mr. Tom Slodysko thanked Adam Klock for his assistance in trimming trees in the King Street Park.
- He announced that the crew has been installing a new sewer line in the 2nd Street Municipal building.
- The pump at the pond in the park had been turned off at some time during the winter. Mr. Slodysko is repairing the pump.
- Mr. Slodysko said that he would remove the doors on the lighted sign at the end of King Street Park. The light is not working and Mr. Slodysko will repair it. Mayor Brosius voiced concern that if the doors are removed from the sign, the letters will be rearranged and the sign will not be protected.
- Mayor Brosius will ask Mr. York for his advice about the shrubbery that is planted around the sign; whether it can be trimmed or if it should be replaced.
- Larson Design Group, Inc. is working on the bid specification for the storm drain work on Hanover Street. The bid for the curbing and handicapped ramps will be advertised after the storm sewer bid.
- Crack sealing is planned for the streets that were recently paved.
- The crew will accept brush at the recycling center in May, dates to be announced in the newsletter.
- The Sea Scout dock was covered with debris from the storms. Fire Chief Jim Troup stated that the fire department has cleaned the dock.
- The crew will get the docks and ramps ready for the summer season.
- Street signs are on order.

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the activity of the Code Enforcement Office for the month of March.

Northumberland Sewer Authority Report

- Mr. Jim Orner reported that the board met on March 25th.

- The flush truck is in need of repair at an estimated cost of \$12,000.
- The Board discussed the nutrient credit trading with representatives from Milton. Nothing was determined. NSA, the Point Township Sewer Authority and Upper Augusta Sewer Authority will hold a joint meeting.
- The bids will soon be ready for the Queen Street pump station.
- Michael Daddario resigned at the last board meeting. The board accepted his resignation. Mr. Tira advised that the Borough may start the process of seeking a new Board member. A news article will be placed in the Daily Item and the Pineknott News. The term expires on December 31, 2012. The council will appoint a new member at the May meeting.
- The next meeting of the Northumberland Sewer Authority is on April 25th at 4:30 p.m.

Mr. Steve Cimino asked if the Borough is going to pave Second Street. Mr. Reed stated that the committee had hoped to pave Second Street but the street funding will be exhausted with the work planned for Hanover Street. Mr. Cimino asked if the Borough is obligated by the grant to pave Second Street. Mr. Reed replied that the Borough is not obligated. The committee had provided a list of proposed streets to see what amount of work could be funded.

Mr. Cimino asked if the ordinance that designates the yellow line on Orange Street at Fifth Street has been prepared. Mr. Tira replied that the council plans to include other stipulations in the ordinance. Mr. Long added that the Rules committee has not met to review the list of items. Mr. Long stated that the committee would meet on April 26th at 7:00 p.m. The meeting was originally scheduled for April 20th; however, the Finance Committee meets that evening.

Emergency Services Board Report

The Board's next meeting will be on May 2nd at 6:00 p.m.

Fire Chief's Report

Chief Jim Troup reported on the fire department's calls for the first quarter of 2011. The department answered 36 calls. Nine calls were for structure fires, ten for vehicle accidents, one for a vehicle fire, one water rescue, five automatic alarms, one natural gas leak, and nine public service details. Twelve of the calls were in Northumberland; fourteen in Point Township, six in Sunbury, two in Shamokin Dam, and two in Milton.

Chief Troup told council that it was necessary to cut the lock at the gate leading to the Sea Scout Dock. He was told that a key would be provided for the fire department.

Committee Reports

Community Development

Mrs. Groninger moved to approve the policies for Liberty Splashland. Mr. Long seconded the motion. Mrs. Groninger noted how impressed she was with the amount of time and thought that went into the development of the policies. The job descriptions and pool policies are very thorough. The policies not only explain what to do, but why, with the focus on providing service to the patron and keeping the facility clean. The Council voted unanimously to approve the pool policies.

Mr. Carl reported that work is continuing on the bowl slide. He said that it will not be opened for the beginning of the season, but may be completed later in the summer. Mr. Carl has attended classes to be certified and he has obtained a license to inspect the slide. He will train lifeguards to inspect the slide on a daily basis and keep logs.

Mr. Long noted that one piece of apparatus at the 2nd Street Playground is broken.

Mr. Reed stated that as soon as the weather is nicer, the police driveway will be finished.

The next committee meeting is scheduled for April 11, 2011 at 7:00 p.m.

Finance

Mr. Long moved and Mr. Wetzel seconded a motion to approve Resolution B-2011. The resolution adopts the Schedule of Fees & Penalties. Changes to the fees were for the pool fees; advertising in the newsletter; advertising on the billboard; and zoning hearing fees.

The committee will meet on April 20, 2011 at 6:30 p.m.

Personnel

Personnel issues will be discussed in Executive Session.

Public Safety

Mr. Wetzel stated that the committee would meet on April 19, 2011 at 6:00 p.m. He has not heard whether the Crime Watch committee will meet this month or where the meetings will be held.

Rules

Mr. Long stated that the committee would meet on April 26, 2011 at 7:00 p.m.

Streets

Mr. Reed said that the committee would meet on April 12, 2011 at 7:00 p.m. Mr. Klock asked if council would consider removing meters along Queen Street. Discussion ensued. The Rules Committee will discuss the meters and also parking permits.

Old Business

1. One bid for the flooring for the Savidge Room was received before the deadline of 4:00 p.m. A second bid was received at 4:05 p.m. Mr. Tira advised that the second bid should not be considered since it was received after the deadline. The bid of \$11,688.15 was received from Frye's Interiors with the cost for the multi-purpose room floor of \$9,888.25 and the cost for the kitchen area of \$1799.90. The bid is good for sixty days. A request for funding has been submitted to the S. Luther Savidge Trust. The Trustees will meet on May 16th. Council decided to conduct a regular council meeting on May 17th to decide on the bid. Upon motion by Mr. Long, seconded by Mrs. Groninger, the council voted unanimously to table the bid until May 17th.

New Business

1. Mrs. Groninger made a motion to pay the bills. Mr. Long seconded the motion. Discussion ensued. Council voted unanimously to approve the payment of the bills. Bills from the General Fund total \$30,526.80; Liberty Splashland bills total \$1,266.66; 2nd Street Community Center bills total \$861.96; and bills to be paid from the Parking Meter fund total \$910.15.
2. AssetAuction website has lots of stackable plastic chairs, garbage cans, and park benches from the Pittsburgh Civic Arena for auction bid on Thursday. Transportation would be required if purchased. The council was not interested in bidding.
3. Mayor Brosius requested that the Rules Committee check on whether the parking on Elliott Drive should be designated for parking on one side of the street.
4. Mayor Brosius received a letter about the census. A count question resolution will be conducted between June 1, 2011 and June 1, 2013. The 2010 census numbers have not yet been received.
5. Mrs. Groninger asked if all complaints that come into the police department are listed on the police report provided to the council. Chief Fink responded that all complaints to the police department are input into the computer and would be included in the report.

The meeting was adjourned for an Executive Session at 8:40 p.m. Mr. Tira noted that personnel and labor matters would be discussed and the council may reconvene to take action.

Mr. Carl reconvened the meeting at 9:24 p.m. Mr. Carl made a motion to approve the change in the police contract as discussed. Mr. Long seconded the motion. Mr. Tira noted that the change relates to scheduling twelve hour shifts. Council voted unanimously to approve the motion.

Mr. Wetzel moved and Mr. Long seconded a motion to adjourn the meeting. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
May 3, 2011

Chairman ProTem Stephen Reed called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Judith H. Groninger, Robert Long, James Orner, Stephen Reed and Frank Wetzel. Others present were Mayor Brosius; Ryan Tira, Borough Solicitor; Timothy Fink, Chief of Police; Thomas Slodysko, Street Superintendent; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council members Greg Carl and Jonathan Rees were absent.

The nine visitors present introduced themselves.

Public Comment

No public comment was offered.

Meeting Minutes

Upon motion by Mrs. Groninger, seconded by Mr. Long, the minutes of the April 5, 2011 council meeting were unanimously approved.

Mayor's Report

Mayor Brosius noted that Chief Fink is presenting the DARE program to the school students.

Chief Fink stated that he would have the police reports to the council at the next meeting.

The Revitalization Committee is selling "Norry" flags. The 24 by 48 inch flags are on display at the Borough Office. The committee is organizing music in the park for the summer months.

The Playground Committee met and plan to complete the playground with the money from the Anselmo Trust and the Norry Bank. \$3,000 was received from the Joseph J. Anselmo Sr. Community Trust toward payment of the pavilion. The Playground Committee plans to purchase tables, benches and install pavers around the perimeter of the playground.

The Joseph J. Anselmo Sr. Community Trust has awarded \$6,500 to Liberty Splashland to be used toward Priestley students "free day" passes and the fryer and hood for the concession stand.

May 5th is the National Day of Prayer. The Mayor announced that it would be held on the Orange Street side of the 2nd Street Community & Municipal Center at noon.

The Priestley-Forsyth Memorial Library will hold their Derby Day Auction on May 7th at Nottingham Village.

The Red Cross Blood Mobile will be at the Christ United Methodist Church on May 12th from 1:00 to 6:00 p.m.

Election Day is May 17th. The voting poll for the second ward has been changed from the Girl Scout Little House to the Episcopal Church property. The Election Board is sending letters to the registered voters in the second ward. To date, some residents have received letters, others have not. Mayor Brosius requested that the reporter publish an article explaining the change.

The Memorial Day Parade will be held on May 30th. It will form at King Street Park at 10:00 a.m. and move at 10:30 a.m.

The United Way National Day of Action will be on Friday, June 24th. Suggestions of possible work sites should be provided to the Borough Secretary by May 5th.

The Sunbury/Northumberland Trust meeting will be on June 2nd.

Mr. Ty Sees noted that the reason for moving the second ward voting poll was due to handicapped accessibility.

Street Supervisor's Report

- Mr. Slodysko reported that by the end of the week the street signs that were budgeted for this year will be installed. The old street signs are being sold to interested parties.
- A pear tree on Queen Street was lost in the storm last week, uprooted by the wind.
- The street sweeper is running. The crew has been cleaning up after the storms.
- The sidewalks at the 2nd Street Community Center will be started shortly.

Code Enforcement Officer's Report

Mr. Paul Ruane reported that the Central Susquehanna COG is forming an Appeals Board for the Uniform Construction Code (UCC). He explained that if a resident appeals an action of the Code Office, the Borough would pay for the cost of holding the hearing. The COG will choose the members of the board. When the Appeals Board is finalized, the Borough will be asked to sign an agreement. Mr. Ruane stated that the Keystone COG in Lewisburg also has an Appeals Board. The Borough belongs to both COGs.

Mr. Reed noted that the state has repealed the sprinkler law for any new construction.

Northumberland Sewer Authority Report

Mr. Jim Orner reported that the authority met on April 25th.

- The Queen Street screening washwater system project was put out for bids.
- The authority decided to repair the pump on the flush truck.
- Thirty-three collection letters and 1166 billing cards were sent out.
- The authority members voted to have the grit removed from the aeration tanks with the work performed by Kline.
- Brinjac, the engineer, will inspect the tanks.
- Interviews are currently underway for the position of unskilled laborer.

Appointment to Northumberland Sewer Authority

Mr. Reed noted that one member, Jack Fasold, was never officially re-appointed to the Northumberland Sewer Authority in 2008 so it appears that there are two positions to fill. Mrs. Groninger stated that rather than continuing to search the records to determine if Mr. Fasold was appointed, she feels that since it would have been the intent of the council, and because it was normal for the Sewer Authority to recommend someone for the position to the council and Mr. Fasold has served on the Authority, she feels that the council should ratify his appointment retroactive to 2008. The term would end on December 31, 2013. Mr. Groninger put this motion on the floor. Mr. Long seconded the motion. Mayor Brosius stated that, after looking at his resume, he is qualified for the job. Mr. Adam Klock stated that he realizes that in the past, the Sewer Authority has recommended appointees to the Board, he has reviewed the 2007-2008 minutes of the Sewer Authority and cannot find where the Authority discussed Mr. Fasold's recommendation to the Board. Discussion ensued. Mrs. Groninger asked Mr. Orner if the topic was brought up at the Sewer Authority meeting. Mr. Orner stated that it was not. The motion to ratify Mr. Fasold's appointment to the Sewer Authority retroactive to 2008 was approved by a 3-2 vote with Mr. Reed and Mr. Wetzel casting the dissenting votes.

Three other applications were received for the vacant position. They were from Thomas Diehl, Dean Paul and Jim Troup.

Mrs. Groninger nominated Dean Paul to the open position, noting that he has volunteered on the Emergency Services Board and that he has 40 years of experience in construction and infrastructure jobs from hands on to top management the last 18 years. She added that he stated on the application that he wants to give back to the community and thinks that his management experience could benefit the authority. Mr. Orner seconded the motion. Mr. Tira advised that multiple people could be nominated. No other nominations were offered. This term for this appointment ends on December 31, 2012. Council voted unanimously to approve Mr. Paul's appointment.

Mrs. Groninger thanked all the applicants who were willing to serve. She noted that it has been a long time since the Borough has had so many applicants.

Mr. Jim Troup asked if it is a violation of ethics for Mr. Fasold to be on the Sewer Authority and also work for the Point Township Sewer Authority. Mr. Tira replied that offhand he does not know and the question should be addressed to the Sewer Authority's solicitor. Mr. Adam Klock stated that the solicitor represents both the Borough and Township sewer authorities and, in his eyes, that is a conflict of interest, so he does not feel that the solicitor is going to admit that Mr. Fasold's position on the Sewer Authority is a conflict of interest.

Emergency Services Board Report

Mr. Jim Troup requested payment for the Hookies' ladder truck early this year so they can pay off the loan. The payment is normally made in November. Discussion ensued. The Borough's cash flow does not permit a \$30,000 payment at this time, but tax money should be available by the end of June. Mr. Dave Bogovich stated that they hoped to pay off the loan by mid-June so they need to know a commitment is there. Mr. Bogovich stated that the company does not save that much by making the payment early. But, they have other projects. He added that they are trying to be fiscally responsible. Upon motion by Mr. Long, seconded by Mrs. Groninger, council voted unanimously to make the \$30,000 payment for the Hookies' ladder truck by July 15, pending receipt of the tax money.

The Emergency Services Board's next meeting will be on June 6th at 6:00 p.m.

Fire Chief's Report

Mr. Jim Troup stated that he will provide council with quarterly reports. He also reported that a fire chiefs' meeting is scheduled with the county to learn more about the radio upgrades.

Committee Reports

Community Development

Mr. Reed stated that he has not received any phone calls regarding the Farmers' Market.

Mr. Long asked if volunteers are needed to help lay the pavers at the 2nd Street Playground. Mr. Slodysko stated that he plans to have the college workers lay the pavers.

Mayor Brosius noted that Borough property is also overseen by this committee. She requested that the bow window in the building at 219-221 2nd Street be examined.

Mr. Reed asked if there has been any interest in building. The realtor has not contacted the office with any offers. Mr. Wetzel suggested that the listing price should be lowered. It is currently \$158,000. Mr. Ty Sees asked if the Borough could receive a tax credit that would be equivalent to the \$158,000 if the Borough donates the building to the fire company. Mr. Tira replied that the Borough is exempt from taxes as a public entity. Mayor Brosius noted that the proceeds from the sale of the building are earmarked for the renovations at the 2nd Street Community Center. The driveway is a shared driveway with the No. 1 Fire Company. The council decided to contact the realtor to see if the price should be adjusted.

The next committee meeting is scheduled for May 9, 2011 at 7:00 p.m.

Finance

At the last meeting, the committee discussed the E-Pay system. This system, available through SEDA-COG, would allow the Borough to accept payment for services online. Mr. Carl is in favor of using this system for payments for pool passes, parties, etc. The Finance Committee was in favor of starting with the pool fees and if it works well, the scope could be expanded to include payment for parking tickets, pavilion rentals and other payments. The payments are made on the Borough's website and are processed through PayPal. PayPal's fees can be set as a percentage of the payment and are added to the consumer's costs. SEDA-COG helps to construct the forms and to oversee the program at no cost to the Borough. The time spent constructing the forms, linking them to the Borough website, and administering the service would be tracked so it may be used as in-kind service for a match for the grant that SEDA-COG has obtained. Other local municipalities are using the service. Mr. Long moved to approve the E-Pay system for the pool on a trial basis. Mr. Reed seconded the motion. Mrs. Groninger stated that she would like to be sure that the people using the service know that there is a fee. It was explained that the fee shows as an additional charge on the form and can be calculated in the spreadsheet to be the exact percentage that PayPal charges. Mr. Adam Klock asked if the system could be used for payment of sewer bills. The response was that it could. Mayor Brosius thought that this method may have been used for paver purchases. It may also have been used with the Rumble at the Rice event. Council voted unanimously to approve the motion.

Joint Non-profit Organization

Julia Marano attended the Finance Committee meeting to request the council's support to form a joint non-profit organization between the Borough, Point Township, local businesses, and interested citizens. She has also written a letter to the council explaining that this would be a separate, independent, non-profit organization and would be filed as such with both the PA Department of State and the US Internal Revenue Service. The purpose of the organization would be to obtain funding for Borough and Township projects that is not The Borough and Township would each have a representative on the Board of Directors. Greg Carl has offered to represent the Borough. Mr. Tira advised that the council appoint a representative once the organization is formed. A contribution is requested toward filing the documents. Gene Brosius told the council that he has approximately 75% of the work completed to form a 501-C3 and he would provide this information to the group. He added that he had not included Point Township in the original paperwork. Mayor Brosius voiced support for making this a joint venture with Point Township, noting that the two municipalities have been trying to form a joint recreation committee. A joint venture would also follow the recommendation of the comprehensive plan.

Mr. Long moved to support the concept of the non-profit group as requested by Julia Marano. Mrs. Groninger seconded the motion. Council voted unanimously to approve the motion.

Personnel

Mrs. Groninger stated that personnel issues would be discussed in the Executive Session.

Public Safety

Mr. Wetzel reported that the committee would meet on May 17, 2011 at 6:00 p.m. to discuss parking issues. Mr. Long added that he would like the Rules committee to meet with Public Safety. The joint committee meeting will be advertised. The meeting will be held at the 2nd Street Community Center building.

Northumberland County has requested that the Borough update its Emergency Operation Plan by July 1. A meeting has been scheduled for June 1 at 7:00 p.m.

Rules

Mr. Long stated that the committee met last month and would like to advertise the outdoor furnace ordinance. Upon motion by Mr. Long, seconded by Mr. Wetzel, council unanimously approved advertising this ordinance.

Streets

Mr. Reed announced that the committee meeting scheduled for May 10, 2011 at 7:00 p.m. is cancelled.

The bids for the paving work were opened at the Central Susquehanna COG meeting. Mr. Slodysko noted that some contractors did not bid on curbing. Mr. Ruane stated that if the contractor did not bid on curbing, the bid was eliminated. The bids had two line items; one for paving, one for curbing. Mr. Tira advised that before accepting the low bid, PennDOT should be contacted for an opinion. The topic was tabled.

Bid Opening

The following five bids were received for the Hanover Street storm sewer upgrade:

Mid State Paving, LLC - \$87,279.00

G & R Charles Excavating, LTD - \$75,710.80

Fairchild Brothers, Inc. - \$87,917.00

Wolyniec Construction, Inc. - \$102,300

J Mar Construction - \$105,122.16

Upon motion by Mr. Long, seconded by Mr. Orner, the council voted unanimously to accept the bid of \$75,710.80 from G & R Charles Excavating, LTD, pending approval from the Borough engineer and SEDA-COG that all bid requirements were met.

A request was received from Beverly Doty for reimbursement of \$140 to replace their mailbox which was knocked over by snow that was pushed out of the street by the plow. It was noted that the plow did not hit the mailbox and that the mailbox and post appeared to be old. Discussion ensued. Mr. Reed stated that this happens all the time along Route 147 and mailboxes are not replaced. Mrs. Groninger moved to pay the bill. No second was offered. Motion died for lack of a second.

New Business

1. Upon motion by Mr. Long, seconded by Mrs. Groninger, council voted unanimously to pay the bills. Bills to be paid from the General Fund total \$87,798.49; bills to be paid from the Park and Recreation Fund total \$3,400; and Liberty Splashland bills total \$7,637.88. The bills include payment of the tax anticipation note to the Northumberland National Bank of \$50,000 plus interest of \$213.89.
2. Upon motion by Mr. Long, seconded by Mr. Reed, council voted unanimously to approve Ordinance 2011-2. This ordinance prohibits the sale, possession, or delivery of Synthetic Cannabis and other synthetic drugs.

ORDINANCE NUMBER 2011-2

Ordinance of the Borough of Northumberland regarding the Prohibition of the Sale, Possession, or Delivery of Synthetic Cannabis and other Synthetic Drugs.

WHEREAS, it is the desire of the Borough of Northumberland to control and minimize the use of synthetic cannabis and other synthetic drugs and

WHEREAS, it is desirous for the Borough of Northumberland to be able to enforce laws with respect to such behavior;

NOW, BE IT ORDAINED BY THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY, PENNSYLVANIA, THAT THIS LAW SHALL BE IN EFFECT AND WILL BE STRICTLY ENFORCED:

WHEREAS, the U.S. Drug Enforcement Agency has issued an order directing that chemicals JWH-018, JWH-073, JWH-200, CP-47, 497, CP 55, 940, WIN 55, 212-2, HU-210 and Cannabicyclohexanol contained in products marketed as potpourri and increase are classified as Schedule I controlled substance.

WHEREAS, the Pennsylvania Poison Control Center reported that products containing Methylenedioxypropylone and marketed as bath salts have been linked to serious physical effects to persons resulting in hospitalization and death.

WHEREAS, the above chemicals pose health, safety and welfare issues for the residents of the Borough of Northumberland, Northumberland County, Pennsylvania.

DEFINITIONS:

The following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

SYNTHETIC CANNABIS: Includes the brand names K2 and Spice. It is a herbal and chemical product which mimics the effects of Cannabis including but not limited to synthetic cannabinoids, cannabicyclohexanol, JWH-018, JWH-073, JWH-200, HU-210, CP-47, 497, CP 55 and 212-2.

Methylenedioxypropylamphetamine (MDPV): is a psychoactive drug with stimulant properties which acts as a norepinephrine-dopamine reuptake inhibitor (NDRI). Reportedly, it has been sold since around 2004 as a research chemical. It is also known as MDPK, Magic, Super Coke and PV. In 2010 it was reportedly sold as a legal drug alternative and marketed in the United States as "bath salts" (under such names as Cloud 9, Ivory Wave, Ocean, Charge Plus, White Lightning, Scarface, Hurricane Charlie, Vanella Sky, Bonzai Grow, Blue Silk, Serenity Now, Lovey Dovey, Euphoria, Aura, Red Dove and White Dove.

DELIVER OR DELIVERY: Actual, constructive or attempted transfer of possession of synthetic cannabis and synthetic drugs, with or without consideration, whether or not there is an agency relationship.

KNOWLEDGE: Knows, acts knowingly or with knowledge:

A. The nature or attendant circumstances of his/her conduct, described by the section defining the offense, when he/she is consciously aware that his/her conduct is of such nature or that such circumstances exist. Knowledge of a material fact includes awareness of the substantial probability that such fact exists.

B. The results of his/her conduct, described by the section defining the offense, when he/she is consciously aware that such result is likely to be caused by his/her conduct.

C. Knowledge may be inferred from the surrounding circumstances.

MANUFACTURE: The production, preparation, propagation, compounding, conversion or processing of synthetic cannabis or synthetic drugs, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, and includes any packaging or repackaging of synthetic cannabis or synthetic drugs or labeling of its container, except that this term does not include the preparation, compounding, packaging or labeling of synthetic cannabis or synthetic drugs as an incident to lawful research, teaching or chemical analysis and not for sale.

PERSON: Any individual, corporation, business trust, estate, trust, partnership or association, or any other entity.

POSSESSION: Possession may be either actual or constructive.

A. Actual possession means exercising physical dominion.

B. Constructive possession may be inferred if the defendant has intent and capacity to maintain control and dominion over the cannabis, synthetic drug or drug paraphernalia.

PRODUCE OR PRODUCTION: Planting, cultivating, tending or harvesting.

SECTION 1:

It is unlawful for any persons or corporation knowing, or under circumstances where one reasonably should know to sell, lend, rent, lease, give, exchange, or otherwise distribute to any persons or corporation any product containing the following chemicals: JWH- 018, JWH-073, JWH-200, CP-47, 497, Cannabicyclohexanol, CP 55, 490, HU-210 or Methylenedioxypropylamphetamine and marketed as, Cloud 9, Ivory Wave, Ocean, Charge Plus, White Lightning, Scarface, Hurricane Charlie, Red Dove and White Dove, spice, K-2, Blaze and Red X Dawn, but not limited to incense, potpourri, plant fertilizers, insect repellent or bath salts.

SECTION 2:

It is unlawful for any person or corporation, knowing, or under any circumstances where one reasonably should know, to display for sale or possess with intent to distribute any product containing the following chemicals: JWH-018, JWH-073, JWH-200, CP-47, 497, Canabicyclohexanol, or Methylenedioxypropylone and marketed as, Cloud 9, Ivory Wave, Ocean, Charge Plus, White Lightning, Scarface, Hurricane Charlie, Red Dove and White Dove, spice, K-2, Blaze and Red X Dawn, but not limited to, incense, potpourri, plant fertilizers, insect repellent or bath salts.

SECTION 3:

It is unlawful for any person to use, or to possess with intent to use, ingest, inhale, or otherwise introduce into the human body any product containing the following chemicals: JWH-018, JWH-073, JWH-200, CP-47, Cannabicyclohexanol, or Methylenedioxypropylone and marketed as, Cloud 9, Ivory Wave, Ocean, Charge Plus, White Lightning, Scarface, Hurricane Charlie, Red Dove and White Dove, spice, K-2, Blaze and Red X Dawn, but not limited to, incense, potpourri, plant fertilizers, insect repellent or bath salts.

SECTION 4: PENALTIES

- A. Violation: No person shall possess any substance containing synthetic cannabis or synthetic drugs.
- B. Penalty: As passed 12/18/2003 as part of Ordinance 2001-13, all penalties for violations of this ordinance are determined by council resolution.
- C. Administrative Fee: In addition, any person who violates any provision of this section and is convicted, pleads guilty, receives court supervision or probation by a court of law shall be ordered to pay an administrative fee to the law enforcement agency for testing of the substance(s) collected.
- D. Forfeiture: Any items which may be seized or forfeited pursuant to statutes or guidelines for the Commonwealth of Pennsylvania, may be forfeited in the same manner as described therein for a violation of this section.

SECTION 5: SEVERABILITY

If any provision, paragraph, word, section or article is invalidated by any court or competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

SECTION 6: CONFLICT

All other Ordinances and parts of other Ordinances inconsistent of conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 7: EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the Borough Council.

DULY ENACTED AND ORDAINED this 3rd day of May, 2011, by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Janice R. Bowman, Borough Secretary

ADOPTED this 3rd day of May, 2011.

Stephen D. Reed, Chairman ProTem

PASSED this 3rd day of May, 2011.

Gretchen H. Brosius, Mayor

3. Upon motion by Mr. Long, seconded by Mrs. Groninger, the council voted unanimously to approve a resolution to adopt the Point Township Sewer Authority Act 537 Plan. This is resolution C-2011:

MINOR PLAN UPDATE REVISION

RESOLUTION OF THE NORTHUMBERLAND BOROUGH, NORTHUMBERLAND, PENNSYLVANIA (hereinafter “the municipality”).

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act”, as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted hereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality, and

WHEREAS, Point Township has prepared an Act 537 Sewage Facilities Plan Update which provides for sewage facilities in Point Township and which proposes the connection of such sewer system to the Northumberland Borough Sewer Authority collection and conveyance system with ultimate treatment at the Northumberland Borough Sewer Authority WWTP; and

WHEREAS, Northumberland Borough agrees that the Facility Plan described above conforms to applicable zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Northumberland Borough hereby adopt and submit to the Department of Environmental Protection for its approval as a minor revision to the Act 537 Plan Update as developed by Northumberland Borough, the above referenced Facility Plan. The municipality hereby assures the Department of the complete and timely implementation of the said plan minor revision as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended.)

The alternative of choice to be implemented is

The Final Recommended Alternatives for the Point Township Act 537 Plan Update must comply with all PaDEP Act 537 Sewage Planning requirements including all associated planning documents and local government regulations.

Implementation of a on-lot management program in areas of the Township as shown on Exhibit VI-5 which do not include the OLDS in the new proposed Phase I sewer service area but do include all other OLDS in the Township.

This program will be privately managed through the township supervisors and administered according to Chapter 73.

There is no cost/debt to the Township or PTSA for the OLDS Management Program because all program costs are paid for by residents through billings for this service and no upfront program development money is necessary.

Point Township will generate the following offset credits with this proposed infrastructure program:

- a. Total OLDS: 172 residential septic units.
- b. Based on PaDEP criteria for nitrogen offsets for the estimated number of on-lot septic tanks = 25#/year retirement credit for Nitrogen offsets x 172 EDUs/On-Lot septic systems = 4300 lbs/year nitrogen offset credits.

