

# Borough of Northumberland

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**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**July 10, 2018**

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 Ellie Rees, Paul Ruane, Orlando Toro, and Jim Troup. Others present were Mayor Berard; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; Brian Probst, Street Department Supervisor; and Janice Bowman, Borough Secretary. Council members Paul Boyer, Ralph Cianflone, and Ty Sees were absent.

### **Penn DOT Update**

Ted Deptula informed council that Duke Street and Front Street are coming along. Duke Street will be paved during the day; Front Street will be paved at night. The work will last about 3 days, weather pending. The next phase on Front Street is to stay on the same side of the road and move up toward W&L. The next Duke Street phase is from Third Street to close to where Valero is located. At this time, the traffic signals will be operational at King Street. They will be flashing, beginning on Thursday, and will become operational next week.

The detour for Duke Street is southbound traffic will turn at left Third Street, right on King Street and continue on King Street to the traffic signal at Front Street. Northbound traffic from Sunbury will turn right on Water, left on Orange Street, and extend to Fourth Street where traffic will turn left to Route 147 North.

Work at the railroad underpass has started this week. Mr. Deptula met with the representative from the contractor, Krieger Construction. Traffic control has begun; signs were repositioned. People were not following the signs regarding the road closure so PennDOT has moved the signs closer to County Line Road because that is an easier place to turn around. Message boards have been relocated and repositioned to make them easier to see.

Brian Probst noted that there are potholes at the intersection on Hanover and Front and Front and King. He asked that PennDOT fill them. Mr. Deptula said that they will try to fill them when they get hot patch.

Margaret Weirick asked if the work would be done 24 hours a day. Mr. Deptula stated that it is up to the contractor. He noted that there were delays due to utility issues. The

contractor kept working, at a slower pace, as much as possible. They are trying to keep on schedule. The goal is to open it up by September 30<sup>th</sup>.

Mr. Deptula said that he was asked about having the road opened for the Halloween Parade. He said that he would like to say that it will; but as it happened with Duke Street, they find that the pipes are not where expected.

Ms. Barb Kistner questioned if anyone is keeping track of where the pipes are located. Mr. Deptula explained that it is difficult to know here the older pipes were placed. Other issues occur. An example was that PennDOT knew where the fiber optic lines were. They would have been able to put the pipe under the lines. However, they discovered that the lines were encased in concrete. Now they have to wait for the utility to assist so the lines aren't damaged.

Mayor Berard asked if the detour for the underpass could be changed to northbound on Route 11 instead of southbound. Mr. Deptula said that during the preconstruction meetings, it was decided to keep the southbound open. He noted that it would be easier to stop traffic heading south instead of the traffic heading north. He said that he will take that suggestion back to the designers and see if it is feasible. He added that they have ideas on how to reduce the traffic coming from Shamokin Dam northbound into the Borough. The details will be worked out tomorrow morning. One of the reasons to keep the southbound traffic open was to keep access open to Pineknott Park. Mr. Deptula said if there were no objections from council, he would talk to the designers and see if it would be feasible.

Mr. Troup asked if they had thought about the ambulances coming from Snyder County going to Geisinger. Mr. Deptula said that the ambulance service was consulted before the detour was set. They have also talked to the communication centers to let the emergency responders know that the detour is in place. He added that traffic could be stopped at the underpass if necessary to allow an ambulance to come northbound through the underpass.

Mr. Deptula was asked about alternatives for a detour during the Halloween Parade. He responded that he hopes to be finished before then, but it is too early to tell.

### **Public Comment**

Twelve people introduced themselves.

Mr. Robert Rowe asked about the two high lights on Route 11 at the Fire Police Building. He was told that the lights have been replaced with LED lights. Mr. Rowe responded that they are not working. The contractor will be asked to check on the problem.

**Northumberland Borough Sewer Department - No report**

### **Mayor's Report**

Mayor Berard reported that there were 57 traffic citations for the month of June; two non-traffic citations; 14 parking tickets; 30 court appearances; several people were arrested for disorderly conduct. The department had 255 calls for service for the month; 36 assist calls:

six to Point Township, 14 to Sunbury, and sixteen to other agencies. They traveled 1,219 miles during the month.

