

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
May 2, 2017

President Paul Ruane called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Council member Ellie Rees offered an Invocation.

Roll Call

Council members present were Paul Boyer, Ralph Cianflone, Ellie Rees, Paul Ruane, Ty Sees, and Harry Wynn. Others present were Ryan Tira, Borough Solicitor; Jeremy Deitrick, Sewer Department Superintendent; Brian Probst, Street Supervisor; and Janice Bowman, Borough Secretary. Mayor Len Zboray and Councilman James Troup were absent.

Public Comment

- Mr. Benjamin Apfelbaum, a political candidate for re-election, stated that he opposes the political sign for Mike Toomey that is posted in front of the Borough building. He feels that it is inappropriate for public space such as this and the sign has no place here and should come down. Noting that on Election Day there are certain rules permitting signs within a certain distance of the polls. He feels that this looks like the Borough government or one of its departments is behind the candidate. He requested that council consider taking it down. Mr. Ruane responded that no one in the office put the sign there.

Mr. Wynn asked why the sign wouldn't be allowed here. Mr. Apfelbaum stated that everyone has freedom of speech. However, he feels that it is not appropriate for judicial candidates to do anything in their campaign that is deceptive, such as taking photos with a police department which may imply that the police support the candidate. He added that it is not appropriate for any candidate because the government should not be perceived as promoting one candidate over another. Mr. Wynn stated that no one in the Borough objects to the sign being there and that Mr. Apfelbaum could also put his sign there. Mr. Sees requested that the solicitor provide his opinion. Mr. Tira agreed that Mr. Apfelbaum is correct that the Borough should not take a position for one candidate over another. Mr. Sees stated that he does not believe that anyone on council put the sign there. Mr. Apfelbaum thanked the council for hearing his comments.

PennDOT Project

Ted Deptula, the assistant construction engineer for PennDOT's Northumberland project on Duke, Water, King and Front Streets, informed council that the project was let on April 20th. The apparent low bid was \$13,691,698.97. The apparent low bidder was New Enterprise from Winfield. For this year, the contractor plans to follow the schedule that PennDOT has outlined. Tree removal and the removal of the house at King and Water Streets are scheduled to begin in June, to be completed before Pineknotters' Days. The first three phases on Duke Street will

begin after Pineknotters' Days and be completed in October. Bonding is underway. Mr. Deptula will be attending council meetings in the future.

Mr. Chris Neidig, PennDOT, informed the council that he has the plan for the tree removal, if anyone is interested in reviewing it. The project plan is available on PennDOT's website at www.penndot.gov/dukestreet.

Mr. Neidig requested that council approve the revised Concurrence of Section 4(f) non-applicability/no use document that had been signed on June 7, 2016 for the SR 147-110 project.

Public Comment

- Mr. Fritz Dabulis asked when the temporary buildings at the BIMBO bakery are going to be removed. He stated that there is a temporary electrical service attached to the office. He asked if Mr. Ruane had seen a temporary service. He stated that the electrical to the building is dangling.
Mr. Ruane stated that the company has obtained a building permit. The Code Officer was attending a class today and is not present at the meeting. Mr. Ruane stated that the inspection would have been done by the third-party inspection service. Mr. Ruane Mr. Dabulis provided a photo of the temporary electrical service.
- Mr. Lapp and his sons were from the Buffalo Valley Fence Company and were present for the bid opening.
- Mr. Terry Walker stated that he had come to council last year to request that yellow lines be painted across from his driveway. He stated that since then, he has had to contact the police to have the vehicles ticketed. The street department put no parking signs near the intersection. Mr. Walker said that vehicles are still parked there. Mr. Walker asked Brian (Probst) to paint the curb yellow. Chief Kriner informed him that a traffic study is required and the council would have to adopt an ordinance to legally prohibit parking. Mr. Ruane stated that it cannot happen tonight. The street committee will review the intersection.
- Mr. Jon Apple informed the council that two fire police officers died in the past month, Dave Hessel and Mike Lucher. He added that they are missed.

Council Meeting Minutes

Dr. Cianflone made a motion to accept the council meeting minutes of April 4, 2017. Mr. Boyer seconded the motion. Mr. Sees stated that he sent changes to Jan late today that he would like to have included in the minutes. Mr. Ruane tabled the motion.

Street Supervisor's Report – no report

Northumberland Sewer Department

Mr. Steve Siegfried, RETTEW, provided information to council regarding the sewer bid cost for the PennDOT project. He stated that bids for the sewer portion of the project came in higher than expected. The original estimate was around \$380,000 and the bid is \$469,353. The Borough's share of the price is 25% which is about \$23,588 more than anticipated.

Mr. Tira noted PennDOT is reconsidering the compensation for the relocation because Ann August has located another old map. PennDOT has agreed to come and review it.

Upon motion by Mr. Boyer, seconded by Mr. Wynn, council unanimously approved the Northumberland Sewer bid cost. Mr. Tira added that the amount of compensation would be a separate issue.

Mr. Siegfried provided an agreement for the engineering firm's services during construction. This agreement is to be reviewed for the next council meeting.

Mr. Mark Strahota, Hazen and Sawyer, provided Payment Request #18 for \$1950.00 from Lecce. Mr. Boyer moved to approve the payment. Mr. Wynn seconded the motion. Council approved unanimously.

Executive Session

Mr. Ruane announced that the council would adjourn for an Executive Session at 7:23 p.m. to discuss litigation issues. The meeting was reconvened at 7:40 p.m. No action was required.

Committee Reports

Community Development

- Dr. Cianflone stated that the committee discussed Liberty Splashland. Employment applications are being accepted.
- Dr. Cianflone reported that the committee had approved permitting the Shikellamy Baseball Team to use the Pineknottter Park baseball field. The proposed contract stipulates that Shikellamy provide a certificate of insurance with the Borough as the additional insured. The baseball players will follow all rules of the park. The agreement is the same as for other teams with the addition of the certificate of insurance. Dr. Cianflone made a motion to accept the contract with Shikellamy School District to use the Pineknottter Park baseball field. Mr. Boyer seconded the motion. Council approved unanimously.
- Susquehanna Greenway
Ann August had attended a meeting at SEDA-COG and learned about a new study in conjunction with PennDOT. Three communities within a six-county area will be chosen to have biking/pedestrian audits completed. She is proposing that the Borough and Point Township submit a joint application to be one of the communities. If chosen, a \$1000 match would be required from the municipalities, \$500 from the Borough and \$500 from Point Township. If council approves, Ann will attend the Point Township Supervisors' meeting next week to see if they are interested in the collaboration. If the community would be chosen, the money would not be required until later this year or next year. Mr. Boyer made a motion to allow Ann August to explore the participation in the study. Dr. Cianflone seconded the motion. Council approved unanimously.
- The Borough Secretary asked what council would like done with office desks that are no longer being used. Discussion ensued. Dr. Cianflone made a motion to set the desks out with a free sign. Mr. Boyer seconded the motion. Council approved unanimously.

Finance

The Borough Secretary informed council that the real estate tax money has been forthcoming and the \$55,000 that was borrowed from the General Contingency Fund could be transferred back to that account. Mrs. Rees moved to transfer the \$55,000 from the General Fund to the General Contingency Fund. Mr. Wynn seconded the motion. Council approved unanimously.

Fencing for Recycling Center

Mr. Ruane requested that the quotes be made public for the fencing for the Recycling Center. The following quotes were read:

Contractor	Base Quote	Slide Gate	Rear Gate	Total
Suburban Fence Company	22,400.00	3,810.00	1,950.00	28,160.00
Buffalo Valley Fence	19,300.00	1,500.00	500.00	21,300.00
Upper Dauphin Vinyl Products LLC	20,410.90	2,192.00	442.00	23,044.90
Apollo Fence Company	14,988.00	929.00	609.00	16,526.00

Dr. Cianflone made a motion to accept the low quote from Apollo Fence in the amount of \$17,526 which includes the two alternatives for the sliding gate in front and the swing gate in the rear of the property. Mr. Boyer seconded the motion. Mr. Wynn asked why a gate is being installed in the back. He was informed that the fire department requested it. Council approved unanimously. [Note: The actual total bid amount is \$16526.]

Committee Reports, continued

Personnel

Mrs. Rees reported that the committee had meetings as they needed to attend to issues with personnel.

Mrs. Rees made a motion that Ann August's title be changed to Assistant Secretary-Treasurer because the Borough has not had one since Jane Sanders-Ressler resigned. Mrs. Rees added that Ann would be bonded. She noted that there would be no additional cost to the Borough, but she would be bonded and would be on a salary. Mr. Wynn asked if she is on salary now. Mrs. Rees responded that she is now on an hourly wage. The committee would like to make her salaried at the same rate. Mr. Sees asked why the committee would change it. Mr. Ruane responded that because they have discussed installing a time clock, and it would cost the Borough more money with having to pay her overtime. Mr. Tira advised that if council wants to get into discussing personnel, they may want to go into an Executive Session.

Executive Session

The council went into an Executive Session at 8:03 p.m. to discuss personnel issues. The meeting was reconvened at 8:36 p.m.

Mrs. Rees's motion was on the table. Mr. Boyer seconded the motion. Council voted 4-2 to approve with Mr. Sees and Mr. Wynn voting no.

Mrs. Rees made a motion to authorize the Civil Service Commission to test for eligible officers. Dr. Cianflone seconded the motion. Council approved unanimously.

Mrs. Rees moved to obtain a long-term disability policy with the benefit of \$100 per week for the police department up to a maximum of three years. Mr. Sees seconded the motion. Council approved unanimously.

Dr. Cianflone stated that he has a personnel issue to discuss with the council in Executive Session.

Executive Session

Council adjourned for Executive Session at 8:40 p.m. to discuss personnel. The meeting was reconvened at 9:18 p.m.

Dr. Cianflone moved to hire Joel Wiest as the Borough's solicitor and to have Ryan Tira remain as the solicitor for the sewer project completion and the sewer department lawsuit. Mr. Tira stated that if the motion passes, he would ask for some clarification on the transfer of other matters, some are close to completion and some are not. He was asked about the other matters. One is the compensation for the PennDOT Duke Street project which is being reconsidered.

Mr. Wynn left the council meeting at 9:29 p.m.

Mr. Sees stated that he would second the motion. However, he suggests that the motion be tabled until the full council is present. This would also provide Mr. Tira with time to review the other outstanding issues. The motion was withdrawn and tabled for a full-council vote.

Committee Reports, continued

Public Safety – no report

Rules

Mr. Sees sent out the revision for the policy addressing extra food at the pool concession stand. Mr. Sees stated that he would touch it up and resend it to council. Mr. Ruane asked if the committee met. Mr. Sees stated that they did not, but the policy has the committee's blessing.

Streets

- Mr. Boyer met with Bill Skumanich regarding the low curb in front of his property on Orange Street. Water lays on his sidewalk because the curb is only two inches high. Mr. Boyer told him that there is nothing the Borough can do this year. Mr. Sees noted that most of the curbs are substandard.
- The committee did not meet on April 11th.
- The pot holes on Church Avenue were filled.
- On Friday, Mr. Boyer and Mr. Wynn went to Pineknott Park because they received a request to remove stones along the river for someone to walk down to the river to fish. They told him that they wouldn't take out the stones that were placed there as riprap.
- Mr. Boyer noted that there is a big tree laying in the river near the boat ramp and another tree on the upper side of the bridge which goes out to the pier.
- The Central Susquehanna COG received one bid for the paving project this year. Mr. Boyer made a motion to award the bid for the street construction paving project to

Meckley's Limestone Products, Inc. in the amount of \$135,090. Dr. Cianflone seconded the motion. Council approved unanimously.

- Mr. Sees made a motion to award the paving bid for the police parking lot to Meckley's Limestone Products, Inc. in the amount of \$11,597.20. Mrs. Rees seconded the motion. Council approved unanimously.
- PennDOT had requested that the council concur with the change to the Section 4F non-applicability/no use document that was originally signed on June 7, 2016 for the SR 147-110 project. PennDOT originally planned to reconstruct the pavement from the underpass to the West Branch Susquehanna River Bridge. However, they determined that a complete reconstruction was unnecessary. Access will be maintained to Pineknotters' Park and the boat launch during the duration of the construction. Mr. Tira advised a vote is not required. An email will be sent to signify council's concurrence.

Old Business

1. Mr. Boyer moved to approve Ordinance No. 2017-3. This ordinance renames streets. Cemetery Alley is to be renamed Gessner Way and Orange Street Extension is to be Marshall Drive. Dr. Cianflone seconded the motion. Council approved unanimously.
2. The apparent low bidder of the baler for the recycling center did not meet all the requirements of the bid. The lowest qualified bidder was Recycling Equipment Corporation at a bid of \$41,785. Mr. Boyer so moved. Dr. Cianflone seconded the motion. Council approved unanimously.
3. Upon motion by Mr. Sees, seconded by Mrs. Rees, council voted unanimously to appoint Greg Shaffer to the Civil Service Commission.

New Business

1. Upon motion by Mrs. Rees, seconded by Dr. Cianflone, council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$50,061.55; the Debit Account bills total \$2,109.68; Liberty Splashland bills total \$214.36; 2nd Street Community Center bills total \$1,035.14; and Sewer Department bills total \$93,915.32.
2. Mr. Sees made a motion to approve a handicap parking request from Valerie Kline at 444 Front Street with the stipulation that it be evaluated on an annual basis. Dr. Cianflone seconded the motion. Council approved unanimously.
3. The Borough Secretary informed the council that she discovered the political sign in front of the building when she arrived at work. She contacted the Northumberland County Board of Election to learn if there were any rules about posting signs on municipal property and was told that the Election Board had no regulations except for a rule that political signs must be at least ten feet from the door of the poll on Election Day. They also said that the council could determine whether to permit the signs. Council requested that political signs not be posted on Borough property. They also requested that Mike Toomey be contacted about the removal of his sign.
4. American Water has requested that the council approve no parking on Front Street when they are replacing the water main. The work will be done on a block by block basis and the water company will post the no parking signs and inform the residents of the project. Mr. Boyer moved to approve the request. Mr. Sees seconded the motion. Council approved unanimously.
5. Upon motion by Mr. Boyer, seconded by Mr. Sees, council voted unanimously to approve the following 2017 EMS Week Proclamation:

"2017 EMS Week Proclamation

To designate the week of May 21-27, 2017, as Emergency Medical Service Week

WHEREAS, emergency medical services is a vital public service, and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Paul J. Ruane, Borough Council President, Northumberland, Pennsylvania, in recognition of the event do hereby proclaim the week of May 21-27, 2017, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS Strong: Always in Service, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Paul J. Ruane, Borough Council President"

6. The Borough Secretary informed the council that she received a letter from Northumberland County that the Community Development Block Grant (CDBG) applications for 2017 is opened. A preliminary meeting is set for May 11th. Linda Sterling, a SEDA-COG employee who assists the county with administering the CDBG program, is coming on Thursday to look at the gymnasium and the possibility of obtaining grant funds toward the lift that is being considered to remove architectural barriers.
7. Mrs. Rees suggested that the recent deaths of the local Fire Police be acknowledged by the council in some manner. Mr. Jon Apple will be contacted to provide information about Northumberland Fire Policemen Dave Helsel, and Mike Lutcher, and Point Township Fire Policeman Carl Bird with the intention of requesting that the Mayor issue a Proclamation honoring their service.

Mr. Boyer moved to adjourn. The meeting was adjourned at 9:57 p.m.

Respectfully submitted,


Janice R. Bowman
Borough Secretary