

# Borough of Northumberland

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## **Borough of Northumberland 175 Orange Street, Northumberland, PA 17857 Northumberland Borough Council Meeting April 8, 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 Ralph Cianflone, Ellie Rees, Paul Ruane, Ty Sees, Kaitlyn Simmons, Orlando Toro, and Frank Wetzel. Others present were Mayor Berard; Melissa Kelso, Borough Solicitor; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; Brian Probst, Street Supervisor; and Janice Bowman, Borough Manager.

### **PennDOT Update**

Ms. Mindy Foresman, PennDOT, explained that the reason Queen Street was closed is because of the work being done in the northbound lane of Water Street. They felt it was safer to close the street because of turning from Queen Street to Water Street. It could have been opened this week. However, next week the contractor will be working on the southbound lane on Water Street and Queen Street will be closed.

Dr. Cianflone arrived at 7:07 p.m.

The work will be done in the northbound lane of Water Street by the end of this week. The work at the underpass may be done in a month. The traffic will travel south on the northbound lane of Water Street and crossover to the southbound lane before the underpass.

The work on Front Street will continue for several months. The work on Water and Duke Streets will be completed by Pineknotters' Days. The underpass will also be opened by Pineknotters' Days.

King Street Construction will begin after Pineknotters Days. The first area will be from Priestley Avenue to the Priestley Bridge. One lane of traffic will be coming into the Borough on King Street from the Priestley Bridge. Traffic will be detoured north on Water Street to Orange Street, along the detour and back to Duke Street. The railroad underpass will be open for both lanes. Water Street will be open both ways. Duke Street will also be opened both ways.

Mr. Ruane noted that the Borough plans to pave on Fourth Street and Sixth Street between Duke Street and WestWay. Ms. Foresman stated that they would make it work with their contractor.

Mr. Probst asked why Prince Street is closed at Front Street. Ms. Foresman responded that it is to prohibit trucks from coming down Prince and turning onto Front.

Mr. Greg Shaffer noted that the barrier on the left turn lane on King Street should be extended to halfway out into the intersection, so all traffic must turn right and follow the detour. He also suggested that the traffic lights could be green for both directions on King Street because there is no traffic traveling north on Water Street. Ms. Foresman stated that the traffic lights were to be changed that way last Friday.

Mr. Persing asked if all the resurfacing would be done next year. Mrs. Foresman stated that they will probably not have enough time to complete the paving this year. Mr. Persing asked if it wouldn't make more sense to resurface Duke Street this year, so the trucks won't put ruts in the roadway. Ms. Foresman stated that the blacktop that they are using must be done in the hottest time of the summer. Ms. Willard asked if they could change the mix. Mr. Ted Deptula stated that this is a special mix that should be laid during hot weather and it will mean that the street will not need repaved as soon as the regular mix.

Mr. Ruane noted that the contractor will have to get the road opened to Pineknoller Park and move his equipment because the field will be used for baseball. There is also an Easter egg hunt scheduled for the park on April 12<sup>th</sup>.

Someone stated that additional signage is needed on the island stating that all traffic must turn right.

Mr. Deitrick asked if there is a provision regarding dust control. He noted that there is also rock and debris on the roadway. Ms. Foresman stated that she will speak to the contractor tomorrow.

Mr. Rowe asked if there are plans to install lights at the underpass. Ms. Foresman responded that there are no plans at this time.

Ms. Jodi Bailor stated that she has a business downtown and is concerned for the pedestrians could be hurt due to the traffic on Queen Street. When they first closed Queen Street, the sign was placed at Front Street. It has since been moved to Depot Avenue. Now cars come down Queen Street to Depot and realize that they can't get out onto Water Street, so they are backing up and creating traffic problems. She recommended that the road closed signs be moved back to Front Street with car traffic permitted to access the businesses on Queen Street.

Ms. Foresman added that the community round table meetings will be held again this summer. They have not been scheduled yet. She said that they will be at the council meetings every month and have the website.

Mr. Toro thanked Ms. Foresman and PennDOT for all the hard work that they have done, adding that he looks forward to the completion of the project.



### **Public Comment**

- Mr. and Mrs. Walker asked about the status of the storm water pipe below Priestley Avenue. Mr. Ruane stated that the Borough is looking into obtaining a loan for the cost of the project.
- April Giesen, a resident of Orange Street, stated that she is here to complain about the alley behind her property. She was told that Wallace Avenue behind her property, and Park Avenue would be paved this year.
- Mr. Nate Boyer thanked the street crew for replacing the pipe and improving the drainage for stormwater runoff along WestWay.

### **Northumberland Borough Sewer Department – no report**

### **Mayor's Report**

- Mayor Berard reported that on March 25<sup>th</sup>, he issued a proclamation for the Shikellamy High School Theatre. They won the Pennsylvania State Drama Championship with the performance of the Laramie Project. Mayor Berard noted that he made the proclamation because there are Norry students who attend Shikellamy who were a part of this theater group and they deserve recognition.
- For the month of March, the Mayor reported that the Police Department answered 319 calls for service. Last month's total was 245 so there is a big increase in the calls for service. There were 129 traffic citations issued, including 126 for trucks. The police will continue to enforce the detour. There was one non-traffic citation; 28 court appearances and several arrests for felony and misdemeanor crimes. They included drug offenses and harassments. The police answered 28 assisted calls; 4 to Point Township, 13 to Sunbury, and 11 to other agencies. The department logged 1,731 miles for the month.