The final selected alternative consists of installation of gravity sewer system that would serve 132 EDUs in Ridge Road/Spruce Hollow Road & Lithia Spring Creek Area and 40 EDUs in Ridge Road/Bulk Plant Road Area. The wastewater generated from these areas would be conveyed to the Northumberland WWTP for its treatment and disposal.

The estimated cost for this alternative is approximately \$5.22 million (2010 \$\$) and about \$21,777 in annual O&M fees.

Point Township has elected to pursue PENNVEST financing with RUS financing as a backup in case this primary funding alternative does not work out. PENNVEST rates are fixed based on the size of the municipality.

- A. Sewer use agreement with the Northumberland Sewer Authority WWTP and Point Township Sewer Authority will continue to be used as the appropriate mechanism for this 537 Plan implementation for wastewater treatment.

The key implementation activities/dates include:

TABLE ES-B

PLAN SCHEDULE MAJOR MILESTONES

Milestone	Date
Submit Plan to Northumberland County Planning Commission for 60 Day Review	January 2011
Submit Plan to Point Township Planning Commission for 60 Day Review Submit Plan to Northumberland Sewer Authority and Northumberland Borough for Review	January 2011
Point Township to prepare public notice for 30 day public review period for Act 537 Plan	January 2011
Newspaper Ad with 30 Day Public Notice filed in Local Newspaper Advertizing Start of Public Review Period for Act 537 Plan for Point Township	January 2011
Place Act 537 Plan at Township Building for 30 Day Public Review Per Ad in Paper Place Notices of Same on Township Entrance Door and Other Public Places (Post Office)	January 2011
30 Day Public Review Period For Act 537 Plan and UER Including: All exhibits and appendices. Plan placed at Township building 8am to 5pm daily for 30 days. Township to obtain any comments in writing from public. (DEP requirement)	March 2011
Following 30 Day Public Review, Township (Brinjac) must reply to any written public comments	April 2011
Point Township to adopt Act 537 Plan and UER by Resolution Northumberland Borough to Adopt Plan by Resolution	April 2011
Submission to PaDEP – Act 537 Plan and UER	May 2011
210 days for DEP review	May 2011
PaDEP Act 537 Plan Update Approval	210 Days following Submission of Final Plan Including Publication of Plan Approval in Pennsylvania Bulletin For 30 Day Public Comment
Act 537 Plan Reimbursement Application	30 days to complete – need all cancelled checks – both sides for all invoices paid for Act 537 Planning including SEO costs for water well inspections and field visits. Invoices needed as well.
Reimbursement Check to Point Township	6 months
Initiate all work on Ordinances	30 days following Act 537 Plan Update Approval by the PaDEP
Initiate the On-lot Management Program and all associated ordinances.	90 days following Act 537 Plan Update Approval by the PaDEP
Start Engineer Design Services with review of survey information and site visits. (Brinjac Engineering) Initiate interim financing with the Authority for the project. (Brinjac Engineering)	30 days following Act 537 Plan Update Approval by the PaDEP or earlier
Preliminary design to start for Final Selected Alternatives Collection and Conveyance Systems and construction cost estimate complete.	90 days following Act 537 Plan Update Approval by the PaDEP
Complete all ordinances and agreements for sewage treatment which are required for PENNVEST funding.	270 days following Act 537 Plan Update Approval by the PaDEP
Submission to PENNVEST for funding	270 days following Act 537 Plan Update Approval by the PaDEP
Bidding	360 days following Act 537 Plan Update Approval by the PaDEP
OLDS Management Program First Pumping and Inspections	365 Days Following Act 537 Plan Update Approval By PaDEP
Start Construction	450 days following Act 537 Plan Update Approval by the PaDEP

Construction Complete	750 days following PaDEP Act 537 Plan Update Approval
Start Connecting Homes in the Township. Certify all septic system offset credits for existing septic systems taken offline and provide manifests from SEO to the Township/Authority for each system taken off-line with sewer project.	750 days following PaDEP Act 537 Plan Update Approval 750 days following PaDEP Plan Approval

RESOLVED as a Resolution of the Borough of Northumberland, Northumberland County, PA, this 3rd day of May, 2011.

BOROUGH OF NORTHUMBERLAND

Borough Council President

I, Janice R. Bowman, Secretary of the Borough of Northumberland, certify that the foregoing is a true and correct copy of the Borough's Resolution No. C-2011 adopted by the Northumberland Borough Council on this 3rd day of May, 2011.

Borough Secretary

Borough Seal

4. Villager Realty, Inc. has requested the use of the King Street Park on June 22, 2011, for an "Appreciation Night". All Borough residents are welcomed to attend. They will provide hot dogs and other snacks and will clean up after the event. The normal fee for the use of the park for a private event is \$50. Mayor Brosius noted that this group has volunteered their services during Pineknoller Days for many years by manning the soda stand. Upon motion by Mr. Long, seconded by Mr. Wetzel, the council voted unanimously to grant permission to Villager Realty Inc. to use the King Street Park for a public event and waive the fee.

5. Mr. Gene Brosius commented on a statement made earlier in the meeting by Adam Klock. He stated, "Mr. Klock has decided that to say that I would publically make a false statement. I want to go on record to say that I feel pity and sorry for him that he'd have to resort and stoop to slander when he doesn't get his way."

Mr. Reed adjourned the council meeting for an Executive Session at 8:35 p.m. to discuss personnel issues. He added that the meeting may be reconvened.

The meeting was reconvened at 9:40 p.m.

Mr. Wetzel moved to accept the agreement with the Teamsters. Mr. Orner seconded the motion. The roll call vote was 4-1 with Mrs. Groninger casting the dissenting vote.

The meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
May 17, 2011

President Gregory Carl called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited and Mayor Gretchen H. Brosius offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith H. Groninger, Robert Long, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Brosius; Timothy Fink, Chief of Police; Thomas Slodysko, Street Supervisor; and Janice Bowman, Borough Secretary. Council member James Orner was absent.

The visitors present introduced themselves.

Public Comment

No public comment was offered.

Mayor's Report

Mayor Brosius reported that the Luther Savidge Trust has awarded \$20,000 to complete the Savidge Room in the 2nd Street Community Center, \$1,000 for shade trees for the playground, and \$500 for a picnic table that is handicapped accessible.

The Northumberland Christian School has received funding from the Savidge Trust toward a playground that is being constructed at the corner of Pond and Sheetz Avenues.

The Sunbury-Northumberland Trust will meet on June 2, 2011. Applications should be submitted as soon as possible.

Street Supervisor's Report

Mr. Slodysko reported that he spoke with the Borough's PennDOT municipal services representative learned that the Borough is responsible to install handicapped curbs on Hanover Street at Front and Water Streets. PennDOT is responsible for installing the curb ramps on Front and Water Streets. A change order is being prepared to add six more handicapped curb ramps with truncated domes, and ninety more feet of regular curbing to the street paving project. This change order will increase the Meckley's Limestone Products, Inc. total bid to \$66,735.25.

Mr. Long moved to accept Meckley's Limestone Products, Inc. original bid of \$55,504.25 for paving and curbing on Hanover Street and to accept the change order that is pending from

PennDOT. Mrs. Groninger seconded the motion. Council voted unanimously to approve the bid and change order.

Mr. Slodysko explained that the Borough's SuperZ lawnmower has been inoperable for four weeks, waiting for a part that is on order. Mr. Slodysko said that he would like to purchase a Bushhog mower from Rovendale Ag and Barn, Inc. This is an American-made mower that is being rented for \$400 per week. The company will sell the \$8,872 mower to the Borough for \$6,654 which is less than the state contract price. This is a brand new mower with a 3 year commercial warranty. Mr. Slodysko requested to use part of the funding that was to be used toward a bucket truck with a higher lift to purchase the mower. He feels he will still have enough money remaining in the budget to purchase a bucket truck with a lift similar to the current bucket truck.

Upon motion by Mrs. Groninger, seconded by Mr. Long, the council voted unanimously to purchase the Bushhog mower for \$6,654.

Mr. Slodysko noted that minor repairs throughout the streets will be completed.

Mr. Slodysko stated that the sidewalks will be completed at the police station end of the building once the weather permits. He has contacted a contractor to assist with the installation.

Mr. Slodysko informed the council that trees that were planted along the Route 11 by the Sewer Authority fence are dying. It is the trees that are on the lower side of the entrance gates. He requested permission to have the soil tested to determine the cause. It was suggested that the Penn State extension be contacted. The trees were purchased through a forestry grant. The oak trees that were purchased at the same time and planted at the point are fine.

The 6-foot diameter storm pipe along the Liberty Splashland parking area is cracked and sink holes are developing above the pipe during heavy rains. Five holes were covered during the past three weeks. This pipe extends from the creek above the pool to Prince Street. The pipe was originally installed to enable the enlargement of the parking lot at the Kiwanis Building. To replace the concrete pipe, Mr. Slodysko estimated the cost to be approximately \$24,000 for material. Three possible options were considered. They are concrete pipe, plastic pipe which would require strapping it down or concreting it in, or removing the pipe altogether and installing rip-rap and a guardrail along an open trench. The last option would eliminate a row of parking spaces at the Kiwanis Building. Mr. Slodysko said that it is currently not a safety hazard because the holes only occur during heavy rains and the crew covers them as necessary. Council requested that quotes be obtained for the three ways to fix the problem.

Mr. Slodysko noted that the river had flooded the Point and Hanover Street launch areas. Many of the stones in the parking lot at the Point have been washed away. The Fish and Boat Commission Grant will be considered.

Mr. Slodysko informed the council that the sub-base of the asphalt is eroding along the western side of Empress Tree Lane due to heavy rains and no curbing along this street. The street crew will make repairs to alleviate the problem.

Northumberland Sewer Authority Report

Adam Klock reported that at the authority's workshop, a recommendation was made for a new hire for the sewer plant. The Board will vote on the applicant at the next regular meeting on May 23rd at 4:30 p.m.

The cost to purchase credits is being explored. This estimate will be used to gauge the cost effectiveness of purchasing credits and delaying the upgrade or to upgrade the plant now.

The invoices for the previous Queen Street pumping station upgrade were reviewed. After the former clerk left employment with the Sewer Authority, new invoices were not generated as had been agreed upon with Point Township Sewer Authority and Upper Augusta Township. The bylaws state that customers are still responsible to make payment whether or not an invoice is received. An outstanding balance of approximately \$415,000 plus interest is due from the Point Township Sewer Authority and \$18,000 is due from Upper Augusta. A CPA will be hired to determine the exact amounts that are owed. The two entities will be given the option of a payment plan or paying the lump sum.

Mr. Klock said that the Authority would like to formalize a land-lease agreement with the Borough similar to one which was written several years ago but not signed.

Emergency Services Board

The Board will meet on June 6, 2011 at 6:00 p.m.

Committee Reports

Community Development

Mr. Carl reported that the next committee meeting will be held on June 13, 2011 at 7:00 p.m.

The walls were poured for the pool for the bowl slide and the bowl will be set in place this week. The pool will open on June 6th. The hours of operation are 11:00 a.m. to 6:00 p.m., weather permitting.

Verizon Wireless has received all the required approvals and permits and construction of the cell tower is scheduled to begin this summer.

Mr. Reed reported that only one person called about the Farmer's Market and this was someone who does scrapbooking.

Finance

Mr. Rees stated that the committee will meet in July to review the second quarter of 2011.

Personnel

The committee has developed a new job description for the Chief of Police. Upon motion by Mr. Long, seconded by Mr. Reed, council voted unanimously to accept the new job description for the Chief of Police.

Mrs. Groninger noted that much of the solicitor's bill is for personnel issues dealing with grievances.

Public Safety

Mr. Wetzel stated that the committee met tonight with the Rules Committee to discuss parking issues. Three of these will require traffic studies – no parking on one side of Elliott Drive; increase in the length of no parking on Orange Street from the intersection at Fifth Street due to the ladder truck turning onto Orange Street; and Depot Avenue from Queen Street to Wheatley Avenue. The committee also recommends offering parking passes to residents in the downtown area for \$50.00 per year.

The committee is in favor of applying to PennDOT for “yield to pedestrians” signs to be placed at various crosswalks on Duke Street.

The committee will meet on June 21st at 6:00 p.m.

Rules

The committee met with the Public Safety Committee. The committee will meet on June 28th at 7:00 p.m.

Streets

Mr. Reed stated that everything was already covered tonight.

Old Business

1. Frye’s Interiors had submitted to low bid of \$11,688.15 for the flooring for the Savidge Room. Since the S. Luther Savidge Trust has awarded \$20,000 for the Savidge Room, the money for the flooring would be covered. Mr. Long moved and Mrs. Groninger seconded the motion to accept the bid from Frye’s Interiors. Council voted unanimously to approve. The bid had been advertised in the Daily Item.
2. The sale of the old borough building will be discussed in the Executive Session.
3. Applications for the Fish and Boat Commission Grant are due by May 31, 2011. In-kind services can be used as the Borough’s 50% match. Mr. Long moved to apply for a grant to improve the parking area at the Point and to install rip rap along the shoreline. Mr. Wetzel seconded the motion. Roll call vote – all ayes.
4. Because the Code Enforcement Officer was not present, the Code Enforcement Officer’s Report for April was read by Mrs. Groninger:
 - 6 permits were issued
 - 1 permit was denied
 - \$684 was collected in permit fees
 - 1 complaint was received
 - 10 code violation letters were sent out
 - 2 council meetings were attended
 - 159 miles were put on the car
 - Permit fees of \$495
 - One street cut
 - 12 rental inspections
 - Inspection fees of \$420

New Business

1. Upon motion by Mr. Long, seconded by Mr. Rees, the council voted unanimously to approve payment of the bills. The bills to be paid from the General Fund total \$16,989.27; the Liberty Splashland bills total \$4,296.31; the 2nd Street Community and Municipal Center bills total \$15.21; and the Norry Playground Fund bills total \$100.00.
2. Upon motion by Mr. Rees, seconded by Mr. Long, the council voted unanimously to transfer the \$8,964.25 remaining from the \$9,000 in the 2011 budget in the General Fund to the Liberty Splashland account.
3. Point Township has requested that two council members attend a meeting with the Township and Upper Augusta Township supervisors to discuss the agreement with the Sewer Authority. Mr. Carl will attend and if Mr. Orner cannot attend, Mr. Long will rearrange his schedule to attend. The meeting is scheduled for May 31, 2011 at 3:00 p.m.
4. Mr. Steve Cimino voiced a complaint about the Northumberland County Election Board. He stated that he did not receive notification that the 2nd ward polling place was changed from the Girl Scout House to the building behind the Episcopal Church. Others commented that they also did not receive notification. Council requested that a letter be sent to the Election Board.
5. Mr. Klock noted that the Sewer Authority is aware of one property that has three rentals and landlord is not paying sewer bills for the all rental units. Mr. Klock stated that there are three electric meters on the building. He was informed that the last time that a hearing was held for landlords who were not paying the rental fees, the district justice ruled in favor of the landlords because the Borough did not provide deeds that stipulated property ownership. The code office is preparing to cite landlords that do not comply with the Borough ordinance and will provide copies of the deeds. The district justice for the Borough has changed.

The council meeting was adjourned for an Executive Session at 8:06 p.m. to discuss real estate and personnel matters. Mr. Carl announced that the meeting may be reconvened after the Executive Session.

The meeting was reconvened at 8:42 p.m.

Upon motion by Mr. Wetzel, seconded by Mr. Reed, the council voted unanimously to reduce the asking price of the former Borough Building at 219-221 Second Street to \$140,000. The reduced price is based on market research done by Villager Realty.

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
June 7, 2011

President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Council member Jonathan Rees offered an Invocation in the absence of Mayor Gretchen Brosius.

Roll Call

Council members present were Gregory Carl, Judith Groninger, James Orner, Stephen Reed, and Jonathan Rees. Others present were Ryan Tira, Borough Solicitor; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; Timothy Fink, Chief of Police; and Janice Bowman, Borough Secretary. Council members Robert Long and Frank Wetzel were absent.

The four visitors present introduced themselves.

Public Comment

Ms. Fran Bogovich stated that she would like the council to change the ordinance that addresses high grass because it seems to be the same people violating the ordinance and she feels that it is costly to the Borough to mail notices to the property owners each time. Mr. Tira advised that the Borough has no choice in the matter. In order to enforce the ordinance, each offense must be treated separately and the property owner must be notified by mail. The Borough may not change this procedure.

Mr. Mark Walberg informed the council that he owns a vacant lot at 354 Front Street that he would like to use for a parking lot. The lot is at the corner of Front Street and Sheetz Avenue. He said that currently neighboring residents park along the sidewalk that is along Sheetz Avenue and block entrance to his parking area. He also noted that the cars that are parked along Sheetz Avenue are parked partly on the sidewalk. Mr. Tira suggested that a plan be submitted to the Borough. Mr. Walberg stated that he would be willing to provide the plan. Discussion continued. Mr. Carl requested that the Street Committee meet with Mr. Walberg to review the property. Mr. Slodysko stated that because Sheetz Avenue intersects with a state road, parking is prohibited thirty feet from the intersection. The Street Committee members will contact Mr. Walberg to meet at the property.

Mr. Robert Rowe asked what is happening to the Crime Watch Committee in the Borough. He said that no one wants to hold meetings. Chief Fink stated that he spoke with Mr. Wetzel and Officer Lauver and that Mr. Rowe was the only resident present at several meetings.

Meeting Minutes of May 3 and May 17, 2011

Mrs. Groninger made a motion, seconded by Mr. Reed, to approve the meeting minutes of May 3, 2011. Motion was approved by a vote of 3-0-2 with Mr. Rees and Mr. Carl abstaining.

Mr. Rees made a motion, seconded by Mr. Reed to approve the meeting minutes of May 17, 2011. Mrs. Groninger asked if application was made for the grant to improve the parking area at the Point. The application was submitted. The minutes were approved by a vote of 4-0-1 with Mr. Orner abstaining.

Street Supervisor's Report

Mr. Tom Slodysko reported that the street sweeper was broken down due to an electrical malfunction.

There was a large turnout for the brush recycling. Sunbury will be contacted to mulch the brush which will be used throughout the Borough. Any remaining mulch will be offered to residents.

Mr. Lytle will be meeting with Mr. Slodysko tomorrow to discuss the sidewalks at the police station. Mr. Reed noted that the sidewalks were to have been completed several weeks ago and that if someone would get injured, the Borough would be liable.

Mrs. Bogovich asked if there is a downtown association that is responsible for maintaining the downtown sidewalks. She noted that most property owners in the downtown area do not sweep the sidewalks or keep the properties looking nice. There is a revitalization committee but no downtown property owners are on the committee. The Code Office sends letters to property owners that violate the codes.

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the activity of the Code Office for the month of May. Mr. Ruane requested that the street department cut down weeds at several properties that are being foreclosed. Discussion ensued. Mr. Tira advised that the street department keep track of the time and equipment and that the property owners be billed for the work to clean up the properties.

Northumberland Sewer Authority Report

Mr. James Orner reported that at the last meeting the authority discussed billing past-due accounts.

The engineer is calculating revised rent charges.

Outstanding balances are due from Point Township Sewer Authority and Upper Augusta Township Sewer Authority for the construction of the Queen Street Pumping Station. A CPA will calculate the interest owed as well as the principal. Payments are to be made quarterly but were not made because bills were not submitted. The agreement is that payments are to be made whether or not bills were received. Approximately \$431,000 is due from the Point Township Sewer Authority and approximately \$28,000 is due from the Upper Augusta Sewer Authority.

Other businesses are being re-billed because they were not billed correctly. Mr. Orner stated that the sewer authority plans to correct the incorrect bills for the past two years.

Mr. Carl and Mr. Orner attended a meeting with representatives of Point Township and Upper Augusta Township Sewer Authorities. Point Township asked if the Borough would be interested in meeting to discuss the possibility of forming a regional sewer authority. Upper Augusta is not interested in becoming part of the board if a new authority is formed. Mr. Carl explained that the membership on the board would consist of four members from one municipality and three members from the other. The municipality with the majority of membership would change from year to year. Mrs. Groninger noted that the water company had approached the Borough about purchasing the sewer authority several years ago, but did not pursue the purchase. She added that she feels the council should know the value of the property. Discussion ensued. Council decided to pursue a dialogue with the township. Mr. Tira advised that a new 537 plan would be required if a joint authority is formed. Mr. Carl requested that a letter be sent to the township stating that the council is interested in discussing the topic with the supervisors. Mr. Tira stated that the joint meeting would have to be advertised.

Mr. Orner reported that the Sewer Authority now has a credit card at the First National Bank with a limit of \$500.

The next meeting of the Northumberland Sewer Authority is scheduled for June 27, 2011 at 4:30 p.m.

Emergency Services Board Report

Fire Chief Jim Troup reported that the board met last evening and discussed the Knox Box program. Letters will be sent to area businesses.

Committee Reports

Community Development

Mr. Carl stated that the committee would meet on June 13, 2011 at 7:00 p.m.

Mr. Carl announced that Liberty Splashland opened yesterday. Work is continuing on the bowl slide. Mr. Carl does not anticipate that the slide will be completed by the end of the summer, but feels it will be done by the end of the year.

\$10,000 grant funding was awarded by the Sunbury-Northumberland Trust for picnic tables, benches and sidewalks at the 2nd Street Community Center.

Other funding was received from a foundation at the Northumberland National Bank to renovate the kitchen area located next to the Savidge Room.

The Borough did not receive funding from PennDOT through the ARLE grant. Another round of grant funding is open with applications due in July.

Finance

Mr. Rees noted that the committee would meet on July 20, 2011 at 6:30 p.m.

Personnel

Mrs. Groninger stated that personnel issues would be discussed in Executive Session.

Public Safety

The next meeting is scheduled for June 21, 2011 at 6:00 p.m.

Rules

The next meeting is scheduled for June 28, 2011 at 7:00 p.m.

Upon motion by Mr. Carl, seconded by Mr. Reed, council unanimously approved Ordinance 2011-3. This ordinance addresses outdoor wood-fired boilers:

Borough of Northumberland

Ordinance No. 2011-3

An ordinance of the Borough of Northumberland, Northumberland County, Commonwealth of Pennsylvania, for the prevention and control of air pollution from the use of outdoor wood-fired boilers, also known as outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters; defining certain terms used herein; providing for regulations, exceptions, enforcement orders, responsibility of owners and operators, penalties, unlawful conduct, public nuisances, repealing previous ordinances, and validity.

SECTION I. Title

This ordinance shall be known and may be cited as the Borough of Northumberland Outdoor Wood-Fired Boiler Ordinance of 2011.

SECTION II. Authority

The Council of the Borough of Northumberland, under, and by virtue of and pursuant to the authority granted by 35 P.S. §4012 and 53 P.S. 46202 do hereby enact and ordain this ordinance.

SECTION III. Applicability

Except as otherwise provided, this ordinance applies to the installation and use of all outdoor wood-fired boilers within the Borough of Northumberland.

III.1. This ordinance does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.

III.2. This ordinance does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.

III.3. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

SECTION IV. Purpose and Scope

Whereas the Borough Council of the Borough of Northumberland has determined that air pollution from outdoor wood-fired boilers may be detrimental to the health, comfort, living conditions, welfare, and safety of the citizens of the Borough of Northumberland it is hereby declared to be the policy of the Borough of Northumberland to safeguard the citizens of the Borough of Northumberland from such air pollution.

SECTION V. Definitions

The following words, terms, and phrases, when used in this ordinance, unless the context clearly indicates otherwise, shall have the following meanings ascribed to them:

APCA – Air Pollution Control Act

Clean wood – Natural wood that has no paint, stains, or other types of coatings, and natural wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol.

EPA – United States Environmental Protection Agency

Council – Borough Council of the Borough of Northumberland.

Borough – Borough of Northumberland.

Outdoor wood-fired boiler – Also known as outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters, water stoves, etc. A fuel-burning device:

- (1) Designed to burn clean wood or other approved solid fuels;
- (2) That the manufacturer specifies for outdoor installation or for installation in structures not normally intended for habitation by humans or domestic animals, including structures such as garages and sheds; and
- (3) Which heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

Phase 2 outdoor wood-fired boiler – an outdoor wood-fired boiler that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units output and is labeled accordingly. Phase 2 outdoor wood-fired boiler models will be identified with a white hang tag.

Person – Any individual, public or private corporation for profit or not for profit, association, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth or the Federal Government, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Responsible official – Person designated by the municipality to be responsible for the administration and enforcement of this ordinance.

Stack – Any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a furnace, especially that part of a structure extending above a roof.

SECTION VI. Regulations

(1) On or after May 1, 2011, no person shall install an outdoor wood-fired boiler in the Borough;

(2) On or after May 1, 2011, only outdoor wood-fired boiler previously installed may be used or operated in the Borough and must be used and operated in accordance with the following provisions:

VI.1. Particulate Standard Requirements for New Outdoor Wood-Fired Boilers

No person shall use or operate an outdoor wood-fired boiler that is not a Phase 2 Outdoor Wood-fired Boiler.

VI.2. Setback Requirements for New Outdoor Wood-fired Boilers

No person shall use or operate an outdoor wood-fired boiler unless it is installed at least 150 feet from the nearest property line.

VI.3. Stack Height Requirements for Existing Outdoor Wood-fired boilers

No person shall use or operate an outdoor wood-fired boiler that was installed before May 1, 2011 unless it has a permanently attached stack with a minimum stack height of 10 feet above the ground that also extends at least two feet above the highest peak of any residence located less than 500 feet from the outdoor wood-fired boiler. However, if the existing outdoor wood-fired boiler is a Phase 2 outdoor wood-fired boiler, it may be located closer than 500 feet, but no less than 150 feet from any residence.

VI.4. Reconstruction of Existing Outdoor Wood-fired boilers

If an outdoor wood-fired boiler that was installed prior to May 1, 2011 becomes more than fifty percent (50%) tore down, physically deteriorated, decayed or inoperable, it shall not be rebuilt or restored and must be disconnected from all structures. If the condition of the outdoor wood-fired boiler violates any other ordinance of the Borough, the Borough may order its removal from the property in accordance with the applicable ordinance.

VI.5. Fuel Requirements for Outdoor Wood-fired Boilers

No person that uses or operates an outdoor wood-fired boiler shall use a fuel other than the following:

- Clean wood
- Wood pellets made from clean wood
- Home heating oil, natural gas, propane or other fuel that complies with all

applicable sulfur limits and is used as a starter or supplemental fuel for dual-fired outdoor wood-fired boilers

VI.6. Prohibited Fuels for Outdoor Wood-fired Boilers

No person shall burn any of the following items in an outdoor wood-fired boiler:

- Any material not listed in VI.6
- Treated or painted wood
- Furniture
- Garbage
- Tires
- Lawn clippings or yard waste
- Material containing plastic
- Material containing rubber
- Waste petroleum products
- Paints and paint thinners
- Chemicals
- Any hazardous waste
- Coal
- Glossy colored paper
- Construction and demolition debris
- Plywood
- Particleboard
- Salt water driftwood
- Manure
- Animal carcasses
- Asphalt products
- Any material that causes a noxious odor or a condition that creates a nuisance

VI.7. Prohibition of Operation for Outdoor Wood-fired Boilers

No person shall use or operate an outdoor wood-fired boiler between the dates of May 1 and September 30. VI.8. Regulatory Requirements for Outdoor Wood-fired Boilers. No person shall use or operate an outdoor wood-fired boiler unless it complies with all existing state and local regulations. The following is a list of some, but not all, regulations of this Commonwealth that could apply include:

- 25 Pa. Code Section 121.7 – Prohibition of Air Pollution
- 25 Pa. Code Section 123.1 – Fugitive Emissions
- 25 Pa. Code Section 123.31 – Odor Emissions
- 25 Pa. Code Section 123.41 – Visible Emissions
- Section 8 of the APCA, 35 P.S. Section 4008 – Unlawful Conduct
- Section 13 of the APCA, 35 P.S. Section 4013 – Public Nuisances

VI.9. Permits for Outdoor Wood-fired Boilers

No person shall use or operate an outdoor wood-fired boiler unless a permit is obtained from the Responsible Official. Any person who desires to use or operate an outdoor wood-fired boiler must submit an application for a permit to use or operate an outdoor wood-fired boiler with the Responsible Official within ninety (90) days of the enactment of this ordinance. The application shall include the specifications for the wood-fired boiler, a sketch of the proposed location of the wood-fired boiler and the date of installation. The sketch shall accurately depict the distances between the wood-fired boiler and any building and property line. The person desiring a permit to use or operate on outdoor wood-fired boiler must also submit a non-refundable permit application fee to the Responsible Official. The Council may from to time set or amend, by Resolution, the permit application fee. The Responsible Official, upon receipt of an application for the use and operation of an outdoor wood-fired boiler (including specifications and sketch) and the appropriate permit application fee, shall review the permit to determine if the proposed wood-fired boiler is in compliance with this ordinance. If the application and proposed wood-fired boiler are in compliance with this ordinance, the Responsible Official shall issue the permit for the use and operation of a wood-fired boiler in accordance with the information provided in the application and the

provisions of this ordinance. No permit shall be issued for a wood-fired boiler that was not installed on or before June 7, 2011. The Borough reserves the right to temporarily suspend a permit if weather conditions make the operation of the wood-fired boiler dangerous or a nuisance. The failure to obtain a permit or the failure to comply with the conditions of a permit, shall be considered violations of this ordinance. Any violation of the ordinance or permit conditions shall void the permit. Failure to obtain a permit or to comply with the conditions of a permit, shall be subject to the penalties listed in Section VII, VIII, IX and X of this ordinance.

