

**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**August 19, 2014**

President James Troup called the meeting to order at 7:05 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

**Roll Call**

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

**Public Comment**

The five visitors present introduced themselves.

Mr. Lauren Miller informed the council that a half-way house is being proposed for a property on Park Avenue. He stated that he and other neighbors are not in favor of it and asked if permits were approved. He was told that someone had called the Borough Office for information and was provided with the Code Enforcement Officer's phone number. Mr. Tira stated that they would have to apply for zoning and if it does not comply, the permit would not be granted. He added that he has not heard about it. Mr. Klock stated that it would be reviewed.

**Council Meeting Minutes**

Upon motion by Mrs. Rees, seconded by Mr. Troup, council voted unanimously to approve the council meeting minutes of July 15, 2014.

**Northumberland Sewer Department Report**

Mr. Klock informed the council that the Fire Department provided assistance at controlled burn for brush at the sewer plant which was greatly appreciated. He moved to contribute \$250 to the Fire Department from the Sewer Department for assistance at the controlled burn. Mr. Sees seconded the motion. Council approved unanimously. Mr. Troup noted that the Number 1's truck is now housed at the Hookies.

Mr. Brian Book, an engineer with Hazen and Sawyer, informed the council that the bids for the sewer project would be opened on Friday, August 29<sup>th</sup>. The council will consider the bids at the September 3<sup>rd</sup> council meeting. Mr. Book stated that there have been numerous contractors interested in the project. Mr. Book noted that there are three contracts out for bid. He provided council with a table that described the type of contract, number of potential bidders and the engineer's cost estimates from November 2013. There are eight general contractors, two HVAC contractors, and five electrical contractors who have expressed interest in bidding. Mr. Book said that he is concerned about whether the bids will come in close to the cost estimate since the

project, with an original bid date in March, was postponed until August. He has also recently seen two bids come in higher than the cost estimates. If the bids are higher, the borough council would have several options. At the September 2<sup>nd</sup> council meeting, he will either recommend awarding the bids or rebidding. Mr. Book said that there have been a number of questions on the rate impact with the change to a usage-based rate system. If the Borough borrows \$1.8 million from PennVEST, only the interest is paid back in the first two years, the construction rate. The rates would be about \$441. The next five years, the interest rate for the Penn Vest loan is 1% and the average rate would be about \$669 per year. During the final fifteen years of the loan, the interest rate is 1.8% and the average rate would increase to \$697 per year.

Mr. Book has calculated that the charges during construction would be at a rate of \$135 per year for the Borough-only collection system and \$316 for treatment and the shared collection system. Mr. Klock explained that they are not increasing the income; just redistributing where it comes from based on the water-usage system. The information is coming from the Pennsylvania American Water Company. There will be a flat rate for the borough collection system and a flat rate toward treatment. The additional treatment cost will be based on water usage. A question was asked about people watering flowers and their lawns. Mr. Book explained that there is no perfect way. Mr. Klock stated that the committee had looked at water usage in the Borough and there was an increase of about 10% during the summer months. Mr. Book stated that there are 1,821 water meters in the Borough, everyone could water their yard, or not, so short of putting a meter on the sewer side, they must come up with a calculation based on water usage. Mr. Book also said that people may use rain barrels to cut back on water usage.

Mr. Book asked if anyone has signed the letter accepting the PennVest loan. Mr. Klock responded that he would sign the letter and mail it tomorrow.

Mr. Book said that he attended PTSA's meeting. He said that they characterized the mediation as being the Borough defending the design for 5.5 hours which was a surprise to him since the design was not talked about until the last topic which they brought up. They talked about the fact that there was no movement whatsoever. Montie Peters asked Mr. Book directly if the Borough was willing to negotiate. Mr. Book said that the Borough had offered some type of committee which was 3-2-1 and Mr. Peters looked as though he hadn't heard about that from their delegates who were at the meeting. The PTSA did vote to continue the lawsuit; but they voted on that prior to their Executive Session to discuss the mediation meeting.

Mr. Book said that the PTSA talked about waiving the tapping fees for all customers at Lithia Springs. Mr. Book doesn't know if that is legal; but he thinks the Borough should inform them that the Borough is not waiving its tapping fee. Mr. Klock stated that it is in the agreement that there is a tapping fee. He added that Jeremy received an email from PTSA asking what the Borough's tapping fee is for the township.

Mr. Klock stated that they have generated a letter to the editor in response to the comments that were made in the newspaper at the Point Township meeting about the mediation.

Mr. Book said that Point Township has an obligation to collect a tapping fee associated with treatment and pass the fee on to the Borough. They may add a certain percentage to it that they may keep. The law allows the Borough to set that rate, which they have. Mr. Book does not know if Point Township has been collecting this fee. Mr. Sees asked if PTSA chooses not to collect the tapping fee, may the Borough go after this fee. Mr. Deitrick explained that the

township authority is waiving their collection portion of the tapping fee. There are three portions of the tapping fee; treatment, collection and special purpose. The treatment cost comes to the Borough and the collection cost stays with the township. He does not know if they have a special purpose cost. Mr. Klock stated that they did not include a charge for the Borough's portion of the tapping fee for several new customers this year. Only their collection portion was billed to the customer and this is why the Sewer Department is looking into the matter. They are also checking historical records and will look to reconcile this. In the Borough, the tapping fee is 1,630. This fee includes inspections, approximately four hours for labor. In the township, the Borough's portion of the fee is approximately \$1,570 which does not include inspections. The township employees conduct the inspections. Mr. Deitrick said that he thinks the township's tapping fee varies based on the location, which is not uncommon.

Mr. Book stated that an engineer from Hazen and Sawyer met with Chip Groce to discuss the hydraulic study and permit for the pipe at Liberty Splashland. He has provided a proposal to conduct the engineering work that was requested.

Mr. Klock asked if there has been any word on credit availability. Mr. Deitrick responded that the nitrogen credits were discussed with Ralpho Township. Their board meets within the next two weeks.

Mr. Book stated that the I&I project would proceed after the bids for the plant project are opened and they know how much money is available.

### **Mayor's Report**

- Mayor Zboray stated that the Borough will be receiving funding of \$1,226.61, which is half the price for safety vests that were purchased for the police department.
- Four flat screen computer monitors were donated to the police department by Greg Shaffer and AAA.
- During the first nineteen days of August, the police have issued 23 traffic citations. The police are patrolling. The ENRADD went well. The mayor has received more complaints from people who have been pulled over. He tells them that the police are only doing their jobs.
- The new police policies have been reviewed by the solicitor and the police officers. The policies will be in the Borough Office for council to review with the hope that there will be a resolution in September. Mr. Tira advised that if council plans to vote on them in September, they should start coming into the office soon because they are thick. Due to the sensitive material in the policies, they may not be sent electronically. Mr. Sees asked if someone from the public could come in and ask to see the policies under the right to know law. Mr. Tira responded that anything that would impact safety and security would be redacted. Mayor Zboray asked if council would like more time to review. It was agreed that the resolution to adopt the policies would be voted on in October.
- The Day of Remembrance at the Riverview Cemetery is scheduled for 11:00 a.m. on August 23<sup>rd</sup>.
- Memory Lane will be playing in the King Street Park on August 30<sup>th</sup> from 3:00 p.m. to 7:00 p.m. The S. Luther Savidge Charitable Foundation is sponsoring the event.
- The collection box for the parking meter money is broken. Cups will be used in the parking meters, instead of the cylinders that work with the collection box. Mayor Zboray stated that two people always empty the meters. He added that the meter fund is doing

well. Mr. Klock asked why the unmarked car is being used by the parking meter attendant. Mayor Zboray stated that the marked car is using about one quart of oil a week. They think it is the valve seals. Mayor Zboray said that the officer on duty is using the marked car. Mayor Zboray said that they have had problems with the brakes on the Charger. It's on the third set of rotors. Zimmerman's recommended that they get the after-market and that hopefully they will hold up better. He said that the Durango is also using oil. Mr. Klock suggested that Ted look at the marked car to see if he can repair it. He also suggested that the code car be used by the parking meter attendant. Mayor Zboray noted that Ted worked on the recycling truck today and it looks great. He has painted the wheels, the sides and the doors. Mayor Zboray said that he would have the parking meter attendant use the code car since it is not being used by the code enforcement officer.

**Street Supervisor's Report** – no report

**Code Enforcement Officer's Report** – no report

**Emergency Services Board Report** – no report

### **Committee Reports**

#### Community Development

Mr. Klock asked for permission to use the community room for a monthly meeting of the Dog Park Committee. He was informed that the police can unlock the door whenever the group wishes to meet. They may meet in the community room or the conference table in the hallway. Mayor Zboray stated that people are not cleaning up after their dogs. Mr. Klock stated that signs are needed. Mr. Troup stated that council had discussed that if people are not going to clean up after their dogs, the gate would be locked. Mr. Klock said that the sign that was posted was temporary and that a new sign is needed. He added that the dog park brings a lot of people to town. Mayor Zboray said that he has five trash barrels at the cemetery and that he had put new bags in the barrels. The next day, the trash bags were stolen. He noted that people are also putting household trash in the trash bags.

#### Finance

Mr. Sees stated that all departments will be getting a letter announcing the meetings for the 2015 budget, beginning in September. The committee will meet this Thursday to review the current budget. Mr. Sees informed the council that he attended the Northumberland County Tax Collection meeting at the high school. The representatives voiced satisfaction with Keystone Collection, the company who is collecting the earned income taxes for the county.

Personnel – no report

Public Safety – no report

#### Rules

Mayor Zboray stated that Mr. Ruane is still working on the street signs. There are still some street signs that are missing and some are faded. The Mayor explained that

someone who received a ticket said that the sign was faded. Mr. DeMarco checked the sign and photographed it because it was not faded. The Mayor also said that either trucks are hitting the new street signs or kids are jumping up and bending them. Mr. Sees said that someone made a sign from Wallace Street and another homemade sign was posted at Leighow Avenue. Mayor Zboray said that Ted is going to fix them.

Mayor Zboray has also talked with Ted about the clock at bank. The key needed to set the clock cannot be found and the Mayor suggested that a new key be obtained. Bank personnel has offered to keep the key and change the time as required.

#### Streets

The contractor has started to install the curbing on Third Street. Mr. Sees stated that the drain pipe from his downspout had extended through the old curbing to the street. He requested that the new curb accommodate the drain pipe. He added that he would speak to the contractor tomorrow.

#### Old Business

1. Mr. Troup announced that the Municipal Leaders Meeting is scheduled for August 26, 2014 at 9:00 a.m. at the Degenstein Library in Sunbury. Mr. Troup said that he wished the meetings would be held in the evening. Mayor Zboray said that he had discussed that with her and her office is looking into it.
2. A Town Hall Meeting with Lynda Schlegel Culver is scheduled for August 26, 2014 at 6:00 p.m. in the Borough Building.

#### New Business

1. Upon motion by Mr. Sees, seconded by Mr. Troup, council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$49,890.11; Parking Meter fund bills total \$179.00; bills to be paid from the Donations Account total \$129.00; Park and Recreation fund bills total 46.12; Liberty Splashland bills total \$2,057.20; and Sewer Department bills total \$13,948.94.
2. Upon motion by Mr. Klock, seconded by Mr. Sees, council voted unanimously to transfer \$6,480.56 from Liberty Splashland account to General Fund for pool payroll from August 2, 2014 through August 15, 2014.
3. Mr. Klock asked what date is slated to be the final day the pool is opened. It is thought to be Sunday, August 31<sup>st</sup>. Mr. Klock asked if a dog swim has been planned. He said that they missed the opportunity last year, but the year before approximately \$600 was raised. He said that he would talk to Travis.

#### Executive Session

Mr. Troup adjourned the council meeting at 8:06 p.m. for an Executive Session to discuss potential litigation. He noted that the council would possibly reconvene the meeting. The council meeting was reconvened at 8:54 p.m.

Mr. Klock made a motion to authorize Jeremy Deitrick and himself to take steps necessary to resolve the violations noted in the July 18, 2014 letter from DEP. Mr. Troup seconded the motion. Council voted unanimously to approve the motion.

Mr. Klock made a motion to authorize the solicitor to take all steps necessary to collect all amounts due from the Point Township Sewer Authority including filing lawsuits to do so, if necessary. Mr. Sees seconded the motion. Mr. Sees asked if there is a lawsuit, may the Borough ask for all attorney fees. Mr. Tira responded that this is part of the treatment agreement and does not need to be part of the motion. Mr. Tira stated that he has been tracking his time. Council voted unanimously to approve the motion.

Mr. Troup moved to table the bids for the labor to install the pipe at Liberty Hollow until the September 2, 2014 borough council meeting. Mr. Klock seconded the motion. Council approved unanimously.

Mrs. Rees and Mr. Sees moved and seconded the motion to adjourn the council meeting. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Janice R. Bowman  
Borough Secretary