

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council
Reorganizational Meeting
January 6, 2014

The council meeting was called to order by Councilman James Troup. The Pledge of Allegiance was recited.

Swearing in of Council

Mayor Len Zboray swore in Ellie Rees and Harry Wynn, the two new council members who were present.

Mayor Zboray offered an Invocation.

Roll Call

Council members present were Adam Klock, Ellie Rees, Ty Sees, James Troup, and Harry Wynn. Others present were Mayor Zboray, C. L. Kriner, Police Chief; Jeremy Deitrick, Sewer Superintendent; and Janice Bowman, Borough Secretary. Council members-elect Stephen Reed and Paul Ruane were absent because they were out of the area.

Nomination and Election of Council President

Mr. Klock nominated Jim Troup for the office of Council President. Mr. Sees seconded the motion. Council voted 4-0-1 for Jim Troup as Council President. Mr. Troup abstained.

Nomination and Election of Council Vice-President

Mr. Wynn nominated Adam Klock for the office of Council Vice-President. Mr. Troup seconded the motion. Council voted 4-0-1 for Adam Klock as Council Vice-President. Mr. Klock abstained.

Nomination and Election of President Pro Tem

Mr. Wynn nominated Steve Reed as President Pro Tem. Mr. Sees seconded the motion. Council voted unanimously for Steve Reed as President Pro Tem.

Public Comment

Mr. Tom Fitzgerald stated that he had presented his problem to the council on December 2nd, and felt that a solution would be forthcoming. He has been given no information since the council meeting.

Mr. Fitzgerald noted that the Borough Office and solicitor had been informed of the problem three months ago. He added that he wishes that the solicitor would be present tonight.

Mr. Fitzgerald said that a borough employee had tried to help him and he was given an application for appeal and contacted the individual that he was told to contact. When he contacted this individual, she told him to contact SEDA-COG. They referred him to the Keystone COG who told him that the Borough had opted out so they no longer represent the Borough. They referred him to the State Department of Labor and Industry. The Director of the UCC Hearing Board stated that it appears the Borough is breaking the law by not having a hearing board and said that he could sue the Borough.

Mr. Fitzgerald stated that he is not going to sue the Borough. He would like to sell the property and does not want to be tied up in a lawsuit. He stated that he is going to replace 34 new windows that he installed in the house. He said that if the buyer feels that the windows are substandard, he may ask for a concession.

Mr. Fitzgerald said that the reason he is here is to vent. He has received nothing from the Borough, not a phone call or a letter. He stated that this is a house that he is trying to make right for the Borough and has come to the council and asked for some help and was given no assistance.

He is requesting a commitment from the council that someone will come to see the windows and know that he is not just switching stickers; he is replacing them.

Mr. Fitzgerald described another problem. He stated that he had installed a washer box connection at forty inches above the floor and the inspector had told his contractor that the box was too high and had to be lowered. The carpenter lowered the box while the inspector was there and when they went to hook it up, discovered that the box was too low and must be raised. The box had to be a minimum of 39 inches for the washing machine to work without siphoning the water out of the tub. The wall had already been drywalled.

He advised the council to form an appeals board as soon as possible. He stated that the Borough has provided a lack of service. He is asking the Borough Council to refund his building permit fee of \$623. He added that he does expect and would appreciate a response, something more than a text message.

The windows have been ordered. YBC will switch out the windows for approximately \$1500.

Executive Session

Mr. Troup adjourned the council meeting for an Executive Session at 7:45 p.m. to discuss personnel and litigation issues.

The meeting was reconvened at 8:32 p.m.

Mr. Sees explained that the council discussed Mr. Fitzgerald's window situation. He made a motion to pay for the replacement of Mr. Fitzgerald's sashes. He noted that the council is admitting no wrong-doing and this is a non-precedence situation. He stated that the council would not like the amount to exceed the \$1,500. He added that he will personally see where the

Central Susquehanna COG is with regards to the Appeals Board. He added that he will make that commitment. Mr. Klock seconded the motion. Council approved the motion unanimously.

