

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857

Northumberland Borough Council
Council Minutes February 7, 2023

Council President Paul Ruane called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited, and Mayor Berard offered an Invocation.

Roll Call

Council members present were Mr. Paul Ruane, Mr. Timothy Botts, Dr. Denise Guilbault, Mr. Frank Wetzel, Ms. Kaitlyn Simmons and Mr. Charles Stroup. Others present were Ms. Melissa Kelso, Borough Solicitor, Mayor Daniel Berard; Mr. Jeremy Deitrick, Wastewater Superintendent; Mr. C.L. Kriner, Police Chief; John Apple, Fire Police Chief and Ms. Ann Zartman, Borough Manager.

Public Comment on Agenda Items – no comments.

Council Meeting Minutes

Mr. Charles Stroup made a motion to accept the December 6, 2022 and January 3, 2023 Council Minutes of 2022, Mr. Timothy Botts seconded. All approved, motion carried.

Mayor's Report

Mayor Berard read the report on the activity of the Police Department for the month of January. The police issued 22 traffic and 9 non-traffic citations, and 152 parking tickets. They responded to 207 calls for service, made 24 court appearances and trained for 15 hours. Several people were arrested for the misdemeanor and felony crimes of Retaliation for Past Official Action, Terrorist Threats, Unlawful Restraint, Reckless Endangerment of Another Person, False Imprisonment, Arrest Prior to Requisition, Involuntary Deviant Sexual Intercourse, Statutory Sexual Assault, Corruption of Minors, Criminal Use of Communication Facility; Fleeing or Attempting to Elude Police, Flight to Avoid Apprehension and DUI. The police responded to 24 assist calls for the month; 6 to Point Township, 11 to Sunbury, and 7 to other agencies.

Sewer Department Report

Mr. Stroup made a motion to approve Kenyon Pipeline payment application#3 for \$38,340.00 for work completed on 2021 I & I project. Mr. Botts seconded. Mr. Ruane commented that the project is for relining sewer pipes.

Due to questions on the the contract presented by Kappe Associates Costars for repairs and replacement of Digesters air piping #'s 5 & 6 and blowers on #'s 3 & 4 this item has been tabled until next month.

Street Department Report

Mr. Ruane commented that the banners are back up. Mr. Ruane also assured that the safety issue on Strawbridge would be taken care of.

NEIC Report

Ms. Jackie Hart reported she attended one Rules Committee meeting, issued two building permits for \$10,412.24, three street cuts were issued for \$2730.00, \$390 dollars in rental fees.

Committee Reports

Community Development

Ms. Kaitlyn Simmons reported that she contacted three businesses concerning the lift. First one was Ameriglides, which Denise brought up at the last meeting. The second one, One-one-One Mobility Greg Lucas, came and looked at it but did not get back to her with a quote; she sent 3 emails. Number three, Ms. Simmons emailed and called Butler Mobility multiple times; they did not get back to her. She believes Ameriglides was our best option. Nate Boyer did preliminary research he presented at the last meeting. His estimate was significantly higher. Ameriglides quote of \$16,036.35 for a ADA compliant vertical platform lift was less than Nate's estimate, and is good barring any major changes as he has not visited the site. Mrs. Kelso stated that you can approve entering into an agreement if you are comfortable with it and the number. If it comes back higher than the quote it will need to come back to council. Ms. Simmons made the motion to approve the quote by Ameriglides for \$16,036.35, Mr. Stroup seconded. All approved, motion carried.

Finance

Mr. Botts reported we are looking into Direct Deposit with Northumberland National Bank. Payroll is there and payment is by check. Direct Deposit will make that easier. A resolution is required according to Ms. Kelso. Mr. Wetzel asked if everyone was going to be required to go to Direct Deposit, it isn't a choice. Ms. August responded that yes everyone was on board. Dr. Guilbault commented the issue was bi-weekly versus weekly. Ms. Zartman responded that we're going to remain at weekly. Mr. Botts made a motion to approve Direct Deposit, seconded by Mr. Stroup. All approved.

Personnel

Mr. Winston Ortiz recommended and made a motion to hire John Symanski for the laborer position open in the Sewer Department. We still need to receive his DD214 form from the United States Air Force. So far he looks very clean. Mr. Charles Stroup seconded. He also has experience with snow plowing, and could possibly assist the Street Department. All approved, motion carried.

Public Safety

Mr. Wetzel reported that at the meeting exterior lights at this building for the parking areas, and replace those along the playground, also 2 for garage exterior.

Rules

Dr. Denise Guilbault presented and recommended the adoption of the following policy prohibiting firearms and dangerous weapons in the workplace:

POLICY PROHIBITING FIREARMS AND DANGEROUS WEAPONS IN THE WORKPLACE

Policy Statement

Ensuring a safe work environment and the prevention of workplace violence is of utmost importance to Northumberland Borough. Weapons inside the workplace pose a potential threat to the safety and security of our employees, and firearms of any type are strictly prohibited at all times inside Borough facilities, or while you are engaged in the work or business of the Borough, whether on-site or off-site.

