

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
December 4, 2018

Borough Council Vice-President Paul Boyer called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. A moment of silence was observed in memory of George Herbert Walker Bush, the 41st President of the United States who died on Friday, November 30th. Mayor Dan Berard offered an Invocation.

Roll Call

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

PennDOT Update

Ms. Mindy Foresman informed council that Duke Street is opened. Paving was completed last week in spite of the inclement weather. The traveling lane on Front Street is on the left side of the road, coming south, and parking is on the right. Work will continue on the underpass through the winter with opening anticipated by the end of February 2019.

Mr. Brian Probst asked if it would be possible to move the lines several feet to the right due to the line of sight for traffic entering Front Street from the streets below. Ms. Foresman replied that it is not possible to move the travel lane due to the way the paving was done. She noted that there is not enough blacktop on the right side of the road.

Mayor Berard asked when work would continue on Duke Street. Ms. Foresman stated that plans are to begin work in March. Mayor Berard noted that the signage stipulates no trucks over 36 feet. He would like to have a conversation about changing the signage to no vehicles over 36 feet because of the tour buses that come through the Borough that are over 36 feet long. Ms. Foresman stated that the detours are planned for the next phases and she could meet with Mayor Berard to discuss them. She noted that she will be on this job all winter long, going over plans and reviewing things. Mayor Berard asked if construction will be completed by the end of 2019. Ms. Foresman replied that the completion date is June of 2020, but most of the work should be completed by the end of 2019. Mayor Berard asked if the work will be completed at the underpass by the end of February. Ms. Foresman stated that some final paving will take place before Pineknotters' Day.

Mr. Boyer asked if the railroad will be upgrading their crossing on King Street. Ms. Foresman responded that for one weekend traffic will be detoured from King Street and the railroad will be upgrading the crossing at that time. She thinks it will be in August before school starts.

Mr. Nate Boyer asked if King Street will be closed completely. The response was that it will be for one weekend. Mr. Boyer said that plans had shown that traffic would be just one way coming from Sunbury for some time during construction. Ms. Foresman noted that PennDOT has an app that shows the detours and the construction plans.

Public Comment

Ms. Siri Dock thanked the council for listening to the residents about the leaf pickup. She said that there was no way that people could bag all the leaves for pickup. She noted that waiting until 80% of the leaves are down is too late to start picking up the leaves. Ms. Dock also commented that the street department should pick all the leaves up when they do the work. She said that the worker at the Norry Christian School had raked their leaves close to the building. When it was time for the leaves to be picked up, he raked them to the curb. She saw the leaf picker go down Orange Street and get the leaves that were on the curb but left the leaves that were on the street. Later they came by and picked up the leaves that were on the street. Ms. Dock stated that the town is not kept up like it used to be. She said that if you don't keep up the town, you will get lowlife. The crosswalks haven't been painted for several years. She also stated that when they plow snow, they drive too fast and throw snow and ice on the sidewalks. She requested that they slow down so residents don't have to shovel snow twice. Ms. Dock said that she thinks there are a lot of good programs here for the kids and commented on the volunteer work that the Longs (Noelle and Bob) do.

Mr. Terry Walker stated that flyers were placed on cars the other day about ticketing vehicles. He noted the other day that he saw no tickets on cars. Today he saw tickets on the cars. He added that the Chief informed him that 19 tickets were issued on Monday and 17 were issued today. Mr. Walker stated that he thinks the street department is doing a good job collecting leaves.

Council Meeting Minutes

Upon motion by Mr. Toro, seconded by Dr. Cianflone, council voted unanimously to accept the council meeting minutes for October 2, 2018.

Bid Opening – Priestley Avenue Pipe

Mr. Boyer read the bids that were received for the construction project. The bids are as follows:

<i>Priestley Ave. Pipe Culvert</i>		
	<i>Company</i>	<i>Bid</i>
<i>1</i>	<i>New Enterprise, Stone & Lime Co., Inc.</i>	<i>137,165.00</i>
<i>2</i>	<i>Mitchell Knorr Contracting</i>	<i>73,320.48</i>
<i>3</i>	<i>Columbia Excavating, LLC</i>	<i>77,221.00</i>

4	<i>Sikora Brother's Paving Inc</i>	<i>139,370.00</i>
5	<i>W. Q. Land Company LLC</i>	<i>164,856.00</i>
6	<i>Guyer Brothers, Inc.</i>	<i>95,669.75</i>
7	<i>James T. O'Hara, Inc.</i>	<i>121,010.00</i>
8	<i>Jay Fulkroad & Sons, Inc.</i>	<i>157,651.27</i>
9	<i>Farhat Excavating</i>	<i>93,930.00</i>
10	<i>Glenn O. Hawbaker, Inc.</i>	<i>199,796.00</i>
11	<i>Mid State Paving</i>	<i>89,529.10</i>
12	<i>Dave Gutelius Excavating, Inc.</i>	<i>85,610.00</i>

Council discussed what to do about awarding the bids. The Borough's PennDOT municipal representative will review the bids. Mr. Tira suggested that council discuss the funding issue in the Executive Session before moving on the bids.

Northumberland Borough Sewer Department

1. Mr. Boyer reported that the Sewer Committee met today and there are two action items. One is to approve the agreement with the Middleburg Municipal Authority for the sale of 2,900 nitrogen credits to be sold at \$3.00 per credit. Mr. Boyer noted that virtually all the available nitrogen credits produced this year have been sold; 4,125 generated and 4,026 sold with proceeds of \$10,952. Phosphorus credits were purchased for \$2,550 so there was a net profit of \$8,402.

Mr. Troup moved to approve the agreement with the Middleburg Municipal Authority to sell 2,900 nitrogen credits at \$3.00 per credit. Mr. Toro seconded the motion. Council approved unanimously.

2. Mr. Boyer reported that the Sewer Committee would like council to approve the contract extension amendment with the Lycoming County Landfill. The current amendment expires at the end of this year. The landfill is looking to extend the existing agreement for two years at the same price.

Mr. Troup moved to approve the two-year contract extension amendment with the Lycoming County Landfill. Mr. Toro seconded the motion. Council approved unanimously.

Mayor's Report

Mayor Berard reported that the police department issued 51 traffic citations and 2 non-traffic citations in November. They had seven court appearances. Several people were arrested for felony and misdemeanor crimes which included harassment and stalking. There were 30 assist calls for the month; 7 to Point Township, 7 to Sunbury, and 16 to other agencies. They logged in 1,203 miles on the vehicles.

Mayor Berard made a proclamation on November 11th for Armistice Day.

The toy drive in memory of Marty Concini is ongoing. Toys may be dropped off at the Surplus Outlet, the Northumberland National Bank, the Priestley-Forsyth Memorial Library, the Police Department, or the Borough Office.

Code Enforcement Officer's Report

Ms. MaryKay Clark provide a written report for council. During the month of November four building permits and one zoning permit were issued with fees totally \$13,297.62. There were five complaints; eight code violations and six citations were issued. Twenty-four rental inspections were conducted with fees totaling \$840. 41.5 miles were traveled.

Street Supervisor's Report

Mr. Probst provided a written report to council. He informed council that he talked to the salesman today about the truck. Once he receives the paperwork, the truck will be delivered.

Mr. Sees questioned how many mailboxes were knocked over. Mr. Probst stated that he did not know. Mr. Sees asked how many were hit with the plow and Mr. Probst answered none. Mr. Sees stated that it was all snow that was pushed to the side that hit the mailboxes. Mr. Probst replied that that is correct.

Committee Reports

Streets – no report

Community Development

Dr. Cianflone reported that the committee met last week. A part for the generator is on order. Several people were contacted to provide estimates for the gym flooring and the HVAC system for the gym.

Dr. Cianflone informed council that Cindy Diogo has approached the committee with the request to chair a committee to plan the 2022 Celebration of the Borough's 250th Anniversary.

Dr. Cianflone reported that Carl Lewis has offered \$3,500 for the Bowl Slide. He has provided proof of insurance and would like to have until June 2019 to remove it. Dr. Cianflone added that Mr. Lewis met with a crane operator on Friday. Mr. Tira advised that the procedure is that council would put the topic on the agenda for a meeting thirty or more days out; and would officially approve the sale at that meeting. The council had gone through the bidding procedures and it hadn't sold. They negotiated with a private party, so they must announce the terms and have a thirty-day public comment period. The terms were announced tonight so a decision may be made after the thirty-day period. The Borough is paying the liability insurance on the slide.

Dr. Cianflone made a motion to sell the Bowl Slide to Carl Lewis for \$3,500 with the stipulations that it be removed by June 1, 2019, and proof of

insurance is provided. Payment must be made within thirty days of final council approval. Mr. Toro seconded the motion. Discussion ensued. Council voted unanimously to approve.

Dr. Cianflone questioned the number of people the Savidge Room can hold and the rental fee. He was told up to 200 and the rental fee is \$200 with a \$200 deposit.

Finance

2019 Budget – 2nd reading

Mr. Sees stated that he would like to go into Executive Session to discuss the budget along with the other items for Executive Session. Mr. Boyer explained that it would be the 2019 budget, the bids for the culvert, and the settlement agreements. Mrs. Rees questioned if this is an acceptable reason for an Executive Session. Mr. Tira replied that if there is litigation or personnel issues, yes. General budget discussion should be held in public. The 2nd reading of the 2019 budget was tabled until after the Executive Session.

Personnel

Mrs. Rees made a motion to enter into a written settlement agreement with Ed Cope resolving the suspension grievance on the unfair labor practice. Mr. Toro seconded the motion. Discussion ensued. The motion was tabled until after the Executive Session.

Mrs. Rees made a motion to enter into a written settlement agreement with Joshua Dreisbach. Discussion ensued. The motion was tabled until after the Executive Session.

Public Safety – no report

Rules – no report

Streets – no report

New Business

1. One bill was added to the list of bills. It was in the amount of \$15,070.70 to Kelso Law for services in October and November. Mr. Toro made a motion to pay the bills. Mrs. Rees seconded the motion. Mr. Troup said that since the plows did not hit the mailboxes, but the snow that was plowed knocked them over, he did not feel the Borough should reimburse the property owners. Mr. Sees stated that it would be setting a precedent. Discussion ensued. The motion and second were amended to pay the bills except for the mailboxes since there was no contact between the plow and the structure. Council voted unanimously to approve the bills. Bills to be paid from the General Fund total \$126,543.38; bills to be paid from the Donation Account total

\$59.65; Liberty Splashland bills total \$40.77; Park and Recreation Fund bills total \$772.00; and Sewer Department bills total \$93,084.13.

2. Priestley-Forsyth Memorial Library requested permission to use the King Street Park and the electricity in the gazebo, and to have the street around the park blocked off for the annual "Countdown to Noon Celebration" on December 31 from 9:00 a.m. to 12:30 p.m. Mr. Troup so moved; Mr. Toro seconded the motion. Council approved unanimously.
3. Mr. Sees moved to pay the solvency fee of \$1,604.23 for 2019 to the Department of Labor and Industry for unemployment, based on the solicitor's review. Mr. Toro seconded the motion. Council approved unanimously.
4. Mr. Troup moved to appoint Jim Sanders as Sewage Enforcement Officer and Kenneth Young as the alternate Sewage Enforcement Officer for 2019. Mr. Toro seconded the motion. Discussion ensued. Council approved unanimously.

Executive Session

Council adjourned for an Executive Session at 8:07 to discuss personnel and litigation issues. The meeting was reconvened at 9:01 p.m.

Mr. Troup made a motion to award the bid for the Priestley Avenue culvert pipe project to the low bidder contingent on review of the specifications. Mr. Boyer seconded the motion. Council voted 4-2 to approve with Mr. Toro and Dr. Cianflone voting no.

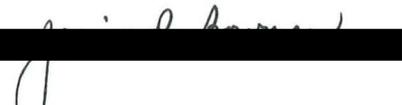
Mrs. Rees made a motion to approve the 2nd reading of the 2019 budget. Mr. Toro seconded the motion. Council voted 4-2 to approve with Mr. Sees and Mr. Troup voting no.

Mrs. Rees made a motion to accept the Ed Cope suspension grievance settlement agreement. Mr. Toro seconded the motion. Council voted 3-3 with Mr. Sees, Mr. Troup, and Dr. Cianflone voting no. Mayor Berard voted yes. Motion passed 4-3.

Mrs. Rees made a motion to approve the settlement agreement with Josh Dreisbach according to the terms of his last counter offer on November 28th. Mr. Toro seconded the motion. Council voted 3-3 with Mr. Troup, Dr. Cianflone, and Mr. Sees voting no. Mayor Berard voted yes. Motion passed 4-3.

Mr. Toro moved to adjourn. The meeting was adjourned at 9:07 p.m.

Respectfully submitted,


Janice R. Bowman
Borough Secretary