

# Borough of Northumberland

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**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**May 5, 2020**

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

## **Roll Call**

Council members present were Ann Boyer, Denise Guilbault, Ellie Rees, Paul Ruane, Kaitlyn Simmons, and Orlando Toro. Others present were Mayor Berard and Janice Bowman, Borough Manager. Council solicitor Melissa Kelso was present via tele-conference call. Council member Frank Wetzel was absent.

## **Public Comment**

Mr. and Mrs. Terry Walker, Mr. Rick Dandes, and Mr. Robert Rowe were present via the tele-conference call.

Mr. Rowe informed council that there is a water hole on the extension of Queen Street that goes up to the railroad. It was created when the rocks were placed along the bank of the north branch of the river. He also noted that he feels there is a problem with stormwater that comes down Queen Street and Priestley Avenue. The storm drains on Priestley and Queen Street do not pick up the storm water. The property owner at 138 Priestley Avenue has diverted the water behind the barn. Mr. Rowe is concerned that if the water doesn't go in that direction, he will get water on his side of the street. The storm drains on Priestley and Queen Street do not pick up the storm water. He requested that someone from the Borough look into the problem. Mr. Ruane asked the solicitor if the code officer should look at the issue because he doesn't know if the water may be blocked. Ms. Kelso advised that the code officer should look into the problem and that she may call the solicitor with any questions.

Dr. Guilbault said a resident asked her if the Borough is still doing the yard waste pickup. She was told that the pickup would be next Wednesday. She was also asked when the potholes would be filled on Jefferson Street. She was told that the street supervisor had said that potholes would be filled after the macadam has dried out. Even when the streets are damp, the cold patch does not adhere properly.

Mr. Toro stated that the street supervisor had mentioned that trees could be cleared out at Pineknott Park. It was explained that he would like the council to solicit the public for tree removal in the tree line between the Fire Police building and the ballfield at Pineknott Park. The office would develop a permit that includes a waiver for anyone who would like to take down the trees for the firewood. Mr. Toro made a motion to

solicit the public for tree removal at Pineknott Park. Mrs. Boyer seconded the motion. Council approved unanimously.

### **Council Meeting Minutes – March 3, 2020**

Upon motion by Mrs. Rees, seconded by Dr. Guilbault, council unanimously approved the March 3, 2020 council meeting minutes.

### **Mayor's Report**

Mayor Berard reported on the activity of the police department for the month of April. The police issued two traffic citations, six non-traffic citations, answered 195 calls for service and had 18 court appearances. Several people were arrested for misdemeanor crimes, some of which included aggravated assault, simple assault, and harassment. The police answered 22 assist calls for the month, 13 to Point Township, 4 to Sunbury and 5 to other agencies. 1,499.5 miles were traveled for the month.

Mayor Berard prefaced his next remarks, by stating that everything he is proposing may be a moot point if Governor Wolf does not open up this county. He said that Pineknott Days has been canceled for this year. In order to replace Pineknott Days, Mayor Berard has come up with the idea of a one-day event, the Norry Block Party, on July 3<sup>rd</sup>. The Block Party will take place on Front Street between King and Queen Streets. His vision is that there will be crafters, vendors, and live music. Crafters may also set up behind the Norry Bank administration offices, in Wheatley Avenue, and on Queen Street. Pineknott Brew Pub will book and pay for all the bands. They will be the sole provider of alcohol. The bands will be set up in the parking lot by the Masonic Building. Members of the Pineknott Days committee and 17857.org are helping to organize the event. The Mayor noted that he would like a one-day permit so people attending the event may drink alcohol in the streets. Mayor Berard has asked that council approve the event so it may be sanctioned and covered by the Borough's insurance. If Governor Wolf has not opened up the state for events by July 3<sup>rd</sup>, an alternate date of August 29<sup>th</sup> has been set, providing the state is opened by then. He is also asking that council approve a one-day beer and wine permit. The Pineknott Brew Pub will sell beer and wine from Whispering Oaks. Mayor Berard announced that the next meeting of the group is May 12<sup>th</sup> and council members are welcomed to attend.

Mr. Toro made a motion to sanction the first Norry Block Party slated for July 3, 2020 contingent upon the governor's recommendations for opening the state to the public events, with an alternate date of August 29, 2020 if this area of the state is not opened by July 3<sup>rd</sup>. Mrs. Boyer seconded the motion. Council approved unanimously.

Mrs. Simmons made a motion to allow a single-day permit for the sale and use of beer and wine on Front Street for the Block Party on July 3, 2020 or the alternate date of August 29, up to 10:00 p.m. Mr. Toro seconded the motion. Council approved unanimously.

### **Northumberland Borough Sewer Department**



Mr. Ruane announced that the council would discuss litigation matters in an Executive Session at the end of the meeting.

### **Code Enforcement Report**

Mr. Ruane read the report submitted by the Code Enforcement Officer for the month of April. One zoning permit for \$39.50 was issued; nine complaints were received; one street cut for \$350 was issued and one rental inspection was conducted for \$50. 18 miles were traveled. Mr. Ruane noted that everything slowed down for the month of April.

### **Committee Reports**

#### Streets

- Mr. Toro reported that the garbage cans in the downtown were temporarily removed because residents were disposing their garbage in the cans. Mr. Toro added that some of the garbage could pose a hazard. Mayor Berard asked if the cans would be coming back. Mr. Toro responded affirmatively.
- The brush pick-up will take place next week.

#### Community Development

The new roof has been installed on the pavilion at Pineknoller Park. The committee will meet on May 18<sup>th</sup> at 7:00 p.m.

#### Finance – no report

Northumberland County is considering extending the face period for paying real estate tax bills. The council has been asked if they are interested in extending either the face or discount periods for paying the Borough's real estate taxes. It was noted that over 80% of the taxes have already been paid. No motion was made to extend either tax period.

#### Personnel

- Mr. Toro noted that applications have been received for the opening in the Street Department. The committee will be reviewing them.
- Jason Alexander, an employee in the Sewer Department has completed his probation with the department and Jeremy Deitrick has recommended that council hire him permanently. Mrs. Rees made a motion that Jason Alexander be made a permanent employee; Mr. Toro seconded the motion. Council approved unanimously.

#### Public Safety – no report

#### Rules

Dr. Guilbault reported that the SPCA will provide a link to their website and accept donations to be used for spaying or neutering feral cats.

### **Old Business**

1. Council was informed that the Northumberland National Bank as provided terms for the \$65,000 loan needed to replace the collapsed pipe below Priestley Avenue with a

shorter pipe and opened culvert. If council opts for the 10-year loan, the interest rate is 3.98% with annual payments of \$8,005.93. Northumberland National Bank has also offered a 5-year note at 2.65% interest, with lower payments the first two years and higher payments the last three years. The final payment on the Borough's PennVest loan will be made in January of 2023. The Borough budgets \$61,919 per year for this payment. By having lower payments on the new loan in 2021 and 2022, the Borough would be able to make higher payments in the final three years of the loan, after the PennVest loan is retired. Discussion ensued.

Mrs. Simmons made a motion to approve Resolution D-2020. This resolution approves the loan through the Northumberland National Bank for \$65,000 for the Priestley Avenue Culvert project. Mr. Toro seconded the motion. Council approved unanimously. The resolution follows:

**"BOROUGH OF NORTHUMBERLAND  
RESOLUTION D-2020  
RESOLUTION AUTHORIZING  
SMALL BORROWING FOR CAPITAL PURPOSES  
UNDER SECTION 8109 OF THE LGUDA**

WHEREAS, the of Borough of Northumberland of Northumberland County, Pennsylvania, hereinafter called the Local Government Unit, proposes to incur nonelectoral debt by the issuance of a general obligation note to finance the costs of the following project: to remove a collapsing pipe and replace it with a pipe and open culvert at a location east of Priestley Avenue between Priestley Avenue and the railroad tracks; and

WHEREAS, Section 8109 of the Local Government Unit Debt Act authorizes any Local Government Unit to incur debt evidenced by notes to provide funds for a project as defined in the Act without notification to the Department of Community and Economic Development provided: (1) the aggregate of such debt outstanding at any one time shall not exceed the lesser of \$125,000 or 30% of the nonelectoral debt limit; (2) the principal shall mature within five years; and (3) the debt does not otherwise exceed the limits imposed in Section 8022 of the Act; and

WHEREAS, the local government unit has obtained preliminary cost estimates as required by the Act and determined that the sum of \$65,000 needed to finance the project will not cause the aggregate of such debt to exceed the lesser of \$125,000 or 30% of the nonelectoral debt limit of the Local Government Unit of \$4,276,925 and the limits imposed by Section 8022 of the Act.

NOW, THEREFORE, BE IT RESOLVED THAT;

(1) The Local Government Unit hereby authorizes the issuance of a general obligation note in the amount of \$65,000 to be issued for the foregoing purposes as nonelectoral debt.

(2) The period of useful life of the project for which this obligation is to be issued is estimated to be 50 years.

(3) The note shall be issued in the principal sum of \$65,000, shall be dated May 8, 2020, bear interest at the rate of 2.65%, payable annually, and shall mature in installments as follows:

Fiscal Year <u>2021</u> .....	<u>\$8,000</u>
Fiscal Year <u>2022</u> .....	<u>\$8,000</u>
Fiscal Year <u>2023</u> .....	<u>\$18,388</u>
Fiscal Year <u>2024</u> .....	<u>\$18,388</u>
Fiscal Year <u>2025</u> .....	<u>\$18,388</u>

The Local Government Unit reserves the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty. The principal and interest of said note shall be payable at the Northumberland National Bank.

(4) The said note is hereby declared to be a general obligation of the Local Government Unit which hereby covenants that it shall include the amount of debt service on the note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts to the payment of such debt service; and shall duly and punctually pay or cause to be paid the principal of the note and the interest thereon at the dates and places and in the manner stated in the note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the Local Government Unit is hereby irrevocably pledged.

(5) The form of note is attached hereto as Exhibit A.



(6) The said note shall be executed in the name and under the corporate seal of the Local Government Unit by the President and Secretary and attested to by the Secretary. The President and the Secretary are authorized and directed to prepare and verify the debt statement required by Section 8110 of the Act and to take other necessary action, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

(7) In compliance with Section 8161 of the Act, the members of the governing body have determined that a private sale by negotiation rather than public sale is in the best interest of the Local Government Unit. Therefore, the general obligation note, in the amount of \$65,000 herein authorized to be issued and sold is hereby awarded and sold to The Northumberland National Bank in accordance with its proposal to purchase the said note. A copy of Lender's signed proposal is attached hereto as Exhibit B.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and affixed the seal of the Local Government Unit this 5th day of May 2020.

The Borough of Northumberland

BY: \_\_\_\_\_

Borough Council President

SEAL

ATTEST: \_\_\_\_\_  
Secretary"

### New Business

1. Upon motion by Mrs. Boyer, seconded by Mr. Toro, council unanimously approved payment of the bills, included a bill for \$672 from WorkForce. Bills to be paid from the General Fund total \$121,952.60; General Contingency Fund bills total \$2,578.89; 2<sup>nd</sup> Street Community Center bills total \$133.98; Liberty Splashland bills total \$68.02; Shade Tree Fund bills total \$134; River Valley Training Center bills total \$275; and Northumberland Sewer Department bills total \$185,375.69.
2. Upon motion by Mrs. Simmons, seconded by Mr. Toro, council unanimously approved Resolution C-2020:

#### **"BOROUGH OF NORTHUMBERLAND RESOLUTION NO. C-2020**

##### **A RESOLUTION OF THE BOROUGH OF NORTHUMBERLAND RATIFYING AND EXTENDING THE MAYOR'S PROCLAMATION OF EMERGENCY**

**WHEREAS**, the Borough of Northumberland (the "Borough") is a political subdivision established as a Borough under 8 Pa.C.S. 101 et. seq. (the "Borough Code"); and

**WHEREAS**, the Mayor, pursuant to the Borough Code, 8 Pa.C.S. 10A06 may issue a proclamation of the existence of a state of emergency within the Borough; and

**WHEREAS**, the Mayor, pursuant to these powers has issued a proclamation of emergency due to the emergence of the novel coronavirus, COVID-19, that limited and/or precluded certain activities within the Borough; and

**WHEREAS**, the Borough, through the action of Borough Council, has the authority to ratify and/or extend the proclamation of emergency.

**NOW, THEREFORE, BE IT RESOLVED**, that, pursuant to its powers under the Borough Code, the Borough of Northumberland hereby ratifies and extends the proclamation of emergency issued by the Mayor as follows:

1. The proclamation of emergency shall remain in effect until such time as social distancing guidelines and/or the emergency declaration made by the Governor of Pennsylvania have been rescinded. It is the intent that this Resolution and the restrictions of this proclamation shall not conflict with or be more restrictive than the Commonwealth issued guidelines and that it shall not exceed in length of time Orders made by the Governor.

2. Until such time as Northumberland County has been designated in the "Yellow Phase" of the Commonwealth's Reopening Plan, this proclamation remains in effect and: all Borough buildings and playgrounds shall be closed to the public, all gatherings within the Borough are limited to ten (10) people or less, Borough employees shall continue to perform their duties and adhere to social distancing guidelines, the Borough Office shall remain closed to the public, and members of the public are to adhere to those guidelines issued by the Commonwealth and CDC with regard to what businesses may open and preventative measures to put in place.

3. Upon Northumberland County's designation of moving to the "Yellow Phase" of the Commonwealth's Reopening Plan, any restrictions contained in this Resolution and the proclamation of emergency previously issued that contravene or are more restrictive than the Governor's Order or the Commonwealth's Reopening Plan shall no longer be in effect. All remaining requirements and directives of this Resolution that do not conflict the Commonwealth's Reopening Plan shall remain in effect. Northumberland Borough shall adhere to the Commonwealth's Reopening Plan and corollary Orders and directives with regard to social distancing, the opening of businesses, permissible size of gatherings, and recreational activities. The Borough Office shall remain closed to the public, except for those limited activities deemed essential to be handled on an appointment basis, until such time that the Mayor determines that it may safely open to the public for all purposes, taking into consideration the Commonwealth's guidelines and Orders. The Borough Office staff shall continue to perform their duties and will be accessible by members of the public by telephone.

4. Upon Northumberland County's designation of moving to the "Green Phase" of the Commonwealth's Reopening Plan, this proclamation of emergency shall automatically be rescinded, and the restrictions and requirements of this Resolution shall no longer be in effect.

**ATTEST:**

By: \_\_\_\_\_  
Janice Bowman,  
Borough Secretary

**BOROUGH OF NORTHUMBERLAND**

By: \_\_\_\_\_  
Paul J. Ruane, Council President

Mayor Berard thanked the Borough employees for their continued work during the pandemic.

### **Executive Session**


The meeting was adjourned for an Executive Session at 7:59 p.m. to discuss litigation issues. The meeting was reconvened at 8:41 p.m.

Dr. Guilbault moved to postpone the June 2<sup>nd</sup> council meeting to June 3<sup>rd</sup> due to the primary election. Mr. Toro seconded the motion. Council approved unanimously.

Mr. Toro made a motion to file an appeal regarding the right-to-know decision. Mrs. Boyer seconded the motion. Council approved unanimously.

The council meeting was adjourned at 8:44 p.m.

Respectfully submitted,

  
Janice R. Bowman  
Borough Secretary