

# Borough of Northumberland

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**Borough of Northumberland  
175 Orange Street, Northumberland, PA 17857  
Northumberland Borough Council Meeting  
January 2, 2019**

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 Paul Boyer, Ellie Rees, Paul Ruane, Ty Sees, and James Troup. Others present were Mayor Berard; Ryan Tira, Borough Solicitor; MaryKay Clark, Code Enforcement Officer; Brian Probst, Street Supervisor; and Janice Bowman, Borough Manager. Council members Ralph Cianflone and Orlando Toro were absent.

## **Public Comment**

Mr. Stanley Geiswhite informed council that he owns an apartment building on the corner of Queen and Water Streets that was condemned in July and still is not opened. He stated that he understands that there is someone in the Borough that does not care for him and he doesn't know who or why. He gave a brief history of the building. Mr. Geiswhite said that he bought the building in 1997 or 1998 when there was no code office. He said that he has put a lot of money redoing the exterior. He said that he made a lot of bad decisions with tenants. The entire outside has now been re-sided. Mr. Geiswhite explained that he has family commitments which take up some of his time. He said that the building is decent inside. He noted that he has always complied, and he wants to get along. He has seen the code and understands the reasoning why improvements to the building are necessary. He tried to sell the building several years ago; but was told that there was too much deferred maintenance. He said that PPL has required the electrical service be inspected. The Borough's inspector has been there to approve the electrical service, and it has not passed. He stated that the inspector will be there tomorrow to inspect the electrical service. He is going to schedule an appointment with MaryKay (Clark) once the building has passed the electrical inspection. Mr. Geiswhite said that he has spent 20 years on the building.

Mr. Ruane stated that as far as he knows, his name has not been brought up to council. Mr. Geiswhite responded that two tenants moved out after a realtor showed the property and the prospective buyers stated that they would wait to purchase the building after it was condemned. He noted that the tenants didn't believe him that it wasn't going to happen.

Mr. Geiswhite said that he wants the property to look nice since it is one of the first properties people see when they come into the Borough. He stated that once he has the

building turned around, he is going to have Villager Realty manage the property. He may also try to sell the property.

Mr. Ruane stated that he appreciates what Mr. Geiswhite is doing and said that he should keep working with MaryKay.

Five visitors introduced themselves.

### **Northumberland Borough Sewer Department**

Mr. Ruane provided information from the Sewer Superintendent's written report.

The average flow for the month of December was .914 gallons; high flow of the month was 1.9 on December 16<sup>th</sup>; 30 tons of cake were hauled from belt press to the landfill; two home inspections were conducted; and there were six blockages. The control panel at the Resilite pump station was replaced. As soon as the weather breaks, they will start doing I&I on the manholes. They also plan to update the Emmanuel Home pump station.

### **Mayor's Report**

Mayor Berard reported on the police activity for the month of December. Sixteen traffic citations were issued; there were 287 calls for service and 27 court appearances. Several people were arrested for felony and misdemeanor crimes which included aggravated assaults, false reports, and unsworn falsifications. There were 39 assists; 9 in Point Township, 14 in Sunbury and 16 to other agencies. The police traveled 1887 miles for the month of December. Mayor Berard reported that there were 5 hit and runs in the Borough and one death investigation which is ongoing.

### **Code Enforcement Officer's Report**

Ms. MaryKay Clark reported that one permit was issued with fees of \$136.50. There were six code violations and one citation issued. The office received six complaints and drove 53 miles during the month.

Ms. Clark stated that Mr. Geiswhite had five inspections scheduled with Northeast Inspection and failed all. She noted that she is waiting to schedule his inspections with her until after he passes the electrical inspection since the property won't pass her inspection until the electrical is approved. Mr. Geiswhite said that he had someone else go to the electrical inspection and she took notes which he did not understand. He said that he waited two weeks to hear from the inspectors. Ms. Clark stated that she has provided a two-page list of items that must be fixed in order to pass inspection.

### **Street Supervisor's Report**

Mr. Brian Probst provided a written report to the council. He thanked Officers Lauver and Cope for providing when the street department was collecting leaves on Front and Water Streets.

Mr. Probst stated that the new plow has been installed on the new truck. When they built the truck, they may have nicked wires because the battery shorts out. They are coming to look at the truck on Friday.



## Committee Reports

### Streets

Mr. Boyer stated that the committee did not meet in December. The committee will not meet in January because he has tests scheduled at Geisinger that day. He hopes to have a meeting in February.

### Community Development

Dr. Cianflone had requested that council approve to list the refurbished pump on Municibid. Mrs. Rees moved to advertise the refurbished pump on Municibid; Mr. Boyer seconded the motion. Council voted 4-1 to approve. Mr. Sees voted no.

### Finance

Mrs. Rees moved to advertise Ordinance 2019-1. The ordinance fixes the real property tax rates. Mr. Boyer seconded the motion. Council approved unanimously.

Resolution A-2019 was reviewed. The resolution sets the rates for the Borough's fees and penalties. Mrs. Rees moved to approve Resolution A-2019. Mr. Boyer seconded the motion. Council approved unanimously. The resolution is as follows:

#### **"Resolution A-2019 Schedule of Fees and Penalties**

##### *Note:*

*The Borough of Northumberland establishes our current Schedule of Fees and Penalties, effective January 1, 2019 with the passing of Resolution A-2019*

*These fees and penalties can be changed at any time with a subsequent resolution passed by Council.*

*RESOLVED as a Resolution of the Borough of Northumberland, Northumberland*

*County, PA this 2<sup>nd</sup> Day of January 2019*

*BOROUGH OF NORTHUMBERLAND*

*Seal*

*Borough Council President*

*I certify that the foregoing is a true and correct copy of the Resolution adopted at the meeting of the Borough of Northumberland held on this 2<sup>nd</sup> day of January 2019.*

*Borough Manager*

##### *General Fees*

##### *Administration*

<i>Mailing Fee: Actual postage plus handling fee of .....</i>	<i>\$ 3.00</i>
<i>Photo copies (per page) .....</i>	<i>.25</i>
<i>Official certification of copies (per page).....</i>	<i>5.00</i>
<i>Facsimiles (per page) .....</i>	<i>1.00</i>
<i>Return check charge .....</i>	<i>30.00</i>
<i>Accident Reports 15.00</i>	

##### *Building / Construction Fees / Permits*

*Building Permit.....based on Fees Established by Third Party Inspection*

##### *Service*

<i>Occupancy permit (free, if included with new construction).....</i>	<i>30.00</i>
<i>Curb Removal and Replacement, Single Driveway.....</i>	<i>45.00</i>
<i>Curb Removal and Replacement, Double Driveway .....</i>	<i>60.00</i>
<i>Curb (repair) .....</i>	<i>N/C</i>
<i>Demolition Permit.....</i>	<i>10.00</i>
<i>Contractor's License (not required if licensed by the state).....</i>	<i>30.00</i>

Dumpster Permit (2-week period).....	10.00
<b>Health Inspection Fees</b>	
Health Permit .....	75.00
<b>Property Rental Fees</b>	
King Street Gazebo rental, plus \$50 deposit .....	50.00
Use of any part of King Street Park, per day .....	50.00
Pineknottter Park Pavilion rental, plus \$50.00 deposit .....	50.00
2 <sup>nd</sup> Street Playground Pavilion rental, plus \$50 deposit .....	50.00
Polling place rental .....	50.00
S. Luther Savidge Room in the 2 <sup>nd</sup> Street Municipal Building rental, plus \$200 deposit .....	200.00
Little House on 3 <sup>rd</sup> St., plus \$50 deposit .....	50.00
Billboard at underpass Monthly fee (2 months minimum) .....	\$200.00
Billboard printing .....	actual cost
<b>Rental Ordinance Fees</b>	
Landlord Registration Fee, yearly, per unit .....	20.00
Landlord Permit, yearly, Bed and Breakfasts, etc. ....	125.00
Inspection Fee for Residential Rental Units, for initial inspection .....	50.00
Re-inspection Fee of Residential Rental Unit, 2nd and subsequent inspections .....	15.00
<b>Sale of Maps and Publications</b>	
Code Books .....	Actual Cost
Copies of Ordinances, Chapter of Borough Code, per page .....	0.25
Borough Maps or Specialized Documents .....	Actual Cost
<b>Solicitation/Exhibition Fees (per person)</b>	
Exhibition/Selling Fees, Daily .....	10.00
Exhibition/Selling Fees, Weekly .....	25.00
Exhibition/Selling Fees, Monthly, not to exceed 6 months .....	40.00
Exhibition/Selling Fees, 7 months to 1 year .....	300.00
Transient Merchant, per month .....	200.00
Licensed Occupation Application Non-refundable Fee .....	5.00
<b>Street Crew</b>	
Private property clean up, labor fee, per hour, 1 hour minimum, per person .....	35.00
Private property clean up, equipment fee, per hour, 1 hour minimum, per equipment .....	50.00
<b>Street Openings</b>	
Permit, first 15 square feet .....	350.00
Permit, each additional square foot, up to a maximum of \$1,000 .....	15.00
Backfill inspection fee, per hour .....	30.00
<b>Storm Water Management</b>	
Municipal Review Fee .....	Actual engineering cost plus \$25.00 administration fee
<b>Subdivisions</b>	
Review and Inspection Fee .....	Actual cost plus \$25.00 administration fee
<b>Zoning Hearing Fees</b>	
Hearings before Zoning Board .....	625.00
Appeal of Zoning Officer Action .....	625.00
Variance .....	625.00
Special Exception .....	625.00
Validity of Zoning Ordinance or Map .....	625.00

#### Penalties

As passed 12/18/20011, as part of Ordinance 2001-13, the following are the penalties for violating the Code of the Borough of Northumberland. Unless specified, penalties are for violations of any portion or part thereof of the Chapter. Sections with specific penalties are so noted.

#### Chapter 1 – General Provisions

1.1.14 Altering or tampering with Code .....\$300.00 maximum,  
and/or 30 days in jail

Chapter 21 – Alcoholic Beverages..... \$300.00 maximum,  
and/or 30 days in jail

Chapter 24 – Dog \$25 minimum,  
\$200 maximum

Chapter 25 – Electrical Standards ..... \$25 minimum,  
\$300 maximum





First Offense.....	\$100 Minimum
.....	\$300 Maximum
.....	\$25 for every calendar day on which the violation continues after
.....	the date for compliance set forth in the written Notice of Non-compliance/Violation
Second and Subsequent Offenses.....	\$300 Minimum
.....	\$25 for every calendar day on which the violation continues
.....	after the date for compliance set forth in the written Notice of Non-
Compliance/Violation	
Chapter 50 – Streets and Sidewalks	
Article I – Excavations.....	\$50 minimum,
.....	\$300 maximum and/or 30 days in jail
Article II – Grades and Construction Specifications.....	\$100 and reimbursement
.....	to the Borough for actual cost for installing sidewalks
.....	and an administrative fee for costs incurred by borough
Article III – Snow and Ice Removal	
50.3.01 Removal Required.....	\$100 each 60 ft. section or less
50.3.03 Removal by Borough.....	\$30 beyond four feet from curb
Article IV – Removal and Replacement for Depressed Curbs.....	\$100 minimum,
.....	\$300 maximum and/or 30 days in jail
Article V – Refuse upon Streets .....	\$50 minimum,
.....	\$300 maximum and continues for each day of violation
Chapter 51 – Subdivision .....	\$50 minimum,
.....	\$500 maximum plus costs
Article 53 – Taxation	
Article I – Per Capita	
53.1.11 Discount .....	2 percent discount if paid in full within 2 months of tax notice
53.1.11 Penalty .....	10 percent penalty if paid in full after 4 months of tax notice
Article II – Earned Income	
53.2.05 Collection at Source .....	No stated minimum,
.....	\$500 maximum
53.2.06 Income Tax Administrator .....	No stated minimum,
.....	\$500 maximum
53.2.06D Income Tax Administrator Confidentiality .....	\$50 minimum,
.....	\$300 maximum and/or 30 days in jail
53.2.07 Suit for Collection .....	No stated minimum,
.....	\$500 maximum
Chapter 58 – Vehicle and Traffic	
Article I – Parking Meters .....	\$5 if within 24 hours,
.....	\$10 if 24 hours to 15 days,
.....	after 15 days, \$25 plus costs
Article II – General Regulations	
58.2.03 Temporary and Emergency Regulations.....	\$15 maximum plus costs,
.....	or 5 days in jail
58.2.04 Experimental Regulations .....	\$15 set fee plus costs,
.....	and/or 5 days in jail
Article III – Traffic Regulations	
58.3.01 Driving on Sidewalks.....	As set by the PA Vehicle Code
58.3.02 Speed Limits .....	As set by the PA Vehicle Code
58.3.03 Stop Intersections.....	As set by the PA Vehicle Code
58.3.04 One-Way Streets.....	As set by the PA Vehicle Code
58.3.05 Operation on Closed Highways.....	\$25 set fee plus costs,
.....	and/or 10 days in jail
58.3.06 Accident Reports.....	As set by the PA Vehicle Code
58.3.07 Use of Engine Retarders/ "Jake Brakes".....	\$25 minimum,
.....	\$100 maximum, plus costs
Article IV – Parking Regulations	
58.4.03A Prohibited Parking.....	\$25 minimum,
.....	\$100 maximum
58.4.03C Temporary Parking Restrictions .....	\$25 minimum,
.....	\$100 maximum



58.4.03D Parking of Certain Vehicles .....	\$25 minimum, \$300 maximum and/or 90 days in jail
58.4.04 Parking Prohibited between Certain Hours .....	\$15 if paid with 24 hours, \$20 if paid within 15 days, after 15 days, \$100 maximum, plus costs
Article V – Snow and Ice Emergency .....	\$15 minimum, \$100 maximum, plus costs and/or 5 days in jail
58.5.04B Highways affected, Parking During Emergency.....	\$15 minimum \$100 maximum, plus costs and/or 5 days in jail
58.5.04C Highways affected, Stalled Vehicle.....	\$15 minimum, \$25 maximum
Article VI – Removal and Impounding of Illegally Parked Vehicles.....	Actual cost of towage and \$25.00 per day storage, plus costs
Article VII – Roadways under Construction .....	As set by the Vehicle Code
Article VIII – Certain Commercial Vehicles in Designated Areas.....	\$25 minimum, \$100 maximum
Note: The PA vehicle code addresses fines for not obeying traffic control devices. A number of these sections would fall under this violation.	
Chapter 59 – Waste Management .....	\$50 minimum \$1000 maximum and/or 90 days in jail
59.9.07 Grass Clippings .....	Reimbursement to the borough for time & equipment at the rate of a minimum of one hour up to a maximum of the actual time required for the street crew to clean up the street
Chapter 61 – Zoning .....	\$50 minimum \$500 maximum plus costs

Pennsylvania Crimes Code & Vehicle Law Handbook

Penalties for violations listed under Chapter §3353 Prohibitions in specified places.

Opposite Fire Station.....	\$15
On Crosswalk .....	\$15
Within 15 Ft. of Hydrant.....	\$15
Posted No Parking Zone .....	\$15
In Handicapped Space .....	\$15
Double Parking \$15	
Against Traffic .....	\$15
Within 20 Ft. of an Intersection.....	\$15
Within 30 Ft. of a Stop Sign.....	\$15
More than 12 inches from curb or edge.....	\$15
On Private Property.....	\$15
Not within Lines marking Parking Space .....	\$15
Blocking a Driveway .....	\$15
Temporary No Parking .....	\$15
Snow Emergency route .....	\$15
Overtime Parking \$5	

Payment for the above must be made within 24 hours. After 24 hours, all violations increase to \$20.00. Failure to respond may result in a summons issued from the District Court resulting in increased fines and court costs.

Repeated failures to respond to Parking Violation Notices may result in the immobilization or impoundment of vehicle and assessment of additional costs pertaining thereto."

Personnel – no report

Public Safety – no report

Rules – no report

Streets – no report

Mayor Berard questioned if trucks could travel on Duke Street. He was told that the truck detour is still in effect. Mayor Berard noted that he has seen some trucks using Duke Street.

#### **New Business**


1. A bill from Shumaker Industries for \$250 to repair a trailer was added to the bill list. Mr. Boyer moved to pay the bills; Mr. Troup seconded the motion. Council approved unanimously. Bills to be paid from the General Fund total \$67,772.78; Parks and Recreation Fund bills total \$399.51; Liberty Splashland bills total \$40.90; and Sewer Department bills total \$92,244.02.
2. Mr. Boyer moved to transfer up to \$100,000 from the General Contingency Fund to the General Fund for as tax anticipation loan. Mrs. Rees seconded the motion. Discussion ensued. Council approved 4-1. Mr. Sees voted no.
3. Mrs. Rees noted that because the motion that was made last year to hire Melissa Kelso was to last until the end of 2018, she would like to make a motion to hire Melissa Kelso as special legal counsel for personnel services on an as-needed basis. Mr. Boyer seconded the motion. Council voted 3-2 to approve. Mr. Troup and Mr. Sees voted no.

#### **Executive Session**

Mr. Tira requested that council go into an Executive Session to discuss litigation issues. He added that no action would be required.

Council went into the Executive Session at 7:37 p.m. Since the meeting would not be reconvened, Mr. Ruane adjourned the meeting.

Respectfully submitted,

  
Janice R. Bowman  
Borough Manager