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

- Mr. Probst reported that the department took the trailers and supplies to King Street Park for Pineknotters' Day; they picked up straw.
- Mr. Probst met with representatives from the PUC and railroad. Plans are to install blinking lights and cross bars at the Hanover Street tracks next year. Mr. Ruane asked about the tracks on Orange Street. Mr. Probst responded that nothing is planned for that location.
- Mr. Probst took the recycling truck to M&S Garage and learned that the fuel tank has a leak. They are no longer made and a new tank cost \$1,300. They are trying to repair the tank. Mr. Toro asked about the estimate to repair the tank. Mr. Probst responded that he will get the estimate. Mr. Walker stated that there is someone in Danville who welds aluminum. Mr. Probst stated that the current tank is metal; the new one would be aluminum. Mr. Dreisbach stated that the federal regulations state that if the tank is welded, it may not be driven on the road.

### **Committee Reports**

Community Development – no report

#### Finance

Mr. Troup made a motion to transfer the budgeted amounts to the Shade Tree Fund (\$2,000), Penn Valley Airport Authority (\$1,000), and the Priestley-Forsyth Memorial Library (\$3,000). Mr. Toro seconded the motion. Council approved unanimously.

#### Personnel

- Mrs. Rees informed council that Herb Gottshall has applied for the Emergency Management Director position. He has held the position in the past and had left for health reasons. Mrs. Rees made a motion to appoint Herb Gottshall as the Emergency Management Director. Mr. Toro seconded the motion. This is a volunteer position. Council approved unanimously.
- Mrs. Rees stated that the committee would like to implement ID cards for all Borough employees. The only expense to the Borough is the purchase of the cards. Zartman's has a laminator that may be used. Mr. Toro stated that this provides all employees with proper ID. Mrs. Rees moved to approve. Mr. Toro seconded the motion. Council approved unanimously.
- Mrs. Rees learned from the Pennsylvania State Association of Boroughs about a program that they have to help with employee labor. The cost is \$300 per year. Called the PSAB Team Program, it includes up to eight free telephone or email counseling sessions annually. Mr. Ruane added that it also includes a free registration to an annual seminar. Mrs. Rees moved to join the TEAM Program through the Boroughs Association. The program is designed to assist municipalities with labor and employment questions. Mr. Troup asked what the cost would be after the eight calls are used. Mrs. Rees stated that she didn't ask that specific question. Mr. Troup recommended that they learn what the additional

cost would be before voting on it. Mr. Toro agreed that council should put this on hold and make a call to learn what the cost would be. Mrs. Rees stated that they could stop using the service after the eighth call. The motion was tabled.

Mr. Troup suggested that council look for another solicitor who has more experience in employee relations if that is what they are doing; instead of spending extra money on it.

Mrs. Rees asked if she should make the motion that council approve sending Mr. Toro to the training on August 8<sup>th</sup> and 9<sup>th</sup> at a cost of \$325. Mr. Ruane stated that it would be better to spend the \$300 for the TEAM Program. Mr. Toro asked when the deadline is to join the TEAM Program. Mrs. Rees replied that she doesn't think there is a deadline. Mr. Toro recommended that they wait. Mrs. Rees asked if Mr. Toro is okay with learning on August 7<sup>th</sup> if he is going to the seminar on August 8<sup>th</sup> and 9<sup>th</sup>. Mr. Toro replied that it would be fine.

Public Safety – no report

Rules – no report

Streets – no report

### **Old Business**

#### **1. Priestley Avenue Pipe**

The Borough Secretary informed council that she is waiting to hear from the engineers. They were almost finished with their design. She has applied to the County for Community Development Block Grant funds for a grant to repair the problem. Another application was submitted for the installation of the lift beside the stage area.