Mr. Fitzgerald told the council that he had volunteered his time as an engineer a number of years ago to do a study to determine the cost of establishing a waste transfer station for the Borough, Point Township and Shamokin Dam. His conclusion was that the cost per bag would be too high. The council then hired Buchart-Horn who came back with a price per bag that was within a nickel of the estimate that Mr. Fitzgerald provided.

Mr. Fitzgerald stated that YBC has said that they would work with him and stated that he appreciates council's decision. He was told to present the bill to the Borough Secretary. The request was made that YBC bill the Borough directly so the 6% sales tax could be saved by the Borough.

Mr. Sees was told that Colin Clayberger is the contact at the Central Susquehanna COG.

Mayor's Report

Mayor Zboray read a resignation letter from Officer Edward Hennessey, effective January 6, 2014. He requested that a motion be made to hire Officer Hennessey as a part-time officer at a rate of \$18.00 per hour. Mr. Klock moved to hire Officer Hennessey at \$18 per hour as a part-time officer as of January 7, 2014. Mr. Wynn seconded the motion. Council approved unanimously.

Mayor Zboray stated that Thomas Slodysko had notified the Borough Council that he was resigning his position as the Street Supervisor. Mayor Zboray read the following:

*"Mayoral Certificate of Excellence Awarded to Thomas Slodysko
In recognition of his eight years of faithful service as the supervisor of the Northumberland Borough Street Department, and in recognition of his volunteer spirit that has been demonstrated during his tenure on Borough Council and on the Recreation Commission and his public service in numerous community projects such as Liberty Splashland and Howling Hollow Dog Park. His community-wide volunteer efforts have been recognized by the Pineknotters' Days committee who named him 'Pineknottor of the Year' in 2008. Presented on January 6, 2014 in the Borough of Northumberland. Len Zboray, Mayor"*

Mr. Troup informed the public that Tom Slodysko has submitted his resignation as of January 10th. He has an opportunity in Florida. Mr. Troup stated that Tom will be sorely missed. He was a great help to the Borough as an employee and as a volunteer and these are hard shoes to fill. Mr. Troup made a motion to accept Tom's resignation, with regret, and wished him well. Mr. Klock seconded the motion. Council approved unanimously with Mrs. Rees noting that it is with sadness that she votes to accept his resignation.

Mr. Sees moved to accept Mr. Hennessey's retirement effective January 6, 2014. Mr. Wynn seconded the motion. Council approved unanimously.

New Business

1. Mr. Troup moved to re-appointment the following Borough employees:
Ann August, Borough Clerk; Janice Bowman, Borough Secretary-Treasurer; Jeremy Deitrick, Sewer Department Superintendent; C.L. Kriner, Chief of Police; Ted

McCollum, Code Enforcement/Zoning Officer; Budd Reader, Assistant Sewer Department Superintendent; Jane Sanders-Ressler, Borough Clerk; Thomas Slodysko, Street Department Supervisor; James Soos, Building Code Official; Building Inspection Underwriters, Inc. UUC Enforcement; James Sanders, Primary Sewage Enforcement Officer; Kenneth Young, Alternate Sewage Enforcement Officer; and Patricia S. Young, CPA, Audit Service. Mr. Wynn seconded the motion. Mr. Sees stated that he has discussion on the audit service. He said that he didn't know if the council was going to look into a different auditor. Mr. Klock asked how long Ms. Young has been the audit. The Borough Secretary responded that she didn't remember exactly. But said since she began working for the Borough in 2000, the Borough has had three auditors. The other auditors had both stopped conducting audits for municipalities. Mr. Klock stated that he has a problem with having someone auditing for a long period of time and not changing every couple years to have fresh eyes. The Borough Secretary stated that when Pat Young was hired, the Borough had put out an RFP and she had provided the lowest proposal. Mr. Sees asked if the audit service must be approved tonight. He added that he knew that they had been talked about this before. Mr. Klock stated that when the motion was made, he hadn't noticed that he auditing service was in the list. Mr. Troup rescinded his motion; Mr. Wynn rescinded his second. Mr. Wynn made a new motion that all positions be appointed except for Thomas Slodysko, who has tendered his resignation, and Patricia S. Young, CPA. Mr. Klock seconded the motion. Mr. Sees stated that the council should decide on an audit service by January 21st. Council voted unanimously to approve the motion. Mr. Sees stated that he would get quotes from other auditors for the January 21st meeting.

