

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
October 2, 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 Paul Boyer, Ellie Rees, Paul Ruane, Ty Sees, Orlando Toro, and James Troup. Others present were Mayor Berard; Ryan Tira, Borough Solicitor; Jeremy Deitrick, Sewer Department Superintendent; Brian Probst, Street Supervisor; and Janice Bowman, Borough Manager. Dr. Cianflone was absent.

Auditor's Report

Tony Gagliardi, CPA with Klacik & Associates, P.C., reported that he has audited the Borough and Sewer Department records. There were no findings with the audit. There were slight decreases in revenue and expenditures. A single audit was also conducted due to the amount of federal funding for the Sewer Department. He noted that this is the second year the single audit was required; it may not be necessary next year. The report has been filed with the Department of Economic Development. Mr. Gagliardi noted that IT Security is becoming a "hot button". He noted that it is important to keep back-ups, and more than one person should know the passwords.

Mr. Boyer made a motion to approve the audit. Mr. Sees seconded the motion with the exception that pending review and questions that may arise. The motion was amended. Council voted unanimously to approve the audit with the exception.

PennDOT Update

Mr. Ted Deptula reported on the progress of the work at the underpass. Work is being done to the face of the bridge. He explained that a new open grate about 70 feet long is being installed which should help remove water from the underpass heavy rains. They will then pave the concrete pavement and sidewalk.

The progress on Duke Street is on one of the last three phases. Coming up Duke Street from Water Street will be difficult during the last two phases. If they have trouble keeping the trucks out of the detour, they may decide to close Duke Street at Water Street. Access will still be maintained to Geisinger and Front Street Station from Depot Avenue or Front Street. This area of construction should be completed by mid-December.

The work on Front Street should be completed on the south side of the street this year. There is work to be completed on the north side of the road between Hanover and Orange Streets. They are going to try to have one lane of traffic and two lanes of parking between Hanover and King Streets. There will be one lane of traffic and one lane of parking above Hanover Street.

Mayor Berard asked if the plan is to work through December. Mr. Deptula replied that the plan is to complete Duke Street to Depot Avenue. Drainage will be extended on Duke Street near Depot. They may be able to tie in around the traffic signal. This work should be done before Christmas.

Mayor Berard asked if Duke Street would be opened to trucks this winter. Mr. Deptula replied that the truck detour will be in effect over the winter. UGI is planning to work over the winter. They are working on Water Street between Wheatley and Queen. When that is finished, they will be working at the intersection of King and Priestley. Work will be done at night.

The plan was to have the underpass opened through the winter. The contractor presented a proposal today to work over the winter in order to finish before Spring. PennDOT is going to see if there are advantages to having the work done over the winter. He asked if council has any concerns if the contractor is allowed to work over winter. No objections were raised. Mr. Deptula said that he will consider whether to permit the winter work.

A new sidewalk is being installed on the north side of the underpass.

Mr. Ruane asked if the Halloween Parade could be held this year. Mr. Deptula noted that plans are to have the parade.

Public Comment

Mr. Nate Boyer asked if the Westway runoff issue was discussed during the street committee meeting and if the Borough or railroad own the drainage ditch below Westway. Mr. Ruane stated that the ditch is on railroad property. The committee would like to get together with Mr. Boyer to discuss installing a pipe under WestWay to the ditch. Mr. Probst reported that a couple months ago he talked to the people at the railroad and they said that they would have the ditch cleaned. He noted that PennDOT wants the ditch cleaned because they are replacing the drains that go into the ditch.

Mr. Jon Rees presented pictures of a storm sewer pipe on private property. He asked who is responsible for the pipe which sticks out of the ground. He explained that the developer was to come back to take care of the problem, but never did. Mr. Tira advised that if the pipe was put in by the developer, but was not taken over by the Borough, the property owner would be responsible. Mr. Rees stated that he did not know if the deed includes a right-of-way.

Mr. Robert Rowe noted that one of the high lights on Route 11 near the Fire Police building is working; but the other is not. Mr. Ruane stated that the contractor who replaced the lower lights did not have a truck that could reach the higher lights. Another contractor has been contacted.

Mr. Rogers told the council that he lives on Front Street next to Townside Garden Café. He owns an oversize carriage house at the rear of his property and would like to put a small apartment in the bottom half of the structure. Mr. Ruane stated that according to the ordinance you may have a single or double house but may not have two separate residences on one property. Mr. Tira reported that they would have to go to Zoning to obtain permission. Mr. Ruane noted that the property is not wide enough for a subdivision. Mr. Rogers requested that the Borough install a new tree in front of his property. Mr. Ruane said that the Shade Tree Commission would be contacted to determine if they have funding for a new tree at this time.

Mrs. Bogovich asked about the status of the Bowl Slide. It had been placed on Muncibid; however, no bids were received. Mrs. Bogovich asked about an offer that had been made. She was informed that someone had made an offer to Dr. Cianflone but before the Borough could sell it, it had to be advertised. That has been done so if the party that made the offer is still interested, council can decide whether to accept the offer. Mrs. Bogovich noted that the Borough is spending money to have insurance coverage on the Bowl Slide/

Eight visitors were present.

Council Meeting Minutes

Upon motion by Mr. Toro, seconded by Mr. Boyer, council voted 5-0-1 to approve the meeting minutes of August 7, 2018, and 6-0 to approve the meeting minutes of August 21, 2018. Mr. Sees abstained from the vote of the August 7, 2018 minutes because he did not attend that meeting.

Northumberland Borough Sewer Department

Mr. Boyer made a motion to pay RETTEW \$9,000 for engineering work that was necessary on Duke Street. Mr. Toro seconded the motion. Council approved unanimously.

Mr. Boyer made a motion to replace the control panel at the Resilite Pump Station and to contract with RETTEW for the professional services to build the new panel and controls at a price of \$20,350. Mr. Toro seconded the motion. Council approved unanimously.

Mr. Jeremy Deitrick informed the council that the Sewer Department must purchase credits for phosphorous. He said that the market is scarce; however, he has located a facility that is willing to partner with NBSD. The facility is University Area Joint Authority (UAJA). The terms of the contract are in rough stages. The proposed cost is \$5.00 per pound of phosphorous. They will use about 800 pounds. The proposal has no minimum amount to purchase. Mr. Troup said that he thought that with the new plant, NBSD would not have to buy credits. Mr. Deitrick said that phosphorous is biologically different from nitrogen. The fact that the weather has been very wet has contributed to the need for the credits. The way to combat the phosphorous is to add chemicals. The cost for the chemicals is about \$4,000 for a tank of alum which would add up to about \$24,000 so it is more cost effective to purchase the credits. Mr. Deitrick explained that the NBSD has reduced the nitrogen from around 20 to the low teens with the old facility. With the new facility, the number is around 3. NBSD does have nitrogen credits available to sell which could help offset the cost of purchasing the phosphorous credits.

Mayor's Report

Mayor Berard reported that for the month of September, the police department had 29 traffic citations; 2 non-traffic citations; 21 court appearances; several people were arrested for felony and misdemeanor crimes some of which included fleeing and attempting to elude, simple assault, and recklessly endangering another person. There were 233 calls for service for the month; 35 assist calls – 6 to Point Township, 10 to Sunbury, and 19 to other agencies. 936.7 miles were traveled.

Mayor Berard reported that Judge Toomey has raised the fine for truckers from \$150 to \$400 plus court costs.

Code Enforcement Officer's Report

Mr. Ruane read the Code Enforcement Officer's Report for September. Four building permits and two zoning permits were issued. There was one Zoning Hearing at a cost of \$525. Permit fees totaled \$1,217. The Code Officer received 8 complaints, issued 13 code violations, conducted 10 rental inspections with inspection fees totaling \$350. 52 miles were traveled, and two Certificates of Occupancy were signed.

Street Supervisor's Report

Mr. Probst provided a written report to the council. Mr. Ruane asked if the leaf picker is ready to go. Mr. Probst responded that there is an issue with it and the company representative is coming to look at it. Mr. Ruane asked if the bucket truck is ready. Mr. Probst replied that it is at Maust. He has two rebuild kits for the cylinders. Another leak was noted that will be addressed after the cylinders are rebuilt.

Committee Reports

Streets

Mr. Boyer reported that the committee did not meet because of the 9-11 ceremony.

Community Development – no report

Finance

Mrs. Rees reported that the budget was balanced at the last committee meeting. Mrs. Bogovich asked when the next meeting would be held. She was informed that the committee will meet at 6:30 p.m. on October 23, 2018 to finalize the budget.

Personnel

Mrs. Rees informed council that regarding the Police Department Rules and Regulations grievance, they have a Memorandum of Understanding with the Police Officers' Association, hoping to avoid arbitration. The parties agree that 1. The Borough shall provide a printed (hard copy) of the Borough Police Department Rules and Regulations Manual to the Association to be maintained in the Police Department; 2. The Association is permitted to make a copy for each member of the Association at the Association's expense; 3. The Rules and Regulations Manual shall not leave the Police Department or be publicly disclosed unless required or authorized by law; This MOU shall be incorporated into the parties' CBA.

Mrs. Rees made a motion to approve the Memorandum of Understanding between the Borough and the Northumberland Borough Police Officers' Association resolving the Association's grievance relating to the copying of the Rules and Regulations Manual on disc for each officer. Mr. Toro seconded the motion. Mr. Troup questioned that they all get copies of it, but it can't leave the building. Mr. Tira confirmed. Council approved the motion unanimously.

Public Safety – no report

Rules

Mr. Troup stated that the committee would meet next Monday at 6:00 p.m.

Old Business

1. Priestley Avenue Pipe
The engineer is working on finalizing the plans.

New Business

1. An additional bill for \$3,750 from Klacik and Associates for the audit was added to the list of bills to be paid. The Borough's share of this bill is \$2,000 and the Sewer Department's share is \$1,750. Mr. Troup asked the purpose of the mat from Resilite. It is for the holding cell in the Police Department. Mr. Toro made a motion to pay the bills; Mr. Boyer seconded the motion. Council approved unanimously. Bills to be paid from the General Fund total \$190,377.77; Liberty Splashland bills total \$39.75; General Contingency bills total \$65.97; and Sewer Department bills total \$98,124.94.
2. A resident on Riverview Drive has offered to maintain the cul-de-sac at the end of the street. He would also like to install a weather station there. Mr. Tira advised that for insurance purposes, there should be something memorialized. Additional information will be obtained.

Executive Session

Mr. Ruane stated that the council is going into an Executive Session to discuss a potential litigation issue with the Sewer Plant. He stated that the council would return.

The meeting was reconvened at 8:12 P.m.

Mr. Boyer made a motion to authorize Mr. Tira sign a resolution for \$565,837.65 and proposal 1 to settle the claim by Jay Fulkroad & Son. Mr. Toro seconded the motion. Council approved unanimously.

Mr. Tira noted that the council also discussed personnel matters in the Executive Session.

Mr. Ruane adjourned the meeting at 8:14 p.m.

Respectfully submitted,


Janice R. Bowman
Borough Manager