

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
January 17, 2012

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

Roll Call

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

Fifty-two visitors signed the guest register.

Public Comment

Northumberland County Commissioner Vinny Clausi explained that a year and a half ago the County Commissioners came to see the project for the water slide. He said that the council had asked the county for \$40,000 for the slide. He explained that they had a gentlemen's agreement with the council to give money for the roads to free up money from the general fund that the borough could use for the slide. He asked why the council changed their minds. He said that this was allocated for the children. He said that if the council does not give the money back where it belongs, he will not take their word again. Mr. Klock asked who made the gentlemen's agreement. Mr. Clausi stated that everything was done above board; nothing was illegal.

He requested that Bill Seigel, from SEDA-COG explain the agreement. Mr. Seigel explained that SEDA-COG is under contract with the Northumberland County Planning Commission to oversee the block grant program. Mr. Seigel said that the agreement specifically developed when the borough council requested funding for the bowl slide project. The commissioners asked the Planning Department if block grant funds could be used to fund the project. In August 19, 2010, Mr. Seigel met with borough staff and toured Liberty Splashland. He explained that the Community Development Block Grant funds must benefit low to moderate income people. In order to document that the pool was serving low to moderate people, a survey would have been necessary of all areas that use the pool, this would include Northumberland and Point Township. The survey would have taken a great deal of time and a great deal of work. He explained that often times, with Community Development Block Grant projects, they select a project that might have used general funds that is eligible to use CDBG funds to complete that project. And then the community uses the funds that would have gone into the project funded with the CDBG, to do a project that is not eligible. He said that this is a wise use of funds and is routinely

done across the state and is a very accepted practice. He said that he presented this information to the council as an option. Mr. Seigel met with the public works department on September 7, 2010. He toured the streets and identified Hanover Street and Second Street as streets that would meet the eligibility criteria for the Community Development Block Grant program. He then had a site meeting on September 22, 2010 with the Pennsylvania Department of Community and Economic Development, specifically with Beverly Hutzler, to tour the project. Mr. Seigel explained to her what was being undertaken.

The commissioners then held a public hearing to invest \$63,330, of which \$60,000 was awarded to the Borough for the Hanover Street construction project which was later bid at a cost of \$72,769, awarded and completed. The difference between the \$63,330 and \$60,000 was for costs associated with environmental review work that had to be done to develop the project. He explained that the decision that was made was that the County could not directly assist the bowl slide project with CDBG funds without a great deal of administrative work and costs, as well as time. Consequently, what was done was a routine practice where Northumberland County funded a different project that the council would have invested their funds into, and then the funds that would have been invested could be injected into the bowl slide project. There was no legal agreement in place between Northumberland County and the council to force the council to do that. This is what Commissioner Clausi was referring to as the gentlemen's agreement. The understanding was that this was a methodology for Northumberland County to invest its funds into this community through the Community Development Block Grant program. He explained that there was a great deal of discussion with the council; during November, there was a great deal of discussion with citizens who raised questions about what was being done and how it was being done. He said that some of the citizens contacted the Department of Community and Economic Development. Mr. Seigel provided copies of documents and records and the entire project was done completely transparently, with the approval and recommendation of DCED. Mr. Klock asked who the agreement was with; whether it was done inside or outside of a council meeting. Mr. Seigel said that he presented the proposal at a council meeting.

Mr. Klock explained that there are now three new council members. Mr. Clausi said that he would appreciate it if the council would rescind the motion and give the money to the water slide. Mr. Klock asked if Mr. Clausi would agree that it is the councilmember's responsibility to prioritize the spending in the Borough. Mr. Clause responded that when you make a commitment, if you let him down, council shouldn't come to him because he will never assist them again. Mr. Klock responded, this was a gentlemen's agreement, not one in writing. Mr. Clausi asked if the councilmembers are gentlemen when they don't keep their word. Mr. Klock responded that it was not his word that was taken; he was not on council then. Mr. Wetzel stated that it was the agreement of the council at that time and questioned why the new council members felt that they could come in and decide that the former council's agreement wasn't good enough. Mr. Klock stated that he can't justify raising taxes to fix the streets. He said that the streets get worse and worse and we can't keep up with the streets. Mr. Clausi stated that the money was for the slide according to

the gentlemen's agreement. Mr. Klock stated that the council must decide what benefits the majority of the people and he feels that the money should be spent on the streets.

Mr. Clausi challenged the council, saying that he would give \$10,000 if the council replaces the \$30,000 for the bowl slide. Mr. Klock asked if Mr. Clausi would give the \$10,000 if \$30,000 is raised. Mr. Clausi's response was no; he wanted the council to do what is right.

