

Borough of Northumberland
175 Orange Street
Northumberland, PA 17857
Northumberland Borough Special Council Meeting
February 10, 2012

President James Troup called the meeting to order at 3:30 p.m. The Pledge of Allegiance was recited and Mayor Leonard Zboray offered an Invocation.

Roll Call

Council members present were Adam Klock, Stephen Reed, Ty Sees, James Troup and Frank Wetzel. Others present were Mayor Zboray and Janice Bowman, Borough Secretary. Council members Gregory Carl and Jonathan Rees were absent.

Dean Paul, a member of the Northumberland Sewer Authority, was present.

Public Comment

No public comment was offered.

Resolution D-2012

Mr. Troup read the resolution as follows:

RESOLUTION NO. D-2012

***WHEREAS**, Council of the Borough of Northumberland (“Borough Council”) desires to acquire the sewage treatment facility plant and the related real estate, facilities and assets, including, but not limited to pumping stations, collection lines, sewer mains, accounts, contracts and agreements of the Northumberland Sewer Authority (the “Project”); and*

***WHEREAS**, the Borough Council previously on December 6, 2011 passed a resolution stating its desire to acquire the Project from the Northumberland Sewer Authority; and*

***WHEREAS**, the Borough Council desires to further the acquisition of the Project from the Northumberland Sewer Authority and to direct the Northumberland Sewer Authority to satisfy all outstanding debts and to the extent debts remain to transfer said obligations to the Borough; and*

***WHEREAS**, the Borough Council agrees to assume any remaining obligations of the Northumberland Sewer Authority; and*

WHEREAS, the Borough Council desires to direct the Northumberland Sewer Authority to take all necessary steps to dissolve the Northumberland Sewer Authority; and

WHEREAS, the Borough Council desires to direct the Northumberland Sewer Authority to take all steps necessary to implement all provisions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, this 10th day of February, 2012 as follows:

The Northumberland Borough Council hereby directs the Northumberland Sewer Authority to transfer the Project and all of its assets to the Northumberland Borough. Further, the Northumberland Borough directs the Northumberland Sewer Authority to satisfy all of its outstanding debts. To the extent that any debts cannot be satisfied by the Northumberland Sewer Authority, the Borough agrees to assume all remaining obligations. Further, the Northumberland Borough Council directs the Northumberland Sewer Authority to dissolve. Furthermore, the Northumberland Borough Council hereby directs the Northumberland Sewer Authority to take all necessary steps to consummate all of these directives.

ADOPTED as a resolution of the Council of the Borough of Northumberland, Northumberland County, Pennsylvania, this 10th day of February, 2012.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: _____
Janice R. Bowman, Borough Secretary

By: _____
James E. Troup, Council President

APPROVED this 10th day of February, 2012.

By: _____
Leonard M. Zborary, Mayor

Upon motion by Mr. Wetzel, seconded by Mr. Klock, the council voted unanimously to adopt Resolution D-2012.

Mr. Klock questioned if the Borough would have a Sewer Committee, whether members of the public could be appointed, in addition to council members. Discussion ensued with the end result being to consult with the solicitor. Mr. Wetzel suggested that the council give the thirty day notice to the North Point Sewer Authority that the council is no longer interested in the merger. Mr. Klock stated that according to Attorney Joel Wiest, a resolution would be required to withdraw from the joint authority. Solicitor Ryan Tira was contacted by telephone. He explained that the thirty (30) day notice referenced in the resolution to approve the North Point Sewer means that the Borough had thirty (30) days to withdrawal from the date the resolution was adopted.

Mr. Klock suggested that council approve advertising a resolution to repeal the resolution that created the joint sewer authority. Discussion was held about the time frame required for the advertisement. Mr. Tira agreed to have the advertisement for the resolution submitted to the Daily Item on Monday and he will provide the draft of the resolution for public inspection.

Mr. Sees moved to advertise the resolution to repeal entering into the joint sewer authority and to take all necessary steps in doing so. Mr. Klock seconded the motion. Mr. Klock asked if the ownership of the land at the Point could compromise the DEP grant. The Borough Secretary responded that the grant requires either ownership or a lease for the property and the Borough has a lease with the Sewer Authority for the land. The council voted unanimously to approve advertising the resolution.

Mr. Wetzel moved to adjourn. Mr. Sees seconded the motion. The meeting was adjourned at 4:03 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary