

**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**March 5, 2013**

President James Troup called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

**Roll Call**

Council members present were Gregory Carl, Adam Klock, Ty Sees, James Troup, Frank Wetzel, and Harry Wynn. Others present were Mayor Zboray; Chief Timothy Fink; Sergeant Clifford Kriner; Thomas Slodysko, Street Superintendent; and Janice Bowman, Borough Secretary. Councilman Stephen Reed was absent.

The twenty-seven visitors present introduced themselves.

**Public Comment**

Carl Libby, Northumberland's representative to the Penn Valley Airport Authority Board, informed the council that the Penn Valley Airport is being mandated to do certain upgrades to the airport within five years, to keep it safe. The Borough is a charter member and currently contributes \$600 per year. He stated that on a percentage level, the Borough owns 2.7% of the airport. Within the next five years, almost \$300,000 must be raised to complete the upgrades. This is ten percent of the total costs of the upgrades. The airport will receive grant funds toward the costs. He said that he would like to speak to the Finance Committee regarding the funding that the authority is going to request from the Borough in future years. He noted that the Borough's share of the costs would be \$945 in 2014; \$1,350 in 2015; \$1,161 in 2016, and \$4,050 in 2017. These costs are just to maintain and complete the upgrades that the government is mandating. Mr. Troup invited him to attend the Finance Committee at 6:30 p.m. on March 21<sup>st</sup>.

**Council Meeting Minutes Approval**

Upon motion by Mr. Wetzel, seconded by Mr. Klock, council unanimously approved the council meeting minutes of February 26, 2013.

**Mayor's Report**

Mayor Zboray stated that, with regret, he has a letter dated March 1, 2013, which addresses the Mayor and Borough Council. Mayor Zboray read the following letter to the council:

*“Dear Mayor Zboray,*

*This letter serves as notification of official resignation from my current position as Chief of Police with the Northumberland Borough Police Department. My last day will be March 17, 2013. I have enjoyed serving the Borough of Northumberland for the past seventeen plus years. I have worked for two great mayors. I have decided to pursue other options in the field of law enforcement as an opportunity arose. I wish the best to the Borough of Northumberland and all of its residents. Sincerely, Chief Timothy A. Fink.”*

Mayor Zboray requested that council take action, regrettably, to accept the resignation of Chief Fink. Mr. Carl moved to accept, with regret, Chief Fink's resignation. Mr. Wynn seconded the motion. Mr. Wetzel stated that "our" loss is "their" gain. He added that he has enjoyed working with Tim as long as he has been on council. Mr. Troup said that he has only worked with Tim on council for a little bit, but he has worked with him for many years and that the fire department and police department had a good relationship and he appreciates everything Tim has done for the Borough and for the people in Northumberland. He added that Tim will be missed, but will still be in Northumberland. Mayor Zboray stated that he did not know the Chief well until he became Mayor. He said that he is a gentleman's gentleman and has done a lot for the Borough. Council voted unanimously to accept the resignation.

Mayor Zboray said that Chief Fink has requested that the council permit him to retain his chief's badge for his memorabilia. Mr. Troup so moved. Mr. Wetzel seconded the motion. Council approved unanimously.

Mr. Wynn made a motion that because Tim has been a wonderful person for the Borough as far as the Chief of Police he would like to afford him \$1,000 service pay for his years of service. Mr. Wetzel seconded the motion. Council voted unanimously to approve the motion.

Mayor Zboray read the following mayoral citation for Chief Fink:

*"Whereas, Timothy A. Fink has served the Borough of Northumberland as a Police Officer since 1995, and as Chief of Police since 2004 to the present; and*

*Whereas, Timothy A. Fink has actively distinguished himself throughout his years of service as an Instructor for the D.A.R.E. Program, and as an Instructor in Firearms Qualification and*

*Whereas, Timothy A. Fink has contributed to the Borough of Northumberland by adopting the following police programs throughout the Borough such as The Neighborhood Crime Watch, and "A Child is Missing" program, and For reestablishing the Soap Box Race in 1999, and For his volunteer efforts with History Day and Corn Fest, and For organizing the Northumberland County Internet Crimes Against Children program.*

*Whereas, Timothy A. Fink has exhibited the basic tenets of Government of Laws, Fairness of Decisions, and Service to Humanity;*

*Now Therefore, I, Leonard M. Zboray, Mayor of the Borough of Northumberland, as Representative of the Citizens of Northumberland, do hereby issue this Proclamation as an expression of our gratitude and appreciation to Timothy A. Fink for performing his duties as a Police Officer and Chief of Police with Honor and Integrity, and exhibiting exemplary Community Spirit in his Service to the Borough of Northumberland.*

*Leonard M. Zboray,*

*Mayor*

*March 5, 2013"*

Mayor Zboray stated that Patrolmen Lauver and Rushton have requested permission to attend the annual training conference and business meeting seminar at the Holiday Inn East in Harrisburg for the Middle, Eastern and Western Districts of Pennsylvania, and Multijurisdictional Counterdrug Task Force Training hosted by the Pennsylvania Narcotic Officers' Association. The registration fee is included in the bills; the lodging fee is \$432. The reservation must be

made tomorrow for the rooms. Mayor Zboray stated that the officers will receive pay for attending the conference and the Borough's schedule is covered.

Upon motion by Mr. Carl, seconded by Mr. Wetzel, council unanimously approved the request for Patrolmen Lauver and Rushton to attend the training seminar from March 20 to March 22, 2013.

Mayor Zboray stated that he has been receiving calls from the public and noted the number of people who are in attendance tonight. He has received a letter from the Danville Police Chief in support of promoting Sgt. Kriner to the role of Police Chief for the department. Mayor Zboray also read letters endorsing Sgt. Kriner for Chief of Police from Chief Tim Fink; Josh VanKirk, Point Township Chief of Police; the Mahoning Township Chief of Police; and Harry Hummel, a former Borough resident and councilman. Mayor Zboray noted that in addition to the letters, he has received numerous phone calls endorsing Sgt. Kriner for this position. Mayor Zboray passed around a copy of Sgt. Kriner's resume. The Mayor then read his letter of endorsement for promoting Sgt. Kriner to the position of Chief of Police. He noted that Sgt. Kriner knows our Borough, knows our citizens, has knowledge of our ordinances and laws, is well-respected, and shows the love that the Mayor has always felt for our Borough.

Mr. Wynn moved to retain Sgt. Kriner as Chief of Police at a salary of \$64,545. Mr. Carl seconded the motion. Mr. Tira stated that the terms of benefits could be worked out and need not be included in the motion. Mr. Carl said that there were several occasions when he has called Sgt. Kriner on the phone when he was not on duty and he has never asked to be compensated.

Mr. Klock requested that council meet in Executive Session. Mr. Tira advised that with the motion on the table, council must either vote on the motion or table it until after the Executive Session. Mr. Wynn agreed to table the motion until after the Executive Session. The motion was tabled.

The meeting was adjourned at 7:29 p.m. for the Executive Session to discuss personnel.

Mr. Reed arrived at the meeting during the Executive Session.

Mr. Troup reconvened the meeting at 8:55 p.m.

Mr. Sees moved to appoint Clifford Kriner as Acting Chief, at this point, until council has an opportunity to hire a full-time chief, which "Butch" may or may not be the fit. The rate of pay is to be \$64,545 annually. Mr. Wynn seconded the motion. Mr. Dan Berard asked what has changed. Mr. Troup stated that this was the discussion in Executive Session and that it would not be discussed at this time. The motion passed 5-2. Council members voting in favor of the motion were Mr. Klock, Mr. Reed, Mr. Sees, Mr. Troup, and Mr. Wynn. Mr. Wetzel and Mr. Carl voted no. Mr. Wetzel stated that he feels Sgt. Kriner should be Chief.

Mrs. Barb Kriner, wife of Sgt. Kriner, addressed the council. She stated that with all respect to Borough Council, this man has given you twenty-three years. She said that he not only works eight hour shifts; he is available twenty-four hours, seven days a week, 365 days a year. She stated that he doesn't live in this community, but he puts this community first. She added that

her husband is loyal to this Borough. Her husband has continued the toy program, in honor of Marty Concini, to provide for children in this community, not hers, so that this community can have a brighter Christmas for their families. She stated that he is available to everyone at any given time. She added that he is the most honest and trustworthy person that anyone in this room will have the honor of knowing. He has done things for this council, no matter what the cost, personally and professionally. He has been an example to every one of his guys. She stated that local businesses offer free items to police, but her husband does not even accept a free cup of coffee. He does not take anything, or permit his guys to take anything, because he does not want it to appear that they owe anyone anything or are beholden to anybody. She stated that he has had missed dinners, missed dates, been awoken in the middle of the night with telephone calls, and receives text messages at any time of day or night. They had a \$500 phone bill when they were on vacation because he was being contacted about Borough business. She noted that he has twenty-three years of experience; leadership, supervisory, drugs. She asked what more the council needs in a chief to run the Borough. She said that he has more honesty than any man who will walk through these doors. He has more loyalty to this community and more experience. He has worked his way up from patrolman. She stated that if they look at his resume, that has been his life. He trained as a fireman since he was fourteen years old and has trained for years. She said that this is not just a list of his accomplishments; it is who he is as a person. And this is the person he brings to this job, no matter what politics come out of this building. She added that there is no room for politics when it comes to hiring for the Police Department; the council should want the best person who will stand up and do the job, even when it is not nice; someone who will arrest a friend when he commits a crime and will not look the other way.

Mr. Klock stated that, with all due respect, the council would like the opportunity to find the best person.

Mayor Zboray and Mr. Wetzel left the meeting at 9:04 p.m.

Mrs. Kriner asked if there wasn't anyone who would do the right thing.

Mr. Wynn stated that he would make the a motion to remove the "acting" from the title and hire Clifford Kriner as the Chief of Police at a salary of \$64,545. He noted that the Mayor read a number of letters of recommendation and he feels that it is only right that he be offered the job.

Mr. Carl seconded the motion.

Mayor Zboray returned at 9:05 p.m. and stated that he has lived in the Borough for sixty-four years and that he loves this Borough. He said that what the council is doing to his Borough is upsetting to him and this is proof of it tonight when they take a gentleman like that who works hard every day, and the Mayor can call him or Chief Fink all hours of the night, and these gentlemen do everything they can for the Borough. He said that the council is turning on this man by wanting to interview other people when he is the best man in the area. The Mayor stated that he read all these letters. He noted that Mr. Reed wasn't here to hear the letters, but that Sgt. Kriner was recommended by everybody and the council isn't going to hire him.

Mr. Sees stated that he feels council should slow up and take it easy.

Mr. Wynn stated that he thinks the man has the credentials and that he should be hired for the job.

Mayor Zboray stated that if the council wants to build camaraderie in the Police Department which he (the Mayor) has been trying to do, this man will build camaraderie because the Mayor has worked with him.

Mr. Klock stated that as he understood the motion that was made the first time and the reason they went the way they did was not because they didn't feel that Butch was qualified to be chief; it was because they wanted to slow up the process, as Ty said, and make sure that they are hiring for all the right reasons and that all the expectations of that position are put on paper and council did not have an opportunity to put all the expectations of this position on paper and they are a little more stringent now than they were in the past. Mr. Wynn asked what more expectations he wanted. He stated that there is no reason why they cannot hire this man now and tell him the expectations after the fact. Mr. Klock stated that he wanted to have all the terms ironed out before extending an official offer. He added that it wasn't that council wasn't going to make him an offer or give him any consideration at all; he was going to be hired for the interim. Mr. Wynn stated that by hiring him as an interim, they are telling him that if this doesn't work, he is gone. Mr. Carl stated that he feels that he has knowledge of the department; and that there are people in the audience who are representatives of the town and they should have a say because they are the ones who put the council in their positions. Mr. Klock agreed, explaining that the motion was made in the fashion it was made to accommodate the concerns of the council that they had in Executive Session and that was to clearly define what the role would look like and that hasn't been done. He stated that to be fair to whomever gets the position, they ought to know what the expectations of the position are if they are going to change. Mr. Wynn stated that he thinks Sgt. Kriner knows what he has to do because he has done the job a number of times; at least three times he has taken over as Chief.

Mr. Wynn stated that whispering among council members may not be done. Mr. Klock told him that Mr. Reed had a concern that the council was rushing into this decision and all the facts weren't on the table. They want to put him in as interim until they could put everything together and know exactly what the position entailed and all the terms were clearly defined and that is the only reason they are going to the interim position. Mr. Dan Berard stated that this is not what he told Mrs. Kriner when he said that council wants to find the guy most qualified for the job. Mr. Klock stated that is his position; what he just now explained is what Steve discussed.

Mr. Wetzel returned at 9:16 p.m.

Mayor Zboray apologized for getting upset, explaining that he gets very passionate because he loves this Borough.

Mr. Reed apologized because he didn't hear all the facts and for arriving late for the meeting and stated that he needs to "get up to speed".

Mr. Troup stated that as President of Council, he wants to say that no one is trying to get anything over on anybody in this situation. None of the council works as closely with the Police Department as does the Mayor. He added that a lot of them are isolated from things that go on

and they don't know. They just found out that Tim was resigning and the reason they were saying that is because there are certain stipulations they want to put into place for a new chief and they wanted to make sure everything was in place before it was offered to him. Mrs. Kriner explained that the statement that was made earlier in the meeting was to appoint him acting chief until you find the right person for the job. Mr. Troup said that he did not make that statement. Mrs. Kriner said that he has been acting chief every time the Borough has needed him to step up and run the department.

Mr. Dan Berard stated that he was on council in the late 1990's and that everyone on the council has the opportunity to go out with the police department and see what they do, who they are, and how they operate. He stated that he did this when he was on council. He feels that it is an excuse to say that council doesn't know what the officers do.

Council voted 6-1 to appoint Clifford Kriner as Police Chief. Mr. Sees cast the dissenting vote.

Mrs. Kriner expressed her apologies for her passion and thanked the council for their decision, adding that they made a good choice.

### **Northumberland Sewer Department Report**

S. Michele Cope has provided minutes for this portion of the meeting.

The Sewer committee had met at 5:00 pm today with the following results.

There was discussion on bidding for credits through Penn Vest. The auction is held in the same manner as a chinese auction. Adam Klock made a motion to authorize Ryan Tira to put together the application to enter into the Penn Vest auction with the understanding that there is an application fee. Greg Carl second. All council members approved.

There were 3 candidates interviewed for the Sewer Superintendent. Adam Klock states the position is full time and the committee recommends that Jeremy Deitrick for the position. Jeremy Deitrick is from Sunbury and has a Class B wastewater license with subclass 1. All his references checked out. Adam Klock made a motion to hire Jeremy Deitrick as the full-time Superintendent at the rate of \$20.00 per hour. Once he completes his probationary leadership training his hourly rate will increase to \$21.00 per hour. Frank Wetzel second. All council members approved.

Adam Klock made a motion to pay the bills as presented which total \$109,889.39. Frank Wetzel second. All council members approved.

Brian Book from Hazen & Sawyer Engineering stated that DEP acknowledged receiving the Water Quality Management Part II Permit and the Categorical Exclusion report to PA Act 537 Plan. There is a meeting on Thursday March 7 @ 10 am with Senator Gordner, Representative Schlegal-Culver, Point Township and Northumberland Borough. Point Township scheduled the meeting. Brian will be the person attending on behalf of the Borough.

Submitted by S. Michele Cope

### **Street Supervisor's Report**

- Mr. Slodysko announced the paving schedule for 2013. The streets to be paved are King Street from 5th Street to 6<sup>th</sup> Street; 6<sup>th</sup> Street from Orange Street to Prince Street with some storm work to be done on 6<sup>th</sup> Street; Park Avenue from Sheetz Avenue to Hanover Street and from North Avenue to Prince Street; and Pond Avenue from Hanover Street to Prince Street.
- Line painting will be done on Strawbridge Road and the Old Danville Highway.
- A new stormwater box will be installed at Fifth and Orange Streets.
- Mr. Wynn requested that Mr. Slodysko look at Hanover Street between Sixth and Seventh Streets because the curbing is very high. Mr. Slodysko agreed, noting that the street should be redesigned and the slope removed.

### **Code Enforcement Officer's Report**

Mr. Troup stated that Ted McCollum has accepted the Part-time Code Enforcement Officer's position. Mr. Troup added that he would talk with Paul Ruane and that Ted would start and meet with Paul on Monday.

### **Emergency Services Board Report – no report**

### **Committee Reports**

#### Community Development

- Mr. Carl announced that the committee would meet next Monday, March 11<sup>th</sup>, at 7:00 p.m.
- A second contractor was contacted for a quote to repair the Fire Police Building.
- Mr. Carl and Mr. Reed met with Bruce Killian and he made some recommendations and will provide quotes for the drywall work in the gym.
- Mr. Carl moved to approve the pool guidelines and employee job descriptions. Mr. Klock seconded the motion. Council approved unanimously.
- Mr. Carl said that he was contacted by Bryan Wolfe about performing community service work in the Borough. Mr. Carl stated that there is work that can be done at the pool, such as brush work. Mr. Klock suggested that he could also perform some technical work. Mr. Carl stated that he believes he is to perform 120 hours of community service. Upon motion by Mr. Carl, seconded by Mr. Klock, council voted unanimously to use Bryan Wolfe for various community service projects at the discretion of the personnel committee. Mr. Troup requested that council members provide suggestions to the personnel committee who will coordinate the work.

#### Finance

Mr. Troup stated that the committee would be meeting at 6:30 p.m. on March 21<sup>st</sup>.

#### Personnel

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

#### Public Safety

Mr. Wetzel stated that the committee will meet at 6:00 p.m. on March 19<sup>th</sup> to discuss the emergency routes.

## Rules

Mr. Sees stated that the committee will meet at 6:00 p.m. on March 11<sup>th</sup> to discuss rules for the Dog Park and the animal ordinance. Mr. Sees added that he would like to get the Dog Park rules developed before the park opens. Mr. Troup stated that he has a question on the cat issue. He said that Sunbury Mayor Persing was interviewed on the radio show, On the Mark, and he said that Sunbury does not have rules and regulations regarding cats because of not having an enforcement officer. Mr. Klock stated that there is nothing to enforce in the Borough's draft ordinance. It allows the veterinarian to participate in the TNR program, allows people to fund the TNR program, and gives the veterinarian the legal means of putting the cat down if all other options have been exhausted. Mr. Tira stated that there is a portion of the ordinance that was proposed to license cats so there would be enforcement issues which could be delegated to the Code Officer and the Police Department. He noted that they would not be out chasing cats; licensing would help return the cat to the owner.

## Old Business

1. Upon motion by Mr. Klock, seconded by Mr. Wetzel, council unanimously approved Resolution B-2013, the HIPAA Compliance Documents.
2. Susquehanna will conduct their volunteer day, SU Serve, on April 13, 2013. Mr. Carl stated that he could use the volunteers at pool on that day. The possibility of helping install the fence at the Dog Park was also discussed, but council decided that the work at the pool was the better option for the students.
3. The United Way Day of Action is scheduled for May 3, 2013. Council decided to have the volunteers work with the Street Department to clear the bank and chip branches at Pineknottter Park.
4. A quote of \$3,900 was received from TRA Electric, Inc. to replace the cameras at the traffic signals. Mayor Zboray explained that the camera at the Duke and Water Street intersection, facing south, is maxing out. The camera at the King and Water Street intersection facing the Priestley Bridge does not always recognize the traffic coming from that direction due to the position of the sun and the shadows. It is recommended that a different type of camera be purchased that will also recognize that a vehicle is approaching the intersection because it recognizes a change in temperature. The camera that is currently at this intersection could then be moved to the Duke and Water Street intersection to replace the one that is maxing out. Council discussed the cost of the cameras and felt that the lights should be programmed based on the hours of the day and amount of traffic. No action was taken to replace the cameras.

Mr. Carl left the meeting at 9:59 p.m.

## New Business

1. Upon motion by Mr. Wetzel, seconded by Mr. Wynn, council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$32,957.62; Liberty Splashland bills total \$665.45; and bills to be paid from the Parking Meter account total \$684.19.

2. Council was informed that PennDOT recently announced that applications are being accepted for the PennDOT TAP (Transportation Alternative Project) grant. The Borough Secretary explained that this grant does not require a match and requested that council approve an application for funding for the trail at the Point. Mr. Troup so moved. Mr. Wetzel seconded the motion. Council approved unanimously.
3. Mr. Klock asked where the cameras in the building came from. The cameras had been purchased a while ago; but had just been installed. Mr. Klock stated that Mr. Libby would do this work for free. The Borough Secretary said that the Borough Crew installed the cameras in the building. Mr. Klock stated that council could get access on their smart phones to view the video. Cameras had also been purchased for the pool.

Mr. Troup stated that tonight's meeting became emotional and personal for some people and he thinks that everyone needs to be calm and not walk out. He added that leaving does not show a professional nature. He said that he appreciates what everyone on council does. Mayor Zboray apologized; explaining that he gets very passionate. Mr. Reed stated that part of it was his fault because he arrived late and did not know all the facts.

Mr. Troup stated that the meeting would be adjourned for an Executive Session and would not be reconvened. The meeting was adjourned at 10:04 p.m.

Respectfully submitted,

Janice R. Bowman  
Borough Secretary