Mr. Troup asked if Mr. Clausi thought it would be fair to increase taxes year after year to support the slide. Mr. Clausi said that the council is wrong in what they are doing, stating that if you didn't have the money, taxes would have been raised anyway.

Mr. Neal Kramer asked Mr. Troup about his question of whether it is fair to the taxpayers to keep raising taxes year after year to support the bowl slide. Mr. Troup explained to operate it, the upkeep, to maintain it, to hire people to run it. He added that that there has never been a business plan set in place for the bowl slide. Mr. Kramer asked why volunteers couldn't help with operating the bowl slide. He said that the community is known for its volunteers and asked why council wouldn't first look for volunteers to help run the bowl slide.

Mr. Carl stated that he is certified by the state to inspect and train the employees that are required to operate the bowl side. He explained that he went on his own time, the Borough paid the fee, Mr. Carl paid for his hotel stay and took time off from work. The Department of Agriculture regulates amusement rides in the state and there are certain things that must be followed. No one under 16 years old is allowed to operate the slide. Unless an individual is trained by Mr. Carl at the park, he will not be operating it. Volunteers may operate the slide; however, they must be certified in CPR, certified to be a lifeguard, and trained. Mr. Carl said that there is no business plan on paper. For 12 years, Mr. Carl has operated the park for free. No one has overseen the park but Mr. Carl. He feels that this is his passion because he feels that this is something from which the entire community can benefit. He said that it makes no sense to have a facility that is in the red all the time, which is why he has pushed to make this project viable. He added that it wasn't his recommendation that we install a water slide. It was the recommendation of waterpark professionals who conducted the study. The study said that if two amusement park style slides were installed, it would draw enough people because of entertainment value. He asked his sixteen year old son, Taylor, if he enjoys going to the pool now without the bowl slide. Taylor responded that he and his friends are looking forward to the bowl slide. Mr. Carl asked Lana Gulden, a Borough resident, if she is looking forward to riding the bowl slide. Her response was yes, definitely. Mr. Carl said that he wants to push the facility to beyond where tax dollars are required to run it. He feels that people will come to the facility and spend money because it is fun.

Mr. Carl provided information concerning direct costs to the facility for the slide. He said that the slide operation will cost an additional two lifeguards, unless people who are certified volunteer. It will cost of the operation of a 3-phase pump, 7.5 horsepower, which will operate only when the pool is open, unlike the other pumps that operate 24/7. It will

cost 5% more than it does now to fill and treat the pool because of an additional 12,000 gallons of water.

Mr. Kramer asked if any of the foundations have been approached for donations. Mr. Carl stated that they have been.

Mr. Clausi reiterated his offer of \$10,000 if the council put back the \$30,000 that was transferred from the pool fund to the general fund. He added that tonight is the deadline. Mr. Klock asked if it wouldn't be a more challenging fete to have residents raise the money than to have taxpayers forced to pay for this. Mr. Clausi responded that the County gave them the money.

Steve Cimino said that he thinks it is great that Mr. Clausi will donate the money if the council moves the money from the general fund. However, he said that it is not "their" general fund; it is his general fund and it is the other residents' general fund. Mr. Clausi explained that the County gave the Borough the money, and that it was a gentlemen's agreement.

Ty Sees read a portion of an email from Pat Mack to Mr. Clausi and the other commissioners concerning this issue. It stated that Mr. Mack wanted to bring to the board that he has informed Mr. King and the IDA that the plan is to move the money from the project to the Borough paving project and to either refund it in FFY 2010 or that we are not going to refund it. Mr. Sees asked if the money was refunded. Mr. Mack said that he would need to see the entire email which was written over a year ago. Mr. Sees asked if the \$64,000 was refunded or if it was part of the tax increase for this year. Mr. Mack said that he would let Mr. Sees know.

Mr. Clausi asked if Mr. Sees is a member of the union. Mr. Sees responded that he is a union rep. Mr. Clausi asked if it is a conflict of interest for Mr. Sees to represent the union and sit on the board. Mr. Sees responded absolutely not. Mr. Klock responded that Mr. Sees recused himself from representing Borough employees who are in the union.