2. The Borough Secretary provided council with a list of tentative Borough Council meeting dates. Upon motion by Mr. Klock, seconded by Mr. Troup, council voted unanimously to approve the meeting dates for 2014. They are January 21, February 4th and 18th, March 4th and 18th, April 1st and 15th, May 6th and 20th, June 3rd and 24th, July 15th, August 5th and 19th, September 2nd and 16th, October 7th and 21st, November 3rd and 19th, and December 2nd and 16th. All meetings will be voting sessions.
3. Sewer Department
 - Mr. Klock stated that the Sewer Committee is working to reconcile the rates with the bulk customers. He explained that they wish to establish a bank account for the Northumberland Borough collections. Mr. Book explained that the Sewer Department has a process where they accept payments and pay bills. They do not have an account where money from the collection system sits where the Borough money is not commingled with the sewer treatment monies. The account is for doing I&I reduction work in the Borough and to make repairs. The money will be spent on the collection system in the Borough. Initially \$50,000 from the 2013 budget would be transferred to the new account and \$50,000 from the 2014 budget would also be transferred. This would allow the sewer department to do some I&I work. Mr. Klock moved to establish the new bank account at the Northumberland National Bank. Mr. Troup seconded the motion. Council voted unanimously to approve.

- Mr. Klock made a motion to authorize the solicitor to explore alternative funding sources in case the PennVest funding falls through and to work with Hazen and Sawyer to do this. Mr. Troup seconded the motion. Council voted unanimously to approve the motion.
 - Mr. Brian Book informed the council that he would have pricing for the next phase of the Pennsylvania Historic and Museum Commission requirement. The company had finished the 1B study and because they found 13 stone fragments and one bullet, the archeologists feel that a phase 2 study is necessary. Mr. Book will provide quotes for this study at the January 21st meeting.
 - The Borough will have to purchase nitrogen and phosphorus credits for 2014 and half of 2015. Mr. Klock is working on securing the credits.
 - Mr. Klock moved to amend Hazen & Sawyer's contract. Mr. Book explained that this had been discussed last August but had not been acted upon. The modification is to delete the I&I work and increase the design of the tankage associated with the digester preliminary and final design. The tanks and blowers were made larger and two additional tanks were designed because with all the treatment, more sludge is produced. This amends the contract by roughly \$60,000. Council approved unanimously. This is Amendment #1.
 - The PennVest meeting is January 21st so council will know at that time if the loan has been approved.
 - Candidates have been interviewed for the part-time sewer clerk position. Mr. Klock moved and Mr. Wynn seconded a motion to hire Edward Margel as the part-time sewer clerk at \$16 per hour with an increase to \$17 per hour after a 90-day probationary period. Council approved unanimously.
 - Mr. Book discussed the possibility of receiving federal money which dictates the wage rates for the project. Depending on the funding, a bank loan at a higher rate may prove to be more cost-effective than a PennVest loan.
 - Mr. Book provided an Engineer's report for January 2014 which is included as an addendum to the minutes.
4. Mr. Troup appointed the following committees and meeting dates:
- a. Community Development – Steve Reed, chairman; Ty Sees, Jim Troup
2nd Monday of the month at 7:00 p.m.
 - b. Finance – Ty Sees, chairman; Adam Klock, Ellie Rees
3rd Thursday of the month at 6:30 p.m.
 - c. Personnel – Jim Troup, Chairman, Adam Klock, Harry Wynn
Meets as needed
 - d. Public Safety – Ellie Rees, Chairman, Paul Ruane, Harry Wynn
3rd Tuesday of the month at 6:00 p.m.
 - e. Rules – Paul Ruane, Chairman, Steve Reed, Ellis Rees
2nd Monday of the month at 6:00 p.m.
 - f. Streets – Harry Wynn, Chairman, Steve Reed, Ty Sees
2nd Tuesday of the month at 7:00 p.m.
 - g. Sewer – Adam Klock, Chairman, Paul Ruane, Jim Troup
1st Tuesday of the month at 5:30 p.m.
 - h. Planning Commission representative – Adam Klock
Last Thursday of the month at 7:00 p.m.

