

Borough of Northumberland

175 ORANGE STREET
NORTHUMBERLAND, PA 17857

Phone: (570) 473-3414
FAX: (570) 473-3986

E-Mail: office@northumberlandborough.com
www.northumberlandborough.com

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
March 4, 2014

President James Troup called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited.

Roll Call

Council members present were Ellie Rees, Paul Ruane, Ty Sees, James Troup and Harry Wynn. Council member Adam Klock was present via telephone. Others present were Ryan Tira, Borough Solicitor; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; and Janice Bowman, Borough Secretary. Mayor Len Zboray was absent.

Public Comment

Eighteen visitors introduced themselves.

Mr. Bill Gross requested that the Borough contribute toward the light bill at the Recycling Center.

Mr. Chris Skelly thanked the Borough Crew for the fine job that they have done with the snow removal. He informed the council that he feels the snow emergency route should be changed because of the width of Queen Street. He noted that an accident had occurred today on Duke Street and traffic was re-routed to Queen Street. Because there was no parking on one side of the street today, the traffic could get through. He said that had traffic been parked on both sides of the street, the street would have been congested. He said that he lives in the 300 block of Queen Street and that when it snows the neighbors try to remove their cars from the street so the street can be plowed. He suggested that King Street be designated as the emergency route because it is a wider street. Mr. Skelly also requested that street sweeping be changed to two weeks or once a month. Mr. Troup explained that the "no parking" signs are not just for street sweeping. Mr. Skelly suggested that parking spaces be painted on the streets in order to accommodate more cars. He noted that Sunbury has done this. He said that twelve cars could fit in one block if parked properly. The other day, only seven cars were parked in the block.

Mr. Troup responded that they are all good recommendations and the street committee will consider them. Mr. Skelly asked about the status of the new sewer plant. He stated that he has done some research and is wondering if the council is considering bio-fuels as Milton's plant. Mr. Troup stated that the Borough does not have the mass being treated to warrant this. Mr. Steve Siegfried from Hazen and Sawyer stated that the Milton plant is much larger. Mr. Skelly stated that he is in favor of doing things as naturally as possible. He had been heating with propane, but converted with pellets. Now the price of

pellets has increased due to the gas companies so he is considering converting his house to solar energy.

Council Meeting Minutes – February 4, 2014

Upon motion by Mr. Wynn, seconded by Mrs. Rees, council voted 5-0-1 to approve the minutes. Mr. Sees abstained because he did not recall having received the minutes.

Mr. Troup thanked the public for attending the meeting tonight.

Northumberland Sewer Department Report

Mr. Klock said that the committee met at 5:30 with the engineer. He said that there are several motions for council to consider.

Mr. Klock moved to grant a letter of sewage treatment capacity to MidPenn Engineering on behalf of Nottingham Village to grant capacity of all three phases totally 95 EDUs contingent upon an engineer's review of the pump station capacity. Any resulting engineering and capital costs will be the sole responsibility of the developer. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Klock made a motion for the Borough to negotiate a Developers' Agreement for the dedication of the proposed Nottingham Village facility. Mr. Wynn seconded the motion. Mr. Siegfried explained that the agreement is to approve the sewer infrastructure that will be built. Council approved unanimously.

Mr. Klock moved to enter into an agreement with PA American Water Company to obtain user water usage rates for Borough customers. Mr. Troup seconded the motion. Mr. Wynn asked what number of gallons would be allowed before the home owner is charged for sewage. Mr. Klock stated that the study will determine baseline volume of water after which additional charges will apply. Mr. Wynn asked if a separate meter would be available for those property owners who water their grass. Mr. Siegfried stated that they would only have one meter. Mr. Wynn stated that the water-based system will be detrimental for property owners who use water to water their lawns and flowerbeds. Mr. Wynn stated that he feels the base number should be 5,000 gallons. He added that he feels that the rates are high enough. Mr. Troup stated that a study is being done to determine what the rates would be. He added that the Borough's rate is one of the lowest in the area. Mr. Sees noted that the study will determine a base rate. Mr. Wynn stated that a lot of residents are upset with the water based system because they feel their rates will increase. Mr. Siegfried stated that Hazen & Study will conduct the study and bring the results to the council to review. Mr. Siegfried stated that the document the council is being asked to approve is the standard agreement with Pennsylvania American Water Company. Council voted unanimously to approve the motion.

Mr. Tira explained that the Borough will not be able to obtain PennVest funding for the sewer project in time to begin the construction. There is a need for bridge funding until PennVest funding is obtained. The council must approve submitting a request for bids for project funding to local banks. A request for proposals has been developed. The

proposals are to be received by 4:00 p.m. March 31, 2014. The Borough will act on the proposals at the April 1, 2014 council meeting. Mr. Klock moved and Mr. Wynn seconded the motion. Council approved unanimously.

Mr. Klock stated that a letter has been received from the PHMC regarding the artifacts that were discovered during the PHASE 1a, 1b, and 2 archeological studies. Mr. Klock moved we respond that the artifacts be returned to the Borough at no cost to the Borough. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Klock informed the council that the sewer department reconciliation for 2013 has been completed. As a result of the reconciliation, Mr. Klock moved to bill Point Township \$74,629.90 and to bill Upper Augusta \$910.04. Mr. Wynn seconded the motion. Council voted unanimously to approve.

Mr. Klock announced that applications are still being accepted for a part-time laborer at the sewer plant.

Mr. Ruane said that at the last meeting, the council voted to discontinue the practice of charging people with home businesses that did not have bathroom facilities for their customers beginning with the 2nd quarter of 2014. He made a motion to refund money paid by owners of in-home businesses with no separate bathrooms for home-business customers from the first quarter of 2013 through the first quarter of 2014. Mr. Wynn seconded the motion. Mr. Klock stated that the department is looking into the water-based system and he feels that this is a lot of additional work for the superintendent and the engineer. He said that there could be requests for refunds going back several years. Mr. Troup agreed. Discussion ensued. Mr. Wynn questioned if the Borough could legally go back to 2008 to bill residents when the NSA owned the sewer authority. Mr. Tira stated that the Borough accepted all aspects of the NSA and would have that authority. Mrs. Rees stated that people should have been billed correctly all along. Mrs. Rees said that the email from the engineer stated that there would be a possible twelve people and probably only four. Mr. Troup stated that by changing this around, there could be a lot of other questions about the billing in the past. Mrs. Rees says that she feels that it is unethical for the Borough to keep the money from people who have a home business but did not have separate toilet facilities. Mrs. Rees noted that it is similarly unfair if Mr. Klock had been billed by the sewer department for his business. Mr. Klock said that he has no customers coming to his home. Mrs. Rees said that she was going to say that he should not be billed for a business at his address when no customers come to his home. She does not feel that is all that different than a home business that has no bathroom facilities for its customers. Mr. Skelly asked who caused the problems with the billing. Mr. Troup stated that the former policy was established that any home business would be billed 2 EDU's. The amount was reduced to 1½ EDU's. Mr. Skelly stated that the sewer authority should not bill people now who had not been billed correctly in the past. Mrs. Rees stated that the motion is to refund the people who had been billed for a service that was not received. Mr. Klock asked if Mrs. Rees may vote on this issue since it affects so few people. Mr. Tira responded that she would be able to vote in that the vote affects the public as a whole. Mr. Siegfried said that the records that are available

somewhere between four and twelve. Mr. Tira stated that the question was raised whether Mrs. Rees could vote on the motion because she is directly involved in it and that the Ethics Act provides that if you are a direct beneficiary of a decision, you are not to partake in it. The exception to that is if it affects the public as a whole, it affects everybody. When it is a more limited issue, you would be required to recuse yourself. Mr. Tira stated that based on the information he has, it would be hard for him to provide a definitive answer. One means of protection under the Ethics Act is to request an advisory opinion from the state. Mrs. Rees stated that she thought at the last meeting, Mr. Tira had advised that she could vote on the issue since it affected the public at large. Mr. Tira explained that the difference that the vote at the last meeting was for policy going forward. The policy going back to 2013 may only affect a small amount of people which may look like it is more individual. Mr. Deitrick stated that he is looking at nine properties. He knows that two of them have not paid. He added that a few of them may be required to pay, depending on their business and based on the current rate schedule. Mrs. Rees explained that when she heard about Jennifer Dorman receiving a bill for a service that she did not receive, she felt that it was not fair. She added that she and her husband decided to pay their bill, because they pay their bills. She said that this is not about her. She is willing to forego a refund for herself; however, she feels that others should receive refunds.

Mr. Reed arrived at 7:53 p.m.

Council voted 2-5; Mrs. Rees and Mr. Ruane voted yes; Mr. Sees, Mr. Troup, Mr. Wynn, Mr. Klock and Mr. Reed voted no. Motion failed.

Police Chief's Report

Chief Kriner reported on the activity of the police department for the month of February 2014.

Mr. Klock asked about the potential for a drop-box site in the Borough for prescription drugs. Chief Kriner responded that the D.A. is starting a program. He noted that at this time he does not have personnel to man the program. He explained that the program is record intensive with the drugs going back to the D.A. and he does not have the people to cover it. Mr. Troup asked if it would be something that could be discussed at another time. Chief Kriner agreed that it could.

Code Enforcement Officer's Report – no report

Emergency Services Board Report

Jon Apple reported that the group discussed the radios. The new band width goes online in July. Mr. Troup asked if the grants were discussed. The response was no.

Committee Reports

Community Development

Mr. Reed said that the committee would meet next Monday at 7:00 p.m.

Finance

Mr. Sees reported that the committee discussed ways to increase revenues. The committee will review the TV franchise agreement. The leases for A.R.E.A. Services and the Point end this year. Mr. Tira stated that he would try to schedule a meeting with Service Electric. Mr. Sees stated that he would like Mrs. Rees and the Borough Secretary to be present at the meeting. Mornings are better for Mrs. Rees.

Personnel

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

Public Safety

Mrs. Rees stated that the committee met on February 20th. Topics discussed were the playground, the snow emergency routes, and the new signs that are required by PennDOT. The committee also discussed the fire hydrants being cleared of snow and the storm drains being opened before the predicted storms. Mr. Ruane counted the number of signs that are to be replaced. He counted 116 signs that need changed to "all ways" for the stop signs at the intersections. Mr. Troup stated that pricing could be obtained from Sunbury. He suggested that Jim Eister be contacted. Mr. Wynn said that he will look into it. Mr. Wynn stated that he has contacted Jim Neidig and he has no one available to come to check the playground at this time.

Rules

Mr. Ruane stated that the committee had some discussion about signs on Duke Street. Mr. Ruane spoke to Mr. Groninger about the sign that he was considering along the street and he has decided not to move forward with it.

Mr. Tira provided provisions to council that were suggested by Mr. Klock for the licensing part of the animal control ordinance. A motion is required to authorize advertising the ordinance. Upon motion by Mrs. Rees, seconded by Mr. Ruane, council approved the advertising of the ordinance unanimously. Mr. Klock explained that the proposed ordinance changes the re-licensing of cats from three years to one year. This change is because of the e-payment agreement that is through the same company as the county dog licenses and is set up as an annual fee. Mr. Klock thinks the annual fee will be around \$4.50 per license. Mr. Klock noted that the online payment also provides the opportunity for a donation toward the TNR program.

Upon motion by Mr. Klock, seconded by Mr. Troup, council unanimously approved the agreement with ePaymentNow.com for the cat licensing. Mr. Klock noted that the company is not charging the Borough for the service. The company is charging a processing fee of \$2.00 per cat for anyone who submits payment online and \$1.00 per cat for anyone who pays in the Borough Office.

Streets

- Mr. Wynn stated that four applicants have been interviewed for the street supervisor position. He asked if second interviews have been scheduled and was told that the topic would be discussed in Executive Session.
- Mr. Wynn told council that he has ordered a new jack hammer at \$910.
- The 2004 Ford needed a new alternator, snow plow, and other items which cost \$6,872. Plow repairs were done on the 2004 Ford for \$785.
- The asphalt is breaking up due to the snow and freezing.
- The water company is requesting to change out a meter. He will contact them. He said that if it is the meter in the pit, the company has already changed it.
- Mr. Wynn has not obtained the costs for the new truck. He would like to get together with other council members to spec out what is needed for the new truck.
- Mr. Klock thanked Harry for all the work he has put in as the chairman of the street committee. Council echoed his sentiments.
- Mr. Wynn stated that he has obtained two loads of salt through Point Township at the state contract rate.
- The committee will meet next Tuesday. Mr. Ruane asked if the paving schedule would be determined. He added that the COG would like the list for their March meeting. The Borough Secretary will contact Barry Garverick to help with the paving bid. Mr. Klock suggested that King Street around the park should be paved this year.

Old Business

1. Girl Scout Little House

Becky Hare stated that as a troop mother, she is asking what the Borough's intentions are for the property. She asked where the information came that the Girl Scouts are not interested in the building, adding that her troop has met at the house for several years and that they would like to keep using the house.

Mr. Troup read the following letter that the Borough received from Ann Hughes, Executive Vice President of Girl Scouts in the Heart of PA:

"Please accept this email as written confirmation of Girl Scouts in the Heart of PA's decision to discontinue using the "Little House" located at 344 Third Street in Northumberland, PA for local Girl Scout troop and volunteer meetings.

While we have greatly appreciated our partnership with the Borough of Northumberland over the years, only one troop and a handful of volunteers currently use the space on a sporadic basis. Given the combination of our significantly decreased utilization levels over the past few years and the recent issues relative to the problem with the water pipe and boiler system, our continued occupancy of the space no longer seems to make sense.

Please advise at your earliest convenience as to how the Borough would like us to proceed to transitioning the property back to the Borough and a timeline to do so. As I mentioned when we spoke earlier today, we will wait to hear back from you before we contact the electric and water companies to transition both from Girl Scouts in the Heart of PA to the Borough of Northumberland.

*Sincerely,
Ann M. Hughes*

*Executive Vice President
Girl Scouts in the Heart of Pennsylvania*

Elenne Sanchez questioned if the Girl Scouts had been asked to pay toward the repairs or if it was the large water bill or what prompted the letter. The Borough Secretary replied that Ms. Hughes contacted her and she advised her to contact the water company, explain about the broken pipe, and request that the bill be reduced. The Borough has not asked that the Girl Scouts pay toward the repairs. The building is insured by the Borough and quotes have been obtained for a new furnace. Ms. Sanchez informed the council that they would like to continue to use the Girl Scout House. The Girl Scouts have paid the electric and water bills; the Borough pays for the gas and insurance on the building.

Mr. Reed asked how many girls use the building. He was told that two troops had been meeting there; the one troop has five girls. Ms. Sanchez suggested that the building also be rented out for parties, etc.

Ms. Barbara Kistner volunteered to chair a committee to oversee the Girl Scout House. Ms. Kistner also suggested that the council consider obtaining the adjacent property for a parking lot.

Ms. Trish Klinger recognized the history of the building and that it has meant a lot to the residents. She suggested that by working together to improve the building, more girls may become interested in joining Girl Scouts.

Mr. Chris Skelly said that he feels that there is not enough for the young people in town and council should keep the building for the Girl Scouts.

It was suggested that the Boy Scouts could also use the building; however, it was pointed out that the building does not have much storage and the troops would require more space.

Mr. Wynn stated that there are two trees on the property that should be taken down. He suggested finding someone to donate their time to take down the trees.

The Borough does have a Donations Account that has some money in it for the Girl Scout House. It was suggested that people may wish to donate to the Borough for repairs to the building.

The Girl Scout Little House will be discussed at the next Community Development Committee meeting on Monday, March 10th at 7:00 p.m.

New Business

1. Upon motion by Mr. Wynn, seconded by Mr. Reed, council voted unanimously to approve the payment of the bills. Bills to be paid from the General Fund total \$37,091.38; DEP Grant bills total \$45,629.84; Liberty Splashland bills total \$218.21; bills to be paid from the Park and Recreation Fund total \$427.53;

Parking Meter bills total \$351.68; Donations Account bills total \$1,019.43; and Liquid Fuels bills total \$1,316.

2. A request for a handicapped parking space was received from Jean Andrews, 603 Queen Street. Mr. Reed moved to approve the request; Mr. Wynn seconded the motion. Council voted unanimously to approve the motion.

Executive Session

Mr. Troup announced that the council would adjourn for an Executive Session to discuss personnel issues regarding the street supervisor position and would return for a vote. The meeting was adjourned at 8:47 p.m.

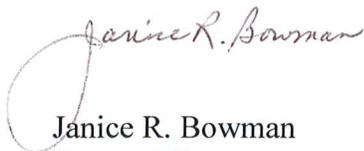
Mr. Troup reconvened the council meeting at 9:47 p.m.

Mr. Wynn stated that in view of Ted McCollum not obtaining certification within one year of employment, he would make a motion that the Borough would pay for Mr. McCollum to go to school for instruction and for the test. If Mr. McCollum does not pass the test between now and June 30, 2014, he would be dismissed immediately, subject to repaying the Borough for the costs for the school and the test. Mr. Troup seconded the motion. Mrs. Rees stated that she is against the Borough paying for the training, adding that the Borough hadn't paid for the training for Paul. Mr. Ruane said that it was his choice to pay for the testing. Council approved the motion 6-1 with Mrs. Rees voting no.

Mr. Klock moved to hire John Leeser as the Street Supervisor with a salary of \$50,000 per year. This is an exempt position which reports to the Street Committee Chairman and will utilize the Borough Secretary as a resource for decision making and does not receive comp time. He is to receive two weeks of vacation. Mr. Tira questioned if the motion includes all other benefits afforded in the non-union policies. Mr. Klock agreed. Mr. Klock questioned how the others felt about the vacation time. It was noted that the Teamster contract includes one week vacation and five personal days the first year of employment. Mr. Klock amended his motion to reflect the one week vacation and five personal days. Mr. Wynn seconded the motion. Council voted unanimously to hire Mr. Leeser. Mr. Klock stated that he would contact Mr. Leeser to let him know of the council's decision.

Mr. Klock made the motion to adjourn. Mr. Troup adjourned the meeting at 9:55 p.m.

Respectfully submitted,



Janice R. Bowman
Borough Secretary