SECTION VII. Enforcement Orders

- (1) The Borough and the Responsible Official shall have the power and duty to enforce the provisions of this ordinance.
- (2) The Borough may issue such orders as are necessary to aid in the enforcement of the provisions of this ordinance. These orders shall include, but shall not be limited to: orders requiring persons to cease unlawful use of outdoor wood-fired boilers, which is in violation of any provision of production of information. Such an order may be issued if the Borough finds that any person in violation of any provision of this ordinance.
- (3) The Borough may, in its order, require compliance with this ordinance.
- (4) An order issued under this section shall take effect upon notice, unless the order specifies otherwise. An appeal to the Council of the Borough's order shall not act as a supersedes, provided, however, that, upon application and for cause shown, the Council may issue such a supersedes under rules established by the Council.
- (5) The authority of the Borough to issue an order under this section is in addition to any remedy or penalty that may be imposed pursuant to this ordinance. The failure to comply with any such order is hereby declared to be a public nuisance.

SECTION VIII. Responsibility of Owners and Operators

- (1) Whenever the Responsible Official finds that illegal operation of an outdoor wood-fired boiler is occurring in the Borough, in contravention of the requirements of Section VI above, the Responsible Official may order the owner or operator to take corrective action in a manner satisfactory to the Borough, or the Responsible Official may order the owner or operator to allow access to the land by the Responsible Official or a third party to take such action.
- (2) For purposes of collecting or recovering the costs involved in taking corrective action or pursuing a cost recovery action pursuant to an order or recovering the cost of litigation, oversight, monitoring, sampling, testing, and investigation related to a corrective action, the Borough may collect the amount in the same manner as civil penalties are assessed and collected following the process for assessment and collection of a civil penalty contained in Section X of this ordinance.

SECTION IX. Criminal Penalties

Any person who violates any provision of this ordinance or any order of the Borough issued pursuant to this ordinance commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two thousand five hundred dollars (\$2,500.00) for each separate offense and, in default of the payment of such fine, may be sentenced to imprisonment for ninety (90) days for each separate offense. Employees of the Borough authorized to conduct inspections or investigations are hereby declared to be law enforcement officers authorized to issue or file citations for summary violations under this ordinance, and the code officer and/or solicitor are hereby authorized to prosecute these offenses. For purposes of this section, a summary offense may be prosecuted before any district justice in this Borough. There is no accelerated rehabilitative disposition authorized for a summary offense.

SECTION X. Civil Penalties

(1) In addition to proceeding under any other remedy available at law or in equity for a violation of a provision of this ordinance or any order issued pursuant to this ordinance, the Borough may assess a civil penalty for the violation. The penalty may be assessed whether or not the violation was willful. The civil penalty so assessed shall not exceed twenty-five thousand dollars (\$25,000.00) per day for each violation. In determining the amount of the penalty, the Borough shall consider the willfulness of the violation; damage to air, soil, water, or other natural resources of the Borough or their uses; financial benefit to the person in consequence of the violation; deterrence

of future violations; cost to the Borough; the size of the source or facility; the compliance history of the source; the severity and duration of the violation; degree of cooperation in resolving the violation; the speed with which compliance is ultimately achieved; whether the violation was voluntarily reported; other factors unique to the owners or operators of the source or facility; and other relevant factors.

(2) When the Borough proposes to assess a civil penalty, it shall inform the person of the proposed amount of the penalty. The person charged with the penalty shall then have thirty (30) days to pay the proposed penalty in full; or if the person wishes to contest the amount of the penalty or the fact of the violation to the extent not already established, the person shall forward the proposed amount of the penalty to the Council within the thirty (30) day period for placement in an escrow account with the State Treasurer or any Commonwealth bank, or post an appeal bond to the Council within thirty (30) days in the amount of the proposed penalty, provided that such bond is executed by a surety licensed to do business in the Commonwealth and is satisfactory to the Borough. If, through administrative or final judicial review of the proposed penalty, it is determined that no violation occurred or that the amount of the penalty shall be reduced, the Council shall, within thirty (30) days, remit the appropriate amount to the person with any interest accumulated by the escrow deposit. Failure to forward the money or the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless the appellant alleges financial inability to prepay the penalty or to post the appeal bond. The Council shall conduct a hearing to consider the appellant's alleged inability to pay within thirty (30) days of the date of the appeal. The Council may waive the requirement to prepay the civil penalty or to post an appeal bond if the appellant demonstrates and the Council finds that the appellant is financially unable to pay. The Council shall issue an order within thirty (30) days of the date of the hearing to consider the appellant's alleged inability to pay. The amount assessed after administrative hearing or after waiver of administrative hearing shall be payable to the Borough and shall be collectible in any manner provided by law for the collection of debts, including the collection of interest on the penalty amount computed in accordance with section 6621(a)(2) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) from the date of assessment of the penalty. If any person liable to pay any such penalty neglects or refuses to pay the same after demand, the amount, together with interest and any costs that may accrue, shall constitute a debt of such person, as may be appropriate, to the Borough. The debt shall constitute a lien on all property owned by said person when a notice of lien incorporating a description of the property of the person subject to the action is duly filed with the prothonotary of the court of common pleas where the property is located. The prothonotary shall promptly enter upon the civil judgment or order docket, at no cost to the Borough, the name and address of the person, as may be appropriate, and the amount of the lien as set forth in the notice of lien. Upon entry by the prothonotary, the lien shall attach to the revenues and all real and personal property of the person, whether or not the person is solvent. The notice of lien, filed pursuant to this Section, which affects the property of the person shall create a lien with priority over all subsequent claims or liens which are filed against the person, but it shall not affect any valid lien, right, or interest in the property filed in accordance with established procedure prior to the filing of a notice of lien under this section.

SECTION XI. Unlawful Conduct

It shall be unlawful to fail to comply with or to cause or assist in the violation of any of the provisions of this ordinance or to fail to comply with any order or other requirement of the Borough; or to cause a public nuisance; or to hinder, obstruct, prevent, or interfere with the Borough or its personnel in their performance of any duty hereunder, including denying the Responsible Official access to the source or facility.

SECTION XII. Public Nuisances

A violation of this ordinance or of any order issued by the Borough under this ordinance shall constitute a public nuisance. The Borough shall have the authority to order any person causing a public nuisance to abate the public nuisance. In addition, when abating a public nuisance, the Borough may recover the expenses of abatement following the process for assessment and collection of a civil penalty contained in Section X. Whenever the nuisance is maintained or continued contrary to this ordinance or any order issued pursuant to this ordinance, the nuisance may be abatable in the manner provided by this ordinance. Any person who causes the public nuisance shall be liable for the cost of abatement.

SECTION XIII. Repealer

All prior ordinances or parts thereof which are in conflict with this ordinance are hereby repealed.

SECTION XIV. Validity

The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

SECTION XV. Effective Date. This ordinance shall become effective on the 1st day of May, 2011.

DULY ENACTED AND ORDAINED this 7th day of June, 2011, by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania in lawful session duly assembled.

ATTEST: BOROUGH OF NORTHUMBERLAND

By: _____
Janice Bowman, Borough Secretary

By: _____
Greg Carl, Council President

APPROVED this ____ day of _____, 2011.

By: _____
Gretchen Brosius, Mayor

Streets

Mr. Reed announced that the committee would meet on June 14, 2011 at 7:00 p.m.

Old Business

1. The Borough Secretary contacted the Northumberland County Tax Claims office concerning the two properties in the Borough that are scheduled for an upset sale. The properties are located at 384-386 Water Street and 130 Second Street. At the upset sale, the real estate is offered free and cleared of all claims, liens, mortgages and ground rents. Council has until June 30th to show cause why a Decree should not be made that the properties be sold, freed and cleared of tax and municipal claims, liens, mortgages, charges and estates, except separately taxed ground rents. Tax claims explained that the money received from the sales of the properties would first be designated for back taxes and then designated for liens by the state, county and municipality. The Borough has a lien on the Water Street property. Council did not take action to oppose the sales.

New Business

1. Upon motion by Mrs. Groninger, seconded by Mr. Orner, the council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$43,561.45; Liberty Splashland bills total \$15,252.68; and 2nd Street Community & Municipal Center bills total \$6,456.80.
2. Chief Fink requested that the council approve the purchase of an ENRADD System for Police Department. The system costs \$3,995 which includes free training for four officers. Chief Fink added that he has already been trained with the device. \$2,726 was raised at a fundraiser by the Friends of the Norry P.D. and the balance is budgeted as part of the police capital expense line item in the 2011 budget. Mr. Carl moved, and Mr. Rees

seconded the motion, to purchase the ENRADD System. Roll call vote to approve was unanimous.

3. The letter from PENCOM dealing with the new Direct Energy service agreement was tabled.

Mr. Rees left the meeting at 8:00 p.m.

4. Correspondence was received from Dwight Walter, Division Manager of Service Electric Cablevision, Inc., noting that the cable television franchise Ordinance 2001-4 held by Service Electric to provide cable television service in the Borough expires on December 31, 2011. Mr. Walter asked that the council commence franchise renewal proceedings. Mr. Carl requested that a letter be sent to Service Electric Cablevision, Inc. asking them to submit a proposal for the Franchise Agreement Renewal.

Mr. Long arrived at 8:04 p.m.

5. Handicapped parking spaces were discussed. Mrs. Groninger stated that one sign on Water Street was requested for a resident who has since passed away. Council requested that this sign be removed.
6. Mabel Vanatta has requested a handicapped parking space be installed in front of her residence. The address is 319 Third Street. Mr. Reed moved to approve her request. Mr. Carl seconded the motion. Council voted unanimously to approve the request.

The council meeting was adjourned at an Executive Session at 8:05 p.m. to discuss personnel and real estate issues. Mr. Carl stated that the meeting may be reconvened.

The council meeting was not reconvened.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
June 28, 2011

President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Council member Jonathan Rees offered an Invocation in the absence of Mayor Gretchen Brosius.

Roll Call

Council members present were Gregory Carl, Judith Groninger, Stephen Reed, and Jonathan Rees. Others present were Ryan Tira, Borough Solicitor; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council members Robert Long, James Orner, and Frank Wetzel were absent.

The five visitors present introduced themselves.

Public Comment

Mr. Adam Klock requested that the meeting minutes be updated on the Borough website. He also thanked the council for approving the purchase of the ENRADD system for the police department. A portion of the funding was raised by the Friends of the Norry P.D.

Meeting Minutes

Mr. Carl moved and Mrs. Groninger seconded the motion to approve the meeting minutes of June 7, 2011. Roll call vote to approve was unanimous.

Street Supervisor's Report

Mr. Slodysko reported that the street sweeper is in for repair.

Mr. Slodysko said that tires are being left at the recycling center. The garbage collector is not taking them and the Borough must pay to dispose of them.

Mulching the branches that were collected at the Recycling Center took approximately twelve hours. A large amount of branches was dropped off at the center.

The brick in the downtown intersections is deteriorating. Discussion ensued.

Mr. Reed asked if Mr. Slodysko had obtained prices for a fix for the pipe along the parking area at the Kiwanis building. Mr. Slodysko responded that he has the estimate to purchase the concrete pipe but does not have pricing for the rip-rap option. The ground sinks in areas above the pipe when there are heavy rains and the crew fills them in as necessary.

The pre-construction meeting for the Hanover Street project is scheduled for July 8th. Construction may begin on July 11th.

The area along Hanover Street where curbing is to be replaced will be marked by the contractor.

Code Enforcement Officer's Report

Mr. Paul Ruane reported that the owners of the property at 577 Duke Street would like to rent the garage. He has a letter stating that the previous owner had retired in 2005 but had done nothing to change the appearance of the building. Mr. Ruane feels that the current owners may still utilize the property as a garage. Mr. Tira advised that any appeal would be heard by the Zoning Board. Mr. Ruane added that any change in use would also have to go before the Zoning Board.

Mr. Ruane informed the council that he has condemned the property at 156 Orange Street. The water and electric services have both been turned off. This is a rental property.

Northumberland Sewer Authority Report

Mr. Adam Klock informed the council that representatives of DEP will be attending the July 25th meeting to discuss the options that are available to the Sewer Authority for purchasing credits to delay the upgrades to the plant. The meeting is set for 4:30 p.m. at 221 2nd Street.

Repairs continue on the flush truck. A new water tank is needed.

The concrete holding tanks will be inspected after the water recedes.

The lawyer updated the status of the penalties to the IRS. Interest is approximately \$190,000 and penalties would be similar. Thus far, \$35,000 has been forgiven but some requests have not been acted upon as yet.

Emergency Services Board Report - No report.

Committee Reports

Community Development

Mr. Carl announced that the committee would meet on July 11, 2011 at 7:00 p.m. The meeting will be held at the 2nd Street Community Center since one topic of discussion will be the sidewalks to be installed along the open space from the police department to the inside corner of the building and along the back wing of the building toward the basketball court.

Mr. Reed received a phone call from Dan Berard requesting permission to set up food stands in the King Street Park. Discussion ensued. The health officer will be contacted about inspections. Mr. Tira will review the requirements for permits.

Finance

Mr. Rees stated that he will not be able to attend the scheduled committee meeting on July 20, 2011 at 6:30 p.m. The committee meeting was rescheduled for July 19th at 6:30 p.m. before the council meeting. The meeting will be advertised.

Personnel

Mr. Tira stated that one personnel issue would be discussed in Executive Session.

Public Safety

A meeting was held on June 13th to discuss the Emergency Operating Plan. The next committee meeting is scheduled for July 19, 2011 at 6:00 p.m.

Rules

The next meeting is scheduled for July 26, 2011 at 7:00 p.m.

Streets

The committee will meet on July 12, 2011 at 7:00 p.m.

Mayor's Report

In the Mayor's absence, Mr. Carl read her written report:

- The police have their Policies and Operating Procedures ready for Council's approval. The Mayor urged Council to adopt them quickly.
- Larry Redington has submitted a letter to change his standing with the Northumberland Police Department to once again reflect his status as Superannuation Retirement – In Good Standing as a Chief of Police with the Northumberland Police Department. He also requested that he be issued a retired police officer's identification card pursuant to 37Pa. Code section 221.23, adding that he would pay the requisite fee to the Borough Office.
- Mr. Redington also tendered his letter of resignation from his appointed volunteer position as Deputy Emergency Management Director for Northumberland Borough, effective immediately.
- The EOP's are being completed by the Emergency Management Group. Mayor Brosius requested that they be approved quickly as well.
- Mayor Brosius attended three meetings in May and June that resulted in adding the following funds to the Second Street Playground and Community Center:
 1. S. Luther Savidge Trust added \$20,000 for the completion of the Savidge Room and \$1,000 for trees on the playground. Another \$500 was given for a handicap-accessible picnic table.
 2. The Sunbury/Northumberland Trust gave \$10,000 for the playground to finish the paving, for tables, benches and a bike rack along with finishing the handicap sidewalk from Second Street to the building.
 3. Donald Steele from the Northumberland National Bank provided a contribution of \$9,000 from the Northumberland Development Fund to complete the kitchen adjacent to the Savidge Room.

Mayor Brosius noted that she is very grateful to all of these groups and requested that thank you notes be sent to each as well as a follow-up letter inviting them to see the results of their contributions. She also requested that the playground be finished soon.

- Mayor Brosius reminded council that Pineknott Days are upon us starting with the Soap box Race on July 2nd and the church service on July 3rd. From July 4 through the 8th, volunteers are needed for the Bingo Stand that benefits the Second Street Community Center. She requested that volunteers call or email her for times available to man the stand.

Mr. Carl presented the following Mayoral Certificate of Excellence to Councilmember Judith H. Groninger:

“Mayoral Certificate of Excellence awarded to Judith H. Groninger in recognition of her volunteer spirit that has been demonstrated over the past 40 years by her faithful involvement for the betterment of Northumberland. She has served as a member of the Northumberland/Point Township Recreation Commission, Chairman of the Coronation Committee of the 1972 Northumberland/Point Township Bicentennial, member of the Liberty Pool Association, and an exemplary member of the Northumberland Borough Council for the past 12 years. Presented on June 28, 2011 in the Borough of Northumberland. Gretchen H. Brosius, Mayor.”

- Mr. Carl noted that Mayor Brosius wishes to give her thanks to all who work so hard in this community, both volunteers and paid employees.

Mr. Carl then read the following letter from Mayor Brosius:

“Dear Council,

Due to on going health concerns and family commitments, I will be unable to finish my term of office. So affective July 1, 2011, I do resign as Mayor of Northumberland.

If health permits, I will continue to serve on the Northumberland/Point Township Revitalization Committee and the Second Street Community Center Committee. Being an original member of both groups, I would like to see some projects completed.

The past ten years have been a prayer adventure for me. I thank God for all who have volunteered and for those borough employees as well who have worked so hard in the improvement of Northumberland. I will continue to pray for your protection, guidance and peace as you continue your service.

Prayers,

Gretchen H. Brosius, Mayor.”

Mr. Carl requested a motion to accept Larry Redington’s resignation. Mrs. Groninger moved to accept, with deep regret, Larry Redington’s resignation as Deputy Emergency Management Director. Mr. Reed seconded the motion which council passed unanimously.

Mr. Carl then moved and Mr. Rees seconded the motion to accept Mayor Gretchen Brosius’s resignation with great regret. The motion passed unanimously.

Mr. Tira advised that the council has thirty days to appoint a Mayor. A regular council meeting is scheduled for 7:00 p.m. on July 19th. The mayoral position will be advertised with

applications due by 4:00 p.m. on July 19th. Mr. Tira noted that until then, Mr. Carl, as President of Council, is the acting Mayor.

Mr. Carl requested that the vacated Deputy Emergency Management Director position also be advertised.

Old Business

No old business was discussed.

New Business

1. Mrs. Groninger moved and Mr. Rees seconded the motion to approve payment of the bills. One bill from AT&T mobility for \$71.38 due on July 10th was added to the list of bills. Council approved unanimously. Bills to be paid from the General Fund total \$35,553.83; Liberty Splashland bills total \$11,364.28; Parks and Recreation bills total \$50.92; and 2nd Street Community Center bills total \$113.05.
2. Mr. Carl noted that the next topic concerning the control of alarm devices at Borough property would be discussed in Executive Session.
3. A letter has been received from Susquehanna University concerning SU Gives Day on August 27, 2011. Mr. Reed offered to oversee the volunteers. The Community Development Committee will discuss where to utilize the students.
4. A Land Lease Agreement will be discussed in Executive Session.
5. The Montour Area Recreation Commission requested permission to use Borough streets for the Riverstock Triathlon on Sunday, August 28, 2011 from 8:00 a.m. to 1:00 p.m. Mr. Carl moved and Mr. Rees seconded the motion to approve the request. Council voted unanimously to approve.
6. Mr. Klock stated that a check that was written to the Borough from Northumberland Sewer Authority was not cashed. He stated that a new check would be issued less the \$30 bank fee for a stop payment. The Borough Secretary stated that the Borough Office had not received the check Mr. Klock was referring to or a check for the Local Services Tax. Discussion ensued.
7. The Northumberland Borough Housing Corporation's audit for 2009 and 2010 was received.
8. Julia Marano thanked the Borough for their interest in the 17857.org. The first meeting was held with the bylaws provided by Gene Brosius. The articles of incorporation have been completed and the cost to file the articles of incorporation is \$125. In order to file the articles of incorporation, three members of the Board are required. Mr. Carl had volunteered to be on the committee. Ms. Marano requested that the Borough appoint Mr. Carl to the committee. The mission of the organization is to enhance the quality of life for the residents of the Borough and Point Township. The official name is 17857.org, Inc. Upon motion by Mrs. Groninger, seconded by Mr. Rees, council voted 3-0-1 to appoint Mr. Carl as Northumberland's representative to the non-profit 17857.org, Inc. Mr. Carl abstained from the vote.

Mr. Carl stated that the Executive Session would follow the meeting and since no action would be required following the Executive Session, the council meeting would be adjourned.

Mr. Rees moved to adjourn; Mr. Reed seconded the motion. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
July 19, 2011

President Gregory Carl called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Council member Jonathan Rees offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, Robert Long, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Ryan Tira, Borough Solicitor; Thomas Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; Timothy Fink, Police Chief and Janice Bowman, Borough Secretary.

The seventeen visitors introduced themselves.

Public Comment

Mr. Jim Troup asked if the council has considered discussing the school with the Shikellamy School Board. Mr. Carl responded that the topic was discussed at the last Community Development Committee meeting and it will be discussed later in tonight's meeting.

Mr. Troup stated that his wife and granddaughter had gone to the pool and found the restrooms were inoperable and dirty. Mr. Carl stated that he would check into it.

Mr. Carl Libby thanked the council for their support for the air show that was held at the Penn Valley Airport this past weekend.

Mr. Leonard Zboray noted that last evening a long-time resident of the Borough, Arlene Sees, passed away unexpectedly. Mr. Zboray noted that her husband, Archie Sees, had served the Borough on council and on the cemetery board. Mr. Zboray asked that those in attendance remember the family in their prayers.

Appointment of Mayor

Mr. Carl thanked the six applicants for offering their service to the Borough. He explained that the term would end this year and the remainder of the two years of this term of office would be on the ballot this fall. Anyone interested in being on the ballot should contact the county committee for his political party.

Mr. Carl asked the applicants to introduce themselves and make a statement.

Mr. Dan Berard stated that he is a people person and can discuss any issue with anyone. He feels that this would be an advantage to being a mayor in town. Mr. Berard has served on

Borough Council, noting that when he chaired the bargaining committee the police contract was passed on the first vote. Mr. Berard said that he saw something that needed to be done so he started the Crime Watch Committee. He and his wife offered their restaurant for meetings and served refreshments.

Mr. John Simeone stated that he is a businessman who owns a Subway in Milton and the ShikShack in Sunbury. He also owns a number of rental properties. He feels that he is a people person and will make his decisions based on facts. He will not miss meetings and will do his best for the Borough.

Mr. Buzz Meachum stated that in the twenty-five years that he and his wife lived in the borough, he has appreciated the many small town benefits such as clean, safe streets, exceptional police and emergency services departments, a wonderful library, many festivals, an exceptional community pool, and homeowners who more and more take pride in their properties. He is interested in becoming Mayor to help the Borough to continue to develop in this positive direction. He has read the duties of the Mayor as defined by the Borough Code and feels that if chosen, he would consider it an honor and privilege to serve as Mayor. He provided a copy of the Mayor's handbook for whoever is chosen.

Mr. Carl Libby, lifelong resident of the area and a graduate of Shikellamy High School, told council that he has served in the U.S. Air Force where he obtained his degree. He has worked at Sunbury Hospital and now services medical equipment. He feels that the skills he has learned in the military and in business will be an advantage to serving as Mayor. He commended the volunteers who work at the pool and the parks for their service in making this a better town. He stated that he would have an opened mind to look at the whole picture in making decisions.

Mr. John Deppen noted that he is honored to be in the company of the other five, fine gentlemen. He explained that he applied for the position in order to serve the community. He feels that there is skepticism and dissatisfaction with government at all levels and feels that this is not healthy for democracy as government can only succeed if we participate. He added that whatever their choice, he feels the council members will choose a very good mayor.

Mr. Len Zboray has been a life-long resident of the Borough. He wants to be Mayor because he likes challenges; he likes people; and he likes to work with people. He has served on Borough Council and on the School Board. He ran the Little League and the Sunbury Softball League for many years. He is a lector and special minister at church. He is proud of the work that has been accomplished by Jake and Sandy Stamel and himself and his wife on the Cemetery Board. He added that he would be very gratified to be the Mayor of the town. As a paperboy in 1958, he delivered papers to then Mayor Don Roseman. When on Borough Council, he served with Mayor William Sabo and has looked up to other Mayors in past years such as Wendell Wetzel. As a people person, he always listens to people and tries to make the best judgment. He would have an open office and take calls from residents.

Mr. Long moved and Mr. Rees seconded a motion to nominate Len Zboray for Mayor.

Mr. Long moved and Mr. Orner seconded a motion to nominate Carl Libby for Mayor.

Mr. Rees moved and Mr. Long seconded a motion to nominate John Deppen for Mayor.

Mrs. Groninger moved and Mr. Rees seconded a motion to nominate Dan Berard for Mayor.

Mrs. Groninger moved to close the nominations. Roll call vote was as follows:

Mrs. Groninger, Mr. Long, Mr. Reed, and Mr. Wetzel voted to appoint Len Zboray. Mr. Orner voted to appoint Carl Libby and Mr. Rees voted to appoint John Deppen. Mr. Carl abstained. Mr. Len Zboray was appointed mayor and sworn in by Ms. Brenda Hull, a Notary Public.

Mr. Carl again thanked those men who submitted applications for Mayor.

Approval of the Minutes

Upon motion by Mrs. Groninger, seconded by Mr. Rees, the minutes of the June 28, 2011 council meeting were approved by Mr. Reed, Mr. Rees, Mr. Carl and Mrs. Groninger. Mr. Long, Mr. Orner and Mr. Wetzel abstained.

Street Supervisor's Report

Mr. Slodysko informed the council that the street sweeper is now running. The crew is spraying the growth along the edge of the streets. The trees in the King Street Park were mulched. The yellow curbs will be painted, followed by white line painting. Work will be done in the Savidge Room. Mr. Slodysko noted that the pickup truck is inoperable and he has been using his personal truck since we have summer employees and all the borough vehicles are in use. The crew is patching potholes on the Old Danville Highway. Mr. Reed asked if the crew will be cutting the grass and weeds at the properties that are not up to code. Mr. Slodysko stated that the crew has cut grass between the curb and sidewalks. Mr. Tira stated that procedures must be followed with notices sent out before the work can be done. The property owner has a right to have notice each time a violation occurs. Mrs. Groninger noted that the council has determined that the street department should work with the code office. Mr. Reed asked that any weeds that encroach upon the sidewalks be cut.

Mr. Slodysko stated that the crew has been using the mulch that was recently made with the equipment per the agreement with Sunbury. He still has a large pile of mulch to be made available to the residents. Upon motion by Mr. Carl, seconded by Mr. Long, council voted unanimously to provide the mulch to Northumberland Borough residents free of charge. The mulch will be placed outside the fence at the Recycling Center. Residents must load the mulch themselves.

Mr. Slodysko said that the issue of tires being left at the Recycling Center has been resolved. He spoke with the garbage hauler, he does not accept tires and he will not permit them to be left at the property.

Mr. Klock stated that the Sewer Authority would like to borrow the loader to have something to do with manholes loaded. Mr. Slodysko said that Dan should call him as he has in the past.

Mrs. Groninger questioned the preconstruction meeting notes from SEDA-COG and asked the amount of prevailing wage. Mr. Tira responded that the amount of prevailing wage is based on each individual job. She also noted that the notes incorrectly include 2nd Street as being part of the stormwater project. The scope of the project originally included 2nd Street but 2nd Street work was eliminated due to the estimated costs. The project funded by the Community Development Block Grant is to replace the stormwater lines on Hanover Street from 2nd Street to Water Street. SEDA-COG will be informed of the change in scope so the minutes may be amended.

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the Code Office's activity for the month of June. He noted that the Code Office is trying to keep up with the ownership of foreclosed properties.

Northumberland Sewer Authority Report

Mr. Orner stated that the authority will meet on July 25th at 4:30 p.m.

Mr. Carl asked for a motion to adopt Resolution D-2011 which provides for the council to hold a joint meeting with Point Township Supervisors regarding the possibility of a joint sewer authority. Mr. Long so moved. Mrs. Groninger seconded the motion. Mr. Adam Klock stated that the Borough Council should not be considering a merger; that it should be the Sewer Authority that would determine whether the two entities should merge. Mr. Tira advised that the Borough has the ability to disband the authority and take back the ownership of the obligations and assets of the Sewer Authority. He explained that the Borough does have the ultimate decision making abilities in regard to the Authority. The Borough has the ability to meet with Point Township, noting that they are at a preliminary stage. He added that there would be involvement from the Sewer Authority in that process. Mr. Carl stated that the meeting would be publicized and all members of the Sewer Authority would be encouraged to attend to provide their input. He said that the authority members would be notified of the meeting. Mrs. Groninger added that this is a public meeting for the citizens of both the Borough and Point Township to attend and provide input. Mr. Jim Troup asked if there would be a meeting for just the residents of the Borough to discuss a possible merger. Mr. Long responded that this initial meeting would be for all residents to hear the pros and cons of a possible merger. Mr. Rees stated that he can see the benefits of merging, but feels that the Borough residents should be compensated for the assets of the sewer plant. Mr. Reed agreed that the council must remember that they represent the Borough and are looking out for the interests of the Borough. Mr. Ty Sees provided a copy of the merger agreement from the Milton Sewer Authority which took place in 2000. Milton was compensated by the other municipalities who became part of the joint sewer authority. Copies will be provided to the council members.

Council voted unanimously to adopt Resolution D-2011 as follows:

“WHEREAS, Point Township, Northumberland County, Pennsylvania (Hereinafter called Township) desires to organize with the Borough of Northumberland (hereinafter called Borough) a joint sewer authority, to be known as North-Point Sewer Authority, for the purpose of acquiring, holding, constructing, improving, maintaining, operating, leasing either as lessor or lessee, or owning sewers, sewer systems or parts thereof, sewage treatment works, including works for treating and disposing of industrial wastes for the Borough of Northumberland and Point Township and for such other territory as it may be authorized to serve, and

WHEREAS, the Township has informed the Borough of its desire; and

WHEREAS, the Township has requested that the Borough join with the Township in the publication of a notice of a public hearing to be held concerning the adoption of a resolution of the intention to form a joint sewer authority, pursuant to the Municipality Authorities Act, 2001, June 19, P.L. 287, No. 22 §1 (53 Pa.C.S.A. §5601 et seq.), to be known as North-Point Sewer Authority.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby Resolved by the Council of the Borough join with the Township in the publication of a notice of a public hearing to be held concerning the adoption of a resolution of the intention to form a joint sewer authority.

ADOPTED as a Resolution of the Council of the Borough of Northumberland this 19th day of July, 2011.

Gregory D. Carl, President
Janice R. Bowman, Secretary”

The Point Township Supervisors will be contacted to schedule and advertise the joint meeting.

Emergency Services Board Report

The board did not meet in July.

Committee Reports

Community Development

Mr. Carl stated that the August meeting would be postponed from August 8 to August 15th at 7:00 p.m.

The committee met at the 2nd Street Community Center in July. Topics discussed were:

1. The 2nd Street Community Center
 - Flooring will be installed this month.
 - The Savidge Room is almost complete.
 - Funding has been received toward renovations to the kitchen area.
 - Money has been received from the Sunbury/Northumberland Trust to install sidewalks. Mr. Slodysko is preparing the scope of work to obtain quotes which should be available for the next council meeting.
2. The C.W. Rice Middle School. The committee felt that the school district should be contacted to learn the plans for the former school property. Mayor Zboray volunteered to contact Robin Musto, district superintendent, to request that the council be included in any meetings concerning the fate of the property.
3. The Pennsylvania Conservation Corps. The state has eliminated the PCC program from the general budget for 2011-2012. However, both Representative Culver and Senator Gordner have introduced bills to fund the PCC this year with money from the gas leases and keep the program under the Department of Labor and Industry. Other bills that they have sponsored move the program to the Department of Conservation and Natural Resources beginning fiscal year 2012-2013. The Borough has applied for a grant to continue with the renovations of the 2nd Street Community Center.
4. Jolly Hollow. A market analysis was conducted several years ago. Mr. Carl would be in favor of selling the property. Mrs. Groninger said that this property contains part of the Borough’s stormwater system. Mr. Reed stated that the property had been utilized as a skating rink and he would like to explore the possibilities for the property. Mayor Zboray agreed, adding that he would like to see the Borough maintain the land for future generations. Mr. Carl said that if the Borough is going to do something with the property, that would be different; but he doesn’t want to see the Borough maintain the property for years and not do

anything with it. The cost of maintaining the property was questioned. Mr. Wetzel noted the possibility of providing each of the adjoining landholders with a portion of the parcel.

5. Growing Greener Grant. The Borough office has learned of a grant that would provide funds to stabilize the riverbank along the north shore of the Susquehanna from the Joseph Priestley Bridge to the ramp at the Point. The required match would be provided by an outside source and the project would be a partnership between the Borough and a private landholder. If awarded, the grant would provide funding for the engineering study as well as the construction costs. Upon motion by Mr. Long, seconded by Mr. Rees, council voted unanimously to approve the application for the Growing Greener Grant.

Mr. Carl provided an update on the bowl slide project. The concrete piers have been poured for the steel columns and Zartman's will be contacted to set the columns.

Mr. Wetzel received a comment at work from someone whose kids had come to our pool and they are excited about the bowl slide and had good things to say about the facility.

Mr. Wetzel questioned the status of the sale of the former Borough Building. Mr. Tira responded that the subject would be discussed in Executive Session.

Mr. Long said that the committee suggests holding an auction to sell old equipment and bicycles that were turned into the police department and never claimed. Council discussed the procedure. Upon motion by Mr. Long, seconded by Mr. Carl, the council voted unanimously to hold a bike auction on September 10, 2011.

Finance

Mr. Rees stated that the committee met in July to review the 2011 budget. Letters will be sent to department heads for their input toward the 2012 budget. The committee will meet on September 21, 2011 at 6:30 p.m. to discuss the Expense side of the 2012 budget.

Personnel

Upon motion by Mrs. Groninger, seconded by Mr. Wetzel, council voted unanimously to appoint Jeffrey Bingaman to the post of Deputy Emergency Management Director.

Chief Fink stated that the ENRADD system will be delivered on Friday and training will be held then. Mrs. Groninger noted that the police calls have been published in the Daily Item. She also commented about the amount of time the officers spend in Sunbury, according to the police call report.

Public Safety

Mr. Wetzel stated that one traffic study for parking on one side of Elliott Drive has been completed. Once the other two are completed, the ordinance can be prepared. The next meeting is scheduled for August 16, 2011 at 6:00 p.m.

Rules

Mr. Long said that the committee meeting scheduled for July 26, 2011 at 7:00 p.m. is cancelled. The committee is waiting for the traffic studies to be completed.

Streets

Mr. Reed asked if anyone has any ideas for ways to fix the bricks in the streets downtown. Discussion ensued. Another ARLE grant application is being submitted. The committee will meet on August 9, 2011 at 7:00 p.m.

Old Business

1. Upon motion by Mr. Long, seconded by Mr. Carl, council voted unanimously to approve the \$75 fee for 17857.org. This money will be used to open a bank account for the non-profit group to file for the Article of Incorporation. The original board members are Greg Carl, Justin Dunkleberger, Gene Brosius, Julia Marano and Ann August. The non-profit group's mission is to enhance the quality of life for residents of Northumberland Borough and Point Township. Council voted unanimously to approve the payment.
2. Ms. Michele Cope informed the council that the check from the Sewer Authority to the Borough was located in the Borough Office. It was clarified that the check was located in a Sewer Authority folder and not delivered by Dan Wiand as stated by Mr. Klock in a prior council meeting. Mr. Carl suggested that in the future, a Sewer Authority employee should deliver the check and obtain a receipt.

New Business

1. Mr. Long moved to approve payment of the bills. Mr. Orner seconded the motion. Discussion ensued.

Mrs. Groninger left the meeting at 8:35 p.m.

The council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$32,521.41; Liberty Splashland bills total \$9,856.94; 2nd Street Community Center bills total \$5,672.99; Norry Playground Fund bills total \$4,760.34; and Park and Recreation Fund bills total \$964.97.

2. Upon motion by Mr. Wetzel, seconded by Mr. Long, council voted unanimously to transfer \$9,199.38 from the Liberty Splashland Account to the General Fund for payroll expenses.
3. Upon motion by Mr. Rees, seconded by Mr. Long, council voted unanimously to transfer \$170 from General Fund to the Liberty Splashland Account. This is the pool's share of the first PHEAA payment toward payroll costs.

Mr. Carl adjourned the meeting for an Executive Session at 8:38 p.m. to discuss a lease with TowerCo. II LLC and other legal issues. He announced that the council meeting may be reconvened.

Mrs. Groninger returned to the meeting.

The meeting was reconvened at 9:00 p.m.

Mr. Carl moved and Mr. Orner seconded a motion to approve the lease agreement with TowerCo. II, LLC. Discussion ensued. Mr. Tira explained that the Borough's current lease is with Verizon Wireless. Verizon Wireless is selling their interest in the tower to TowerCo. In order to do so, the Borough must approve the lease agreement. This company is independent of cell phone companies. Roll call vote to approve the agreement was unanimous.

Mr. Rees moved and Mr. Long seconded a motion to give Tom Slodysko the authority to purchase a truck from another municipality or under the state contract at an amount within the budget of the rental and equipment purchases line item. Council voted 6-1 to approve with Mr. Wetzel casting the dissenting vote.

Mr. Carl adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
August 2, 2011

President Gregory Carl 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, Judith Groninger, Robert Long, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Tom Slodysko, Street Supervisor; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary

The four visitors present introduced themselves.

Public Comment

Mr. Bill Gross stated that the Recycling group would like to have a fan installed at the Recycling Center at the group's expense. They would also like to post a new sign at the Recycling Center. He also requested that the council members stop by the center to look at the condition of the fence that surrounds the property. Council approved his requests.

Mayor's Report

Mayor's Report

- Mayor Len Zboray met with Robin Musto, Superintendent of Shikellamy School District, and told her that the council would like to be a part of the C.W. Rice discussions. Ms. Musto agreed to invite the Borough to any discussions.
- Per the last council meeting, Mayor Zboray turned off the lights on the school crossing sign located on Front Street.
- Mayor Zboray followed up on the complaint about the shrubbery and tree encroaching across the pavement on Water Street. He commended Mr. Slodysko and the street crew for a great job.
- Mayor Zboray met with the street department staff, office personnel, Chief Fink, and several police officers.
- Mayor Zboray would like to look into parking permits for owners of businesses and residents who live on metered streets. He also questioned if it would be possible to remove meters on Queen Street from 2nd Street to Front Street.
- Mayor Zboray questioned if signs could be erected for violation of blocking the intersection on King Street, turning left onto Water Street coming from Sunbury.
- He has also been with an officer when enforcement was set up at the SUNCOM parking lot to ticket offenders turning left onto Duke Street through a red light when

coming from the Barry King Memorial Bridge. Three citations were issued to truckers last week.

- He would like to look into moving the jake brake signs closer to the Borough on Front Street.
- Mayor Zboray has met with several business owners to introduce himself and ask if they needed any help from the Borough as they are very important to the Borough's infrastructure.
- On July 29, Mayor Zboray met with Rep. Lynda Schlegel-Culver who requested that she be provided with a list of items the Borough is requested through grants. He noted that any assistance she can give would be greatly appreciated.
- Fritz Dabulis from the group Memory Lane has offered to perform a free concert in the King Street Park gazebo some Wednesday night in August or September. Mayor Zboray requested the council's approval.
- Mayor Zboray met with Jon Apple, the Fire Police Captain. He is looking to secure a super crew van which would eliminate having to use a trailer for their equipment.
- According to Donald Steele, the vacant lot on Queen Street that is owned by the Northumberland National Bank is under agreement.
- Tony Barnasconi of TM Sounds has offered to provide a free sound system at the King Street Park gazebo on a Wednesday night.
- Mayor Zboray asked if the time period for residents to drop off small branch clippings at the recycling center could be expanded.

Mr. Adam Klock requested that the joint meeting regarding the sewer authority merger be advertised on the sign in the park. Mayor Zboray asked who is responsible for the sign and was informed that pool employees change the sign during the summer months and Charmaine Welby volunteers to change the sign the rest of the year.

Street Supervisor's Report

Mr. Tom Slodysko informed the council that the crew has been starting at 5:30 a.m. due to the hot weather. They will be painting the crosswalks.

Mr. Slodysko has located a used transfer case for \$500 for the borough truck and someone to install it for \$100.

A misinterpretation from the news media resulted in someone hammering away a cable so people could take the mulch that was stored at the Recycling Center. This was done on the Wednesday following the Tuesday council meeting. The mulch was going to be made available to residents outside the fence. The remaining mulch will be placed outside the fence this week, as planned. Mr. Slodysko has had to purchase new cable to replace the damaged one at the center.

Contractors have provided quotes to install the sidewalk at the 2nd Street building. The quotes are as follows: McBryan Contracting - \$2.95 per square foot; Lytle's Concrete Construction, Inc. - \$3.50 per square foot; and Herrold and Son - \$3.75 per square foot.

Mr. Slodysko is also obtaining prices for railing to be installed behind the gymnasium. There are various types of railing and the prices obtained were \$3,700 for rod iron; \$2,650 for aluminum railing; and \$5,000 for a new type of low maintenance thermo-plastic railing.

Councilman Frank Wetzel arrived at 7:16 p.m.

Upon motion by Mr. Carl, seconded by Mr. Long, council voted unanimously to approve the lowest quote of \$2.95 per square foot by McBryan Contracting.

The Community Development Committee will discuss the railing at their August 15th meeting.

The plaque for the playground has arrived and will be installed by Friday.

The flooring installation for the Savidge Room is 95% complete.

Code Enforcement Officer's Report

Mr. Paul Ruane informed the council that he has notified the railroad that the junk and brush that have been dumped on their property below West Way must be cleaned up. They have not responded to the letter as yet. Mr. Ruane will contact DEP if he does not receive a response.

Several properties in the Borough will be offered at a tax claims sale on August 17th. One is located on Water Street and the other is on 2nd Street.

Northumberland Sewer Authority Report

Mr. Jim Orner reported that the IRS has submitted a bill for the back taxes for \$94,000. The authority's accountant, Steve Slayton, has advised that he will check to see if this amount is correct.

The bids for the Queen Street upgrade have come in higher than the engineer's estimate due to high equipment costs, according to the engineer.

The authority approved to contract with Martin Steel for a stainless steel tank for the flush truck at a cost of \$9,900.

More information has been obtained from DEP on credits as well as updating the plant.

Employees will be paid \$10 per month for business use of their personal cell phones.

Additional revenue has been generated with the collection of past due accounts.

The next Northumberland Sewer Authority meeting is scheduled for 4:30 p.m. on August 22nd.

Emergency Services Board Report

No report

Committee Reports

Community Development

Mr. Carl stated that the meeting is rescheduled for August 15, 2011 at 7:00 p.m. at 221 2nd Street.

Finance

Mr. Rees announced that the next meeting would be on September 21, 2011 at 6:30 p.m. when the 2012 budget talks will begin. Department letters will be sent out within the next week.

Personnel

Mrs. Groninger stated that personnel issues would be discussed in the Executive Session.

Public Safety

Mr. Wetzel stated that the August 16th meeting would be cancelled.

Rules

Mr. Long stated that the committee would meet on August 23, 2011 at 7:00 p.m. At that time the committee will continue the conversation on the parking meters that was begun at the joint committee meeting with the Public Safety committee.

Streets

There was no additional information to add to Mr. Slodysko's report earlier in the meeting.

Old Business

1. Mr. Carl announced that the council would meet with the Point Township Supervisors at the Point Township Building to discuss the possible merger of the sewer authorities on August 30th at 7:00 p.m. This meeting is open to the public and was advertised.

New Business

1. Upon motion by Mrs. Groninger, seconded by Mr. Long, council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$27,187.75; Norry Playground Fund bills total \$156.79; Liberty Splashland bills total \$10,632.99; and 2nd Street Community Center bills total \$48.96.
2. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to transfer \$1861.91 from the General Fund to Liberty Splashland. This is the pool's portion of the second payment from PHEAA.
3. Upon motion by Mr. Long, seconded by Mr. Rees, council unanimously approved payment of bills for budgeted items that are due before September 9th.
4. A Town Meeting with Representative Lynda Schlegel-Culver is scheduled for September 15, 2011 at 6:00 p.m. at the Savidge Room in the 2nd Street Community Center. [Note: The date has been rescheduled for September 19, 2011 at 6:00 p.m.]
5. Mr. Slodysko questioned if sidewalk is needed between the handicapped entrance to the Savidge Room at the basketball court and the main entrance to the lobby at the other end of the Savidge Room. The plans now are to make the main entrance handicapped accessible. Council agreed that there would be no reason to install sidewalks between the main entrance and the entrance at the basketball court.

6. Mr. Zboray asked if Mr. Carl had a chance to review the letter from Phil Hallden about the Susquehanna Trail Dog Training at the pool. Mr. Carl responded that he has not read the letter but the committee will look at it.
7. Mr. Long reminded council that Lemonade Day is set for Saturday. Volunteers are welcomed.
8. Mr. Carl noted that the Riverstock Triathlon has been cancelled.

Mr. Carl adjourned the meeting for an Executive Session at 7:40 p.m. He announced that personnel issues and litigation claims would be discussed and the council meeting may be reconvened so action may be taken.

The council meeting was reconvened at 8:18 p.m. Mr. Carl stated that personnel and litigation were discussed.

Mr. Rees moved to adopt a new non-union health care policy changing the stipend to 28% if the employee does not take health insurance and requiring employees to pay 7% of the premium. This policy is for full-time non-union employees with the exception of the chief of police whose health care policy is under the terms and conditions of the police union contract. Mrs. Groninger seconded the motion. Council approved unanimously.

Mr. Rees moved to raise the rates of the two employees that this policy will affect by sixty-five cents an hour to offset the health care costs. The employees are Tom Slodysko and Jan Bowman. Mr. Rees explained that this will not affect the budget or the two employees in this budget year. It will affect them in the future if health care costs rise. Mr. Long seconded the motion. Council approved unanimously.

Mr. Carl informed the council that he will not be present at the October 4th council meeting because he will be attending a class in New Jersey.

Upon motion by Mr. Wetzel, seconded by Mr. Long, the meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
221 Second Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
September 6, 2011

President Gregory Carl 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, Judith Groninger, Robert Long, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Paul Ruane, Code Enforcement Officer; Thomas Slodysko, Street Supervisor; Timothy Fink, Police Chief; and Janice Bowman, Borough Secretary.

The eighteen visitors present introduced themselves.

Public Comment

Ms. Gretchen Walberg read a letter addressed to council regarding the properties owned by herself and her husband, Mark Walberg. Residents park cars along Sheetz Avenue, in front of one of their properties that is a parking area for their other properties. She said that the Priestley Chapel is permitted to utilize the parking lot when they have events and the lot will become the parking lot for 96 King Street residents once the house is renovated. She requested permission to paint a yellow line on Sheetz Avenue running the length of the four double curb replacements that were allowed by the Borough and permission to erect a “No Parking from Here to Corner” sign which she will purchase. She also requested that the Borough adjust the yellow line that was painted from the edge of Front Street along the property boundary, noting that the line should follow the edge of the sidewalk on Front Street. Ms. Walberg explained that another problem exists with cars parking along Sheetz Avenue. Delivery trucks cannot turn onto Sheetz Avenue from Front Streets and they cannot drive up Sheetz Avenue from Water Street because of the width of the street. Mayor Zboray stated that he spoke with Tom Slodysko and the crew will fix the yellow line. He said that if the Walbergs post “no parking signs” at both ends of the parking lot, the police will enforce it. Mayor Zboray had also checked on lowering the speed limit on Sheetz Avenue and learned that according to state regulations the Borough may not post a 15 mile per hour speed limit anywhere in town except in an area where there is a school, a bridge or a ramp. Mr. Carl told Ms. Walberg that he thinks the work they have done to the properties at this corner is fantastic.

Ms. Kymberley Best, the Democratic candidate for the Magisterial District Justice position which became vacant due to the death of Carl Rice, addressed the council. She shared information about her background and experience as treatment court defense counsel, a public

defender, county assistant solicitor, and county chief clerk. Her opponent is Ben Apfelbaum. Ms. Best noted that she feels that she is more qualified as an attorney and an administrator. She provided those present with a card containing a brief resume. Mrs. Groninger stated that she personally was looking forward to seeing Attorney Rice in that position. She stated that the position should not be political and that the person who sits in the seat must be knowledgeable and not on a “who’s who list” and who speaks to them before going into the courtroom. The Borough of Northumberland went over there several times over the past years, and people took off work, and it was a waste of their time. She added that she looks forward to a fresh face in that position. Ms. Best stated that she spoke to Chief Mazzeo today and appreciates the feedback from the police and code officers. Mrs. Groninger also thanked her for the input that she exhibited on behalf of the Borough with Northumberland County, noting that it was the first time the Borough has received anything. Ms. Best said that she will be going door to door to introduce herself to the residents in the county and would provide signs for anyone who would like one.

Mr. Chris Skelley stated that the police ticket the cars on a weekly basis while the street crew does not always sweep the streets. He asked if it would be possible to change the signs to have no parking one or two weeks a month instead of every week. He felt that this would save time for the police since they wouldn’t have to go out every week and would give the street crew time to get other work done during the month. He also said that it would mean less wear and tear on the street sweeper. Mr. Carl responded that the reason the street sweeper is not run every week is because it breaks down periodically but it is to be run every week.

Mr. Skelley stated that he spoke with someone from the state and was told that the snow emergency route is determined by the Borough. He said that in his neighborhood, the Lutheran Church permits them to park in the church parking lot so the street may be plowed from curb to curb and then the cars are parked back on the street. He asked if it would be possible to move the Emergency Route to King Street from Queen Street since King Street is much wider.

Mr. Skelley suggested that parking spaces should be painted on the streets throughout the Borough. He noted that seven cars were parked on Queen Street from Fourth Street to Ropewalk while nine to ten cars would have been able to park in the same amount of space if parking spaces were designated on the streets.

Another problem he addressed is that parking for Pineknottter Days creates problems for property owners because they cannot park near their residences when they arrive home from work. He questioned if the event could be moved to Pineknottter Park or to the C.W. Rice field. Mr. Carl stated that Pineknottter Days would be discussed at the Community Development meeting. The streets committee will review the other issues. Someone suggested that a shuttle bus be utilized during Pineknottter Days. Mrs. Groninger noted that Borough Council does not put on Pineknottter Days, the Kiwanis Club does.

Mr. Brian Delinski presented a proposal to the council to include Northumberland in the “Ride the Duck” tours that he will be providing in 2012. This is a 1945 World War II amphibious vehicle that is used to conduct tours. The proposed route would come from Shamokin Dam and begin in the Borough at the Barry King Bridge, turn left onto Duke Street, right onto Front

Street, right onto King street, left onto Water Street, right onto Orange Street, left onto Priestley Avenue, right onto Hanover Street and enter into the North Branch of the Susquehanna River. The tour will include the Front Street Station, the history of the Borough, and information about the Priestley home. The boat will be Coast Guard certified and inspected. Coast Guard approved captains will pilot the boat, and a mate will be on the boat. The boat will be licensed as a bus. The “duck” has been totally renovated and the Coast Guard will inspect it by the middle of next month. Mr. Delinski requested permission to use the boat launch located on Hanover Street for the “duck” tours, beginning on May 26, 2012 and ending on September 3, 2012. Plans are to conduct a total of 165 tours during the 2012 season on the weekends throughout the summer with the addition of Monday, May 28, Memorial Day; Wednesday, July 4, Independence Day, and Monday, September 3, Labor Day. The tours will begin on Packer Island at the Marina, will cross the bridge into Sunbury, tour through Sunbury, cross the bridge into Shamokin Dam, come up Route 11 into Northumberland, and then continue the tour in the Susquehanna River, ending at the Marina. The vehicle seats 24 people, 22 passengers, the captain and mate. A certificate of insurance will be provided to the Borough. Mr. Carl moved to approve the request; Mr. Long seconded the motion. Council voted unanimously to approve the request.

Mr. Carl Libby commented on the proposed joint sewer authority and asked that the council consider that Point Township has \$6.5 million in debt due to upgrades and as a Borough resident, he does not want to assume that. He said that he also understands that there is an outstanding dept owed to the Northumberland Sewer Authority. He feels that the land at the Point and the sewer plant are worth something; and he would like the council to take their time with the decision and not jump into a merger. He noted that he has heard that as a joint authority, we may be able to get some grants. However, he understands that grants are based on users, and has nothing to do with whether you merge the authorities. The number of people who are going to use the plant are the same number of people. He requested that the council take their time making a decision, adding that he can see where a merger would help the township but he does not see where it would help the Borough.

Council Meeting Minutes

Mr. Wetzel moved to approve the Council Meeting Minutes of July 19, 2011. Mr. Carl seconded the motion. Council approved unanimously.

Mr. Long moved and Mr. Wetzel seconded the motion to approve the council meeting minutes of August 2, 2011. Council approved unanimously.

Mayor's Report

Mayor Len Zboray requested that council approve the Borough Fire Police assisting at three events in the area. They are for the Milton Harvest Festival on September 10 through 17, the Selinsgrove Street Fair on September 24th, and the Selinsgrove Halloween Parade on October 18. Mr. Wetzel so moved. Mrs. Groninger seconded the motion. Council approved unanimously.

Mayor Zboray reminded that the American Legion Post 44 is hosting a 9-11 service at 7:00 p.m. on September 11 in the King Street Park. Parking will not be permitted along the inside parking lane around the park, but will be allowed along the outside parking lane so residents may park there. The street will be closed to traffic during the service.

Memory Lane performed in the King Street Park on August 30th. Over two hundred people were in attendance and enjoyed the free concert. He thanked Memory Lane and the Christ United Methodist Church for the use of their lavatory facilities, and Jonathan Apple and the Borough Fire Police. Mayor Zboray hopes to have a concert next year over a weekend and possibly host a car show on the same date.

Mayor Zboray has obtained a sponsor, the Norry Pharmacy, to provide t-shirts for the street department. The shirts will be imprinted with the borough logo. Mr. Slodysko will provide his own shirts to be imprinted since he wears shirts with collars. The shirts will also have the Norry Pharmacy name on them. Mayor Zboray asked if anyone had a problem with allowing the Norry Pharmacy to provide the shirts and no opposition was voiced.

Mayor Zboray attended a reception at the Priestley-Forsyth Memorial Library on August 15th. The library has been designated a family library, one of 80 in the state. A banner was presented to the library and is on display.

Mayor Zboray spoke with Robin Musto, Superintendent, and Dave Sinopoli, Business Manager of the Shikellamy School District. The Borough has been given control of the tennis courts by the school district. The district will send a letter to the Borough confirming this and requesting a certificate of insurance.

Mayor Zboray spoke to the Schleig family who had a fire recently at their home.

The school crossing sign on Front Street may be eliminated since students need not cross Front Street due to a new bus stop on Water Street. Because of the location of the bus stop, the crossing guards are no longer required.

Mayor Zboray met with Matt Schwartz from PennDOT District 3 about installing “Do Not Block the Intersection” signs at two locations. One would be posted for traffic on the northbound lane of Water Street coming from the Barry King Bridge and the other for traffic on the westbound lane of King Street, coming from Sunbury. The cost for the signs is \$42.50 each. The police will cite violators. Mr. Reed stated that he felt the signs were a good idea to remind people to keep the intersection clear. The mayor suggested that we check with PennDOT if the Borough could set the amount of the fine. Mayor Zboray said that if we start enforcing the laws, and the people know we are enforcing the laws, compliance will improve. The police have been enforcing the speed limit on Duke Street with the ENRADD system. The police are also enforcing the jake brakes ordinance.

Mr. Libby stated that Sheriff Reiner is willing to provide additional manpower to enforce speed limits.

Mr. Skelley suggested that a “dummy” police car be parked on Duke Street to slow traffic.

Mayor Zboray would like to install an electronic sign in Shamokin Dam that would be programmed with cameras that can sense the traffic stopped on Route 11 between

Northumberland and Tedd's Landing. The sign would inform travelers that traffic is backed up for 20 minutes going through Northumberland and recommend that they take Route 15. PennDOT does not have any extra signs, but the Mayor has met with Josh Phillips from Representative Culver's office and they are looking into obtaining a grant to purchase one. Mayor Zboray said that he would hope the Borough Council would permit him to continue to pursue this. Council encouraged him to continue.

Upon motion by Mr. Carl, seconded by Mr. Long, council approved unanimously to install the "Do Not Block Intersection" signs.

Mr. Skelley asked if the Borough could purchase metal and the crew could make the signs. Mr. Tira replied that it is not feasible since they must be federally approved.

Street Supervisor's Report

Mr. Tom Slodysko informed the council that the river will crest on Thursday. He anticipates that Route 11 will be closed if the river rises to the predicted level.

Mr. Slodysko has purchased a used, refurbished flat-bed bucket truck. There is a 60-day full warranty on the vehicle and a lifetime warranty for parts.

Mr. Slodysko is communicating with SEDA-COG and the railroad about painting the curbing along the streets at the railroad crossings.

The street sweeper will be operational next week. The cost for repairs was \$610. The crew is cleaning drains.

Mr. Slodysko has provided a list of items that have not been used for many years that he would like to sell, including 24 and 21 inch pipe and old lights. Mr. Tira advised that anything valued at over \$1,000 must be put up for auction or sold to another municipality. Mr. Reed suggested that the lights could be installed at the tennis courts. Discussion ensued.

Mr. Slodysko would like to obtain a temporary employee to assist with the crack sealer.

Holsum has been contacted about to avoid Hanover Street since the milling has been completed and the weather has prohibited the paving. The trucks will take alternate routes.

Sixth Street between Orange and Wallace needs patched and an area above there also needs attention.

Upon motion by Mr. Long, seconded by Mr. Rees, council voted unanimously to approve that all the items on Mr. Slodysko's list of unneeded items, except for the lights, be sold through a municipal sale.

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the activity of the Code Enforcement Office for August. Five permits were issued for a total of \$437; three code violations were issued, one hearing is

scheduled for September 12. The office had seven complaints, 21 code violation letters were sent out; and Mr. Ruane attended a seminar regarding rental programs. Eight street cut permits were issued for \$2800 and backfilling fee of \$25. Mr. Ruane noted that UGI has made street cuts on Hanover Street. He said the backfilling must be done before the street can be paved. Mr. Ruane said that the code office is citing owners of properties who do not clean up their properties.

Northumberland Sewer Authority Report

Mr. Orner stated that he did not attend the last meeting and has not received the minutes of the meeting. The next meeting will be on September 26nd at 4:30 p.m.

Lease Agreement

The Northumberland Sewer Authority has provided a lease agreement for the riverfront land that is at the Point, outside the fence. This is land that was transferred by the Borough to the Sewer Authority. Mrs. Groninger suggested that the Borough should obtain ownership of the property outside the Sewer Authority fence, especially if a joint sewer authority would take possession of the property. Discussion ensued. The Borough must show ownership or an agreement for the property in order to apply for grant funding for the stabilization of the riverbank. Mr. Long suggested that the lease agreement be approved which would give the Borough time to explore the option of obtaining ownership. Upon motion to Mr. Long, seconded by Mr. Rees, council voted unanimously to approve the lease agreement.

Emergency Services Board Report – no report

Committee Reports

Community Development

Mr. Carl stated that the committee would meet on September 12th at 7:00 and will visit several parks in the Borough. Bryan Luden has been contacted to attend for Pineknotted Park and if he is available, Mr. Carl would like to start the meeting at Pineknotted Park.

Mr. Carl informed the council that the committee recommends the abcon style railing. A sample of the railing was presented. So far, only one company has been located that supplies this railing; if other companies can be located, they will be contacted for pricing.

The bike auction is set for Saturday, September 10th at noon. *[Note: It was rescheduled for October 8th due to the flood.]*

Finance

Mr. Rees announced that the committee would meet to discuss the 2012 budget on September 21st at 6:30.

Personnel

Mrs. Groninger stated that personnel issues would be discussed in the Executive Session at the end of the meeting.

It was noted that due to a new bus stop on Water Street at Orange Street, the Crossing Guards are no longer required at Water Street and Front Street. No action was required.

Public Safety

Mr. Wetzel stated that the committee would not meet on September 20, 2011.

Rules

Mr. Long said that the committee would discuss the traffic studies, including the one designating no parking on one side of Elliott Drive. Mr. Long stated that the committee would meet at 7:00 p.m. on September 27, 2011.

Mr. Tira advised that a new state law came into effect in April which gives municipalities the ability to not issue permits to property owners who owe back taxes, have fines or code violations anywhere in the state. The municipalities may adopt an ordinance that would incorporate this law into the code book. This law also contains provisions to extradite out-of-state property owners back to the state to deal with property violations. A copy of a sample ordinance was provided to the Rules Committee.

The police provided a resolution that approves the guidelines for police when making authorized warrantless summary arrests. The resolution was tabled until the next meeting so council may review it.

Streets

Mr. Reed stated that the committee would meet on September 13, 2011 at 7:00 p.m. to discuss the budget for 2012.

Old Business

1. The council met with Point Township Supervisors to discuss the possibility of forming a joint sewer authority. A resolution was provided for council's consideration. Mr. Tira stated that he thinks the resolution may be premature since a 537 plan for a joint authority may be required. Mr. Reed stated that he feels the council should slow down and examine everything before deciding to approve a jointure. Discussion ensued. Mr. Reed said that Mr. Tira suggested that the Borough obtain an unbiased engineer for an opinion. Mr. Long stated that Bill Seigel had attended the meeting with Point Township and he has experience assisting with other sewer authority mergers. Mayor Zboray stated that he questions two things that were stated at the meeting. One was that the plant has no value. He says that it exists, is working, and the insurance evaluation is over \$6,323,000. He said that the citizens of the Borough have put money into this plant for many years. He also stated that a merger isn't necessary to obtain grants because grant applications can now include Point and Upper Augusta Townships as areas serviced. Mrs. Groninger said that she has reviewed the insurance evaluation, which council cannot use until someone with some knowledge about the plant reviews it. Mr. Tira agreed, which was why an unbiased engineer be contracted. He noted that regardless of whether a value is put on the system, an engineer can tell you what's coming as far as requirements from the Chesapeake Bay System and DEP. He said that many municipalities are being pressed to upgrade systems. Mr. Carl said that there are many cases where businesses buy out other

2. Mr. Carl announced that a Town Meeting with Representative Lynda Culver will be held on September 19, 2011 at 6:00 p.m. in the Savidge Room.

3. Mr. Carl announced that beginning October 1st; all Borough meetings will be at the 2nd St. building.

New Business

1. Upon motion by Mr. Rees seconded by Mr. Long, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$64,272.12; bills to be paid from the Liberty Splashland account total \$10,377.71; bills to be paid from the Norry Playground fund total \$118.13; and bills to be paid from the 2nd St. Community fund total \$881.35.
2. Upon motion by Mrs. Groninger, seconded by Mr. Wetzel, council voted unanimously to approve a transfer of \$2,726 from the General Contingency account to the General Fund for the ENRADD system and a transfer of \$952.10 from the General Fund to the Liberty Splashland account for the third PHEAA payment.
3. Upon motion by Mr. Orner, seconded by Mr. Rees, council voted unanimously to approve payment of the bills for budgeted items due before October 7, 2011.
4. Upon motion by Mr. Carl, seconded by Mr. Long, council unanimously approved the following contributions: \$1,500 to the Priestley-Forsyth Memorial Library; \$1,000 to the Revitalization Committee; \$600 to the Penn Valley Airport Authority; and \$250 to the Halloween Parade Committee.

Mrs. Groninger left the meeting at 9:28 p.m.

5. Upon motion by Mr. Rees, seconded by Mr. Long, council unanimously approved a transfer of \$1,000 from the General Fund to the Shade Tree Account.
6. Mr. Long moved and Mr. Rees seconded a motion to approve Verizon's request for a right-of-way to the leased ground for the cell tower. Council voted unanimously to approve.

Mrs. Groninger returned at 9:33 p.m.

7. Mr. Long noted that the Untangled Salon in the Borough has been featured positively in several news articles lately.
8. The Halloween Parade will be held on October 26, 2011. Elaine Rockey will chair the committee again. She has requested that anyone willing to help with the event contact her or the Borough Office.
9. Mr. Carl stated that several months ago he gave council a letter about a request for documents that he had made of the Northumberland Hook and Ladder Company. Mr. Carl provided a timeline of dates when documents were received or filed with different agencies to obtain information. On November 12, 2010, he made a request of the Northumberland Borough Office for certain documents from the NHL. In the week

following that submission, he realized that he should have submitted it directly to the NHL, so on December 13, 2010, he submitted the request directly to the NHL. On December 14, 2010, Dave Bogovich and Mr. Carl had a conversation at the Borough Office. On December 21, 2010, because he had received no reply from the agency (NHL), it was deemed denied. On December 28, 2010 he appealed to the state Office of Open Records. The Office of Open Records received the request on December 30, 2010 and on January 3, 2011, an appeals officer was assigned. On January 11, 2011, Mr. Bogovich submitted a letter, an unsworn statement, as President of the NHL, to the Office of Open Records. On January 19, 2011, there was a letter from the Office of Open Records denying a hearing that Mr. Carl had requested via telephone. On January 24, 2011, there was a final determination by the Office of Open Records granting the appeal and the fire company was directed to provide the requested records to the requester within thirty days. This determination was binding upon all parties. Within the thirty days of the date of the letter, either party had the opportunity to appeal to the Northumberland County Court of Common Pleas. On March 1, 2011, Mr. Carl spoke with the appeals officer in Harrisburg and was told that if it was not appealed within thirty days, the determination became binding. If the information requested was not received, Mr. Carl was advised that he would have to file an enforcement action in the same court. On March 30, 2011, Mr. Carl hired an attorney who petitioned the court to enforce the action by the Office of Open Records. A hearing was set for June 9, 2011. On March 7, 2011, the Emergency Services Board received the same letter that was sent to the Office of Open Records by Dave Bogovich. The Emergency Services Board reviewed the letter and voted 5-0 to have Steve Cimino, Dave Bogovich and Jim Troup present the letter to the complete Borough Council for response to Mr. Carl's request. On April 5, 2011, Mr. Carl wrote a letter to all Borough Council members, which everyone received except for Mayor Zboray, and the Emergency Services Board, describing the process and mentioned the letter that was submitted by Mr. Bogovich to the Office of Open Records. On June 9, 2011, Mr. Carl attended the hearing. NHL was not present at the hearing. Under oath, Mr. Carl described the conversation he had with Mr. Bogovich and the process that he went through. The same day, the court ruled that the NHL was directed to turn over the requested documents and pay \$640.10 in fees. On July 18, 2011, Mr. Carl did receive some of the documents from the NHL. Because it was six weeks later, Mr. Carl asked his attorney what he should do to continue receiving information or to obtain all of it and his attorney suggested that he file a motion for civil contempt for failing to provide the ordered documents. That motion was filed on July 27, 2011. On August 5, 2011, Mr. Carl received a notice to appear for a hearing that is to take place on September 8, 2011 at the Northumberland County Courthouse. On August 15, 2011, Mr. Carl received a partial payment and some of the documents. More documents were received on August 16th and since then he received more documents. However, several documents are missing. Mr. Carl noted that this whole process is about transparency and public access to government documents. He does not understand why it took so long or why it should cost any resident \$1,200 in fees to get information that the government has determined is public information. He personally feels that as an agency under the umbrella of the Borough, that receives tax dollars, in his opinion, there should be some answers provided. He asked if the council would like to request a meeting with the Board Member of the NHL to find out where the failure took place. Mrs. Groninger

asked if he did finally receive the answers. Mr. Carl responded that he's received about 90%. Someone commented that this was a nine to ten month process and asked what the total cost was to Mr. Carl. He responded that his cost was \$1,200 and change. Mr. Carl stated that the NHL did not have any representation at the hearing so he does not know if they incurred any other costs. The court determined that they were to pay the legal fees. Mrs. Groninger stated that this is an ongoing process. The council has asked NHL for an audit and they have never received a real audit. The council is responsible for tax dollars. She added that she feels that the council should receive audits from both fire companies. Mr. Carl commented that the issue is that this information was denied to a citizen. If the woman across the street had asked for the same information, and came to council with this story, what would be done? Mr. Long noted that in the past few years, the borough has had some not good press. People have been here and talked about the need to be transparent. We need to be open. That includes everything that falls under the guise of the Borough. He has had the experience requesting records from the Borough Office and although he did not receive them for reasons he doesn't need to discuss, there was a two-way street of conversation taking place. He feels that the Borough must show the public that if it is an open record, we will oblige to make sure you have what you requested. He feels that the council should have some answers, if not for themselves, for the citizens of the Borough. Mr. Jim Troup said that if Mr. Carl wants to bring the Borough into this, they will get legal representation. *Cannot understand tape*. He said that they will have a meeting on Thursday and Mr. Carl would all the documents that they have available. He added that the reason it took so long is because they had to research it. NHL is a private club and minutes just don't go out the door. There are bylaws set that have been followed for a hundred years and you do not just give them to anyone. They were told by their representation what to do and they followed it. Mrs. Groninger asked, by your membership representation? Mr. Troup responded, legal representation. He said that they have gotten all the information to Mr. Carl and if he says that he doesn't have it, that is not *cannot understand tape*. He did not want to bring this up, because he felt it was to be dealt with at the court house and thought it would be done there and be over. He asked if Mr. Carl's request is in retaliation for what he and Steve did in regard to the bowl slide. Mr. Carl responded that he has collected information on just about every agency in the Borough. Mr. Troup asked if he has information on the Number 1's and stated that he would like to see it. Mr. Carl answered that he has 990's from them. Mr. Troup asked if that was all and Mr. Carl said that was all he requested. Mr. Carl explained that the requester does not have to provide a reason about why he's requested information. That is the open records law. The agency is not allowed why the information is requested. Mrs. Groninger asked council if they want to sit down with the Hookies and have a discussion. Mr. Wetzel stated that he thinks it is wrong to bring the Borough into it. Mr. Carl, as an individual, requested the information for his personal information and it is not the business of the council. The council did not make a formal request for the information so he thinks it's wrong for him to ask the Borough to get involved. Mr. Long asked if a public citizen, not someone on council, came to council, would he tell them it is not the council's business. Mr. Wetzel responded that he believes there are other circumstances involved in this. Mr. Carl stated that he is asking council for their opinion and he is not suggesting that they take a vote. Mrs. Groninger stated that she saw the notebooks that Mr. Carl has for the various organizations. She noted that

during budget time, the organizations ask for money, and everyone has a story and rightfully so because they are trying to support their organization. But we can't give to everyone what they want and we don't always get the numbers. One organization in particular came and said that their state funding was being cut and the council was asked to contribute more. But later, when the funding in the state budget was not cut as expected, the organization still requested the money from council. She did not feel that this was right. Mr. Wetzel asked Mr. Tira if a private citizen would come to the council and say that it took ten months to get right to know information, does council have any rights to do anything to that organization. Mr. Tira responded that you would want to penalize them under the right to know act. The Borough is not the enforcement agency; that is the courts. But if it is a Borough agency or organization, council could request information, which they could do for any questions or complaints brought to them. Mrs. Groninger asked what the council's responsibility is, using tax dollars which in this instance is the Fire Tax, to the accountability of those funds that they give to the organizations. Mr. Tira stated that council has a right to know how they are spent and have the right to hold them accountable. Mr. Wetzel stated that it goes through the Emergency Services Board now. Mr. Tira noted that the council has the right to make rules and regulations for that Board and for those departments. It is in the Emergency Services ordinance. Mrs. Groninger stated that she thought that the Emergency Services Board made up the budget, working with the fire companies, and that they also got audits. But the Emergency Services Board doesn't ask for audits, so the council asks for audits. Mr. Troup said that they go to the Emergency Services Board first and then to council. Mrs. Groninger said that she doesn't see the minutes from the Emergency Services Board meeting. Mr. Troup said that he didn't mean the minutes; he meant the audit. He added that it is done by Lewis Barlett Klees. The Borough Secretary stated that it is not an audit; it is a financial statement which says that the accountant does not guarantee anything that is in it. They don't audit the books; they are just compiling the information that is given to them. Mrs. Groninger asked if council wants to sit down with the Hookies and have a discussion or an understanding. Mr. Long responded yes. He thinks the council owes it to the citizens of the Borough because if someone outside this room made the request, he would feel council should obtain answers for them. Mr. Reed stated that he didn't want to spend any tax dollars on this. He is fine with a meeting. Mr. Rees suggested that a letter be sent to the Hookies asking for an explanation about why the information wasn't given. Mr. Troup responded that there are legitimate reasons for why it wasn't done in the time given. Mr. Carl asked, even though the court ordered it? Mr. Troup said that the court can order anything they want but if the records are not there and available to them, they cannot produce them. Someone mentioned something about people having to pay back money per court orders *but the tape was unclear because others were talking*. Mr. Troup explained that things change hands as far as the records, house committees, secretaries, treasurers, many times over. He asked Mayor Zboray to confirm since he was secretary. Mayor Zboray said that was seventeen years ago and many changes go on. Mr. Troup said that records are not kept like they should be, which is probably the same at the Borough with tapes and stuff. He also said that he wants a copy of the meeting tape by tomorrow. He was told that the tape would not be available tomorrow. *More comments were made that couldn't be deciphered*. Mr. Carl stated that this isn't about a fire department; it's about access to public records. Mr. Long added

that a citizen has a right to this information. Mr. Rees again suggested sending a letter to them, asking for the reason. Mr. Carl asked to whom the letter should be addressed. Mr. Rees said whoever is in charge at the Hookies. Mr. Carl said that would be Mr. Troup, adding that he felt it should be sent to the entire board. *More conversation that was not understandable on the tape.* Mr. Carl asked if Mr. Troup was aware of it the entire time. He responded in the affirmative. Mr. Orner agreed with sending a letter. Mr. Wetzel stated that he does not think this is the council's business. He added that he would not go into more detail. Mr. Reed agreed. Mr. Rees said if someone came to the council and said that they didn't receive information that they requested from any other organization, he felt that the council should be able to say, what's the reason? Mr. Rees moved to send a letter to the president of the Hookies, asking why the information wasn't given out as requested and as ordered by the court. There was a question about whether the letter should go to the treasurer, Paul Ruane, Jr., since he is the one who provided the information to Mr. Carl's attorney. Mr. Rees said that his motion is to send the letter to the president and he can forward it to whoever he wants to. Mr. Orner seconded the motion. Mr. Carl abstained; Mrs. Groninger, Mr. Long, Mr. Orner and Mr. Rees voted aye; Mr. Reed and Mr. Wetzel voted nay. Motion passed 4-2 with one abstention.

The meeting was adjourned for an Executive Session at 9:56 p.m. Mr. Carl announced that personnel and negotiations would be discussed and the meeting may or may not be reconvened in order to take action. The meeting was not reconvened.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
October 4, 2011

Vice President Jonathan Rees 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 Orner, Stephen Reed, Jonathan Rees and Frank Wetzel. Others present were Mayor Len Zboray; Ryan Tira, Borough Solicitor; Timothy Fink, Chief of Police; and Janice Bowman, Borough Secretary. Council members Gregory Carl, Judith Groninger, and Robert Long were absent.

The seven visitors introduced themselves.

Public Comment

No comments were offered.

Council Meeting Minutes of September 6, 2011

Upon motion by Mr. Orner, seconded by Mr. Wetzel, the minutes of the September 6, 2011 council meeting were unanimously approved.

Mayor's Report

Mayor Zboray reported that the 25 mph speed limit sign has been installed on Fifth Street, off of Strawbridge Road. The police are enforcing this law.

The Mayor and Chief Fink collected money from the parking meters.

A resident of Honey Locust Lane has a problem with water runoff in his driveway.

The Mayor and Chief Fink discussed seeking grant funds to purchase a rescue boat. This item is included on the wish list provided to Representative Lynda Schlegel-Culver.

Key lock boxes were purchased with money budgeted for crime prevention. These boxes will be provided to senior citizens who live alone.

The Mayor attended a Sewer Authority meeting and a Rules Committee meeting.

The Mayor and Chief Fink have replaced batteries in the parking meters.

Bill Gross contacted the Mayor about water in the loading dock at the recycling building due to the placement of the drain spout. Tom Slodysko will be told of the problem.

Mayor Zboray informed the council that he met with Tom Slodysko and Steve Reed to view the damage from the flood at the pool area. They recommend that the stream above Liberty Splashland be dredged and riprap installed along the stream banks as well as the possibility of creating a collection pond.

Tulpehocken has donated bottles of water to the Borough. They are available for emergencies.

Mayor Zboray stated that he spoke with six business owners and they are all in favor of permit parking for the business owners. The Rules Committee had discussed providing permits.

The drainage is poor in the lots along West Way. Mayor Zboray said that when the street supervisor returns, they will see what can be done.

Mrs. Cellitti informed the council that she owns a lot along West Way and that years ago the Borough removed pipes that ran from the lots under West Way to the culvert on the lower side. Since that time, the lot fills with water. Another thing that contributes to the problem is that the street has been built up over time and is higher than the lots.

Mayor Zboray requested that the council approve the Fire Police assist at the Catawissa, Danville, and Sunbury Halloween parades. Upon motion by Mr. Wetzel, seconded by Mr. Rees, council unanimously approved the requests.

Mr. Rees asked if the parking permits should be approved by ordinance. Mr. Tira advised that an ordinance should be adopted. The amount of the permits will be set by resolution so it may be adjusted periodically.

Code Enforcement Officer's Report - No report

Northumberland Sewer Authority Report

Mr. Orner stated most of the council was present for the Authority's September meeting. He added that the Authority has a budget meeting tomorrow. The next monthly meeting will be held at 4:30 p.m. on October 24th.

Mr. Adam Klock said that a meeting is scheduled for October 24 at 7:00 p.m. to gather facts about utilizing Sunbury's sewer system for the Borough. The meeting will be held at the Sunbury Municipal Authority building on South 4th Street.

Emergency Services Board Report

Mr. Jim Troup reported that the Board met last evening to review their budget which will be provided to the Finance Committee. The Board also discussed the events that occurred during the flood. The next meeting will be on November 7th at 6:00 p.m. at the 175 Orange Street building.

Committee Reports

Community Development

The committee will meet on October 10th at 7:00 p.m.

Finance

Mr. Rees stated that the committee would meet on October 19th at 6:30 to discuss the income side of the 2012 budget. At the September meeting, the committee members approved Mr. Slodysko's request to purchase a used truck and/or equipment to replace the backhoe for the street department. An auction is to be held on October 11th. A new truck is needed to replace the blue GMC that is inoperable. The committee recommends that the council give Mr. Slodysko approval to purchase a used truck and/or backhoe replacement at a cost not to exceed \$21,500. This amount would be obtained from the money that is to be deposited in the Contingency Fund (\$12,000) by the end of this year, in addition to \$6,000 that is currently in the Contingency Fund, and \$3,500 that is in the street budget. Mr. Rees so moved. Mr. Reed seconded the motion. Council voted unanimously to approve the motion.

Electricity Supplier

Mr. Rees stated that several energy suppliers were considered and it is recommended that a contract with Constellation Energy be approved. The representative has provided quotes for 12, 24 and 36 months. Mr. Rees moved to approve a contract with Constellation Energy not to exceed 36 months at a rate up to 8.5¢ per kWh. Mr. Reed seconded the motion. Discussion ensued. The contract will be in effect for 2012. Mr. Rees amended the motion to approve a 12 month term at up to 8¢ per kWh. Upon notice from Constellation Energy that a favorable rate is available, the Borough Secretary is to obtain the council president's approval and lock into the rate. Council voted unanimously to approve the motion. [Note: The rate obtained is 7.7¢ per kWh.]

Personnel

Personnel issues will be discussed in the Executive session.

Public Safety

Mr. Wetzel stated that the committee would meet on October 18th at 6:00 p.m.

Rules

The committee reviewed the traffic studies at the September meeting. They are recommending that ordinances be drafted for parking on one side of Elliott Drive and to extend the no parking line on Orange Street at Fifth Street. Mr. Tira will wait until hearing from Mr. Long about the ordinance.

The next committee meeting will be on October 25th at 7:00 p.m.

Streets

Larson Design Group has provided a Contractor's Application for Payment of \$72,769.40 for G&R Charles Excavating, Ltd. for the Hanover Street storm water project. A portion of this invoice will be paid with CDBG funds by Northumberland County but the Borough must approve the payment. The engineer plans to meet with Mr. Slodysko to examine the storm drains at the Hanover and Second Street intersection because not all the water is being caught by the drains at this intersection. The engineer has suggested that the Borough withhold a portion of the total request. Mr. Rees moved to approve the payment request less 5%. Mr. Reed seconded the motion. Roll call vote was unanimous to approve payment.

A payment request has been received from Meckley's Limestone Products, Inc. for the paving and curbing work that was completed on Hanover Street. The payment will be made from two funds; \$61,282.64 from the Liquid Fuels Account and \$10,943 from General Fund. The payment from the General Fund is for curbing that may not be paid with Liquid Fuels funds. Upon motion by Mr. Wetzel, seconded by Mr. Rees, council voted unanimously to approve the payments.

The next committee meeting will be on October 11th at 7:00 p.m.

Old Business

1. Council discussed providing parking permits for businesses. Mayor Zboray stated that it was decided to limit the number of permits to two per business. Mr. Wetzel questioned if permits for residents were discussed because the residents on Queen Street had requested permits. Mayor Zboray responded that the committee did not consider permits for residents. Mr. Rees tabled the topic and recommended that the Rules Committee review the request for parking permits for residents so one ordinance may be developed to address parking permits.

New Business

1. Upon motion by Mr. Rees, seconded by Mr. Wetzel, council voted unanimously to pay the bills. Bills to be paid from the General Fund total \$70,720.07; 2nd Street Community & Municipal Center bills total \$79.50; Liberty Splashland bills total \$160.80; and Norry Playground Fund bills total \$45.99.
2. Upon motion by Mr. Orner, seconded by Mr. Wetzel, council unanimously approved payment of bills for budgeted items due before November 4th.
3. Upon motion by Mr. Wetzel, seconded by Mr. Reed, council voted unanimously to set Monday, October 31st from 6:00 to 8:00 p.m. as Trick or Treat Night in the Borough.
4. The Police Department has ordered Key Lock Boxes for residents who live alone. These would be installed for the residents so that if there would be an emergency, the police would be able to gain access to the property without breaking down a door.

Mr. Reed moved and Mr. Wetzel seconded the motion to adjourn the meeting for an Executive Session to discuss personnel issues. Mr. Rees stated that no action would be taken following the Executive Session.

The council meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
November 1, 2011

President Gregory Carl 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, Judith Groninger, Robert Long, James Orner, Stephen Reed, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Paul Ruane, Code Enforcement Officer; Thomas Slodysko, Street Supervisor; and Janice Bowman, Borough Secretary.

The four visitors present introduced themselves.

Public Comment

No public comment was offered.

Council Meeting Minutes

Upon motion by Mr. Long, seconded by Mr. Orner, the minutes of the September 20, 2011 were unanimously approved.

Council member Jonathan Rees arrived at 7:04 p.m.

Mr. Wetzel moved to approve the October 4, 2011 meeting minutes. Mr. Orner seconded the motion. Council voted 4-0-3 to approve with Mr. Long, Mr. Carl, and Mrs. Groninger abstaining.

Mayor's Report

Mayor Len Zboray requested that council approve Jeff Gordy as an extern with the police department. Mayor Zboray noted that Mr. Gordy is a student at the McCann School of Business and is recommended by the police department. Mrs. Groninger asked if there would be any expense to the Borough for badges or shirts. Chief Fink responded that the department has shirts for him to wear and that the position is at no cost to the Borough. Upon motion by Mr. Wetzel, seconded by Mr. Long, the council voted unanimously to approve the externship for Mr. Gordy.

Mayor Zboray requested that council accept Jonathan Cromley as a member of the Northumberland Fire Police. He had a background check and is recommended by Jon Apple. Upon motion by Mr. Long, seconded by Mrs. Groninger, Mr. Cromley was appointed to the Northumberland Fire Police.

Mayor Zboray announced that Santa would arrive in the King Street Park on November 28th at 7:00 p.m. The Sunbury City Band would begin playing at 6:30 p.m. The Revitalization Committee will be overseeing the program with funding from the Anselmo Trust.

Volunteers are needed to decorate the park on November 12 at 10:00 a.m.

The American Legion Post 44 will be recognizing veterans on November 13th at 1:00 p.m. at the Riverview Cemetery.

On Sunday, December 4th at 3:00 p.m. volunteers will be decorating the Riverview Cemetery for Wreaths for Warriors.

Mayor Zboray will be meeting quarterly with other mayors in the area, Dave Persing of Sunbury, Sean Christine of Selinsgrove, and Joe McGranahan of Shamokin Dam. They plan to work together as a group to attract businesses and industries to the area.

A water leak at 7th and Prince Street has been located and fixed.

The Mayor and Police Chief rode around town yesterday and found vehicles that were parked in the no parking areas in the afternoon. Mayor Zboray stated that the police will be ticketing vehicles that are parked in the no parking areas until 4:00 p.m. The street department is having difficulty collecting leaves with cars parked along the streets.

Mayor Zboray thanked the Fire Department for pumping out the properties along WestWay. He added that Mr. Slodysko will be working on a solution for the owners of these properties.

The police force continues to work on the enforcement of speeding, moving violations and illegal parking.

Mayor Zboray encouraged residents to exercise their right to vote in the upcoming election. He provided the locations of the polls: 1st Ward – 2nd Street Municipal and Community Center; 2nd Ward – St. Mark's Episcopal Church; and 3rd Ward – Kiwanis Building on Prince Street.

Street Supervisor's Report

The street crew is picking up the leaves. Mr. Slodysko noted that the additional enforcement is working in that today only two vehicles were parked on the no parking side of the street.

Mr. Slodysko is bidding on a truck to replace the GMC truck on Municibid. The truck is being offered by the Wellsboro Airport Authority. A high bid limit was approved; the Borough is currently the high bidder. The auction ends in 17 days.

The department was ready for the snow storm and everything went well.

There is a leak in the pipe running from the pit in the parking area at the Kiwanis Building to the Kiwanis Building. Mr. Slodysko will be working to locate and repair the leak tomorrow.

Mr. Slodysko has begun crack sealing. Two temporary employees have been hired to assist with leaf collecting and crack sealing. The crack sealing will begin on the better streets to increase their longevity and will continue as weather permits.

Mr. Slodysko asked about winterizing the former Borough Office building.

Through the next weeks, the Christmas decorations will be installed downtown and lit on Thanksgiving Eve.

G & R Charles repaired the storm drains at the Hanover and Second Street intersection. Mr. Reed noted that the Borough is to withhold \$4,880 toward paving the intersection next year.

There are dead trees at the Riverview Cemetery along Seventh Street. Mr. Slodysko asked if the crew should remove the trees. Discussion ensued. Mayor Zboray asked that Mr. Slodysko meet with him to point out the trees and he will obtain prices from contractors to remove the trees.

Mr. Slodysko explained that a storm water pipe will be installed along WestWay to alleviate the water problem in the lots.

No news has been received about the repairs for the storm water pipe above the pool or the Fire Police building.

The water is to be turned off at the Fire Police Building and the former Borough Building.

Code Enforcement Officer's Report

Mr. Paul Ruane reported on the Code Enforcement Office activity for the past month.

Central Susquehanna COG is in the process of establishing an Appeals Board which the Borough could utilize instead of appointing its own board. An ordinance was provided for the council to consider. The Borough's current appeals board is comprised of Adam Klock, Ty Sees, and James Troup. The three men are running unopposed for Borough Council. As councilmembers, they would not be eligible to serve on the Appeals Board. Mr. Long asked if there would be a cost to the Borough. Mr. Gene Brosius, solicitor for the Central Susquehanna COG, stated that the Borough would set its own fee for an appeal. The Borough currently does not have a fee schedule for appeals. Mr. Tira stated that the cost to hear an appeal is not as much as a zoning hearing because there is no cost for an advertisement and no stenographer. It was noted that the Borough has not had an appeal since at least 2000. Mr. Tira added that whether or not the Borough utilizes the COG's appeals board, a fee for appeals should be set and included in the Borough's fee schedule.

Upon motion by Mr. Long, seconded by Mr. Carl, council voted unanimously to advertise the ordinance to use the Central Susquehanna COG's appeals board. The ordinance will be considered at the December 6, 2011 council meeting.

Northumberland Sewer Authority Report

Mr. Orner reported that the authority's meeting was held at the sewer plant on October 24th. The authority has contacted Josh Sheraton, Esq., a CPA from Harrisburg, to look into the penalties and interests on the IRS taxes. Mr. Sheraton has been in touch with Steve Slaton and he feels

that he may be able to help the sewer authority in having the fees reduced. They are investigating the costs.

A plan was set for Point Township for the money that was owed on the Queen Street pump station. Jack Fasold had presented the plan that provides for the township authority to pay the past due payments and a payment schedule set for the additional money that is owed. No response was received from the township supervisors.

Mr. Orner explained that a meeting was held with the Sunbury Municipal Authority to discuss the possibility of contracting with Sunbury for sewage treatment. He had not been able to attend the meeting.

Mr. Orner said that the sewer authority would conduct a budget meeting tomorrow at the sewer plant at 4:30 p.m. The next regular meeting is set for November 28th at 4:30 p.m. at the sewer plant.

Mr. Wetzel stated that he and Mayor Zboray attended the meeting in Sunbury with Point Township and Sunbury representatives. They learned that Sunbury's plant is currently operating at 30% capacity. Northumberland's sewage could be treated at the Sunbury sewer plant if a pipe is installed between Northumberland and Sunbury in order to hook onto Sunbury's system. The group hopes to have the engineers exchange information and to provide a cost for a feasibility study for the next meeting which is set for November 17th at 7:00 p.m. at the municipal office on South Fourth Street. DEP is in favor of merging authorities. It is felt that more grant money would be available to connect to Sunbury's system than to upgrade the current system. The plant in Northumberland may still be used. The current charges to residents were provided. Sunbury residents pay \$41 per month or \$123 per quarter. Borough residents currently pay \$87 per quarter. Mayor Zboray stated that Sunbury's rates could decrease if the Borough and Township were to become customers. He added that the Borough's authority must obtain cost projections for the upgrade of the sewer plant and to install the pipe to join with Sunbury's system. Borough residents will be facing an increase in sewer rates with either option. Mr. Carl asked if the Borough would be a customer or if Sunbury is interested in forming a joint authority. Mr. Wetzel responded that the Borough would be a customer. The Borough would be responsible for the pumping stations located in the Borough. Mrs. Groninger asked why, if Sunbury has this capacity, they turned off the sewer to Hamilton during the flood. Mr. Wetzel did not know. He did note that one section of Sunbury needs to be transferred yet. Mr. Wetzel explained that the meetings are fact-finding meetings; with representatives from the three municipalities attending. Mr. Wetzel said that the meeting on November 17th is not opened to the public; it is a fact-finding meeting with a few officials attending from each of the three municipalities. Mayor Zboray stated that he would not be able to attend the meeting on November 17th. Mr. Wetzel plans to attend.

Emergency Services Board Report

Fire Chief Jim Troup informed the council that the Hookie's ladder truck is now paid for. The No. 1's plans to purchase a new engine at a cost of approximately \$450,000.

The Emergency Services Board will meet on November 7th at 6:00 p.m. at the 2nd Street Municipal and Community Center.

Committee Reports

Community Development

Mr. Carl announced that the committee would meet on November 14th at 7:00 p.m.

The Borough Secretary requested permission to purchase cellular shades for the Savidge Room from an online company. It was explained that the prices can vary daily and it would be advantageous if council would approve the purchase so the shades may be purchased when they are on sale. The cost should not exceed \$2,000. The S. Luther Savidge Trust has provided funding for the shades.

Mrs. Groninger moved that the Borough Secretary have permission to purchase shades for the Savidge Room at a cost not to exceed \$2,000. Mr. Carl seconded the motion. Motion passed unanimously.

The Borough Secretary spoke to Jim Romig, the carpentry instructor at the SUN Technical School. The students will be able to install the kitchen cabinets once the other work is complete.

The Pennsylvania Conservation Corp had begun the electric and plumbing work but was unable to finish due to the state's decision to end the PCC program.

Several contractors have been contacted for estimates to complete the electrical and plumbing work as well as the drywall. A grant from the Northumberland Development Fund will be used to pay for the work.

Mr. Long moved to accept bids for contractors to complete electrical, plumbing, and drywall installation for the kitchen renovation at a cost of up to \$3,000 per item. Mrs. Groninger seconded the motion. Discussion ensued. Mr. Wetzel stated that he was not in favor of spending \$9,000 for the renovations when appliances are still needed. Mr. Long amended his motion to stipulate that the combined total for the renovations is not to exceed \$6,000. Mrs. Groninger withdrew her second. Mr. Wetzel seconded the motion. Council voted 6-1 to approve with Mr. Orner casting the negative vote.

Finance

Mr. Rees announced that the committee would meet on November 16, 2011 at 6:30 p.m. to finalize the 2012 budget.

Upon motion by Mr. Rees, seconded by Mr. Carl, council unanimously approved the 2010 audit which was conducted by Patricia Young, CPA.

Mr. Rees noted that at the last meeting, the committee voted unanimously to recommend to council to transfer \$40,000 from the General Fund to Liberty Splashland for the bowl slide based on the CDBG grant based on the gentlemen's agreement with the County Commissioners. Mr. Long so moved. Mrs. Groninger seconded the motion. The motion carried unanimously.

Mr. Rees noted that the committee also voted unanimously to recommend to council that the \$3,000 that was budgeted for additional insurance for the bowl slide be transferred to

Liberty Splashland because the bowl slide was not in operation this summer and the pool donation had been reduced by \$3,000 so that money would be available for the insurance. Mr. Long so moved. Mrs. Groninger seconded the motion. Motion carried unanimously.

Personnel

Mrs. Groninger stated that a personnel issue would be discussed in Executive Session.

Public Safety

Mr. Wetzel stated that the committee would meet on November 15, 2011 at 6:00 p.m.

Rules

Mr. Long reported that the committee is recommending that the Borough advertise an ordinance to approve parking permits in metered areas of the Borough. Mr. Tira advised that the ordinance may be advertised and he will have it in final format for the December 6th council meeting. The Borough Secretary presented a sample permit that would be hung on the rear view mirror. Mr. Carl suggested that some type of marking be included so the permits could not be copied. The Borough Seal will be included on the permit. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to advertise the parking permits for the metered parking areas.

The committee also recommended that council advertise an ordinance that provides for parking signs for businesses in non-metered areas of the Borough during business hours. Mr. Tira advised that the ordinance may be difficult to enforce. Mr. Long moved to advertise the parking signs for businesses in non-metered areas of the Borough. Mrs. Groninger seconded the motion. Motion passed unanimously.

Mr. Long explained that a traffic study was completed on Elliott Drive. Because of the width of the street, the conclusion of the study is that an ordinance be adopted which prohibits parking on the inner side of Elliott Drive. A traffic study was also completed to extend the no parking area on Orange Street at Fifth Street to forty-five feet from the stop sign to allow for a longer distance for the ladder truck to negotiate the turn onto Orange Street. This no parking designation is included in the same ordinance. Upon motion by Mr. Long, seconded by Mrs. Groninger, council voted unanimously to advertise the ordinance.

Mr. Long noted that at the last Rules meeting, Mr. Bill Herrold attended to discuss the codes. Mr. Long stated that the committee appreciated him coming and that Mr. Herrold had sent a nice letter thanking the committee for hearing his concerns.

Streets

Mr. Reed stated that the committee would meet on November 8, 2011 at 7:00 p.m.

Old Business

1. Mr. Long moved to adopt a resolution to form the North-Point Sewer Authority, a joint sewer authority with Point Township, authorizing the President and Secretary of Council to execute the Articles of Incorporation and to advertise notice of the resolution with the intent that the Borough Authority transfer its assets and obligations to the North-Point Sewer Authority. Mr. Carl seconded the motion. Discussion ensued. Mr. Reed stated

that he thought the council was going to wait to see what happens with the meetings with Sunbury Sewer Authority. Mr. Long responded that all the arguments that had previously been brought up with “selling the farm” are what will happen with going with Sunbury. The \$50,000 will disappear. Every argument that has been made prior to this about the joint authority is right there with Sunbury, and more. The Borough would have zero control. Mr. Reed stated that he thinks the council needs more information. Mr. Carl stated that he would withdraw his second unless the \$50,000 payment to the Borough annually is continued under the joint sewer authority. Mr. Long amended his motion to include the annual \$50,000 payment. Mr. Reed stated that he feels that the council should wait until more information is obtained from Sunbury about the possibility of contracting with them to treat the Borough’s sewage. Mayor Zboray said that he feels that council should wait until costs are obtained for either upgrading the current plant or building a new plant. He feels that until we know those costs and the cost of contracting with Sunbury, council should wait to decide whether to form a joint authority.

Mr. Tira asked if the intent is to sign an agreement. Mr. Long stated that the resolution is to form the joint authority, the details of which will be worked out by that board. Mr. Rees said that he is not in favor of a joint authority because he does not think the Borough should give up its control. He is really uneasy about going to Sunbury because we would have no control. Mr. Rees stated that he feels it is premature and added that he is not in favor of a joint authority unless it is more well-defined. Mr. Wetzel stated that he was at the meeting with Point Township and that the Borough is not asking them to buy into it. Mr. Tira asked if the council is comfortable with the terms that they are signing up for because they are buying into joint assets and liabilities. He advised that the council should know what they are agreeing to. He added that he is not speaking one way or the way. He explained that there are costs for development, liabilities, etc. Mr. Gene Brosius, solicitor for the sewer authority explained that the township authority currently has districts. Each one is treated separately. The borough would be the same way. The costs would be determined by the basis of the collection system and their share of the cost of the treatment.

Mr. Reed stated that he feels that council should keep talking about it. Mrs. Groninger stated that Mr. Yoxheimer had given an explanation at the first meeting and had gone through the districts and Mr. Seigel from SEDA-COG said the same thing. Mrs. Groninger stated that no one has had specific questions. Mr. Carl stated that council has never had questions about the districts and that he trusts what is done with the districts and that the districts have already been sorted out. Mrs. Groninger added that if the system is expanded, the people in that area would pay for the new lines. Mr. Rees stated that if the Borough gives up control, they may set the district rates differently. Mr. Tira responded that the council could set the structure to stipulate that the operation costs are spread evenly among all users. The upgrades for the collection system would be unique to each district. Mr. Tira noted that he has not been asked to review the agreement.

Mr. Rees said that he has nothing against the joint authority. However, he has not seen a specific document that he feels comfortable with that he feels protects the residents of the Borough. Mr. Rees stated that he would like more information before approving a joint authority.

Mr. Reed asked why the topic wasn't on the agenda, adding that it was set up for the workshop, according to the website. The Borough Secretary explained that the Sewer Authority's meeting is posted on the Borough calendar on the website. She added that she was not aware that a motion was going to be made because of the talks with Sunbury so it was not added to the agenda.

Mrs. Groninger said that from the first meeting, it was explained that the same people who are on Point Township's authority and the same people on Northumberland's would be on the joint authority. The meeting minutes from that meeting include the schedule for the authority members. Mr. Rees asked about the half million dollars that the Township authority currently owes the Borough authority. Mrs. Groninger stated that there is more to it. Mr. Reed asked why the rush. Mr. Long stated that council would not be closing any doors; they would just be moving forward. Although, he said that he has two months to have his say in the process and he feels it is the best for the residents and the right thing to do for the Borough. Mrs. Groninger asked why our own sewer authority hasn't proceeded. First it was the tanks, and now they are okay. Mr. Troup stated that Mrs. Groninger had said that the property is not worth anything. Mrs. Groninger stated that she has never said that the property is not worth anything and has told Mr. Troup that before in a public meeting. Mr. Troup said that the property is insured for \$1.6 million. He feels an appraisal should be done on the property to see what value the citizens have in the property since the Borough citizens paid to have it built. To allow the township come in to a joint authority gives them the same rights as the Borough residents without adding any benefit for the Borough residents. If there is no benefit for the residents of Northumberland, he questions why the council would entertain this whole thing. The NSA can now set the fees to the township as their customer. Mrs. Groninger said this is what she's been talking about, going over the same thing. She said that council was told at one of the meetings that it cost the Borough \$500,000 to put in the sewer. Mr. Troup asked if the appraisal was done. He said that the two engineers were to obtain an appraisal to see what the value of the property is and then they were to see what the cost would be to build a new plant. None of that has been done yet. Mr. Troup feels that to form a joint authority, Point Township would have everything to gain and nothing to lose. Mrs. Groninger noted that it is great for Sunbury too; they have nothing to lose either.

Roll call vote was called: Mr. Carl, Mrs. Groninger, Mr. Long and Mr. Orner voted aye; Mr. Reed, Mr. Rees and Mr. Wetzel voted nay. Motion passed 4-3.

Mrs. Groninger left the meeting at 8:30 p.m.

2. A proposed lease for the tennis courts at the C.W. Rice Middle School was received from the Shikellamy School District. Mr. Tira noted that there was an error in the lease. The termination agreement is missing. Mr. Tira will contact the district's solicitor, Jeff Apfelbaum, to have the lease corrected. The agreement was tabled.

Mrs. Groninger returned at 8:34 p.m.

New Business

1. The Borough Secretary noted a few corrections in the bills. The bill from Building Inspection Underwriters, Inc. The bill had referenced 115 Water Street and it was believed to be the Fire Police building. The inspector was contacted and the inspection was for the cell tower. The correction was made in QuickBooks, but the bill sheet has the wrong account. Tower Co. had paid for the inspection at the time the building permit had been paid. One of the NAPA bills was listed as the Sunbury NAPA. The bill should have been listed as the Big Boys NAPA in Northumberland. Mr. Long moved to pay the bills. Mrs. Groninger seconded the motion. Discussion ensued. Council voted unanimously to pay the bills. Bills to be paid from the General Fund total \$66,015.05; bills to be paid from the Parking Meter account total \$128.21; Liberty Splashland bills total \$603.96; Norry Playground bills total \$1,888.00; 2nd Street Community Center bills total \$1,010.33; and Liquid Fuels bills total \$548.90.
 2. Upon motion by Mr. Long, seconded by Mr. Orner, council unanimously approved payment of the regular bills due before December 9, 2011.
 3. The Pennsylvania Municipal Health Insurance Cooperative Board of Directors has asked that the municipalities approve an equitable policy that would govern the reclassification of members that may rise or fall above/below the threshold for the small group cluster. The policy is as follows:

For all new groups entering PMHIC on January 1, 2012, the total employee count will govern whether they will be included in the small group cluster. The small group cluster will include all new groups who have less than 15 employees at the time of pricing for the program.

On June 30th of every Plan Year, Benecon will review the total employee count for each member. If a member experiences an increase/decrease in the number of employees that impacts their current classification (with less than 15 being the threshold for the small group cluster), the member will be notified in writing that a potential reclassification will be monitored for the next twelve months. In the succeeding year on June 30th, the employee count will again be reviewed. If the member being monitored has an employee count that would warrant reclassification, the member will be notified in writing that it will be reclassified effective at the beginning of the next Plan Year on January 1st.

A report to the Board of Directors will be provided at the first meeting after June 30 of each year which will detail any groups that have been put on notice for reclassification or any groups that are required to change from either the large group or the small group cluster.”
- Upon motion by Mr. Carl, seconded by Mr. Long, council voted unanimously to approve the PMHIC Member Reclassification Policy.
4. PPL has requested a Right-of-Way Agreement to the cell tower located behind Pineknotter Park. Mr. Tira advised that the company should be informed that a Right-of-Way Agreement exists for Verizon in this same location. Mr. Long so moved. Mr. Carl seconded the motion. Council voted unanimously to approve the agreement.

5. The Borough Secretary requested permission to purchase a new copier from CSP Office Equipment Co., Inc. for the Borough Office at a cost of \$2,578. The copier is on the state contract and the model is a Kyocera Solution Taskalfa255P2. There is money in the office budget to pay for the purchase. The new copier can be networked and can also scan. The service rate will be .012 cents per copy. The company has informed the office that they may no longer be able to obtain parts for the current copier. The service rate for the current copier is .028 cents per page. Upon motion by Mr. Wetzel, seconded by Mr. Long, council voted unanimously to approve the purchase of the copier.
6. Several committee vacancies exist, effective January 1. Letters are sent to the members, whose terms expire, thanking them for serving. Applications are included with the letter in case any of the members would like to apply to be reappointed. The council determined that the appointments would be made at the December 6th council meeting.
7. Mr. Carl read an invitation to council to a meeting to view the Lake Augusta Regional Plan on the November 10th from 6:30 to 8:00 at the Degenstein Community Library Community Room in Sunbury.
8. On November 18th at the Geisinger Medical Center from 9:00 a.m. to 3:00 p.m., council is invited to attend Transit Summit 2011, presented by the Northcentral Pennsylvania Public Transportation Task Force and sponsored by SEDA-COG, Geisinger, PennDOT and the United Way. Anyone wishing to attend should R.S.V.P. by November 8th.

The meeting was adjourned at 8:52 p.m. for an Executive Session to discuss personnel and legal issues.

The meeting was reconvened at 9:14 p.m.

- Mr. Carl made a motion to approve the Teamsters' contract. Mr. Long seconded the motion. Council voted unanimously to approve the contract.
- Mr. Wetzel moved to sell the Jolly Hollow property on Orange Street at an auction with a reserved bid. Mr. Carl seconded the motion. The information is to be gathered for the December meeting with a target date to be set for January. Roll call vote: Mr. Carl, Mrs. Groninger, Mr. Orner, Mr. Rees, and Mr. Wetzel voted aye; Mr. Reed voted nay; and Mr. Long abstained.
- Mr. Carl moved and Mr. Long seconded the motion to transfer \$1,550 from the General Fund to the debit account for the truck auction. Council approved unanimously.
- Mr. Carl moved and Mr. Wetzel seconded a motion to authorize the Borough Secretary to contact Villager Realty to re-list the Borough Building for sale at \$130,000. Mr. Tira will contact the attorney for the fire company to determine if they have any interest. Roll call vote was unanimous to approve.
- The Borough Secretary had received a letter from the Cohen Law Firm, offering to review the Borough's TV Franchise Agreement with Service Electric at no cost to the Borough. Bloomsburg was also contacted and a copy of their agreement was obtained.

Another agreement was obtained through the Borough's Association. The Borough's agreement is very weak compared to the other agreements. The Borough currently receives 5% of the basic cable fee. Fees may also be assessed on many other items such as premium channels, home shopping, advertising, etc. Bloomsburg also receives free internet for their offices, and other public buildings in the town. The Cohen Law Firm is proposing to negotiate an agreement for the Borough and would like to negotiate agreements for several municipalities in the county in order to reduce costs. The rate to the Borough would be approximately \$7,500 with discounts if other municipalities also contract with the law firm. Council requested that the Borough Solicitor review the franchise agreements from Bloomsburg and Lansdale and contact Service Electric to negotiate a new agreement for the Borough.

- The Borough Secretary informed the council that Bill Roll, the Borough's representative on the Northumberland Tax Collection Committee, has decided that he is not interested in being reappointed to the committee for 2012. The committee had sent out an RFP and four companies presented their proposals to the committee. The committee had voted to contract with Capital. Since that meeting, several school districts and municipalities have begun legal action to change the voting method. Mr. Tira advised that the council should discuss this topic in Executive Session since it involves a legal issue.

The meeting was adjourned for an Executive Session at 9:28 p.m. The meeting was not reconvened.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
November 15, 2011

President Gregory Carl called the meeting to order at 7:00 p.m. Mr. Carl explained that this meeting would be a regular council meeting followed by a work session. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

Roll Call

Council members present were Gregory Carl, Judith Groninger, Robert Long, James Orner, and Stephen Reed. Others present were Mayor Zboray; Paul Ruane, Code Enforcement Officer; Thomas Slodysko, Street Supervisor; and Janice Bowman, Borough Secretary.

The five visitors present introduced themselves.

Public Comment

Mr. Steve Cimino stated that he wasn't present at the last meeting but has some questions. He asked who recommended to the council that they should vote for a joint sewer authority. Mrs. Groninger stated that she has gone to a lot of meetings on the sewer authority. She said that each time they say, "Bring questions", and nobody has any questions. She added that she was impressed with Bill Seigel's presentation and Mr. Seigel is not from Northumberland or Point Township; but a man who does this for a living. Mr. Cimino said that the council did not act in the best interest of the community. He was told that he is entitled to his opinion. Mr. Cimino asked if the township sewer authority has paid their debt to the NSA. Mr. Orner explained that the township authority has agreed to pay the 18 months that they were in arrears, close to \$80,000, and they will set up a payment schedule for the balance. The township authority had approved this plan at their last meeting and will be attending NSA's meeting to present their proposal. Mr. Orner stated that approximately \$500,000 is owed to the NSA.

Mr. Cimino asked why the Borough Council is making the decision to form a joint sewer authority when they don't have all the answers. Mr. Carl responded that he does not have any more questions and that the council is the entity that makes the decision to form a joint sewer authority. He feels that he is qualified to make the decision that he made; adding that he can't speak for the other council members.

Mrs. Groninger stated that when the idea was considered to transfer the sewage to Sunbury, she felt that it would be better to have a joint authority negotiating. She also said that she was told that Hamilton sewer was cut off during the flood, adding that she doesn't want the Borough to be in that position.

Mr. Cimino responded that the NSA can't guarantee that to the residents now. He noted that he thinks the decision was made in haste and council wasn't qualified.

Mr. Long said that prior to the first meeting at Point Township, everyone was saying that Bill Seigel needed to be there since he is the expert. At that meeting, Mr. Seigel explained that he has seen joint authorities formed in several ways. Either they form the authority and then hash out the details or they spend years to hash out the details and then form the authority. Mr. Long said that two things he hasn't heard are any new concerns that weren't voiced on day one, but that he felt were answered for him; or people moving forward on anything other than asking the same questions. The one thing he did see was exactly the type of thing that Bill Seigel warned that the council would get into. Let's bring in the engineers, etc., and Mr. Long started seeing time and money that Bill Seigel warned about. Mr. Long added that it's funny that for some people, Mr. Seigel was the expert until he said what they didn't want to hear. At that meeting with Mr. Seigel, these people were discussing the jointure, and Mr. Long did not feel that they were listening to Mr. Seigel. He said that the council is not professionals or experts but they must make the best decision they can in their opinion.

Mr. Cimino said that he does not know Mr. Seigel, but asked if he had any documentation. Mr. Long responded that Mr. Seigel has 20 years of experience. Mr. Cimino questioned if council would know that the information is the truth without documentation. Mrs. Groninger noted that two attorneys were at the meeting to represent the Borough. The two sewer authorities will come together to decide how to create the joint authority.

Mr. Jim Troup stated that he is neither for or against the jointure; however, he does not feel that there is enough information. He asked if the NSA has told the council that this is a good thing and request that council vote for the jointure. He also asked if council considered putting the topic out for referendum on November 8th. He feels that council should talk to the constituents. He said that he has talked to a ton of people and everyone he has talked to is against it, the way it is going. Mr. Long responded that he respects Mr. Troup's opinion and he hopes Mr. Troup will respect his. He said that by voting for the merger, he feels that he is putting it in the hands of the experts. The council is empowering the sewer authority board to move forward with bylaws and guidelines and things that are going to move that merger forward in a way that the people who are the experts are going to be able to have control over and push it in the right direction. Mr. Troup said the borough already has a sewer authority and the council should let them figure it out and take care of it. He feels that the council is "giving away half the ship." Before, the township was our customer; they did not have our assets. Mr. Carl said the customers aren't going anywhere; they will still be customers. Mr. Carl asked what will happen differently now that they are our partner. Mr. Troup said that one member of the board hold two places. Mr. Reed said that the Borough lost control of something we had control of and he doesn't understand what the rush was. Mr. Long responded that this has been in conversation for three or four months and we are spinning our wheels the same way. Mr. Long responded that this has been in conversation for three or four months and we are spinning our wheels the same place we were then. He said he respects Mr. Reed's opinion, he just doesn't agree with it.

Mr. Ted Koppen said that he understand the rates will go up. His concern, as a citizen who has a vested interest in this Borough, is that he doesn't want the Borough's rates to go up to cover someone else's debt. If the township is paying their debt before the merger happens, he has no problem with welcoming them into the sewer authority. Mr. Carl responded that if they have half a million dollars in the bank, that money goes to the new authority. If he has two checking

accounts and one has \$5,000 while the other is overdrawn, and he transfers \$2,500 into the second account, he still has the same amount of money.

Mr. Koppen asked where the balance sheet stands now. He said that he understands that the township sewer authority is in debt. He does not mind paying his fair share, but doesn't want to pay for someone else's share. Mrs. Groninger explained that at the first meeting, it was explained that the township is made up of several divisions and the borough would be a division. The divisions have different rates depending on the costs for the infrastructure. Mr. Troup questioned if it would remain that way. Mr. Troup asked if the authority has recommended the merger. Mr. Orner said that it was not brought up for a vote. Mr. Long stated that the joint board will remain in place with the current membership for seven years. After that, the board is made up of three members from one municipality and four from the other. The majority changes each year so Mr. Long does not see why one group would want to charge the other excessively when the majority changes the following year.

Mr. Koppen repeated that he is not opposed to the merger; he is opposed to taking on prior debt.

Mr. Robin Bolig asked who needs the merger. He said that the Borough can't grow anymore. He feels that Point Township needs the merger, not the Borough.

Mr. Troup asked how long it would take to complete the merger. Someone said that it could be years. Mr. Troup stated that in two more months it could be a non- issue.

Mr. Orner said that if the two authorities can't agree on things, it could take years. He also said that the council could appoint new people to the authority if they don't feel comfortable with the current ones.

Mr. Cimino asked a question about taking on a company with debt. He is concerned that eventually the group will question why they are paying themselves and absorb the entire debt. Mr. Carl said it's about making structured payments. Mr. Cimino feels that it will only work until the jointure is competed.

Mr. Cimino said he is not opposed to the merger; he wants to make sure that the Borough doesn't pay the Township's debt. He feels the two entities must come into the merger equally.

Mr. Troup asked who owns the facility. Mr. Carl said the authority owns the facility. Mr. Troup said that with the merger, the Borough is giving up half of the value of the sewer plant.

Mr. Troup said that the additional pipes will create additional revenue. Mr. Carl said that the borough's authority can't raise rates to build a nest egg. Mr. Troup said that in order to finance a project, they can raise rates.

Mr. Carl announced that in light of the recent article in the paper and the issues that people seem to have with the amount of time for advertising the vote, he is calling a special meeting for Monday, November 28th to revisit and possibly revote. The meeting will be held at 7:00 p.m.

Mr. Carl asked if anyone had public comment on any other issue.

Mr. Bolig stated that trees in the Borough are starting to interfere with the fire apparatus. Mr. Slodysko replied that the street crew will trim trees in a few weeks. They are currently erecting the Christmas decorations.

The council adjourned at 7:39 p.m. for an Executive Session to discuss a personnel issue and to decide upon a maximum bid on a truck for the street department.

The meeting was reconvened at 8:10 p.m.

Mr. Carl moved to authorize Tom Slodysko to purchase a truck up to the amount agreed upon in Executive Session and to authorize the Borough Secretary to transfer the amount required for the Muncibid fee to the debit card account. Mr. Carl seconded the motion. The motion carried unanimously.

Mayor Zboray requested permission for the Fire Police to assist with security on November 19, 2011, for the Santa Parade at the Susquehanna Valley Mall. Mr. Long so moved. Mrs. Groninger seconded the motion. Council voted unanimously to approve.

Upon motion by Mrs. Groninger, seconded by Mr. Carl, the council voted unanimously to approve Resolution G-2011. This resolution designates Janice Bowman, Borough Secretary, as the Borough's agent for applying for FEMA funds for the damage due to tropical storm Lee.

Mr. Troup asked if the council is planning to sell Jolly Hollow. Mr. Carl stated that council is planning to do so, but may decide to wait until spring.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street
Northumberland, PA 17857
November 28, 2011

President Gregory Carl 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, Judith Groninger, Robert Long, James Orner, Stephen Reed, and Frank Wetzel. Others present were Mayor Zboray and Janice Bowman, Borough Secretary. Council member Jonathan Rees was absent.

The twelve people present introduced themselves.

Public Comment

Crystal Reed thanked the Borough Council members for giving their time, especially those who are soon going off council. She hopes that the council considers the Borough residents, the people who voted for them and put them in office. She requested that they consider all options before making this very important decision. She has heard people say that they are not opposed to the merger; however, she would like them to do what is best for all residents, Borough and Township.

Ty Sees asked if an appraisal has been done on the sewer plant. Mr. Carl asked Adam Klock if one had been done and was told that the NSA discussed that topic at their meeting earlier this evening. He asked if council has looked at the possibility of the Township paying to “get in.” Bob Long responded that before the first meeting that was held to consider the jointure, everyone wanted to have Bill Seigel from SEDA-COG present. Mr. Seigel said that often times, you spend a lot of time, money and energy and get no further than you were when you began. He also said that the plant is an older plant and a new plant is needed. Mr. Sees stated that Mr. Seigel also said that no merger is the same and he feels that to not get a valuation on the plant, the council is doing a disservice to the residents. Mr. Long disagreed. He said that Mr. Seigel said that we are at a good place right now. Mr. Long feels that council can spend a lot of time and money and still end up at the same place. Mr. Sees asked why the council would vote on a merger until they had more information.

Mr. Carl asked where the money would go if the Township paid toward the sewer plant. Adam Klock stated that the compensation would come back to the Borough residents. He said that it could be put into the Borough’s General Fund and distributed to residents in the form of tax relief. He referenced the residents in Milton who are being compensated from the other municipalities who are merging their authorities with Milton. When Mr. Carl asked where the money came from, Mr. Klock said that the Borough residents sold their rights to the NSA for a dollar, not knowing that they could be entering into a partnership in the future. Now that they are at that jointure, Mr. Klock said that he is asking that the Borough determine a value like Milton did and what Danville is doing now, determine what the facility is worth and a fair buy-in

price. If it comes back through the NSA, back to the residents, then that's the means that it happens. He said that just because it comes back to the NSA, that doesn't mean it can't come back to the residents. He said it wouldn't make sense to have the money paid to the NSA and have it sit there, only to be absorbed into the joint authority. The money could be put in the General Fund or in a trust. He said that he doesn't think council should overlook the value of the plant, based on Bill Seigel's advice, adding that he does not think that Bill Seigel is qualified to make a judgment of the worth of the sewer plant. Mr. Carl responded that it was Mr. Klock who requested that Bill Seigel be there and now he is saying that he is not qualified. Mr. Klock responded that he did not request Bill Seigel to tell us what the facility is worth; that is not his background. He feels that an engineer should determine the value of the property. Mr. Seigel's background is facilitating mergers and working with negotiations. He did not tell Milton what their plant is worth; a study was conducted by engineers determined that their plant was worth \$6,000,000. An engineer also conducted a study in Danville. Mrs. Groninger said that she had read that Chef Boyardee had paid for Milton's plant and had turned it over to Milton.

Ty Sees asked if he was correct that under the current agreement, Point Township must pay toward any upgrades at the plant based on their usage percentage. Adam Klock concurred that the Township has an obligation to contribute to projects that are done at the sewer plant. The first project that was entered into was the Queen Street pump station. There is still an outstanding balance and a payment plan was agreed upon with payments to be made over a five year period.

Ty Sees questioned why the Borough would help finance projects in the township. He feels that they will rule with an iron fist. He noted that a project is currently being planned for an area in Point Township.

Mr. Carl stated that his opinion is that the merger is beneficial. Carl Libby asked for reasons the merger is beneficial for the Borough residents. Mr. Carl asked Mr. Klock if the two groups are currently working together and he responded that they are. Mrs. Groninger added that the two authorities will work out the details together, adding that Mr. Klock is on the Board. Mr. Klock questioned what would happen since the number of the representatives from each municipality is equal (5) if there would be a stalemate. Is there a way to back out of the merger? Mr. Brosius responded that the two groups would have to decide how to handle it. The groups would make up the rules and regulations. Mr. Klock asked if the groups could determine that part of the agreement would be that Point Township would buy in to their portion of the facility based on the valuation of the facility or is too late to negotiate this once the authority is formed. Mr. Brosius said that it could probably be negotiated, but the thing is that Point Township is not going to be the recipient of the assets, the recipient is going to be the joint authority. Point Township is not gaining any assets.

Mr. Sees asked if Mr. Brosius is saying that Point Township won't have half ownership of the plant without paying toward it. Mr. Brosius replied that the council doesn't own the assets, the Northumberland Sewer Authority owns the assets. The council is not dissolving the NSA at this time; they are just forming a new authority. At some future time, it could be dissolved, but it's not going to be dissolved first.

Mr. Sees asked at what time does the Point Township Sewer Authority and the Northumberland Sewer Authority put their assets together. Mr. Brosius responded that it would happen after the

joint authority is formed, if that's going to be the decision tonight, and then it would have to be the relationship between the two authorities to get that matter settled. The matter would be settled when the joint authority determines the bylaws and rules. The joint authority can be formed without dissolving the other two sewer authorities. The separate authorities would be dissolved at some point of time after the joint authority is working.

When the NSA was formed, the land was transferred from the Borough to the sewer authority. Mayor Zboray was on council at the time the sewer authority was formed. He said the reason was because the council did not have the time to manage the sewer plant in addition to the other business in the Borough. As a goodwill gesture, the land was conveyed to the authority. However, the Borough may take the land back whenever they want. Mayor Zboray said that that was the agreement at the time which he believes is on file at the courthouse.

Mr. Libby asked if there is any way that the council can make a motion to protect the property and land and guarantee that it would come back to the Borough.

Mayor Zboray read the following statement:

"Should this council vote in favor of the merger to create the North Point Sewer Authority, I would like to offer this suggestion. In order to lessen some of the Borough residents' objections to a sewer authority merger and protect Borough land for recreational purposes, I am requesting that a member of this council entertain a motion that reads:

"The Northumberland Borough council requests that all land conveyed to the Northumberland Sewer Authority be transferred back to the Borough. The current lease with the Northumberland Sewer Authority at a rate of \$1.00 per year would be cancelled. A new lease for built assets only would be created with a lease payment of \$50,000 per year payable to the Borough of Northumberland by the North Point Sewer Authority."

He said that the \$50,000 would go to the Borough General Fund to defray taxes for Borough residents and the Borough would not be giving up any land. As a resident and tax payer, Mayor Zboray said that he would not like to see the land go to anyone that would take the control from the council. Mr. Long said that the \$50,000 was something that the council has always wanted. He said that he has some questions. If the council chooses to move forward and do this, does council have to do something special such as rescind the previous motion, or can they just add this to the motion. Mayor Zboray said that the Borough would own the land and lease the building to the joint authority. One reason for the Borough owning the land is for grant purposes. The state wants to know that the property is owned by the grant applicant or that the applicant has a long-term lease for the property.

It was questioned why the Borough's solicitor wasn't at the meeting. Mr. Carl responded that he wasn't invited to the meeting since Mr. Brosius has offered to provide free service. Mr. Reed stated that he felt Mr. Tira should be present since he would have an unbiased opinion and he represents the Borough. He feels that Mr. Brosius represents the sewer authority. Mrs. Groninger stated that Mr. Tira has a schedule and cannot come at the drop of a hat.

Steve Cimino said that he is not against the merger but he doesn't feel that the council members are qualified to make a decision. He feels that the decision should be based on facts; not opinions. He feels that the borough solicitor should be involved because Mr. Brosius represents the authorities. He added that he has nothing against Mr. Brosius.

Mr. Carl asked at what point, involving what parties, would you feel satisfied that council members are qualified to make a vote. Mr. Cimino said that the solicitor should be here. Mr. Cimino said that the council didn't acquire any interest from the authority. Mr. Carl responded that at the last meeting it was said that the NSA isn't qualified to make the choice. Mr. Klock said that is why a study should be done by an engineer.

Mrs. Reed suggested that the council should gather more information before making a decision.

Mrs. Groninger said that a meeting was held at the 221 2nd Street building and the sewer authority members and anyone with questions were to come. She noted that no one had questions.

Ed Cope stated that the NSA is a management company that was formed because the Borough Council didn't want to manage it.

Mr. Carl asked what is the fear of Point Township being involved? Mr. Klock said that there is no fear; he feels that council should just determine if the sewer plant is worth anything. He added that he has emailed Bob Long to keep him in the loop. NSA has been working with Sunbury and is having a study to determine the valuation of the sewer plant, along with whether to build a new plant, upgrade the current plant, or build a pipe to Sunbury. Mr. Carl said that he is not saying that the plant is not worth anything; he thinks the value is in what the Mayor is saying.

Mr. Libby said that he appreciates the council's work and knows that they are trying to do what is in the best interest of the Borough. He said that if council had considered the Mayor's proposal before taking the vote on November 15th, they wouldn't be in this situation. He wishes the council would take their time and consider all the different aspects. He added that the Mayor's idea is a fantastic one. Mrs. Groninger said that the Mayor's idea is not a new idea. Mr. Carl added that Mr. Rees has always raised the issue of the \$50,000 that council has been receiving over the years. Mr. Libby said he was referring to the Mayor's proposal to protect the land for the Borough. Mr. Carl responded that that is the means to justify the continued \$50,000 payment to the Borough.

Mr. Brosius noted that if council is going to form the joint authority, then to not give them the property is like giving a chore to someone and tying their hands behind their backs. He said that the new authority would need the assets to obtain funding. The boro is not losing anything on their ability to get funded. Mr. Brosius explained that if the jointure would ever come apart, it is in the municipalities' code that the assets would revert back to the Borough.

Mr. Wetzel asked if a new authority is formed, could the new board members sell off the plant to a management company? Mr. Brosius responded absolutely not. It would be the same status between the Borough and the NSA that exists now. He mentioned that a company had approached the Borough several years ago about the possibility of purchasing the NSA. Mr. Carl added that no amount was offered because the company could not obtain the information that was needed from their secretary at the time.

Steve Cimino said that in the short conversation tonight, things have been brought up that no one has thought about. He questions how the council can vote on this tonight with these new

thoughts. He stressed again that he is not against the merger; he just wants things done right and time is what gets things done right.

Mr. Long responded that the council is empowering the two authorities to come together to create a new authority and determine what they need to do to make it work. The council is counting on the people from the NSA to sit together with Point Township's authority and work out the details.

Mr. Sees asked who the five representatives would be since Jack Fasold sits on both authorities. Mr. Long stated that Mr. Fasold would not be two people; someone else would be brought in. Mr. Brosius added that Mr. Fasold is willing to resign from the NSA. He would stay on the township authority. Mr. Sees asked if the current Articles of Incorporation for the North-Point Sewer Authority is what was sent to the state. Mr. Brosius responded in the affirmative, adding that those are the members who are currently on both boards. Mr. Sees responded that he would like to see a paper signed by Mr. Fasold saying that he will resign immediately.

Mr. Cope asked if Mrs. Groninger will recuse herself. He explained that under the ethics rules, since Mr. Brosius is her brother-in-law, and Mr. Long said that council is voting to create Articles of Incorporation which Mr. Brosius is going to draw up. Mr. Cope said that he talked to the superintendent of the plant and he said that Mr. Brosius is not in charge of the Articles of Incorporation and they are talking about a lot of legal work that will be done. Therefore, according to Mr. Cope, Mrs. Groninger must recuse herself in the vote because it will benefit a direct family member, being her sister. He added that otherwise, it is a felony ethics violation for her to vote to allow her brother-in-law to do legal work. Mr. Carl asked how Mr. Brosius benefits financially. Mr. Cope said that if Mrs. Groninger votes on it, he is filing a complaint on it. Mrs. Groninger stated that she is not recusing herself. Someone asked how it benefits Mr. Brosius if he is doing the work for free. Mr. Cope replied that he is not going to do the whole thing for free. According to the superintendent of the plant, Mr. Brosius is doing the Articles of Incorporation for free. There is going to be a lot of other legal work. That is just one step in creating all this stuff. He said that they couldn't tell him that there's going to be all this legal work, putting millions of dollars together and he's going to do it for free, and represent both Northumberland Sewer Authority and Point Township Sewer Authority. Mr. Brosius responded that each authority, on its own, has decided that he would be its solicitor. Mr. Cope said that he is going to get compensated. Mr. Brosius said that he is getting compensated now. Mr. Cope replied that therefore it is an ethics violation of his sister-in-law to vote on it, to give him the work. Mr. Brosius thanked him for his opinion. Mrs. Groninger asked if Mr. Cope really needs her vote so he can have some work on the sewer authority. She told Mr. Cope that he is despicable. He responded by saying look who's talking, adding that she is selling people out in a town she has lived in all her life.

Mrs. Reed said that she feels that everyone is missing the point. She thinks that things should slow down, that a couple of months won't make a big difference. She said that she is not against the merger, but wants council to obtain all the facts before they move forward.

Mr. Carl said that he personally feels that council has talked about the topic enough. If it's voted down, it's voted down. If it is voted up, it's voted up and will be up to the ten members to decide what to do with it. Mr. Sees said nine members. Mr. Carl said that if it is nine, the council will vote to appoint the tenth.

Mrs. Reed said that has not heard why this vote needs to happen tonight. Mr. Carl said that no one can say when the vote has to happen. Mrs. Reed responded that she does not feel that anyone is informed, including the sewer authority. Mr. Libby added including the Borough's solicitor. Mrs. Reed said that the council is now sure why he is not, adding that the council members are supposed to be representing the Borough and have their best interest and she is not sure the council is taking enough time to gather enough information and she's not sure why.

Mr. Carl said that he personally does not see this as a negative thing for the town, to merge these two authorities together.

Mr. Long made a motion that the resolution be filed for examination in the Borough office and the copies introduced to each council person be adopted by Borough Council. Mrs. Groninger seconded the motion. Roll call vote: Mr. Carl, Mrs. Groninger, Mr. Long and Mr. Orner voted aye; Mr. Reed and Mr. Wetzel voted nay. Motion passed 4-2.

Resolution H-2011 follows:

BOROUGH OF NORTHUMBERLAND
NORTHUMBERLAND COUNTY, PENNSYLVANIA

BE IT RESOLVED, and it is hereby Resolved by the Council of the Borough of Northumberland that:

1. Council intends to organize a joint municipal authority with Point Township to be known as the North-Point Sewer Authority for the purpose of acquiring, holding, constructing, improving, maintaining, operating, leasing either as lessor or lessee, or owning sewers, sewer systems or parts thereof, sewage treatment works, including works for treating and disposing of industrial wastes for the Borough of Northumberland and Point Township and for such other territory as it may be authorized to serve, pursuant to the provisions of the Municipality Authorities Act, 2001, June 19, P.L. 287, No. 22 § 1 (53 Pa.C.S.A. §5601 et seq.), and it is said Council's intention that the Northumberland Sewer Authority grant and convey to the North-Point Sewer Authority all assets being utilized by or available for use by the Northumberland Sewer Authority in the operation of its sewer system together with all rights and privileges associated therewith, and to assign to said the North-Point Sewer Authority all obligations incurred by the Northumberland Sewer Authority in the operation of its sewer system and have the North-Point Sewer Authority accept said assets and assume said obligations.

2. The President of Council and the Secretary of the Borough are authorized and directed to execute the Articles of Incorporation of the North-Point Sewer Authority, a copy of which is attached hereto.

3. The proper officers of the Borough are directed to cause notice of this Resolution to be published at least one time in the Northumberland Legal Journal and at least one time in a newspaper published and in general circulation in Northumberland County, in accordance with the aforesaid Municipality Authorities Act, and to perform all other acts and things necessary to effect the organization of North-Point Sewer Authority, including but not limited to, the filing of the Articles of Incorporation with the Secretary of the Commonwealth of Pennsylvania.

ADOPTED as a Resolution of the Council of the Borough of Northumberland, Northumberland County, Pennsylvania this 28th day of November, 2011.

Janice R. Bowman
Secretary

Gregory D. Carl
President of Council

This is a true and correct copy of the Resolution to be considered and voted upon by the Northumberland Borough Council on November 28, 2011.

Janice R. Bowman
Northumberland Borough Secretary

Mayor Zboray asked if council would entertain his motion. Mr. Wetzel made a motion that the Northumberland Borough council requests that all land conveyed to the Northumberland Sewer Authority be transferred back to the Borough. The current lease with the Northumberland Sewer Authority at a rate of \$1.00 per year would be cancelled. A new lease for built assets only would be created with a lease payment of \$50,000 per year payable to the Borough of Northumberland by the North Point Sewer Authority. Mr. Reed seconded the motion. The motion was passed with a vote of 5-1 with Mrs. Groninger casting the dissenting vote.

Mr. Carl adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Janice R. Bowman

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
December 6, 2011

President Gregory Carl 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, Judith Groninger, Robert Long, James Orner, Stephen Reed, Jonathan Rees, 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.

The six visitors present introduced themselves.

Public Comment

Mr. Gary Click, a resident of 713 Queen Street, informed the council that his neighbor at 715 Queen Street has between one and two dozen cats. He stated that something needs to be done to establish an ordinance to prohibit cats. Mr. Click had resided in Selinsgrove and he said that Selinsgrove has an ordinance that addresses cats. He also stated that his neighbors have garbage bags in back and garbage is scattered around the property. Mr. Tira advised that if the neighbor states the cats are strays, the Borough could contact a shelter and have the cats removed. He also said that the SPCA could be contacted if there is a health issue. Mr. Long and Mr. Wetzel stated that the Rules Committee had considered adopting an ordinance regarding cats; but did not come up with an enforceable solution. Mr. Long explained that the committee could not come up with a place to take the animals or who to designate as the responsible official. Selinsgrove will be contacted for a copy of their ordinance. The code officer will look into the garbage complaint.

Mayor's Report

- Mayor Zboray reported that Chief Fink has compiled a list of street signs that are fading or missing and need to be replaced.
- Mayor Zboray thanked Ann Roll, her committee and all of the volunteers who helped decorate the gazebo and the park. He also thanked Tom Slodysko and the street department for installing the decorations and Santa's House.
- Mayor Zboray attended a ribbon-cutting ceremony for the Susquehanna Flower Company located on Duke Street.
- He also attended an Eagle Scout Award Ceremony for Adam Leister and presented him with a Certificate of Congratulations from the Borough.
- Mayor Zboray attended the arrival of Santa on November 28th and thanked the Sunbury City Band and the volunteers who worked to make this a successful event.

- A representative from the Ford Motor Company contacted Mayor Zboray about the paint peeling on the roof of the 2006 Crown Victoria cruiser, in response to a letter he sent to them earlier in the month. Even though the vehicle is out of warranty, the company is honoring the warranty so the cost to the Borough for the repair will be the \$250 deductible which may be taken from the Parking Meter fund. The original quote was \$1,249.
- Mayor Zboray met with the Senior Action Center Board at their request to discuss parking issues, especially the “no parking” on Mondays and Tuesdays. Mayor Zboray is working on a solution.
- Mayor Zboray helped to lay wreaths at the Riverview Cemetery for “Wreaths for Warriors” on December 4th. He thanked all who donated their time to come to the cemetery to help, including the American Legion, the Fire Department, and the Boy Scouts, noting that they had a great turnout.
- The police continue to make extra patrols throughout the day to enforce the “no parking” ordinance on the borough streets.
- Mayor Zboray and Chief Fink collected the meter money.
- Mayor Zboray noted issues with the camera at the Duke and Water Street traffic light during the night hours when the volume of traffic is light. The light is not changing when someone is in the turning lane.
- Mayor Zboray read a letter from Gregory Shaffer, complimenting the professional manner in which Officer Kevin Rushton handled an accident on Prince Street.

Street Supervisor’s Report

- Mr. Slodysko reported that the leaf picking is concluded for this season. The leaf picker has been put away for the winter.
- The crew is crack sealing the streets. He noted that the heavy trucks are destroying Hanover Street and Fifth Street. The weight of the trucks is cracking the asphalt.
- The Borough trucks are undergoing repairs. The ’04 truck will be returned tomorrow and the ’06 truck is scheduled to go into the shop.
- The lights downtown are being repaired. The photo cells are being replaced.
- The 1997 truck that the Borough had been bidding on was sold at approximately \$49,000, including the buyer’s fee. Mr. Slodysko has not yet located another truck to purchase but will keep looking.

Code Enforcement Officer’s Report

Mr. Ruane reported on the activity of the Code Enforcement Office for the month of November.

Northumberland Sewer Authority Report

Mr. Orner reported that at the November 28th meeting, they retained Josh Sheraton as attorney to help negotiate the amount owed to the IRS. The Authority is discussing whether to base the sewer bills on water usage instead of the flat fee. They are also sending out proposals to engineers and solicitors. Mr. Orner stated that he then left the meeting.

Mr. Adam Klock reported that a budget meeting was held last evening and the rates for 2012 were increased to \$400 per year, an increase of \$1 per week. The increase is to save toward the capital project that will be undertaken in the future. A feasibility study is being conducted to determine the best plan of action for the upgrades. It was determined that the sewer lines throughout the Borough are carrying Inflow and Infiltration (I & I). The Authority will address the repairs to the infrastructure in the Borough.

Mr. Klock received a letter from Mr. Troxell and Mr. Fasold to hold a special meeting on December 8th at 5:00 p.m. to review three resolutions. Mr. Klock stated that one resolution was to transfer land at the Point, outside the fenced in area, to the Borough. Another was to transfer the remaining land and assets from the NSA to the North-Point Sewer Authority. The third was to address the \$50,000 payment to the Borough. Mr. Klock stated that he thought that the transfer would not be completed until after the joint authority was formed and all issues resolved. He said that the new authority hasn't had a single meeting. Mr. Klock said that he has advertised a meeting date change to December 16th at 4:30 p.m. at the Sewer Authority, noting that he has not seen the resolutions and he feels that a vote on December 8th would be premature. Mr. Wetzel responded that when the council voted to move ahead with a joint authority, he thought that none of this would take place for quite a while. He added that council was assured that the negotiations would move slowly and everything would be discussed. Mr. Long suggested obtaining copies of the resolutions to see exactly what they say.

Mr. Sees asked Mr. Tira who holds the power to transfer the assets. Mr. Tira stated that the Sewer Authority holds the power to transfer the assets; however, the Borough Council does have the power to dissolve the Sewer Authority and recover the assets.

Mr. Zboray noted that a copy of the agreement that was approved at the last meeting was received this afternoon from Attorney Brosius. This copy includes a clause that provides for the Borough to receive \$50,000 a year from the North-Point Sewer Authority but does not provide for the Borough to retain ownership of the land as voted on by the Borough Council at the November 15th meeting. The original resolution that the council voted on authorized the transfer of the assets to the North-Point Sewer Authority, but another motion had stipulated that the land and built assets be transferred back to the Borough.

Questions arose about advertising requirements for resolutions and meeting dates. Mr. Klock stated that he was not included in conversations about the resolutions and does not think that this is what council intended to happen. Mr. Carl said that it is up to the Sewer Authority members to make these choices. Mr. Wetzel disagreed and asked what can be done tonight to stop any transfer of assets. Mr. Tira advised that the Sewer Authority controls their assets. Mr. Wetzel had questions about the possibility of dissolving the Sewer Authority. Mr. Tira responded that if the council dissolves the Authority, the council would assume all the assets and liabilities.

Mr. Sees asked if Jack Fasold, as an employee of the Point Township Sewer Authority, has the ability to act as a member of the Northumberland Sewer Authority to transfer assets to the North-Point Sewer Authority. Mr. Tira said that if there is no effect on Mr. Fasold's wages, it would not be a conflict. Mr. Sees asked if Mr. Tira was asked to attend the meeting on November 28th. He responded that he was not.

Emergency Services Board Report

Mr. Troup reported that Steve Cimino, the Chairman of the Board, has resigned. He had been the representative from the Hookies. They do have one person who is interested and his name will be presented to the company at the next meeting. There are two at-large vacancies on the Board and no applicants.

Committee Reports

Community Development

Mr. Carl reported that the committee would meet on December 12th at 7:00 p.m.

Finance

Mr. Rees moved to adopt the 2012 budget. It had passed the Finance Committee with a 2-1 vote. Mr. Rees had voted no because he feels the increase in the tax for streets is too high. He noted that the increase without the additional two mills for streets would be .7 mills. He also said that the greatest increase in costs is due to the health insurance increase. Mr. Long seconded the motion. Mr. Klock asked about an increase in the recycling income. He was informed that state money was received for a performance grant. This income is not budgeted because it is not guaranteed and varies depending on the amount of state funding available, the number of applicants, and the amount of recyclables collected. Mr. Sees asked about the increase in the health insurance budget for the office. He was informed that the Borough Secretary is now taking the insurance and is contributing 7% of the premium. Mr. Rees explained that both the Borough Secretary and Street Supervisor contribute toward the premiums. Council voted 6-1 to approve the 2012 budget with Mr. Rees casting the negative vote. This was the 1st reading of the budget. The second reading will be on December 20th.

Personnel

Mrs. Groninger stated that a personnel issue will be discussed in the Executive Session. Mrs. Groninger asked Mr. Slodysko if there is an injured laborer. Mr. Slodysko replied that everyone is working; however, Mr. Snyder broke his finger while on vacation. He is still able to work.

Public Safety

Mr. Wetzel cancelled the December 20, 2011 meeting.

Rules

Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to adopt Ordinance 2011-4 as follows:

ORDINANCE 2011-4

AN ORDINANCE TO AMEND THE BOROUGH CODE OF NORTHUMBERLAND BOROUGH, NORTHUMBERLAND COUNTY, PENNSYLVANIA, TO PROHIBIT PARKING ON ORANGE STREET AT 5TH STREET A DISTANCE OF 45 FEET FROM THE STOP SIGN AND TO PROHIBIT PARKING ON THE INNER SIDE OF SIDE OF ELLIOTT DRIVE

Whereas, the Borough Council finds that the safety and well-being of the public is promoted by safe traffic conditions within the Borough of Northumberland, and finds that fire trucks have difficulty making a safe right turn onto Orange Street heading east from 5th Street. Orange Street is a major fire truck route to emergencies on the east side of town. The largest fire truck of the Northumberland Hook and Ladder Company is the ladder truck which measures 41.5 feet long and 8 feet wide. The width of Orange Street currently is 32 feet.

Whereas, the Borough Council determines that the distance where parking is to be prohibited on the north side of Orange Street should be 45 feet from the stop sign at the Orange and 5th Street intersection.

Whereas, the Borough Council finds that the street width on Elliott Drive is such that, if vehicles are parked along both curb faces, two vehicles cannot move abreast of one another in the same or opposite direction without one yielding to allow the other vehicle to pass. The Borough Council finds that the distance between the center of the roadway and the curb of the roadway is less than 18 feet.

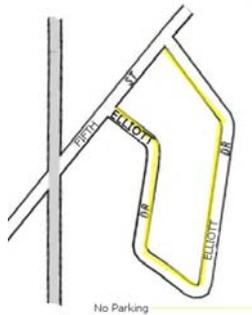
Whereas, Elliott Drive intersects 5th Street at two points. These two intersections are the end points of Elliott Drive. The Borough Council determines that the parking shall be prohibited on the inner side of Elliott Drive for the length of Elliott Drive from the south intersection with 5th Street to north intersection with 5th Street and shall be posted with a sign that reads "No Parking This Side of Street".

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, as follows:

Article 1

The Code of Ordinances of the Borough of Northumberland, Chapter 58, shall be amended by adding the following to Section 58-29 A:

<u>Highway</u>	<u>Side</u>	<u>Location</u>
Orange Street	North	45 feet from stop sign at 5 th St.
Elliott Drive	North	From 5 th St. (south intersection) to Jacobs Lane
Elliott Drive	South	From 5 th St. (north intersection) to Jacobs Lane



Article 2

Savings Clause. All other sections of Chapter 58 shall remain in full force and effect as previously enacted and amended.

Article 3

Effective Date. This Ordinance shall be effective in thirty days from enactment.

Duly Enacted and Ordained this _____ day of _____, 2011 by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: _____
Janice Bowman, Secretary

By: _____
Gregory Carl, President Council

[BOROUGH SEAL]

APPROVED this _____ day of _____, 2011.

By: _____
Leonard Zboray, Mayor

Mr. Long moved and Mr. Wetzel seconded a motion to adopt Ordinance 2011-5 which establishes parking permits for metered areas of the Borough and parking signs for businesses in non-metered areas of the Borough. Discussion ensued. Council voted 6-1 to approve the ordinance with Mrs. Groninger casting the negative vote. The ordinance is as follows:

ORDINANCE 2011-5

AN ORDINANCE TO AMEND CHAPTER 58 SECTIONS 58-5 "DEPOSIT OF COINS AND PARKING PERMITS" AND 58-30.1 "PARKING RESTRICTED BETWEEN CERTAIN BUSINESS HOURS TO CUSTOMERS OF BUSINESS" OF THE BOROUGH OF NORTHUMBERLAND'S (THE "BOROUGH") CODE

WHEREAS, the Borough Council of Northumberland Borough, Northumberland County, Pennsylvania ("Borough Council") has determined that it is in the best interest and welfare of its residents to modify the parking regulations in its business districts; and

WHEREAS, the Borough Council has determined that a hardship related to parking exists for businesses and those who reside in business districts within the Borough; and

WHEREAS, in order to alleviate the hardship experienced by business owners and residents of the business districts of the Borough, Borough Council has determined to make permits for parking in designated metered spots in these areas available to such businesses and residents; and

WHEREAS, to further alleviate the hardship experienced by business owners and residents of the business districts of the Borough, Borough Council has determined to designate parking spots near businesses for use during business hours solely by the customers while doing business with the designated business; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, as follows:

Article 1.

The Code of Ordinance of the Borough of Northumberland, Chapter 58, shall be amended by adding subsection b.) to Section 58-5 as follows:

§58-5 Deposit of Coins and Parking Permits.

- a.) When any vehicle shall be parked during the time of limited parking in any space adjacent to which a parking meter is located, the owner or operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited, "U.S. legal tender" in such parking meter and operate the meter in accordance with the instructions thereon, and failure to do so shall constitute a violation of this Article. Upon the deposit of "U.S. legal tender" and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the particular amount deposited, to wit: thirty (30) minutes of parking for one nickel, one (1) hour of parking for one dime, and two (2) hours parking per quarter. If such vehicle shall remain parked in any such parking space for such a length of time that the meter shall indicate by a proper signal that the lawful time has expired, such vehicle shall be considered as parking overtime, and the parking of a vehicle overtime shall be considered a violation of this Article.
- b.) In lieu of depositing U.S. legal tender into a parking meter as stated in paragraph "a" above, a vehicle may be parked in a metered parking space with a permit purchased from the Borough. Permits can be purchased and used in accordance with the following provisions:
 1. The Borough offers two classes of parking permits: 1) Business and 2)

Residential. A business located on a block that has designated parking meters is eligible to purchase a Business Parking Permit. Each such business is eligible to purchase a maximum of two (2) parking permits per month. Residents living on a block that has designated parking meters are eligible to purchase a maximum of one (1) parking permit per household per month. The initial price for a permit is \$20.00 per month. Borough Council may, from time to time, change the rate of the permit by resolution.

2. *The permits shall be available for purchase at the Borough Office. The applicant for a permit shall submit all information requested by the Borough, including but not limited to name of applicant, address and a signed statement that the permit shall be used in accordance with this Ordinance. The applicant shall be reviewed by the Borough Office to verify the eligibility of the applicant. If the Borough Office determines the applicant is eligible, a permit shall be issued within five (5) days. If eligibility cannot be verified by the Borough Office, the permit shall be denied. An applicant may appeal such denial to the Borough Council solely on the basis that they meet the eligibility requirements.*
3. *A Business Permit shall have the month and year of the permit and the name of the business. The Residential Permit shall list the month and the year of the permit and the permit holder's street address. Permits must be hung on the rearview mirror of the vehicle in plain view.*
4. *A Business Permit can be used by a permit holder's employee or customer. The permits are not transferable to any other business or person.*
5. *A Residential Permit can be used by anyone living in or visiting the permit holder's household.*
6. *A Residential Permit can only be used on meters designated by the Borough with an "R". A residential permit shall not be valid for a meter not designated with an "R".*
7. *Permits do not absolve the user of any other parking regulations such as no parking on certain days, snow emergencies, etc. that may be contained in any other Borough ordinance, state or federal law or regulation.*
8. *Permits may be purchased in advance and shall be in force from the first of the month to the last day of the applicable month. If a permit is purchased for a current month, the permit is valid upon issuance by the Borough and expires on the last day of that month. The cost of a permit shall not be pro-rated due to it applying for a permit for only part of a month.*
9. *The permits do NOT guarantee parking in any particular parking space of the metered areas of the downtown. Parking is on a first come, first served basis and parking may not always be available for all permit holders.*
10. *Any business or resident in violation of the rules of the permit shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.*

Article 2.

The Code of Ordinance of the Borough of Northumberland, Chapter 58, shall be amended by adding as a new Section 58.301.1 as follows:

§58.30.1 Parking Restricted Between Certain Business Hours to Customers of a Business

Parking is hereby restricted in areas designated by Borough Council during business hours to customers of the designated businesses in accordance with the following provisions:

1. Any business, located in a commercially zoned district, may request to have a sign posted in front of their business restricting parking to their customers during their business hours.
2. To qualify for restricted parking, a business must demonstrate that the business does not have off-street parking available for its business. If a business can demonstrate that it has no off-street parking, the Borough shall approve up to two (2) parking spaces to be restricted for the use of the business customers during normal business hours. A business must request a set, continuous period of time, not to exceed a maximum of ten (10) hours, to be considered their normal business hours.
3. If approved, the business must purchase a sign through the Borough Street Department Supervisor designating the name of the business and the established business hours. The business shall be required to pay for the sign.
4. The Borough shall install all approved signs according to federal, state and Borough regulations.
5. The Borough shall paint lines designating the restricted parking spaces. The business shall be responsible for the cost of painting the lines.
6. Individuals may only park in the restricted parking spaces during the designated business hours while patronizing the designated business. An individual must remove their vehicle from the restricted parking space within fifteen (15) minutes of leaving the designated business.
7. All other applicable provisions of Chapter 58 still apply for the restricted parking spaces. Any individual in violation of this section shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.

Article 3.

Savings Clause. All other sections of Chapter 58 shall remain in full force and effect as previously enacted and amended.

Article 4.

Effective Date. This Ordinance shall be effective in thirty (30) days from enactment.

Duly Enacted and Ordained this _____ day of _____, 2011 by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: _____
Janice Bowman, Secretary

By: _____
Gregory Carl, President Council

[BOROUGH SEAL]

APPROVED this _____ day of _____, 2011.

By: _____
Leonard Zboray, Mayor

Mr. Long moved and Mr. Carl seconded a motion to approve an agreement with the Central Susquehanna Council of Government to establish a joint appeals board. This is for a one year agreement. Discussion ensued. Council voted 4-3 to approve the ordinance. Mr. Rees, Mr. Carl, Mrs. Groninger and Mr. Long voted aye; Mr. Reed, Mr. Wetzel, and Mr. Orner voted nay. The ordinance is as follows:

ORDINANCE NO. 2011- 6

AN ORDINANCE OF THE BOROUGH OF NORTHUMBERLAND, COUNTY OF NORTHUMBERLAND, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR APPEALS PURSUANT TO THE UNIFORM CONSTRUCTION CODE, 35 P.S. §§7210, ET SEQ., DELEGATING CERTAIN OF THE BOROUGH'S POWERS AND DUTIES TO THE CENTRAL SUSQUEHANNA COUNCIL OF GOVERNMENTS, ADOPTING CERTAIN POLICIES AND PROCEDURES PERTAINING TO APPEALS, APPROVING EXECUTION OF AN INTER-GOVERNMENTAL AGREEMENT WITH PARTICIPATING MEMBER MUNICIPALITIES, AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the Borough Northumberland, County of Northumberland, Commonwealth of Pennsylvania opted for local administration and enforcement of the Pennsylvania Uniform Construction Code, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103 ("UCC"); and

WHEREAS, the UCC permits the Borough to join with other municipalities to establish a joint appeals board, comprised of interested and qualified individuals, to serve the member municipalities (35 P.S. §7210.501(b)(3) and 34 Pa. Code 403.121(d)); and

WHEREAS, the UCC contains guidelines and criteria for establishment of an appeals board and the qualifications for membership on an appeals board (35 P.S. §7210.501(c) and 34 Pa. Code 403.121(a)-(g)); and

WHEREAS, the UCC mandates an applicant's right to seek a variance or extension of time or to appeal to the building code official's decision by filing a petition to a board of appeals (35 P.S. §7210.501(c) and 34 Pa. Code 403.122)).

THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, as follows:

1. The Borough of Northumberland hereby enters into an intergovernmental agreement (see attached) with member municipalities of the Central Susquehanna Council of Governments for the sole purpose of providing a means of appeal pursuant to the UCC.
2. The Borough hereby adopts the operating procedures and policies set forth by the Central Susquehanna Council of Governments intergovernmental agreements, resolutions and by laws, as amended, with regard to UCC appeals.
3. Administrative and enforcement activities in connection with the UCC shall remain under the authority of the Borough.
4. The Borough hereby delegates its duties and responsibilities pertaining to UCC appeals to the Central Susquehanna Council of Governments. Appeals to the Borough pursuant to the UCC shall be forwarded to the Central Susquehanna Council of Governments Appeals Board in a timely manner for appropriate hearing and action.
5. Filing fees for such appeals shall be set by the established Central Susquehanna Council of Governments fee schedule resolution. The fee schedule is subject to amendment as determined by the Central Susquehanna Council of Governments.
6. The Central Susquehanna Council of Governments UCC Appeals Board shall have sole jurisdiction in matters of appeal to the Borough pertaining to administration and enforcement of the UCC. All other appeals shall remain under the authority of their respective appeals boards.
7. By entering into this Intergovernmental Agreement with member municipalities of the Central Susquehanna Council of Governments, the Borough hereby dissolves any previously established or implied UCC Appeals Board.
8. All inconsistent Ordinances or parts thereof are hereby repealed.

DULY ENACTED AND ORDAINED this _____ day of _____, 2011, by Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By _____
Borough Secretary

By: _____
Council President

APPROVED this _____ day of _____, 2011.

By: _____
Mayor

Mr. Long announced that the December 27th committee meeting is cancelled.

Streets

Mr. Reed noted that the Walberg's driveway is being done. Mr. Slodysko added that the driveway is being completed as discussed. Mr. Reed stated that there would be no committee meeting on December 13th. The streets to be paved in 2012 were discussed at the last meeting.

Mr. Carl announced that the Community Development meeting would also be cancelled for the month of December.

Old Business

1. Mayor Zboray announced that the Shikellamy School Board has approved the lease agreement for the C.W. Rice tennis courts. Mr. Long moved, and Mr. Reed seconded a motion to approve the lease agreement at a cost of \$1.00 per year. Council voted unanimously to enter into the agreement.
2. The following applications have been received for the various committee vacancies:
 - Emergency Services Board – no applicants
 - Planning Commission

Applications were received from Judyann Schmidt and Margaret Weirick. Ms. Weirick is currently a member with a term expiring on December 2012. Ms. Schmidt is currently a member of the Planning Commission with her term expiring at the end of this year. Mr. Long moved and Mrs. Groninger seconded the motion to appoint Judyann Schmidt to the Planning Commission for the term ending December 2015. Mr. Carl noted that Ms. Schmidt has also volunteered to serve on the Zoning Hearing Board and that a member of the Zoning Hearing Board may not serve on any other committee. Roll call vote was unanimous to appoint Ms. Schmidt to the Planning Commission.
 - Shade Tree Commission

Applications were received from Judyann Schmidt and Margaret Weirick. Ms. Weirick's term expires the end of December. Mrs. Groninger moved, and Mr. Carl seconded the motion to appoint Margaret Weirick to the Shade Tree Commission. The new term would expire on December 31, 2014. Council voted unanimously to approve the appointment.
 - Zoning Hearing Board

Applications were received from Richard Hort, Judyann Schmidt, and Joseph West. Mr. Carl noted that since Ms. Schmidt was appointed to the Planning Commission, she is not eligible to serve on the Zoning Hearing Board. Mr. Hort is currently a member of the Zoning Hearing Board. His term expires at the end of December.

Upon motion by Mr. Wetzel, seconded by Mrs. Groninger, council voted 6-1 to re-appoint Richard Hort to the Zoning Hearing Board. Mr. Long cast the dissenting vote, explaining that he was interested in appointing Mr. Hort to the Northumberland Sewer Authority.

- Northumberland Sewer Authority

One vacancy exists on the authority. Mrs. Groninger appointed Don Troxell to the vacancy. Mr. Rees seconded the motion. Mr. Carl stated that the other applicants are Judyann Schmidt, Robert Stahl, Joseph West and Richard Hort. Mr. Hort may not be appointed since he is on the Zoning Hearing Board. Mr. Wetzel nominated Joseph West. Mr. Rees seconded the motion. Mr. Long, Mr. Orner and Mr. Wetzel voted to appoint Mr. West; Mr. Reed, Mr. Rees, Mr. Carl and Mrs. Groninger voted to appoint Mr. Troxell. Mr. Troxell was appointed to the 5-year term.

- Northumberland County Tax Collection Committee

Mr. William Roll had served as the Borough's representative. He is not interested in continuing on the committee. Mr. Tira advised that someone must be appointed to the committee. A court hearing is set for this Thursday because one faction of the committee has filed a lawsuit regarding the way the vote is conducted; claiming the vote should be a weighted vote. This group is in favor of appointing a company that did not present the lowest proposal

Mr. Ty Sees volunteered to serve as the Borough's representative. Upon motion by Mr. Long, seconded by Mrs. Groninger, council voted to appoint Mr. Sees. The Borough Secretary was asked to remain as an alternate. The motion was revised to include the alternate. Council voted unanimously to approve.

3. Mayor Zboray announced that a fund raiser for the Fire Police is planned at Hoss's on December 15th. Coupons are available at the Borough Office and online.

New Business

1. Mr. Long moved to approve payment of the bills. Mr. Reed seconded the motion. Discussion ensued.

Mr. Long left the meeting at 8:21 p.m. Mr. Tira advised that a new motion be made.

Mr. Rees moved to approve payment of the bills. Mr. Carl seconded the motion. Mr. Slodysko requested that the following bills not be paid: Bradco Supply Co. for \$299.67; Rovendale Ag & Barn, Inc. for \$183.49; and Sunbury Motor Company for \$450.49.

Mr. Long returned at 8:25 p.m.

Council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$25,096.92; 2nd Street Community and Municipal Center bills total \$1,307.82; Liberty Splashland bills total \$1,489.11; and Park & Recreation Fund bills total \$175.30.

2. Upon motion by Mr. Long, seconded by Mr. Carl, council voted unanimously to transfer \$4,000 from the General Fund to the Fire Apparatus Fund. This was a budgeted item.
3. Upon motion by Mr. Rees, seconded by Mr. Long, council voted unanimously to purchase cellular shades for the Borough Office and Code Office. There is money remaining in the 2nd Street maintenance and repairs line item of the 2011 budget.
4. Upon motion by Mr. Long, seconded by Mr. Long, council approved 6-1 to advertise Ordinance 2011-7, the Tax Levy Ordinance for 2012. The millage rates in this ordinance are based on the proposed 2012 budget. Mr. Rees cast the dissenting vote.

5. Mr. Reed stated that he would not be present for the first meeting in 2012. He asked if it is legal for him to participate by telephone or internet. Mr. Tira replied that it is.
6. A letter was received from the #1's requesting that council approve giving them the money in the Fire Apparatus Fund toward the down payment of their truck. The fire company also requested that the Borough supply a letter of support to the bank. Mr. Tira stated that the council needs to know what the bank wants because if they are looking for a guarantee of the monies, certain steps must be taken to comply with state rules. Filings with DCED because of the local debt unit act may be required. Mr. Rees stated that when the plan was developed for truck purchases, the agreement with the Emergency Services Board was that the council wouldn't commit any future council to pay for loan payments. The plan was to purchase a new pumper truck in 2013. The 2012 budget includes \$30,000 for apparatus replacement. Mrs. Groninger moved to give the #1's the money in the Fire Apparatus Fund toward the down payment of their new truck. Mr. Rees seconded the motion. Council voted unanimously to approve the motion.
7. Mrs. Groninger noted that volunteers are needed to serve on the Emergency Services Board. Mr. Troup stated that he feels that council needs to look at the requirements for the board members, noting that by limiting the members at large from being members of either company, there are many people who are social members of the companies who may not be appointed.

Mr. Carl adjourned the meeting for an Executive Session at 8:38 p.m. to discuss a personnel issue. He stated that the meeting would probably be reconvened.

Mr. Carl left the meeting at 9:04 p.m.

The meeting was reconvened at 9: 08 p.m. by Vice President Rees.

Mr. Long moved to begin the Civil Service process. Mr. Reed seconded the motion. Council voted unanimously to approve.

Mr. Rees moved to give Tom Slodysko a 50¢ per hour raise, retroactive to the beginning of 2011. The money is in the budget. Mr. Long seconded the motion. Council voted 4-2 to approve the motion with Mr. Wetzel and Mr. Orner dissented.

Mr. Troup asked why Mr. Wetzel couldn't make a motion to hold up on the articles of incorporation of the North-Point Sewer Authority until there is further investigation by the Northumberland Sewer Authority. Mr. Tira replied that the council does not dictate to the Sewer Authority the actions to take. One of the things council may do is dissolve the authority. If there are outstanding debt allegations, the council would dictate the authority to satisfy the debt or transfer it over so the municipality may take it over. He said that the joint authority could still be formed. Mr. Klock stated that he sees the NSA voting to transfer the assets to the new authority. He recommended that the Borough protect its assets. Mrs. Groninger asked if he wants the council to dissolve the Northumberland Sewer Authority. He replied that if that is the only way to protect the assets to prevent this from being railroaded through and losing our assets before anything is agreed upon which is what was portrayed to them, that the merger negotiation would happen before assets were transferred. Mr. Long asked if anyone had seen the documents that Mr. Klock was speaking about.

Mr. Tira stated that the council cannot dictate what the NSA does because they are an independent board. Mr. Tira said that the council could vote to have the NSA take the necessary steps to retire the debt and transfer the assets back to the borough. Mr. Zboray stated that Mr. Brosius does not have anything in the resolution about the land at the Point coming back to the Borough as passed by the Borough Council at the November 28th meeting. Mayor Zboray added that he spoke to Mr. Brosius and told him that the resolution was not written correctly. Mr. Klock stated that he is not against the merger. He said that there are no terms to consider and everything will be gone before they have terms to consider. Mr. Tira said that the NSA needs to know what they need to accomplish with the plant.

Mr. Tira reviewed the motions that were made at the November 28, 2011 council meeting. The first motion was to authorize the NSA to transfer its assets and liabilities to North-Point. The second motion was to transfer the land with the plant back to the Borough. He said that the motions are inconsistent. Mrs. Groninger stated that Mr. Brosius had the sewer authority won't be able to do anything without the land. Mayor Zboray said he met with Mr. Brosius the next day and he clarified the motion and said that the council could do that, but every time the sewer authority would do something to the sewer plant, they would have to come to the Borough Council. Mayor Zboray said that he didn't see an issue with that.

Mr. Wetzel said that he would like to rescind the resolution. Mr. Tira advised that the council could pass a resolution taking away the authorization from the sewer authority to transfer the assets to North-Point; keeping intact the rest of the resolution saying that the Borough is forming the North-Point Sewer Authority, and clarifying that it was the intention of the council to have the assets eventually transferred back to the Borough. He explained that council has already authorized the forming of the North-Point Sewer Authority.

Mr. Wetzel moved to take away the Northumberland Sewer Authority's power to transfer any assets to the North-Point Sewer Authority because the Borough Council's intent was to have the assets transferred to the Borough. Mr. Rees seconded the motion. Mr. Rees noted that by securing the assets, the Borough has a reason to receive \$50,000 each year from the authority. Mr. Tira stated that the council is not taking away the joint authority. They are taking the assets back and will eventually either transfer them over to North-Point when the agreement is fully worked out or lease it to them when council comes up with some terms. Mr. Rees stated that he feels the Borough should always have four seats on the joint authority every year and the Township should have three seats. The resolution is I-2011. The council voted 4-2 to approve the resolution with Mrs. Groninger and Mr. Long casting the dissenting votes. Resolution I-2011 is as follows:

RESOLUTION NO. I – 2011

***WHEREAS**, on November 28, 2011, the Council of the Borough of Northumberland ("Borough Council") passed a resolution to organize a joint municipal authority with Point Township to be known as the North Point Sewer Authority for the purpose of operating a sewer system within the Borough of Northumberland (the "Borough") and Point Township; and*

***WHEREAS**, as part of said resolution, the Borough Council authorized the Northumberland Sewer Authority to convey its assets and liabilities to the North Point Sewer Authority; and*

***WHEREAS**, the Borough Council also passed a second resolution directing the Northumberland Sewer Authority to transfer all of its assets back to the Borough; and*

***WHEREAS**, the two resolutions passed by the Borough Council on November 28, 2011 were conflicting in that they directed the Northumberland Sewer Authority to transfer its assets and liabilities to both the North Point Sewer Authority and to the Borough; and*

***WHEREAS**, the Borough Council desires to correct the conflict between these two resolutions; and*

WHEREAS, Borough Council has resolved to correct the conflict of these two resolutions by rescinding the authority of the Northumberland Sewer Authority to transfer its assets and liabilities to the North Point Sewer Authority and reaffirming its directive to the Northumberland Sewer Authority to transfer the sewer treatment plant and associated real estate back to the Borough; and

WHEREAS, Borough Council reaffirmed its intent to organize the joint municipal authority between Point Township and the Borough known as North Point Sewer Authority; and

NOW, THEREFORE, BE IT RESOLVED, this 6th day of December 2011 as follows:

The Northumberland Borough Council hereby rescinds the authority it granted to the Northumberland Sewer Authority to transfer its assets and liabilities to the North Point Sewer Authority. Further, the Northumberland Borough Council reaffirms its directive to the Northumberland Sewer Authority to transfer its assets back to the Borough and to take all steps necessary to consummate this directive.

ADOPTED as a resolution of the Council of the Borough of Northumberland, Northumberland County, Pennsylvania, this 6th day of December 2011.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: _____

By: _____

Borough Secretary

Council President

Mr. Reed moved to adjourn the meeting. Mr. Rees adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
December 20, 2011

President Gregory Carl 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, Robert Long, James Orner, Stephen Reed, Jonathan Rees, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Timothy Fink, Police Chief; Paul Ruane, Code Enforcement Officer; and Janice Bowman, Borough Secretary. Council member Judith Groninger was absent.

Public Comment

Three members of the public introduced themselves. No public comment was offered.

Council Meeting Minutes

Mr. Long moved to approve the meeting minutes of November 1, 2011. Mr. Wetzel seconded the motion. Council approved unanimously.

Upon motion by Mr. Long, seconded by Mr. Reed, council voted 4-0-2 to approve the meeting minutes of November 15, 2011. Mr. Rees and Mr. Wetzel abstained.

Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted 6-0-1 to approve the meeting minutes of November 28, 2011. Mr. Rees abstained.

Mayor's Report

Mayor Zboray reported that nine gingerbread and trees that covered the parking meters are missing; two were broken and one was left outside the Borough Office.

Mayor Zboray informed the council that pictures were taken for the police calendar, which will be coming out soon.

Chief Fink will be working with Point Township Chief VanKirk to present the DARE program at the Priestley Elementary School. Point Township will pay for all the supplies and shirts.

The contract for the tennis courts at the C.W. Rice Building was sent to the Shikellamy District office.

Mayor Zboray presented a Mayoral Certificate of Excellence to James Troup "in recognition of his volunteer spirit as demonstrated by his involvement as Chief of the Northumberland Fire Department for five years and as a firefighter for many years".

Mayor Zboray presented a Mayoral Certificate of Excellence to Robert Long “in recognition of his volunteer spirit as demonstrated during his tenure on Borough Council and his public service in numerous community projects & committees”.

Mayor Zboray presented a Mayoral Certificate of Excellence to James Orner “in recognition of his volunteer spirit as demonstrated during his tenure on Borough Council and his public service in numerous community projects & committees”.

Mayor Zboray read the Mayoral Certificate Excellence to be presented to Judith Groninger “in recognition of her volunteer spirit as demonstrated during her tenure on Borough Council and her public service in numerous community projects & committees”.

Code Enforcement Officer’s Report

Mr. Paul Ruane reported that on December 9th he sent a letter to the people who live at 715 Queen Street. Today was the deadline to remove the garbage and take care of the cats. Mr. Ruane said that he would be visiting the property on Thursday to see if the residents had complied.

The Borough Secretary stated that she has obtained the ordinance from Selinsgrove that addresses cats as well as a sample ordinance from the Boroughs Association.

Northumberland Sewer Authority Report

Mr. Orner reported that the authority had a short meeting yesterday. They discussed the delinquent withholding tax. A Harrisburg attorney is working on the penalties. The authority will review the debt and the first quarter income. Approximately \$13,000 has been collected from delinquent accounts. Upper Augusta has agreed to make monthly payments for the Queen Street project.

Mr. Wetzel stated that two businesses have spoken to him about the back bills that they have received because they had not been billed by the NSA. He said that these businesses said they may have to close. He added that it is not the businesses fault that the sewer authority had not been doing their job correctly and asked why these businesses must pay for their mistakes. Mr. Klock responded that the bylaws state that the customer is responsible to ask for a bill if one is not received. He noted that Emmanuel Homes had never received a bill; a beauty salon had not received a bill. He noted that not only did some businesses not receive a bill; some businesses had not received a bill for the correct amount. The sewer authority had sent out surveys to businesses to determine if they are being billed correctly. The authority made a ruling to bill from 2008 forward and not bill for the years before 2008. However, they reserved the right to go back further. The authority has set up payments for these businesses. They have also changed rates for businesses that are in homes from two times the rate to 1.5 times the rate. Some businesses are built on a seasonal basis. Eventually, the authority will bill on water usage. They must first determine what their earning potential is and what the base rate would be. He acknowledged that the authority did receive several complaints and they have tried to work with the customers.

Mr. Wetzel stated that it is not the residents’ fault for the problems that existed at the plant. Mr. Long asked if penalties are being charged. Mr. Orner replied that they are not.

Emergency Services Board Report

No report.

Committee Reports

Community Development

Mr. Carl stated that the committee did not meet.

Finance

Upon motion by Mr. Rees, seconded by Mr. Long, council voted 5-1 to adopt the 2012 Budget. This was the second reading. Mr. Rees cast the negative vote.

Personnel

Mayor Zboray reported that eight applications for the Civil Service test have been picked up. Thus far, six have been returned. The written test will be conducted on December 27th; the physical agility test will be conducted on December 28th in the morning and the oral interviews will be held that afternoon. Mayor Zboray noted that Jim Bell is conducting the physical agility test and added that Bill Roll will be correcting the written tests.

Public Safety

Mr. Wetzel reported that the committee did not meet.

Rules

Mr. Long had nothing to report.

Streets

Mr. Reed reported that he and Tom Slodysko are still working on the paving schedule for next year. He said that they are still searching for a truck for the department.

Old Business

1. Mr. Long moved to approve the final payment of \$4,300 to G & R Charles for the Hanover Street storm water project. Mr. Wetzel seconded the motion. The payment will be made by the county with Community Development Block Grant funds. Council voted unanimously to approve the motion.
2. Upon motion by Mr. Long, seconded by Mr. Orner, council voted 5-1 to approve Ordinance 2011-7, the tax ordinance for 2012. Mr. Rees cast the dissenting vote. The ordinance follows:

ORDINANCE NO. 2011-7

AN ORDINANCE OF THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY, PENNSYLVANIA, FIXING THE REAL PROPERTY TAX RATES FOR THE YEAR 2012.

The Borough of Northumberland hereby ordains:

Section 1. Tax Levy.

That a tax be and the same is hereby levied upon all real property within the Borough subject to taxation for the fiscal year 2012 as follows:

1. *Tax Rate for General Revenue Purposes, the sum of 18.500 mils on each dollar of assessed valuation.*
2. *Tax Rate for Debt Service, the sum of 2.300 mils on each dollar of assessed valuation.*
3. *Tax Rate for Fire Equipment Purposes, the sum of 2.700 mils on each dollars of assessed valuation.*
4. *Tax Rate for Special Road Fund Purposes, the sum of 4.500 mils on each dollar of assessed valuation.*

5. Tax Rate for Recreation Purposes, the sum of 1.000 mils on each dollar of assessed valuation.

Section 2. Discounts.

Pursuant to Pennsylvania's Local Tax Collection Law, a taxpayer subject to the payment of a tax levy by their ordinance shall be entitled to a discount of 2% from the amount of such tax upon making payment of the whole amount of such tax by or before April 30, 2012.

Section 3. Penalties.

A taxpayer subject to the payment of a tax levy by this Ordinance who shall fail to make payment of such tax by June 30, 2012 shall be charged a penalty of 10% (which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector).

Section 4. Effective Date.

This Ordinance and the real estate tax shall take effect on January 1, 2012.

Section 5. Severability.

That any ordinance or part of Ordinance conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects or is inconsistent with this Ordinance.

ENACTED AND ORDAINED into an Ordinance this 20th day of December, 2011 by the Borough Council in the lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

President, Borough Council

Approved this 20th day of December, 2011.

Mayor

3. Mr. Carl noted that two vacancies will exist on the Emergency Services Board as of January 1st. Mr. Wetzel stated that he may have one volunteer.

New Business

1. The Borough Secretary added several bills to the list to be approved: \$211 to Rogers Uniforms for Officer Cope toward his uniform allowance; \$322.81 for a 2-bay disc-less network attached storage system and \$254.36 for two internal drives. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to pay the bills. Bills to be paid from the General Fund total \$51,377.20, plus the bills noted above; bills to be paid from the Liberty Splashland account total \$2,565.34.
2. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to approve transferring \$4,726.02 from the General Fund to the Liberty Splashland account for payroll reimbursement from the Degenstein and PHEAA grants.
3. Upon motion by Mr. Long, seconded by Mr. Wetzel, council voted unanimously to approve transferring \$6,000 from the General Contingency Fund to the General Fund toward the payment of the 2004 GMC truck that was recently purchased at auction. This money will be repaid in 2012 with money that is budgeted for the truck.
4. The camera attached to the traffic signal at Duke and Water Streets needs to be adjusted. TRA Electric, Inc. has provided their daily rates for maintenance. They've also provided a proposal to provide yearly maintenance for the traffic signal intersections. The wording in the proposal was ambiguous. Mr. Tira advised that the proposal be clarified. The proposal was tabled.
5. Mr. Carl moved to approve the request from the Fire Police for events that they wish to attend in 2012. Mr. Long seconded the motion. Council voted unanimously to approve.

6. Mr. Tira informed the council that he has provided a draft agreement to Service Electric and anticipates having a response by the meeting on January 3rd.

Mr. Carl announced that the council would adjourn for an Executive Session to discuss real estate issues and that no action would be taken. The meeting was adjourned for the Executive Session at 7:30 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary