

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
March 6, 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, James Troup, and Frank Wetzel. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Paul Ruane, Code Enforcement Officer; Thomas Slodysko, Street Supervisor; Timothy Fink, Police Chief; and Janice Bowman, Borough Secretary. Council member Ty Sees was absent.

Public Comment

The eight visitors present introduced themselves. No public comments were made.

Council Meeting Minutes

Upon motion by Mr. Wetzel, seconded by Mr. Rees, the council meeting minutes of February 7, 2012 were unanimously approved.

Upon motion by Mr. Reed, seconded by Mr. Wetzel, the council meeting minutes of February 10, 2012 were approved by a vote of 5-0-2. Mr. Rees and Mr. Carl abstained.

Bid Opening – Lighting Upgrades

Paige Electrical Services bid of \$23,887.50 was the only bid received for the lighting upgrades. Council discussed the bid and the rebates included in the bid. The rebate amount was less than the amount that had been estimated by another company. Upon motion by Mr. Reed, seconded by Mr. Carl, the council voted unanimously to reject all bids and authorized to re-advertise the project.

Mayor's Report

- Mayor Zboray stated that a great deal of work is being put into the police rules and regulations. Once completed, the document will be presented to the council to review and approve. After approval, the officers will have access to them for a period of time prior to implementation and a written knowledge test will be given to each officer.
- On March 1st, the police department ceased using paper daily activity report logs. The logs are now being completed on the daily activity report module on Informant, the police software. This will save paper and better enable the department to track officer activity, including information regarding mileage and fuel consumption.

- The department was involved in a “Click It or Ticket” mobilization campaign through PennDOT from February 14th to March 3rd. Five officers participated in the wave.
- A representative of the Northumberland County Department of Emergency Services performed an audit of the Commonwealth Law Enforcement Assistance Network records maintained by the department. The audit was a success. The department was in compliance with no deficiencies in the records or the maintenance of the records.
- 17857.org
Mayor Zboray attended another meeting of 17857.org. He stated that the committee is comprised of representatives from the area that encompasses 17857. Justin Dunkleberger was present from the Township. Other members include representatives from area businesses. This non-profit organization is a 501-C-3 which will be eligible to apply for grants. The committee discussed the idea of publishing the Pineknottter News for both Borough and Township residents. The proceeds from the newsletter would reimburse the Borough for Ann August’s pay for her time spent on the newsletter, with any additional proceeds earmarked for 17857.org activities. Additional advertisers will be sought with the goal being for the advertising proceeds to pay for the cost of the newsletter and postage. The proposal will be presented to the Township Supervisors at their meeting next week. Mayor Zboray asked if the council would be agreeable to this proposal. Upon motion by Mr. Rees, seconded by Mr. Klock, council voted unanimously to move forward with the newsletter under 17857.org.
- Touch-A-Truck
Mayor Zboray explained that the Revitalization Committee and the Priestley Forsyth Memorial Library would like to sponsor an event called Touch-A-Truck. Various types of trucks would be on display at the King Street Park for children to view and learn about. Mr. Wetzel moved to permit the Revitalization Committee to hold the event in the King Street Park on June 16th from 10:00 a.m. to 2:00 p.m. Mr. Klock seconded the motion. Council voted unanimously to approve the request.
- Police Vehicle
Mayor Zboray presented the quotes received for the police vehicle. The police are proposing to purchase a 2012 Dodge Charger. Discussion ensued. \$6,000 is budgeted toward the purchase of the vehicle. The balance in the Parking Meter Fund is approximately \$7,000. The vehicle would be purchased from Zimmerman Enterprises through Co-Stars, the Pennsylvania cooperative purchasing program.

Council member Ty Sees arrived at 7:24 p.m.

Mr. Wetzel moved to purchase the vehicle at a price of \$24,324 plus \$441 for the street package and \$1,205 for a maintenance agreement. Mr. Carl seconded the motion. The purchase was approved with a 6-0-1 vote. Mr. Klock abstained because he is related to Mr. Zimmerman.

Upon motion by Mr. Wetzel, seconded by Mr. Klock, council voted unanimously to authorize the council president and secretary to complete the necessary documentation for financing up to \$20,000 for the 2012 Dodge Charger at the Northumberland National Bank at an interest rate of 2.38%. [Note: This is the correct interest rate; the rate of 2.39 was quoted erroneously at the meeting.]

Upon motion by Mr. Wetzel, seconded by Mr. Rees, council voted unanimously to approve the purchase of lights and radios from Keystone Communications at a cost of \$4,692.

- Mayor Zboray informed the council that Tristan Brosious, a Boy Scout with Troop #342 from Christ United Methodist Church, is interested in replacing the Pineknott Park sign as his Eagle Scout project. The new sign will be similar to the signs located at the entrances to the Borough. He will also landscape the area and add solar lights. The volunteer work will be done this summer at no cost to the Borough. When the plans are completed, Mr. Brosious will present them to council for approval.

Street Supervisor's Report

Mr. Tom Slodysko stated that the street sweeper is scheduled to be serviced and will be running in two weeks.

Work is continuing at Pineknott Park. The pile of wood that was at Pineknott Park is practically gone because people have been cutting it and taking it. Mr. Slodysko said that some of the trees that are located in the area in front of the Sewer Authority fence are dying and weeds are growing up through the mulch. Mr. Slodysko suggested that the mulch be replaced with grass. His suggestion met with council's approval.

The department will install the no parking signs along Elliott Drive.

With the warmer weather, the street department will repair the streets by crack sealing them.

The discussion about the fire police building will take place at the Community Development Meeting. The fire police would like to paint the building and possibly obtain help through the Career Link as suggested by Mr. Klock.

Code Enforcement Officer's Report

No report.

Emergency Services Board Report

No report

Committee Reports

Community Development

Mr. Carl reported that he has obtained quotes for bolts for the bowl slide tower. The lowest quote of \$3,380 was from Haydon Bolts. The freight cost was not provided. Discussion ensued. Mr. Wetzel moved to purchase the bolts from Haydon Bolts at the price of \$3,380 and to approve up to \$1,000 for freight with the Council President

deciding whether to pay for the freight or have someone pick up the bolts at the Philadelphia based company. Mr. Klock seconded the motion. The council voted unanimously to approve the purchase. [Note: Freight cost was included in the quote of \$3,380.]

Mr. Reed stated that he spoke with Phil Hallden about developing a dog park/pet park area at Jolly Hollow. The council had tabled the sale of the property during an earlier council meeting. He said that Mr. Hallden belongs to a group that is interested in helping with fundraisers, etc. Mr. Tira explained that a group in South Williamsport has Paws Park, a dog walking park in South Williamsport, and would be a good source of information. Mr. Wetzel noted that Selinsgrove and Lewisburg also have dog parks. The topic will be discussed at the Community Development meeting on Monday night.

Finance

Mr. Rees stated that he looked at the 2011 budget numbers and the account was more in the black than anticipated by approximately \$10,000. One reason is that the realty transfer tax was higher than budgeted due to the transfer of the Sarah Lee property to Bimbo.

Personnel

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

Public Safety

No report

Rules

Mr. Sees stated that the committee would meet on March 12 at 6:00 p.m. He stated the he would like to see an ordinance that addresses cats in place by May.

Sewer

Mr. Klock stated that the committee met earlier tonight. A court hearing is set for March 12th at 3:00 p.m.

The NSA voted to retain Brinjac Engineering at a cost of \$7500 to conduct a study on the three options to the NSA – build a new plant; upgrade the current plant; or construct a pipeline to Sunbury. A compliance plan for DEP will be determined. There will be an interim basis where NSA will be purchasing credits. The number of credits is determined by the load. The cost of credits is currently around \$2.30. DEP will be involved with the determination of the number of credits that must be purchased.

Streets

Mr. Reed announced that the committee would meet next Tuesday at 7:00 p.m.

Old Business

1. Upon motion by Mr. Klock, seconded by Mr. Troup, council voted unanimously to accept volunteers from the United Way 2012 Day of Action to clear brush at Pineknott

Park on April 27, 2012 and to accept volunteers from Susquehanna University on April 14, 2012 to assist at Liberty Splashland as part of SU Serve.

2. Mr. Slodysko asked if the council is in favor of opening the recycling center for a brush drop-off this spring. Council voiced approval of conducting the brush drop-off. Mr. Troup stated that the council will discuss the dates and hours.

New Business

1. Upon motion by Mr. Rees, seconded by Mr. Carl, council voted unanimously to pay the bills, including \$90 for the police officers for cell phone reimbursement and \$200 for dues for the Central Susquehanna COG. Discussion ensued. Mr. Troup stated that the EMA director could use one of the Fire Department pagers instead of a separate pager. The Borough Secretary will check on suspending telephone service to Liberty Splashland when the pool is not open. General Fund bills total \$38,611.39; Park & Recreation Fund bills total \$922.00; Acorn Field bills total \$3,326.87; and Liberty Splashland bills total \$6,189.20.
2. Upon motion by Mr. Rees, seconded by Mr. Reed, council voted unanimously to approve payment of bills for budgeted items due before April 6, 2012.
3. Mr. Rees moved, and Mr. Reed seconded the motion to approve Resolution F-2012 which designates the signers for Northumberland National Bank checking account for the DEP grant. The designated signers are James Troup, Gregory Carl, Jane Sanders-Ressler, and Janice Bowman.
4. Upon motion by Mr. Wetzel, seconded by Mr. Klock, council voted unanimously to approve Resolution G-2012 and Resolution H-2012 which are as follows:

RESOLUTION G-2012

A RESOLUTION OF THE GOVERNING BOARD OF THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY, PENNSYLVANIA, AUTHORIZING AND EMPOWERING ITS LOCAL TAX COLLECTOR, BERKHEIMER, TO IMPOSE AND RETAIN COSTS OF COLLECTION ON DELINQUENT TAXES.

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania (53 P.S. §6901 et seq.), enacted December 31, 1965 and effective January 1, 1966, authorizes certain political subdivisions, including the **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY**, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, the **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY**, has entered into contractual agreement with **BERKHEIMER** of Bangor, Pennsylvania, whereby and whereunder the **BOROUGH OF NORTHUMBERLAND** appointed Berkheimer to collect **Earned Income Tax**; and

WHEREAS, said Act 511 specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of the **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY** specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. The **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY**, hereby **appoints** the **Borough Secretary-Treasurer** as its **authorized representative** to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for the **BOROUGH OF NORTHUMBERLAND**, as desired and deemed necessary by the **BOROUGH OF NORTHUMBERLAND**, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the **BOROUGH OF NORTHUMBERLAND**, upon request, to **Janice R. Bowman** as the authorized contact representative for it.

3. **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY** hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the 6th day of March, 2012.

BY: _____
Borough Council President

ATTEST:

Borough Secretary

RESOLUTION H-2012

A RESOLUTION OF THE GOVERNING BOARD OF THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY, PENNSYLVANIA, AUTHORIZING AND EMPOWERING ITS LOCAL TAX COLLECTOR, BERKHEIMER, TO IMPOSE AND RETAIN COSTS OF COLLECTION ON DELINQUENT TAXES.

WHEREAS, **NORTHUMBERLAND BOROUGH, NORTHUMBERLAND COUNTY**, by Resolution and/or Ordinance, has levied, assessed and provided for the collection of certain local taxes under and pursuant to the authority of the Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania, enacted December 31, 1965, and effective January 1, 1966, as amended; and

WHEREAS, **NORTHUMBERLAND BOROUGH, NORTHUMBERLAND COUNTY**, has hired Berkheimer to collect said taxes levied by the **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY**, including taxes that are or may become delinquent; and

WHEREAS, pursuant to Act 192 of the 2003-2004 General Assembly of the Commonwealth of Pennsylvania, **CLIENT, COUNTY**, has the right to impose a cost of collection on taxes that become delinquent and/or that remain due and unpaid;

NOW, THEREFORE, BE IT RESOLVED that

1. **BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY** APPROVES AND ADOPTS the Cost of Collection Schedule attached hereto and made apart of this Resolution to be imposed by BERKHEIMER upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid.

2. **BERKHEIMER** is authorized to retain said costs of collection set forth in the attached schedule incurred in recovering delinquent taxes and assessed to the delinquent taxpayer as allowed by law.

3. Any resolution or part of this resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this 6th day of March, 2012.

BY: _____
Borough Council President

ATTEST:

Borough Secretary

SCHEDULE OF COLLECTION COSTS TO BE IMPOSED AND ADDED TO DELINQUENT TAX

TAXPAYER NOTIFICATION AND ADMINISTRATION

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|---|---------|
| 1) Taxpayer late filing, Failure to File, Underpayment or Failure to Pay notice. | \$25.00 |
| 2) Employer late filing notice or underpayment penalty notice for quarterly or annual earned income tax or local services tax return or reminder notice 10% of the tax, penalty and interest due - minimum charge \$50.00. | \$50.00 |
| 3) Delinquent account servicing fee, including records imaging or other detailed record keeping, office staffing, computer equipment and software, office space, telephone, printing and imaging equipment, supplies used to generate delinquent notices and to establish payment plans. 10% of tax, penalty and interest due - minimum charge \$50.00. | \$50.00 |
| 4) Establishment of Payment Plan (per planned payment). | \$5.00 |
| 5) Fee for check returned from bank or failed electronic payment (NSF, Acct. Closed, etc.). | \$29.00 |
| 6) Notice of intent to file suit. | \$50.00 |
| 7) Certified Taxpayer notice prior to wage attachment. | \$25.00 |
| 8) Employer wage attachment notice. | \$25.00 |
| 9) Paid before Service. | \$10.00 |

LITIGATION

| | |
|--|-------------|
| 1) Prepare Magisterial District Court complaint. | \$75.00 |
| 2) Prepare for hearing. | \$100.00 |
| 3) Attend Magisterial District Court trial or hearing. | \$150.00 |
| 4) Attend Constable Execution sale. | \$350.00 |
| 5) Prepare Arbitration complaint/appeal. | \$150.00 |
| 6) Attend Trial. | \$350.00 |
| 7) Enter default judgment. | \$150.00 |
| 8) Issue Sheriff Writ of Execution. | \$250.00 |
| 9) Attend Sheriff Sale. | \$250.00 |
| 10) Non-litigation legal work. | \$70.00/hr. |
| 11) Litigation legal work. | \$80.00/hr. |
| 12) All other clerical work not itemized above. | \$60.00/hr. |

AUDIT OF EMPLOYERS HOLDING TAXES IN TRUST

| | |
|-----------------------|------------|
| 1) Tax Assessed Cost" | |
| \$40.00 - 100.00 | \$31.25 |
| \$101.00 - 500.00 | \$62.50 |
| \$501.00 - 1000.00 | \$125.00 |
| \$1,001 - 5,000.00 | \$312.50 |
| Over \$5,000.00 | \$1,000.00 |

REAL ESTATE TAXES

| | |
|--------------------------|---------|
| 1) Pre collection letter | \$45.00 |
| 2) Delinquent tax notice | \$40.00 |
| 3) Final Notice | \$28.00 |
| 4) Lien Satisfaction Fee | \$30.00 |

Civil Complaint: Court cost is advanced by Berkheimer and billed on a monthly basis to the taxing body. This cost is recovered at the time judgment is issued of the taxing body and is reimbursed to the taxing body when paid by the taxpayer.

Judgment Execution: Cost for either lien filing fee or actual Sheriff Sale is advanced by Berkheimer and billed to the taxing body on a monthly basis. Once the cost is recovered from the taxpayer it is reimbursed to the taxing body. All mechanics in either case are handled by Berkheimer.

Notices, which are in most cases used mutually exclusive from one another, may be sent in any order depending on collection efforts required and associated charges are not listed in order of mailing or use. The fees and cost of notices may be cumulative based upon the number and type of notices that Berkheimer must send to successfully collect the delinquency.

All Costs also pertain to electronic tax returns, payments, etc.

Berkheimer retains the right to automatically escalate these fees by 3% (rounded to the nearest dollar) on a yearly basis.

5. Council discussed the method to sell the 2003 Ford Crown Victoria. More information will be obtained from Municibid. A reserve may be placed on the vehicle. The topic was tabled.
6. Lynda Schlegel-Culver has requested permission to conduct a Town Hall meeting at the 2nd Street Municipal Building. The date has not been determined. Upon motion by Mr. Rees, seconded by Mr. Wetzel, council voted unanimously to approve the request.

Executive Session

Mr. Troup stated that the council would hold an Executive Session to discuss personnel and litigation issues, adding that the meeting may be reconvened. The meeting adjourned at 8:38 p.m. The meeting was reconvened at 9:30 p.m.

Mr. Sees moved to amend an earlier approval for a personnel consultant at an amount not to exceed \$3,200. Mr. Troup seconded the motion. Council voted unanimously to approve the motion.

Mr. Sees moved to adjourn. The meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Janice R Bowman
Borough Secretary