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

Ms. MaryKay Clark reported that 4 building permits were issued for a total of \$646.50; 12 complaints were received; 14 code violations and two citations issued; one street cut permit for \$500. Twenty-six rental inspections were conducted for \$1,300 and licensing fees totaled \$520. The mileage traveled for the month was 78 miles.

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

Brian Probst reported that the street department cleaned storm drains, took benches from King Street Park to the shop to be repaired, put the Hometown Hero banners in the park, replaced the merry-go-round, put up new signs, installed 150 feet of pipe at WestWay, and continued to mark PA One calls and fill pot holes.

### **Committee Reports**

#### **Streets**

- Mr. Toro noted that they are up to 80% on potholes and praised the street crew for doing a phenomenal job. The street crew will take care of cleaning up around the bridges on Queen and King Streets. Paving projects for this year include Wallace, Wheatley, and Pond. Next year, they are looking at 7<sup>th</sup> and Hanover Streets.

- A request was made for potholes to be filled on Sheetz Avenue from Park Avenue to Front Street.
- Mr. Ruane noted that the streets to be paved are PermaStone from Hanover to Prince, Park Avenue from Orange Street to Hanover; Wallace from Front to Second Street; Park Avenue from King to Wheatley; Fourth and Sixth Street from Duke to WestWay; and a portion of the Old Danville Highway.
- Mr. Ruane stated that there is a street committee meeting once a month and they look for people to come and give them ideas on what should be done. The street committee meets the second Tuesday of the month and will meet tomorrow night at 7:00 p.m.

#### Community Development

- Mrs. Rees reported that Brian Auman was at the last meeting and presented the plan for Liberty Hollow. Mr. Auman suggested that the park be renamed Ice Dam Hollow Park due to the history of the area.
- Mrs. Rees informed council that Cindy Diogo has scheduled 250 Birthday Bash committee meetings at 6:30 on April 24<sup>th</sup> and May 23<sup>rd</sup> at the Little House.
- The street crew is working to repair and replace the playground equipment.

#### Finance

Mr. Wetzel reported that the committee will meet at 7:00 on April 23<sup>rd</sup>.

#### Personnel

Mrs. Rees commended the street crew for the wonderful job that they did on King Street Park, filling pot holes, and the work they did on WestWay. She also thanked Nate Boyer for volunteering his help on WestWay.

Mrs. Rees informed council that the Sewer Department Superintendent received a resignation from Larry Wolbert effective March 29<sup>th</sup>. She made a motion to accept Larry Wolbert's resignation, effective March 29<sup>th</sup>. Mr. Toro seconded the motion. Council approved by a vote of 6-0-1. Mr. Sees abstained.

A motion to advertise for the position was tabled until after discussion in Executive Session.

Mrs. Rees made a motion to affirm the discharge of the part-time street employee Joe Swope. She added that he did a great job. Mr. Toro seconded the motion. Mr. Sees asked if it is a discharge or a permanent layoff. He also asked if Mr. Swope would be given a positive recommendation for any requests going forward. Ms. Kelso replied yes, that this is not a negative thing. Ms. Rees noted that he worked hard for the Borough. Council approved by a vote of 6-0-1. Mr. Sees abstained.

Mrs. Rees announced that Code Enforcement Officer Mary Kay Clark has agreed to take a course to be certified in playground safety. Mr. Toro added the Borough does not currently have a certified playground inspector and this will be part of her continuing education courses with the Code Office.



Mrs. Rees added that she has a few things for Executive Session.

#### Public Safety

Mr. Sees reported that Kaitlyn (Simmons) had brought a couple things on the playground to his attention that are being taken care of. She also reported a cover was off an electrical box downtown which he reported to Orlando and it was repaired.

#### Rules

Ms. Simmons reported that the committee is considering a Quality of Life Ordinance that would change code violations such as high grass, snow-covered sidewalks, etc. from a citation method to a ticketing method. Mr. Ruane explained that, currently, the Code Enforcement Officer must send a letter, then send a certified letter, and then issue a citation. This new method would permit the Code Enforcement Officer to issue a ticket on the spot for these violations. Mrs. Rees made a motion to advertise the ordinance pending the solicitor's review. Ms. Simmons seconded the motion. Council approved unanimously.

#### Old Business

1. Information was provided about a 10-year loan with the Northumberland National Bank for \$65,000 toward payment for the Priestley Avenue stormwater project. The bid amount was for \$73,320.48. SEDA-COG Rail Authority will contribute \$4,881 toward the cost of the project. The payment for the 10-year loan of \$65,000 is approximately \$7,900 per year. Mr. Ruane made the motion to approve the loan. Mr. Toro questioned if the cost for the project would increase and if more damage would be caused to the property if the work is not done now. Mr. Ruane responded that it would cost more because the pipe continues to collapse, and the holes are getting larger. He added that the low bid is a good price; there were bids for over \$200,000. Mitchell Knorr Contracting submitted the low bid. This contractor is also the one who is installing the riprap along the river. Mr. Sees stated that he has reservations about doing projects on personnel property; however, the waterway is part of the Borough as far as the runoff from the streets. Mr. Toro said that because it will save taxpayers in the future, and Paul has said it is a good price, he would second the motion. Mr. Sees asked that the motion include a provision that the property owners each contribute one fourth of the engineering costs, as previously stipulated. Mayor Berard questioned if the property owners are going to accept responsibility after the work is done. Mr. Sees stated that Ryan (Tira) was going to craft the agreement to ensure that they are responsible from here on out. Mrs. Rees questioned if this would make the Borough more liable. Ms. Kelso responded that in crafting the construction agreement, there are stipulations that are in the agreement that would protect the Borough in case of any damage. The motion and second were amended to include that the agreements with the property owners would be signed before any construction begins. Council voted 4-1-2 to approve the motion. Dr. Cianflone voted no; Ms. Simmons and Mr. Wetzel abstained.

2. Mr. Ruane noted that the Borough Solicitor recommended that the Borough decision regarding the Schenck realty transfer tax refund request be based upon the state's decision. Mr. Engle, manager at Madison Settlements Services, LLC explained that the state has approved the request, contingent upon receiving copies of the birth certificates. Mr. Engle has mailed the birth certificates to the state and has provided this information to the Borough. Mr. Engle stated that he will provide a copy of the state's check for proof of payment.

### **New Business**

1. Upon motion by Mr. Sees, seconded by Ms. Simmons, council unanimously approved transferring \$2,500 from the General Fund to the Shade Tree Account. This is a budgeted amount.
2. Upon motion by Mr. Wetzel, seconded by Dr. Cianflone, council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$51,582.89; Liberty Splashland bills total \$51.48; Shade Tree Account bills total \$1,970; and Sewer Department bills total \$73,784.59.
3. Mr. Sees made a motion to approve the Northumberland Fire Department's request to sanction the Easter Egg Hunt at Pineknott Park on April 13, 2019 with a rain date of April 14, 2019. Ms. Simmons seconded the motion. Council approved unanimously.
4. Mr. Sees made a motion to approve the Priestley-Forsyth Memorial Library's request to use the King Street Park for Touch A Truck on June 8, 2019 and to waive the fee. Mrs. Rees seconded the motion. Council approved unanimously.
5. AYSO Soccer requested permission to use the Little House for their monthly meetings which are held the 3<sup>rd</sup> Tuesday of each month. They would wait until the detour is over before beginning the meetings. Discussion ensued. Mr. Sees moved to approve the request on a temporary six-month basis at no cost to the group with the stipulation that they clean up and leave the building as they found. Dr. Cianflone seconded the motion. Council approved unanimously.
6. Upon motion by Mr. Sees, seconded by Ms. Simmons, council unanimously approved handicap parking requests from Pam Wiand at 273 King Street and Lorretta Deysher at 60 Queen Street. The 60 Queen Street location is at a parking meter. The handicapped spaces will be reviewed annually.
7. Mr. Probst stated that the Borough had received a letter from Mr. Sabol that Adam Troxell had cut down a tree that was on either his property or Borough property. Mr. Probst said that he went out with a GPS and that it clearly showed that the tree was on Mr. Troxell's property within about two feet of the property line. Mr. Probst said that he gave Mr. Toro a copy of the GPS showing the property lines and where the tree went. Mr. Toro added that not looking at the roots of the tree, the tree trunk itself is in Mr. Troxell's property. Mr. Toro said that his concern is that where the



tree fell, he would appreciate it if Mr. Troxell would clean up the area as soon as possible. Mr. Troxell stated that the area is very wet there and he would like to wait until later to clean up the area. Mr. Troxell added that he has been harassed by Mr. Sabol in the past. Mayor Berard explained that he was at Mr. Sabol's house yesterday and saw that there is a lot of brush on his property. He noted that the good stuff and gone and the crap was left. He does not think it is acceptable to wait several months to clean it up. Mayor Berard said that the tree was cut down on January 17<sup>th</sup>. Mr. Ruane said that Mr. Troxell should go and clean it up. Mayor Berard added that Mr. Sabol had the area surveyed and there are posts designating the property lines. He suggested that Mr. Sabol's property be cleaned up. Mr. Toro stated that he is vigilant at going back to look at things and he would go back to see that the brush is cleaned up. Mr. Troxell noted that he heats with wood and that is why he cut the tree down during the winter.

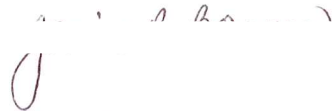
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### **Executive Session**

Mr. Ruane stated that the council meeting would be adjourned for an Executive Session to discuss personnel issues and that the meeting would not be reconvened. The meeting was adjourned at 8:17 p.m.

The Executive Session ended at 9:03 p.m.

Respectfully submitted,



Janice R. Bowman  
Borough Secretary