#### **2. Payment of the Bills**

The Borough Secretary told council to add \$690 to the bill from McNerney, Page, Vanderlin & Hall. She explained that the bill contained three items that she questioned. The solicitor emailed that two of the items should not have been charged to the Borough. The \$690 item was for work on information for a right-to-know response to Ty Sees. Ms. Weirick had a question about why there was a bill for a right-to-know response. She was told that the Ty Sees had submitted a right-to-know request about information from the police department. The total legal cost to the Borough so far is \$1,737; this does not include the costs for the Police Chief's and secretaries' time. Mr. Ruane noted that he could have come in and looked at the book in the police department. It is the police procedure book. The Borough Secretary explained that some of the information in the book had to be redacted. Ms. Weirick stated that she would like to know, as a Borough resident, why he is wasting Borough money when he could go over and read it. Mr. Troup stated that anyone can do a right-to-know request. Ms. Weirick questioned why, as a Borough Council member, he did a right-to-know request. Mr. Toro made a motion to approve the payment of the bills. Mrs. Rees seconded the motion.

Discussion ensued. Council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$127,671.09; Liberty Splashland bills total \$111.43; Donation Account bills total \$174.99; Shade Tree Fund bills total \$502.20; Park and Recreation bills total \$1,401.30; and Sewer Department bills total \$16,864.63.

3. Bowl slide

Mr. Ruane stated that the insurance coverage for the Bowl Slide is due in August. The renewal pricing is \$2,726.18 for property coverage to protect the Bowl Slide from damages, and \$5,185.75 for Commercial General Liability coverage. The insurance company recommends that the coverage be continued. If the Bowl Slide is sold, the Borough would receive a credit. The Borough Secretary stated that she received a call from a representative from a company who installs attractions at waterparks. He said that he would visit at the end of the week to look at the Bowl Slide. The Bowl Slide could be placed on MuniBid.

Mrs. Rees made a motion to put the Bowl Slide on MuniBid. Mr. Toro seconded the motion. Council approved unanimously.

Mr. Ruane asked for a motion to adjourn.

Officer Joshua Dreisbach asked if council was going to talk about the letter that was sent to all the Borough Council members. Mr. Ruane asked if the letter says that Mr. Cope qualified. Officer Dreisbach said yes. Mr. Ruane asked on what course he qualified. Officer Dreisbach replied on the course that was provided to him by the Chief and Firearms Instructor. Mr. Ruane asked if he qualified on the TQ-21? Officer Dreisbach responded no, he didn't. Mr. Ruane stated then he didn't qualify. Mr. Ruane asked Officer Dreisbach what course he fired. Did he fire the TQ-15 to qualify? Officer Dreisbach asked the Chief if it is okay to show him the course. Chief Kriner agreed. Officer Dreisbach said that this is the course that was provided to him by Chief Kriner and Officer Kerstetter. Mr. Ruane questioned if this was an old paper. Officer Dreisbach said that the only thing that had to be changed was the score. The maximum score was a 210 versus an 84%. Mr. Ruane stated that Officer Dreisbach was instructed to give Mr. Cope remedial training; not to qualify him. He has to have a witness according to the letter that was sent to Ed Cope. Officer Dreisbach said that in order to remedial train somebody, you have to take them out and put them on a course, so you can set a standard and see where they're at. Mr. Ruane said that he was not instructed to qualify him; you were supposed to do remedial training. Ed was supposed to get in touch with you and the Chief told you that you were going to be the trainer. Mr. Ruane added that this thing means nothing; he didn't pass the course. Officer Dreisbach stated that he is here to tell them that he did pass the course. Mr. Ruane repeated that he didn't and Officer Dreisbach repeated that he did. He added, that's not made up, he passed the course. Mr. Ruane noted that this is his (Officer Dreisbach's) signature. Officer Dreisbach agreed. Mr. Ruane stated that he (Officer Dreisbach) put a TQ-15. We don't do a TQ-15; we do a TQ-21. Officer Dreisbach said that if you read the course that was provided to them, it says target TQ-15, 19, 21. If you flip it over, it has a scoring for those targets. TQ-15 – it says from the center core area, moving outward, 5-4-2 points. If you read the top of it, it says Northumberland Police Qualification Course. He

said that they shot the course on a target that's allowed, they scored it with the scoring that's allowed by the department and Officer Cope qualified. Mr. Ruane asked why no one else had that selection. Officer Dreisbach noted that he (Officer Cope) qualified for duty on the day. They did not shoot a night course; they shot a day course. Mr. Ruane stated that he was instructed to train him. Mr. Ruane added that it was in the letter that he had there.

Mr. Toro said that it was his understanding that every officer on the force qualifies on a TQ-21. Officer Dreisbach concurred. He asked why was the 15 implemented for a Borough qualification. Officer Dreisbach said because it is on your course; you allow it. Mr. Toro restated his question. He stated that the Chief of Police issued that everyone be qualified on, unless I'm wrong, on the 21. Officer Dreisbach replied that he never got that order. Mr. Toro questioned him, you never got that order? Officer Dreisbach repeated that he never got that order. Officer Dreisbach stated that he never got an order to use the TQ-21. He got the order to use an 86%. That's the one he did use. Mr. Toro said that he doesn't get why every officer on the force qualifies on a 21 and then you come with a 15 which is a different qualification standard. Now you (Officer Dreisbach) are telling him (Mr. Toro) that he didn't get that order from his supervisor. Officer Dreisbach responded, not for a 21. He said that he got the order that they use an 86%. He added that he is using this course here, TQ-15, that's allowed, with the scoring that's allowed by the department standards.

Chief Kriner offered to clarify it. He stated that the form that he (Officer Dreisbach) has is not the Chief's form. It is a form that Tim Fink had that Scott Kerstetter received. When Scott Kerstetter was hired, the Chief and Officer Kerstetter sat down and decided what course they were going to fire. Chief Kriner noted that since Josh (Dreisbach) has been here as a firearms instructor and as an officer, he (Dreisbach) or no one else, since he (Chief Kriner) has taken over as Chief has shot anything other than TQ-21-5-0. That's the bottom line. The paper that Officer Dreisbach is talking about is not the Chief's paper; it is a paper that was left over from Tim Fink. He added that there are a lot of those around here. The policy states prescribed course of fire. Chief Kriner added that Officer Dreisbach knows it to be TQ-21-5-0. Officer Dreisbach stated that he just wants to make sure, he was handed a bad paper, then? He's going to respectfully request a new paper. Mr. Ruane said to do the TQ-21. That is the one you are supposed to be trained on, to fire. Mr. Ruane added that this is the one that everybody in the department has since the Chief came on board. Officer Dreisbach responded that he (Mr. Ruane) just said he's not allowed to qualify him.

Mr. Toro noted that wasn't the direction the Chief mandated. The Chief mandated remedial training and when the qualification sets forth there will be a neutral observer. That was the agreement from the last meeting, and that's not what happened. Mr. Toro stated that he welcomes his (Officer Cope's) qualification. He thinks he is heading in the right direction. He wants Officer Cope to pass, like everyone else on the force, which is the 21. Officer Dreisbach said that if he's not allowed to qualify Officer Cope and you need a neutral observer, why is he allowed to qualify other people. Mr. Ruane replied that they didn't say that. You're supposed to train him. The Chief said to take him out and give him remedial training.

Officer Dreisbach questioned why if he can't qualify him (Officer Cope), why can he qualify other members of the department. He added that he is a certified firearms instructor. Mr. Toro replied that, as memory serves, he (Officer Dreisbach) was given directions by his supervisor not to qualify, but to give remedial training. Officer Dreisbach responded that in order to do remedial training, you have to do the course to see where he's at. Mr. Toro noted that remedial training is training other than qualifying. Officer Dreisbach said that you have to find out where he's at. You can't just take somebody out there and start shooting rounds if you don't know what's wrong. So, he put him (Officer Cope) on course. He shot the course and he passed. Mr. Toro said that he (Officer Dreisbach) can remediate. But he's coming back to this panel and saying he (Cope) passed; he (Cope) qualified. Officer Dreisbach stated that he (Cope) did. Mr. Toro said that is not his (Officer Dreisbach's) position. Your position was to have remedial training, go to your supervisor, and say he's ready. He's ready to run. And now you're going to go qualify. Officer Dreisbach stated that the only thing he had was here – so he took him out and he passed. Mr. Toro recommended that both of them speak to their supervisor and get clarity on qualification standards and what is the proper procedure.