- i. Tax Collection Committee representative – Ty Sees; Tax Collection Committee Alternate – Ellie Rees
- 5. Upon motion by Mr. Klock, seconded by Mr. Wynn, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$17,229.51; Liberty Splashland bills total \$141.40; Park and Recreation Fund bills total \$145.08; Chesapeake Bay Trust Grant bills total \$10,325.00; Sewer Department bills total \$185,802.65; and Sewer Department Credit Card bills total \$898.21. Mr. Klock noted that he has some outstanding Dog Park receipts to be submitted. He also has invoices from the fencing company.
- 6. Mr. Troup moved to designate the following as signers for all of the Borough bank accounts: James Troup, Adam Klock, Janice Bowman, Jane Sanders-Ressler, and Ann August. Mr. Klock seconded the motion. Council approved unanimously.
- 7. Mr. Klock moved and Mr. Wynn seconded a motion to advertise Ordinance 2014-1. Council voted unanimously to approve. This ordinance sets the millage rates for 2014:

**“ORDINANCE NO. 2014-1
AN ORDINANCE OF THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY,
PENNSYLVANIA, FIXING THE REAL PROPERTY TAX RATES FOR THE YEAR 2014.**

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 2014 as follows:

- 1. Tax Rate for General Revenue Purposes, the sum of 22.000 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 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, 2014.

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, 2014 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 _____, 2014.

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 ____ day of January, 2014 by the Borough Council in the lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

President, Borough Council

Approved this ____ day of January, 2014.

Mayor

CERTIFICATION

To the Secretary of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania:

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2014-1 enacted by the Borough of Northumberland on the ____th day of January, 2014.

Secretary"

8. Mr. Klock stated that the Sewer Department has hired an auditor to conduct multiple year audits. He discussed keeping the same auditor or obtaining a new auditor. The Borough Secretary stated that she had been told by the Borough's auditor that since the Sewer Department is now a Borough department and not a separate Authority, the Sewer Department account would be included as part of the Borough's audit. Mr. Klock recommended that council check into this to see if it is true. The 2013 audit is the first one that includes the Sewer Department.
9. Mr. Troup requested that letters be sent to Greg Carl who has volunteered at Liberty Splashland and Dick Simpson who has volunteered at Pineknottter Park to ask in what capacity they are willing to continue in 2014. It was also noted that the daily manager of Liberty Splashland in 2013 is not available as a manager for 2014 because she is expecting a baby in June. Mr. Klock stated that no one knows how to run the pump system at the pool or how the water slide works. He added there should be written procedures for everything at the pool. He was told that Mr. Carl has written procedures which are in the Borough Office. Council would like to establish committees to oversee the operations at these locations.
10. Mr. Troup requested that the council stick to the issues and if discussion is required, to discuss the topics at committee meetings in an effort to shorten the council meetings.
11. Mr. Klock stated that he would like to see the Finance Committee follow up on reviewing reports on the accrued time paid off versus what is taken. He added that the results of the audit are not looking good and thinks that the council members should task themselves with doing periodic checks, either monthly or quarterly. Mr. Troup noted the problem with QuickBooks not tracking the time accurately. The Borough Secretary stated that this is why she has kept spreadsheets of the time off for the Street Department employees and herself. Mr. Klock stated that the audit is done and they will present it at the next meeting on the 21st.
12. Mayor Zboray asked if he should swear in the two council members who are absent tonight at the next meeting on January 21st. He was informed that they must be sworn in

within ten days of the reorganizational meeting. He will contact them when they return from their vacations and set up a time to swear them in.

13. It was announced that Hazen and Sawyer would be presenting the draft report of the Liberty Hollow Watershed study to the public on Monday, January 27th at 6:30 p.m.

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

Respectfully submitted,

Janice R. Bowman
Borough Secretary

DRAFT