The carrying of a firearm of any kind while inside a Borough building or leased space, on Borough property, inside a Borough-owned vehicle, or while conducting Borough business, on or offsite, is strictly prohibited, is a violation of borough policy, and will subject an employee to discipline, up to and including termination.

Definitions

Employee – Employee includes any person, excluding law enforcement personnel, who performs services for the Borough of Northumberland, either compensated or uncompensated. This includes, but is not limited to, students, volunteers, staffing agency workers or contractors, supervisors and managers.

Firearm or dangerous weapon – for purposes of this policy, a firearm or dangerous weapon includes, but is not limited to, the following:

- 1) A firearm, whether loaded or unloaded, from which a shot may be discharged including but not limited to handguns, pistols, revolvers, shotguns, rifles, and bb guns;
- 2) A gun that can discharge a shot or a projectile by means of an explosive or gas, or compressed air;
- 3) A device designed to be used as a weapon, from which can be expelled a projectile by the force of any explosion or force of combustion;
- 4) Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- 5) Any destructive device;
- 6) Any device designed as a weapon and capable of producing great bodily harm, including but not limited to, stun guns, stun batons;
- 7) An electric weapon such as a taser gun;
- 8) Any combustible or flammable liquid, or other substance, device, or instrumentality that, in some manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm; and
- 9) Any knife that is carried with intention or calculation to produce death or great bodily harm. Switchblades are specifically prohibited. (A Leatherman or other small pocket knife is permissible, as long as the blade is 3 inches or less in length. Knives intended to be used as eating utensils, and stored or maintained in office kitchens or lunchrooms do not represent a violation of this policy.)

Prohibitions

Regardless of whether a Borough employee possesses a concealed weapons license or is allowed by law to possess a weapon, all employees are prohibited from possessing, transferring, carrying, selling and storing firearms or dangerous weapons while working on Borough property or while acting within the course and scope of their employment when not on Northumberland Borough property. This prohibition also pertains to elected Borough officials. This prohibition applies anywhere Borough business is conducted as summarized below:

- Working on property owned, leased or controlled by the Borough;
- Performing work for the Borough at any location including private residences and commercial establishments and other customer or client locations;
- Driving or riding as a passenger in a Borough vehicle;
- Attending trade shows, conferences, or training on behalf of the Borough;
- Attending Northumberland Borough directed or sponsored activities or events (intended for Borough employees only and not the general public) independent of venue;
- Riding any type of mass transit while on Borough business;
- Working off-site on behalf of the Borough (excluding the employee's residence);
- Performing emergency or on-call work for the Borough after normal business hours and on weekends.

Borough employees may possess, carry and store a firearm or dangerous weapons in their **privately-owned** motor vehicles if they have obtained the appropriate license as required by applicable state and federal laws. Employees who use a personal vehicle in the course and scope of their employment are required to keep the permitted firearm or dangerous weapon stored out of sight and in a secure location.

Violation of this policy is considered a serious offense that endangers the safety of employees and others. Therefore, any violation of this Policy may result in severe disciplinary action up to and including termination from employment. When appropriate a referral to law enforcement may be made which may result in criminal charges.

Report of Violations

Employee Violations

Employees are required to report violations of this Policy without regard to the relationship between the individual who initiates the prohibited behavior and the individual reporting it.

Any employee who is aware of a firearm or dangerous weapon of any type within the building or that an employee has a weapon in their possession while engaging in conduct that violates the prohibited conduct described above, has an obligation to report this information immediately to the borough manager. The borough manager will report the violation to the council president and the chairs of the Borough's Personnel Committee and Public Safety Committee.

The Personnel Committee and Public Safety Committee members will promptly investigate allegations of violations of this policy. Supervisors and managers are responsible for establishing and modifying procedures as necessary to carry out and comply with this Policy in accordance with applicable laws and Borough

ordinances. Departments are responsible for implementing protocols for handling a prohibited weapon upon discovery.

The Borough reserves the right to authorize searches for prohibited weapons on its property when a violation is reported or when probable cause or reasonable suspicion is present consistent with law. Employees should be aware that there is no reasonable expectation of privacy with respect to weapons in the workplace. The Borough's right to conduct searches includes, but is not limited to, such areas and items as lockers, desks, workstations, purses, briefcases, bags, toolboxes, and lunch bags. Searches of the employee's work area and belongings, as described above, may be conducted by the employee's supervisor and another member of management. Searches of all types, including surrounding Borough property, personal property and the employee may be conducted by law enforcement in accordance with law should reasonable suspicion be present. Any weapon found in violation of this Policy may be confiscated. Refusal to permit a search may result in discipline up to and including termination.

Visitor Violations

Visitors to posted no-carry Borough facilities are not allowed to carry a weapon on the premises. If a visitor does bring a weapon into a Borough facility, a determination will need to be made as to the level of risk the visitor carries.

Any visitor carrying a weapon into a posted no-carry Borough facility is creating an elevated risk to security and safety that warrants a response leading to compliance with the law. If the visitor poses an immediate risk to security or safety, the Police Department should be notified immediately by calling 9-1-1. The visitor should be considered an immediate risk to security and safety if he or she is acting in an aggressive, belligerent, confrontational, suspicious or in an otherwise questionable manner while carrying a weapon.

Anti-Retaliation Provision

No employee or Borough official may retaliate against an employee who has reported a possible violation of this Policy.

Roles and Responsibilities

Employees are responsible for understanding and complying with the Policy Prohibiting Firearms and Dangerous Weapons in the Workplace. Whenever there is a question as to whether an instrument, article or substance is considered a weapon in violation of this policy, it is the employee's responsibility to seek clarification. Employees seeking clarification should direct their questions to their Department Head or the Borough's manager prior to bringing the item(s) to Borough work sites and events, as well as Borough-owned or leased facilities or vehicles.

Mr. Frank Wetzel made a motion to adopt the proposed Policy Prohibiting Firearms And Dangerous Weapons In The Workplace, Mr. Charles Stroup seconded. Mayor Berard questioned the addon regarding the inclusion of all elected officials. Dr. Guilbault answered that it was removed. He also questioned the addon regarding after seeing a violation the person should contact the Borough Manager, who contacts the Borough President, and then brings it to the committee. And the committee will investigate. There is only one persons you are paying, and he did not understand why you would not just let her investigate. Dr. Guilbault indicated it was to keep everyone informed (Personnel & Pubic Safety). Mayor Berard was contacted by President of the Pennsylvania Association of Mayors, this policy interested him very much. According to him, no other municipality has such a policy. So therefore, everyone considering it will be looking to us. Mr. Stroup commented that the Chief's input was very valuable. All approved, motion carried.

Dr. Guilbuilt presented the updated Ordinance 2023-A amending the Code of the Borough of Northumberland to amend and replace in its entirety Chapter 31, Residential Rental Regulation. Dr. Guilbuilt made a motion to advertise to adopt Ordinance 2023-A, Mr. Winston Ortiz seconded. All approved, motion carried.

Old Business

Solicitor Melissa Kelso spoke to the issue the property at the end of Westway and 8th St. being partially in the street. All Mrs. Kelso's fees will be paid by property owner. She stated that we need a Public Hearing on the subject as it is an open street. Ms. Zartman brought up the inquiry for undeveloped Susquehanna Road (under New Business on agenda) Typically, it's a paper street so a quick claim deed is all that is needed and a Public Hearing is not necessary. Mr. Frank Wetzel made the motion to advertise a Public Meeting on the vacating of a portion of 8th street to be held

before the March council meeting. Ms. Kaitlyn Simmons seconded the motion, all approved, the motion carried. No motion is necessary for the Susquehanna Road paper street.

New Business

Ms. Ann Zartman presented information on the need to update our current Northumberland-Point Township Comprehensive Plan. Comprehensive plans have a shelf life of 10 years, the last one was completed in 2009. Grant funding often asks or requires an updated Comprehensive Plan to be in place. The cost to the Borough will be a quarter of the total, which maybe as high as \$20,000. The County is willing to write a DCED grant for us, and Point Township is willing to take the lead. Mrs. Kelso commented it is for planning purposes on zoning, recreation and similar topics. There will be Public Meeting and a group of Key Participants interested in assisting in deciding what should be in it. Our 2019 Comprehensive Plan is online at www.norrypa.us. Ms. Zartman feels she can find the funds in Contingency. Dr. Guilbault made a motion to accept the Memorandum of Understanding between Point Township and Borough for the DCED Grant application, 2nd Ms. Kaitlyn Simmons. All approved.

Traffic Signal Maintenance Agreement – Ms. Zartman explained that PennDOT requires an agreement that the Borough will maintain the traffic signals. We already have them inspected and annual maintenance, at a cost of \$625. Mayor Berard commented that seems cheaper than in the past. A discussion ensued. Mr. Frank Wetzel made the motion to approve the resolution for Traffic Signal Maintenance Agreement with PennDOT, Dr. Denise Guilbault seconded the motion. All approved.

Addendum to NPOA agreement – is to include Direct Deposit in the agreement with the Police Association. Mr. Frank Wetzel made the motion to approve the addendum to the Northumberland Police Officers Association agreement. The motion was seconded by Mr. Timothy Botts. All approved.

Payment of Bills

A few of the bills were questioned and answered. Dr. Denise Guilbault made a motion for the payment of bills; Mr. Frank Wetzel seconded. All approved, motion passed. Bills to be paid from the General Fund totaled \$149,996.00; and Sewer Department bills totaled \$116,807.33.

Public Comment – Justin from the Daily Item asked about the Point Township and the MOU. Ms. Zartman responded Point Township had or will soon be approving the MOU. He also questioned how the Firearms Policy came about, asked if something happened or it just came up. Mr. Ruane responded it just came up.

Adjournment

Ms. Kaitlyn Simmons moved to adjourn. Mr. Frank Wetzel seconded. The meeting was adjourned at 7:46 p.m.

Respectfully Submitted,

*Ann Zartman
Borough Manager*