Chief Kriner stated that it is clear because the police have never shot anything else since he has been the Chief. There needs no clarity on this issue other than the fact that they shoot the TQ-21 with a 5%. Josh (Dreisbach) has instructed people on that, and he's qualified on that. It is the same thing that everyone else has qualified on. Rachel Shear was off for 16 months; didn't pick up a handgun. She came out and qualified three times in one month. It is the same course that they all qualified on. All the Chief wants is for him (Cope) to pass it. He added, just go do it. His (Officer Cope's) expert said that he needed remedial training and if given remedial training, he should qualify. They sent him out for remedial training; that was the deal. At the last council meeting, they said they didn't want him to qualify without a witness. That was the directions that were given. So, we want to give the training, want him to go out, to get it done, and get back to work.

Mr. Toro said in plain English, it's keep practicing, keep practicing, do what you have to do. And when you're ready, when you know you're going to pass, you let your supervisor know. Then he would appoint a neutral observer just to sit there and look at your course of fire and say, yes, he did pass. That's it.

Officer Dreisbach asked, this is the course or not the course? Mr. Ruane noted that was an old paper. Officer Dreisbach said that he just said it was a course; the same course they just shot. Chief Kriner stated that Officer Dreisbach knows that the policy says prescribed course of fire. He asked if Officer Dreisbach has ever shot anything else while he's been here other than the TQ-21. Officer Dreisbach stated that he's just asking to get the right form. Chief Kriner asked again if Officer Dreisbach has ever shot anything else. Officer Dreisbach responded the he, personally, had not. Officer Dreisbach stated that he just asked for the right form. Chief Kriner said the he would see that Officer Dreisbach gets the right form. He added that he should stop playing games. He noted that he knows what the course is. He didn't need that form last year when he took Mike out, or John. Officer Dreisbach said that he did need this form. He has it written down. He said that he can't remember all this when he is trying to run a person through the course and make sure that

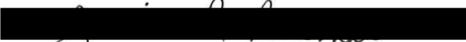
I'm safe. He added that he has it all written down, he changed the score on it, he has it written down in his folder he takes out to the range.

Mr. Troup stated that 15 and 19 should be destroyed; there should be no conflict whatsoever. He added that it is Chief Kriner's responsibility. Chief Kriner said yes, with all the other papers that he has from Chief Fink. He noted that he (Officer Dreisbach) knows the course. This is a game; that's all this is. Mr. Troup said that Chief Kriner should have gotten rid of every single thing that is not pertinent to his command. Chief Kriner said that the question is simple. Does Josh know the course to qualify on? Yes. Mr. Troup stated that he is also tasking Chief Kriner to clean up his mess with this paperwork. Chief Kriner agreed.

Mr. Ruane said that they have to get more training. That's the Chief's orders. Officer Dreisbach replied that's what they'll do. Mr. Ruane added that when he's ready to qualify, they have to get a witness. Mr. Toro added the same as every other officer on the force, no deviations. Officer Dreisbach stated that if they are going to do that, why are they getting a neutral observer? He said that Scott Kerstetter takes him out and he qualifies, and the Chief signs off, he's good to go. Mr. Toro stated because this is under grievance right now. Officer Dreisbach questioned so now we need a neutral observer? Mr. Ruane replied yes, because Mr. Kerstetter was questioned if there was a witness there. Officer Dreisbach replied okay. Mr. Toro said that everyone is uncomfortable with who is there and who's observing. That's why, when that happens, you take a neutral observer, it doesn't have to be him (Mr. Toro). It could be anyone on the force; it could be anyone that's a qualified officer that you feel comfortable with. The Chief could appoint one; it doesn't matter. But, it has to be done.

Mr. Ruane asked for a motion to adjourn. Mr. Toro moved to adjourn. Mr. Ruane adjourned the meeting at 8:05 p.m.

Respectfully submitted,

  
Janice R. Bowman  
Borough Secretary