Mr. Sees said that he would like to get \$64,000 back for the county budget. Mr. Mack stated that this money was not in the general fund. Mr. Mack explained that this was money that was moved from one cost bucket to another, but he doesn't have the exact information. Mr. Seigel said that the \$64,000, which was actually \$63,330, was done by way of a budget revision from county funds that were not being used for another activity. The funds were not county general revenues; they were CDBG funds that could only be used for certain eligible activities. He explained that the project that the funds were reassigned from has not moved forward to this day. Had those funds sat there, they would have expired by this time. Mr. Sees asked why the email says it would have to be paid back. Mr. Seigel stated that he is not familiar with the email.

Mr. Troup read an email that was sent to Mr. Klock questioning if the county officials effectively performed their duty of distributing federally funded street repair grant money by awarding Norry Borough the money to be used for the water slide. Mr. Clausi

responded that the county did everything by the book. Mr. Troup continued the email which asked if it is this fair to surrounding Northumberland County boroughs also in need of street repairs that did not receive this money. Mr. Klock stated that the email came from a county employee who did not want to be identified. Mr. Clausi responded that this is a public meeting and if the council does not want to identify who sent the email they should not use it.

Mr. Montie Peters asked who went to the county to request the money. Mr. Carl stated that he requested the money. Mr. Peters asked if he requested the money for streets. Mr. Carl responded that he requested the money for the bowl slide. Mr. Peters stated that he sits on the Northumberland County Planning Commission and he understands the energy that the Commissioners and Pat Mack put into this and that they got the money for one reason, the bowl slide. He added that the council is using the money incorrectly. He said that legally, it can be done, but it is absolutely not the right thing to do. He added that the money was intended for the kids and the bowl slide.

Mr. Troup read from the minutes, "...moved to approve the agreement for a Community Development Block Grant of \$63,300 from Northumberland County for street repairs on Second and Hanover Street." Mr. Peters asked if none of the four council members realized that the gentlemen's agreement was in place. Ms. Lana Gulden stated that the councilmembers had to know because Mr. Klock went to the County Commissioners meeting and asked if there were strings attached. Mr. Klock agreed, adding that he asked the commissioners point blank if there were any stipulations put on the grant money that it has to be used for the bowl slide and was told that there were not, but the commissioners would like to see it used for the bowl slide. Ms. Gulden asked if the next time there is a project where money is needed from the state or the county, does the council think they will get it because, after this, who will trust them to do with it what they say they are going to do. Mr. Klock said that they would ask for street funding for streets, not for a project.

Mr. Rees commented that it is not accurate to say that taxes were raised because of anything to do with the bowl slide. He explained that it is completely independent. He added that more money was spent on streets last year than had been in the past five years. He explained that the reason it (the block grant funding) was done in the way it was done was so council could save tax money by not having to go through all the red tape and paperwork (for surveys, etc), wasting time and tax money. He said that had the Borough gone through all the hoops, he guessed they wouldn't have a problem with it, but it would have been a waste of tax money so that is the reason it was done the way it was done.

Mr. Troup asked when this first came up and it was in the paper that this was going on, where were the citizens then, where was the concern then if the money was being spent right?

Mr. Gary Klick asked why public notice wasn't made and then the vote taken after all these people were here? He asked why it was done, kind of behind closed doors. Mr. Klock stated that council did everything in a public session. Mr. Sees said that if you attended the meetings since 2009, he would see that the new council members were

opposed to the bowl slide from the beginning; they didn't want to see it get off the ground until the money was raised to do it. Mr. Klick said that the statements made about the tax increase are not true because the council is doubling the street tax, but the increase is not due to the slide. He said that he feels it is sneaky the way things were worded.

Mr. Cimino said most of the people in attendance were never here before and he thanked them for coming and hopes they continue to attend meetings. He asked why there isn't a committee to operate the pool. He said that the reason there is no business plan is because there is no committee. He said that Mr. Carl has committed a lot of time to the pool and he thinks he deserves a lot of credit. However, he feels that the way this went down was wrong. He said that he has attended about 90% of the council meetings over the last five to six years and that three or four people come to these meetings on a regular basis. He said that because these people are in an uproar about the bowl slide, they've come to this meeting. He said that the council is trying to save them from a 10% tax increase this year. He said that the public should come to the meetings. Discussion ensued about the tax increase.

Mr. Robert Long said that the \$30,000 does not equate to a 10% tax increase. Mr. Sees said that the council reduced the street tax to 2.5 mils, what it has been for several years, except for last year when the tax was reduced to .5 mils and the rest of the money went into the general fund. Mr. Long said that it is incorrect to say that the money that was received for the bowl slide project caused taxes to go up. He said it is two entirely separate issues. Mr. Long said that Mr. Reed was on the council and he did vote to accept the money. He said that the only council member who originally voted not to accept the money was Mr. Wetzel and that everyone on council knew what the money was intended for. He said that the council had entered into the agreement and now Borough's reputation is damaged.

Mr. Long noted that Mr. Klock made a comment on Facebook that the reason the Borough received the money is because it qualified for the funding due to income level. Mr. Long explained that the reason the Borough received the money is because Mr. Carl went to the County Commissioners and requested funding for the bowl slide. He added that it has been clear cut from July 14, 2010 on what the money was to be used for. He said the council has damaged the reputation of the Borough, they've set the project back, and they've lied about why the taxes are being increased.

Ms. Margaret Weirick stated that she was on council for five years. She said that when she first got on council she sat back to learn what was going on. She said that she does not care one way or the other about the bowl slide. However, she dislikes the way the new council members have gone about this. After being on council for five minutes, she does not feel that it is the time to take a project like this and tear it apart. She hates to see a borough council that is so divisive on this. She said that they obviously thought about this before. She asked what they plan to do with the slide if they don't get the money and what they plan to do with the relationship with Vinny Clausi and with their relationship with the people who donated to this project.

Mr. Klock stated that every council member is at one time, or another, a rookie. Ms. Weirick said that most people keep their mouths shut and pay attention. Mr. Klock responded that he is not a rookie, per say, because he has attended most of the council meetings for the past three years. He said that he was elected to the position because people have been reading his comments in the paper and he has been questioning the issues. He said that not many people come to these meetings and he is glad to see that a lot of people here because when you get more input from more people, you get more ideas and a better representation of what the Borough wants. Ms. Weirick questioned why the council didn't put this up for public inspection, noting that they didn't have to do this at the first meeting in January. She said that they could have had a public meeting. Mr. Klock responded that it is because the council has a budget deadline to meet. They did not feel the tax increase was warranted and they addressed the tax increase.

He said that for the future, no one who voted to bring the money back to the street repair fund has any intention of letting the project sit there and mothball it. Mr. Klock stated that he has made a list of 30 to 40 fundraising ideas and challenged the people to sign up to volunteer to raise the money. He added that he would post the list in the hallway and that the people could review the list during the Executive Session and sign up to help raise funds for the bowl slide.

Ms. Weirick ended her comments by saying that if the four on the council aren't willing to honor a gentlemen's agreement that was made in the past... Mr. Klock interrupted to state that it was not his gentlemen's agreement and he did not agree with it when it was made. He said that he has always had that opinion and it is public knowledge.

Mr. Taylor Carl asked why Mr. Klock's fundraising ideas couldn't be used to pay for streets. Mr. Troup responded that it is because it is a requirement that the Borough provides these services.

Mr. Long asked how far \$30,000 is really going to go on streets. Mr. Clausi asked why the council is misleading the public and stating that taxes would be raised 10%. He said that 10% would be \$150,000, not \$30,000.

Mr. Rees explained that he knows where they were getting the 10% from and it is incorrect because the property tax millage increased by 2.7 mils, a 10% increase over the rate of 27 mils in 2011. He said that the increase is more than the \$30,000 that was designated for the bowl slide. He reiterated that this is two separate issues, explaining that he was against the tax increase, but he was also in favor of keeping the money where it was intended to go, with the bowl slide. He added that the council could still do this; they could still not raise taxes and put the money to the bowl slide.

Mr. Rees moved to transfer the \$30,000 back to the Liberty Splashland account to fund the bowl slide and to set the street tax at 2.5 mils. Mr. Wetzel seconded the motion. Mr. Rees explained that the expense for streets would be reduced to the amount collected on 2.5 mils of tax, less 5%.

Mr. Klock asked by a show of hands, who would be willing to raise the funds. Mr. Long said that much work has been done to raise the money to get them where they are. He said that he has heard very few people state that the money should not be spent for the slide. He added that the council took county money and changed the intent of the money.

Someone asked if this funding would be enough to complete the project. Mr. Carl explained that when he projected a cost of \$100,000 two years ago, he and Tom Slodysko sat down and estimated every cost as close as possible. Since that time, some costs have increased. Mr. Klock stated that the council has nothing in writing to know how much is needed in the future to run the bowl slide. Mr. Troup stated that he has the profit and loss statement which shows a profit of \$950 and this includes the money from the Borough. Mr. Carl said that he has asked for project money for the pool every year. He said that he and Tom Slodysko volunteer their time. Mr. Troup read an excerpt from council minutes that the slide costs \$40,000 and the project is estimated to cost \$100,000 and that Mayor Brosius stated that if enough funding is not received in donations, the slide could be sold. Mr. Rees stated that Mayor Brosius was referring to the \$40,000 for the purchase of the slide. Mr. Klock asked how much time the street crew has spent on working on the bowl slide. Mr. Carl stated that the pool is Borough property and the street crew works at all Borough property. Mr. Klock asked how much time they've spent working on this (2nd Street) building. Mr. Carl stated that he does not know how many hours, but they have spent time working on this building.

Mr. Mike Daddario asked where the priorities are; would they rather have a Cadillac in front of the house or fix a leaky roof.

Mr. Carl Libby thanked Mr. Carl and Mr. Slodysko for the work that they have done. He said that the streets are neglected. He thinks that the bowl slide is a wonderful thing. He stated that last year he raised funds for the police department for the ENRADD system for the safety of the streets. He said that the council should take a step back and look at the funding for the streets. He asked if the Borough will have to spend any money to operate the bowl slide. Mr. Carl stated that he has a plan. He proposes to charge an extra fee to have the bowl slide operational during private parties. This fee will be kept separate to fund the upkeep of the bowl slide. Mr. Carl said that the company that sold the slide to the Borough does the upkeep on slides. Mr. Carl stated that he doesn't want to ask the taxpayers for anything, adding that the feasibility study that was done stated that by increasing the entertainment value at the pool, revenue would increase.

Mr. Peters stated that he can't debate the operation of the bowl slide because he does not know what it costs. Mr. Troup stated that that is the problem. Mr. Peters agreed, adding that what is also a problem for the council is the incorrect use of the money that was given. He said the reality of the situation is that the Borough got money for streets that they know was designated for the bowl slide. He noted that the streets are bad, but the money that was given was directed for the bowl slide.

Ms. Cynthia Paul stated that she has lived here for ten years and has seen councils purchase this building without a plan and the bowl slide without a plan. She said that the tax dollars

could go for streets, but they want to use it for the bowl slide. She feels that the money should be used for things that are important.

Someone asked how much money is required to finish the bowl slide. Mr. Carl stated that he is waiting for the engineer to complete the plans for the tower so he does not know the exact number of bolts, etc. required to complete the tower.

Someone asked the cost of admission to the pool. Mr. Carl said the cost is currently \$5.00. Mr. Klock asked if residents from other municipalities would be charged the same amount. The response was that they are charged the same for admission.

Mr. Koppen asked if there would be an additional charge to ride the slide. Mr. Carl stated the cost of admission would include the slide and that the pool currently has a dry-dock admission for anyone who does not want to swim but wants to go to the pool.

Mr. Long asked if the council felt that if they request funding from the Commissioners to improve Second Street if that the project would be funded now. Mr. Klock stated that he thinks it is council's responsibility to go after grant funding for streets in the first place. Mr. Long stated that the Commissioners wanted to fund the bowl slide and they found a means to do it. They tried to fund the slide through various means and decided that this was the best way to do it. The project is one that will benefit not just Northumberland, but the whole county.

Mr. Reed asked if anyone has forgotten that there was a waterpark on Route 15 at White Deer that is no longer there, adding that there is a reason for that and it's because it didn't work.

Mrs. Groninger asked if the council had on the agenda for the January 3rd reorganizational meeting that they were going to reopen the budget. Mr. Troup said that they were just sworn in. Mrs. Groninger said that January 3rd was when the council voted to take back the money that the previous council, which she was a member of, had already transferred for the pool and had made up and approved the budget. Mr. Klock stated that the answer to whether reopening the budget was on the agenda is no, but also when other big decisions have come up in the past, there were items that had not been on the agenda either, such as voting to buy the slide in the first place.

Mrs. Groninger said that the money is owed to the bowl slide and that by reopening the budget, the council is now going to reduce the money for streets which is needed. She questioned why the January 3rd council meeting wasn't reported on by the Daily Item, noting that she hadn't known who was elected as council president until tonight.

Mrs. Groninger stated that the previous council did have a gentleman's agreement with the County and she thanked Mr. Seigel for coming to the council meetings a minimum of two times to explain the process which Ty, Jim and Adam couldn't understand what was being done. She had explained that the grant was a "vehicle" for the Borough to get the money.

Mr. Troup asked if the involvement of SEDA-COG cost the Borough any money. Mr. Seigel stated absolutely not. He said that SEDA-COG provides direct assistance to Northumberland County. Nothing was paid by the Borough to SEDA-COG.

Mr. Klock asked if the Borough had applied for money for streets, would they have received the money. Mr. Seigel stated that the process for 2012 is being initiated in two weeks. Through a 45 day process, the applications are reviewed. He said that the county has traditionally ranked environmental infrastructure and street projects as a high priority.

When the request was made by the Borough for funds for the bowl slide it was between project years. The commissioners wanted to support the bowl slide and found this way to do it. In a regular year, Mr. Seigel stated that he can't predict what would be funded because it would depend on what projects are applied for by the municipalities in the county.

Mr. Clausi said that the money could have been shared among different towns, but they gave it to Northumberland. He apologized to the council for being a little rough, but he believes to the bottom of his heart that they were doing what was right for the citizens of the Borough.

Mrs. Spaventa, a Girl Scout leader in Northumberland, stated that she and her children are excited about the bowl slide. She asked where the funding came from for the original purchase of the bowl slide. Mr. Carl explained that the money was from numerous places; the Geraldine Mertz Estate, funding from the Parks and Recreations Account; Nottingham Village among others. Mr. Klock asked how much funding was donated from residents. Mr. Carl estimated that less than \$10,000 was donated by individuals. Mr. Klock stated that he thinks the community is split on this issue. He said that he would compromise and keep \$20,000 for the bowl slide and raise the other \$20,000. Discussion ensued about the amount of money that is currently in the pool account and what is owed for the engineer fees.

Mr. Brian Gink stated that he thinks that it is great that Norry has a pool. He asked, if there is no business plan in place, how the council knows that it is viable. Mr. Carl stated that the feasibility study that was done says it will work. If you go to a water park, it is packed. Other pools have closed because there was no reason to go to the pool.

Mr. Carl stated that the pool attendance has gone from 2,500 to over 10,000 in the past two years because of the improvements that were made. Mr. Troup stated that he had reviewed the numbers and last summer's attendance was 8,670. Mr. Carl stated that that number did not include the private party attendance. Mr. Troup said that other water parks are much larger, such as Camel Beach and Dorney Park. Mr. Carl said that the study that was done said that if the Borough installs two amusement park slides, attendance would eventually be around 40,000. Mr. Carl said that with the addition of one large slide, he would be happy if attendance increases to 20,000 to 25,000.

Mr. Rees said that the question should not be the merits of the bowl slide; it should be what was the money given for and the agreement was that it was given for the bowl slide. .

Mr. Klock again voiced his compromise of transferring \$20,000 to the bowl slide and keeping \$20,000 for the streets. He said that the community could raise the rest of the funding.

Mrs. Groninger stated that fundraising is also needed to renovate the gymnasium. Mr. Troup responded that he opposed both of the projects before he came to sit on the board. He added that he is looking out for the taxpayers.

Roll call vote: Mr. Reed, Mr. Rees, Mr. Wetzel, and Mr. Carl voted aye; Mr. Klock, Mr. Sees and Mr. Troup voted nay. Mr. Klock prefaced his vote by saying he would be in favor of a compromise. Mr. Reed prefaced his vote by stating that he is not going to turn the money away, although he would rather see the money go to the streets. But he would like to see this project finished and he is taking Vinny up on his full offer of a \$10,000 donation.

Mrs. Fran Bogovich requested that the website be updated and that the budget be included on the website. She also requested that the budget be published in the Pineknoller News along with ordinances that council adopts.

Mr. Neal Kramer said that he has made two written complaints and two public complaints in ten years about cats. He feels that the Borough should adopt a cat ordinance requiring people to have their cats licensed and if the cats are put out, they should be tied to the clothesline or chained. He knows that the Borough can't do anything about wild cats, but he would like the council to start an ordinance now that addresses the cats that people own. Mr. Wetzel stated that the council has worked on a cat ordinance, but gets to the problem of what to do with the cats. The Borough does not have an animal officer. Once an animal is picked up, the Borough must have a place to keep them for a few days and must feed and take care of them. Mr. Kramer stated that there is a program in Sunbury where the people will take the wild cats, have them neutered and put them back in the wild. Mr. Wetzel stated that other residents have had problems with cats and the complaints are not falling on deaf ears. Mr. Wetzel said that if he has to have his dog licensed, he agrees that cats should be licensed.

Mr. James Snyder stated that there was a cat problem on the hill. One summer he trapped 14 cats, took them to the SPCA and made a donation each time. He was told by the SPCA that the wild cats have feline aids and should be put down.

Ms. Barbara Spaventa stated that she owns a cat which never leaves her house. Her neighbor has a cat that had kittens and they are left outside. Ms. Spaventa has recently set out food for the cats in the neighborhood. She asked if she is considered responsible for these cats. Mr. Wetzel replied that he feels that she is now the owner.

Mayor Zboray listed the ordinances that address animals from other municipalities that have been obtained by the Borough Office.

Mr. Troup thanked the members of the public for attending the meeting. He invited them to attend future meetings adding that the council would listen to what they have to say.

Mayor's Report

- Mayor Zboray informed the council that he thanked the PennDOT crew for patching the potholes on Front Street. He understands that PennDOT will pave the street in the spring.
- Mayor Zboray thanked Ann Roll for helping to take down the decorations in the King Street Park.
- Parking permits are available for businesses and residents in the downtown metered area. Some have been sold.
- 17857.org is a new non-profit organization for Northumberland and Point Township to work together to obtain funding for the communities.
- An end of summer fundraiser in the park is being planned for September 2nd.
- More parking meters were repaired downtown.
- TRA Electric was called to repair the cameras at the Duke and Water Street intersection.
- Mayor Zboray thanked the council for their vote tonight, adding that he appreciates Vinny's contribution.
- Mayor Zboray thanked the public for coming to the meeting.

Street Supervisor's Report

- Mr. Tom Slodysko reported that the costs for truck maintenance were up for the month of December. He noted that the crew takes very good care of the equipment. However, equipment does break down. He offered to explain any invoices that are on the bill list.
- Christmas trees have been picked up.
- The crew is patching the potholes with a material from Eastern Industries that can be applied on cold days.
- Mr. Slodysko is working on the street name signs again. They will begin at King Street and go north.
- The heater box which holds the seat up on the 1993 backhoe has rusted. He has designed a new box which is being welded by K & T Welding for \$200 and will replace the old box.
- The crew has started to remove the trees along the fence line between Pineknottter Park and the railroad property. Permission has been obtained from the railroad.
- The crew is awaiting the appointments of committees because they have some issues to address with the streets and with personnel committees.
- Mr. Slodysko informed council that the cost of parts for the trucks is overwhelming. The 2004 GMC truck fuel line assembly rusted at certain points and leaks. The cost to repair was \$700. The 2004 Ford truck repair cost approximately \$2,000 due to a serious oil leak. Mr. Slodysko is going to see if Ford will help with the expenses because it was a manufacturer's flaw. After the

truck was back, it was stalling. They discovered that the wire harnesses were breaking. Mr. Slodysko said that the question for the future is whether to purchase a new truck when the five year warranty expires, or to pay for repairs.

- The truck that was purchased to replace the big blue truck had a fuel line leak. It was purchased last year at auction for \$23,000 and the fuel line broke on the way home. A warranty was purchased. However, according to the company, it is not a defective part. The plow is in excellent shape; the truck is in good shape. The plus side is that the big blue truck requires a class B license while the new truck can be driven by the college students who are hired for the summer.
- The bill from Sunbury Motors for the “blower” includes the entire aluminum wheel guard and mud flap being welded.

Code Enforcement Officer’s Report

Mr. Paul Ruane reported on the activity of the code enforcement office for the month of December 2011. He also reported that the house on Orange Street that caught fire several months ago has been gutted. The contractor is going to rebuild the structure.

Emergency Services Board Report

Mr. Brian Ginck reported that the board met this month and voted to move the Deputy Fire Chief, Brian Crebs, up to the Fire Chief position. Upon motion by Mr. Troup, seconded by Mr. Wetzel, council voted unanimously to approve Brian Crebs as Fire Chief.

Committee Assignments

Mr. Troup announced the following Committee Assignments:

Community Development Committee will meet the 2nd Monday of the month at 7:00 p.m.

Greg Carl, Chairman; Steve Reed; Adam Klock

Finance Committee will meet the 3rd Wednesday of the month at 6:30 p.m.

Jonathan Rees, Chairman; Jim Troup; Greg Carl

Personnel Committee will meet as needed.

Jim Troup, Chairman; Steve Reed; Jonathan Rees

Public Safety Committee will meet the 3rd Tuesday of the month at 6:00 p.m.

Frank Wetzel, Chairman; Jim Troup; Ty Sees

Rules Committee will meet the 2nd Monday of the month at 6:00 p.m.

Ty Sees, Chairman; Frank Wetzel; Adam Klock

Streets Committee will meet the 2nd Tuesday of the month at 7:00 p.m.

Steve Reed, Chairman; Jonathan Rees; Ty Sees

Sewer Committee will meet the 1st Tuesday of the month at 5:30 p.m.

Adam Klock, Chairman; Frank Wetzel; Jim Troup

Planning Commission will meet the 4th Thursday of the month at 7:00 p.m. The council representative is Frank Wetzel.

Mr. Slodysko asked that the Personnel Committee meet with the street department as soon as possible.

Old Business

1. Mr. Rees moved to further amend the proposed amended 2012 budget to remove the \$30,000 on the income side that was transferred from the pool account and to reduce

2. Mr. Klock questioned whether the council wants to leave the street budget where it is or increase the millage for streets. April Giesen informed the council that she has lived in the boro since 1990 and feels it is a privilege to live in Northumberland. She mentioned the things that we have in the boro, such as the playground, the water park, this building. She commends the people who work on projects in the Borough like Bob and Noelle Long. She said that everyone must pay more for everything in their lives. She thinks that residents who choose to live here need to work to make the Borough better. She feels that the streets should be repaired and thanked the council for hearing her comments.
3. Mr. Klock moved to increase the street millage rate by 1 mil to 3.5 mils. Mr. Carl seconded the motion. Discussion ensued. Roll call vote: Mr. Sees, Mr. Carl, and Mr. Klock voted aye; Mr. Troup, Mr. Wetzel, Mr. Reed, and Mr. Rees voted nay. Motion failed 3-4.
4. Upon motion by Mr. Wetzel, seconded by Mr. Rees, council voted unanimously to approve Ordinance 2012-1, the Tax Levy Ordinance. The ordinance is as follows:

ORDINANCE NO. 2012-1

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 2.500 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 17, 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 17th day of January, 2012 by the Borough Council in the lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Secretary

President, Borough Council

Approved this 17th day of January, 2012.

Mayor

5. Harleysville Insurance Company has provided a Proof of Loss Statement related to the Flood Insurance for the Fire Police Building. The amount claimed under the policy, pending the insurance carrier's final approval, is \$27,500. Mr. Carl moved to accept the proposed amount from Harleysville Insurance Company for the damage at the Fire Police Building from Tropical Storm Lee. Mr. Wetzel seconded the motion. Council voted unanimously to approve.

Mr. Troup announced that the council would conduct an Executive Session to discuss litigation and personnel issues. He added that the meeting would be reconvened. The meeting was adjourned at 9:20 p.m. for the Executive Session.

The council meeting was reconvened at 10:26 p.m. Mr. Carl left the meeting during the Executive Session.

New Business

1. Mr. Klock asked for records from the Recycling Center volunteers to review outside the public session. Mr. Troup asked how many organizations work with the recycling center. They are the Sunbury Kiwanis, Norry Kiwanis, the Sunbury Lions, and the Norry Lions. The Masonic Lodge is going to begin helping this year. It was noted that all of the income received by the organizations is returned to the community. The volunteers worked over 1,000 hours in 2011. Mr. Klock noted that there has not been much interaction with the Borough Council in recent years as there had been in the past. Mr. Bill Gross explained that the group has not come to the council to apply for any grants lately.
2. Upon motion by Mr. Wetzel, seconded by Mr. Reed, council voted unanimously to approve the payment of the bills. Bills to be paid from the General Fund total \$15,069.66.

3. Mr. Rees moved to approve Resolution A-2012. Mr. Wetzel seconded the motion. Resolution A-2012 designates signers for the accounts at the Northumberland National Bank. Council voted 5-0-1 to approve with Mr. Troup abstaining.
4. Mr. Rees moved to approve Resolution B-2012. Mr. Wetzel seconded the motion. Resolution B-2012 designates signers for the accounts at the 1st National Bank. Council voted 5-0-1 to approve with Mr. Troup abstaining.
5. Upon motion by Mr. Rees, seconded by Mr. Klock, council voted unanimously to re-appoint Jim Sanders as the Borough's primary Sewage Enforcement Officer and Kenneth Young as the Borough's alternate Sewage Enforcement Officer.
6. ABN Lighting has submitted proposals to upgrade lighting at four locations in the Borough, the 2nd Street Community Center, the Borough Garage, the Recycling Center, and the Borough-owned street lights in the downtown area. A portion of the cost for the upgrades would qualify for rebates from PPL. The topic was tabled.
7. Northumberland Sewer Authority Report
Mr. Klock reported that a work session was held last night with two board members and the secretary. The payment of the monthly bills was discussed.

Mr. Wetzel moved to adjourn the meeting. Mr. Klock seconded the motion. The meeting was adjourned at 10:44 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary