

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
November 18, 2014

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

Roll Call

Council members present were Stephen Reed, Ellie Rees, Paul Ruane, Ty Sees, James Troup, and Harry Wynn. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; Jeremy Deitrick, Sewer Department Superintendent; and Janice Bowman, Borough Secretary.

Public Comment

MacKray VanKirk informed the council that he has completed the Eagle Scout Project at the Howling Hollow Dog Park. Mr. Reed stated that he did a great job and thanked MacKray. Mayor Zboray, Mr. Troup and others echoed his thanks. Mr. Jay VanKirk informed council that there is a requirement that someone from the Borough sign off on the project. Mr. VanKirk was told to check with the Borough and Code Offices.

Northumberland Sewer Department Report

Mr. Brian Book provided the engineer's status report for the council.

- The closing for the Penn Vest Loan is set for December 17, 2014.
- The biggest concern Mr. Book has is the building permit. It was picked up today.
- Point Township has not provided any comments regarding the rate study.

Mr. Book informed the council that the study for the storm water pipe at Liberty Hollow which was completed by Hazen & Sawyer suggests that the end wall and the connecting manhole where the pipe makes the turn must be replaced as well as the pipe. A request for additional money will be made once DEP approves the recommendations.

Mr. Tira informed the council that two ordinances are required for financing for the sewer project. The first is a motion to advertise an ordinance for interim financing debt ordinance to be voted on at the December 2, 2014 council meeting. Mr. Troup so moved. Mr. Wynn seconded the motion. Council voted unanimously to approve.

Council member Adam Klock joined the meeting by telephone at 7:09 p.m.

Mr. Troup moved to approve the advertisement of the Penn Vest debt ordinance to be considered at the December 2, 2014 council meeting. Mr. Wynn seconded the motion. Council voted unanimously to approve.

Mr. Tira stated that the council had previously voted to approve the sewer rates, Mr. Tira is preparing a resolution for council to act on which will be submitted to PennVest for approval. This resolution will be available for the December 2nd meeting along with some other things.

Mr. Klock stated that quotes for installing the network at the sewer department were received. Mr. Jeremy Deitrick stated that the quotes were received for installation only, comparing apples to apples. They were \$2,032.55 from Computation; \$3,570 from MePush Inc. plus \$1,160 for four weeks of maintenance and monitoring; and \$1,500 from ProNet. Mr. Klock added that ProNet had agreed to extend the two week service agreement to four weeks at no charge. Mr. Troup said that charge submitted by MePush was \$1,160 for four weeks. Mr. Deitrick said that Computation didn't give one. Mr. Troup said the quote includes a fee of \$77.50. For future service Mr. Deitrick stated that the hourly rates were \$80 from Computation; \$85 from MePush; and \$75 from ProNet. Mr. Reed asked where ProNet is from. Mr. Deitrick stated that they are from Northumberland. Mr. Ruane asked if this was the company that the sewer department originally had and Mr. Deitrick stated yes. He said that ProNet came down from their original price because of the split. It originally had been for Borough and sewer. He added that the rate was \$3,100 and had included the Borough as well. This price is just for the sewer. Mr. Troup stated that the price is quite a bit cheaper than the others.

Mr. Wynn moved to approve the contract with ProNet. Mr. Reed seconded the motion. Council voted unanimously to approve.

Mayor's Report

- Mayor Zboray stated that he swore in the new fire policeman, Paul Treaster, on November 6th.
- Mayor Zboray attended the Veteran's Day Ceremony at the Riverview Cemetery on November 9th. He thanked Paul (Ruane) and the veterans for planning the program.
- The Mayor and other officials attended the ground breaking ceremony for the Shikellamy Middle School.
- Volunteers will be decorating trees in King Street Park on Friday. Thirty trees will be decorated.
- Mayor Zboray requested that council approve free parking in the downtown from December 1st to January 1st. Mr. Wynn so moved. Mr. Troup seconded the motion. Council approved unanimously.
- The Police Officers are reviewing the new policies. An exam will be administered before they go into effect on January 15, 2015.
- Bloomsburg student James P. Savini has submitted a letter to Chief Kriner and Mayor Zboray requesting that he be permitted to work as an intern with the police department from January 20 to May 4th. He must complete 120 hours of work which will be nine hours per week. He will ride along, assist with traffic incidents, parking regulations, etc. This is an unpaid internship.

Mr. Wynn approved the request. Mr. Troup seconded the motion. Council approved unanimously.

Emergency Services Board Report - no report

Committee Reports

Community Development

Mr. Reed stated that the Community Development Committee did not meet this month. He did attend a meeting of the dog park committee last night. They are considering fund raising for the park. One possibility is to sell bricks with stamped names.

Mr. Reed stated that the bridge at the dog park is completed by MacKray VanKirk and it looks great. He added that they also put two picnic tables for the park. Mr. Reed stated that MacKray's dad, Jay VanKirk, was a shop teacher and he built the tables.

Mr. Klock left the meeting at 7:22 p.m.

Mr. Reed informed council that there is a problem with the buses coming down Eighth Street from Cannery Road when cars are parked there. It is difficult for the buses to maneuver the curve from Eighth Street onto Orange Street. Mr. Tira advised that council could pass a temporary parking restriction for sixty or ninety days. Mayor Zboray stated that he is there every day and he doesn't see a problem there. Mr. Sees stated that he drives this street and has noticed that if someone is parked at the low gate or the small fenced-in area, there could be a problem. He stated that he would only do a temporary restriction at this time.

Mr. Reed moved to approve a temporary no parking signs on Orange Street at the Howling Hollow Dog Park. Mr. Wynn seconded the motion. Council approved unanimously. Signs will be posted that state "temporary no parking between signs".

Finance

Mr. Sees stated that the committee will meet at 6:30 on Thursday.

Personnel

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

Public Safety - no report

Rules

Mr. Ruane provided a revised schedule of fines for the Pennsylvania Crime Code & Vehicle Law Handbook. Mr. Reed moved to accept the schedule of new fees and penalties as of February 1, 2015. Mrs. Rees seconded the motion. The motion was amended to include the restrictions for "no parking" on Monday and Tuesday from 8:00 a.m. to 4:00 p.m. and Wednesday from 7:00 a.m. to 8:00 a.m. Council voted unanimously to approve the motion.

Mr. Ruane stated that the Code Book has been re-codified and a resolution listing the fines has been revised to correspond with the correct section of the Code Book. Mr. Ruane requested that Mr. Tira review the changes for accuracy.

Mr. Ruane explained that the Commercial Business District as described in the Zoning Ordinance did not change. The Zoning Ordinance states what is permitted in the

Commercial Business District. A tattoo parlor is not included. Mr. Ruane stated that the council passed an ordinance in 2004 that designates where certain types of businesses dealing with adult entertainment may be located. Mr. Tira stated that he read the ordinance which talks about sexually-oriented content and then there is a random phrase about tattoo parlors and body piercings. He explained that he read the ordinance to mean that as long as there was no sexually-oriented material, a tattoo parlor could be located in the Commercial Business District. Mr. Ruane asked if it would be like a beauty shop, if a zoning hearing would be required. Mr. Sees questioned if they've ever seen a tattoo parlor that has no sexually-oriented content? Mr. Wynn questioned if someone wanted a tattoo on certain body parts, if that would be considered sexually oriented? Mr. Tira said that it could be; however he does not think that body piercing or getting a tattoo in general would be in violation. . Tira said that his understanding when he read the ordinance was that it talks about display so they could not display any sexually oriented materials. Mr. Troup asked if anyone doesn't want it here or does council have to redo the ordinance so they can open. Mrs. Rees asked if this is an adult-oriented business and one would have to be over the age of eighteen. Mr. Tira said that he took it as adult-oriented meant sexually explicit and at the end, there was a tag-in with examples of things that "could be". Mr. Wynn stated that he doesn't think anyone under the age of eighteen can get a tattoo without parental permission. Mr. Troup added that he does not think that anyone under sixteen may be tattooed at all. Mrs. Rees said that her understanding is that the parent must be there. Mr. Reed asked if the business is ready to open and if it was given the okay by the code officer. Mr. Troup said that to say the town can't have one seems kind of prudish. Mr. Tira said that the code officer has to make the initial decision of how to interpret the ordinance and have someone appeal it. If council wants to change the ordinance, since it is the zoning ordinance, you would have to go through special advertising, conduct a public hearing on what the change is going to be so the public can have their input on it, and go that route. It is not a simple, quick fix. Mrs. Rees questioned if the party who would appeal it be a private citizen. Mr. Tira responded that it can be. She asked if it could be the council, if they wanted to. Mr. Tira said that typically this wouldn't happen because the council could informally tell the code officer their opinion. He added that normally it is an individual who would have to appeal it. The Borough Secretary asked about another section of the ordinance that defines the distance the business must be from a playground area. Mr. Sees noted the ballfield location. Mr. Tira stated that this stipulation is part of the adult entertainment stipulation so if the business doesn't meet the sexually-oriented part, does it even apply. He said that he feels this is the problem with the wording.

Streets

Mr. Wynn presented a bill for \$1,226.48 for truck repairs. He said that Ted had written council a letter saying that Mr. Wynn had no right to authorize work to be done on equipment while he was away. However, while he was away, he left Mr. Wynn in charge. Mr. Wynn wanted council to know that this was the bill from Sunbury Motors for the oil leak to the truck that needed no repair. Mr. Wynn said that he was told by Ted that he didn't have the authority to send the truck over for the repairs that did not need anything, according to Ted. Mr. Wynn explained that there was oil all over the garage floor and Ted had disputed that. He said that here is the proof. The bill for the repair to the other truck that Mr. Wynn sent over was \$160

because the transmission was too full of oil and the pressure build-up blew the filter off. Mr. Wynn said that he feels that he was within his right to do that because when Ted left he asked Mr. Wynn to cover for him. He said that he did, he picked up some supplies which was a big dispute, in addition to the repairs on the trucks. Mr. Reed asked if Mr. Wynn spoke to Ted about this since getting the bills. Mr. Wynn replied that he did not. He said that he talked to Ted today about waiting until tomorrow to put up the trees in the park because of the wind. He also talked to him about the street sweeper being winterized and blowing the water out. He said that directions are on the computer on the sweeper of how it can be done. It will build its own air and blow out all the lines and then it's winterized. The Santa House must be brought to the park before Friday because volunteers are decorating on Friday.

Mr. Wynn read a report from the Street Supervisor who was not present.

- Mr. McCollum attended a class about low-volume paved or gravel roads. By attending this seminar, the Borough will be eligible to apply for grants for low-volume paved roads.
- There were seven citations issued, zero complaints, sixteen street cut permits, and three rental inspections. Fees totaled \$525.
- Mr. McCollum met with the contractor who installed the curbing and will be repaired next week.
- The pool is filled within eighteen inches.
- Mr. McCollum attempted to install the trees in the park but because of the wind, will get them up tomorrow so volunteers can decorate them. He noted that he has to drill the holes deeper.
- Santa's House will be brought to the park tomorrow.
- The street sweeper will be winterized next week. No response has been received from Johnson Corporation regarding the warranty claim so Mr. McCollum plans to send a follow-up letter to the company.

Mrs. Rees asked if Mr. McCollum heard if he passed the test that he took for certification. Mr. Wynn stated that Mr. McCollum said that he feels he passed it; however, it takes several weeks until he hears if he's passed.

Mr. Ruane stated that the sweeper should have been winterized before this. Mr. Sees stated that he is concerned that because the temperature has been below freezing it should have been done before this. Mr. Wynn stated that Steve Carr was handed a letter stating that the computer is used to blow the air. However, Steve Carr told him that he does not know what to do and Mr. Wynn feels that it is the street supervisor's responsibility.

Mr. Sees asked if the Borough was notified in the past of the results of the tests. The Borough Secretary stated that the results from the first test were sent to Mr. McCollum at the Borough; however, the results of the second test were not sent to Borough. She did not recall the time frame. Mr. Sees suggested that someone call the state to find out when the results would be available.

Old Business

None

New Business

1. Several more bills were added to the list to be approved for payment. They included \$38.52 from Cole's Hardware for hardware and drill bits and \$475 from TruBuilt Lumber for treated lumber. Both bills will be paid from the Norry Playground Fund.

Mr. Wynn stated that the timbers around the playground must be drilled and pinned because if not, they will warp and bend. He added that a two-foot rod, driven 18 inches into the ground should hold them.

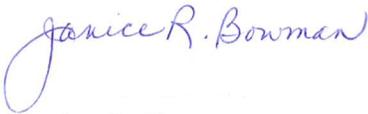
Mr. Reed moved to pay the bills, including those that were added. Mr. Wynn seconded the motion. Council voted unanimously to approve. Bills to be paid from the General Fund total \$12,121.68; Donations Account bills total \$51.33; Park & Recreation Fund bills total \$139.99; Norry Playground Fund bills total \$513.52; and Sewer Department bills total \$19,771.01.

Executive Session

Mr. Troup announced that the meeting would be adjourned for and Executive Session and the meeting would not be reconvened.

Mr. Sees moved to adjourn. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Janice R. Bowman
Borough Secretary