

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
June 6, 2017

President Paul Ruane called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

Roll Call

Council members present were Paul Boyer, Ralph Cianflone, Ellie Rees, Paul Ruane, Ty Sees, James Troup, and Harry Wynn. Others present were Mayor Zboray; Ryan Tira, Solicitor; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; MaryKay Clark, Code Enforcement Officer; Brian Probst, Street Supervisor; and Janice Bowman, Borough Secretary,

Public Comment

Mr. James Weiss, 885 Water Street, informed the council that he has tried to get a curb installed for some time. The Borough had told him that it is a state road so he contacted the state. The state has informed him that it is not their responsibility. Mr. Weiss has gotten a price to have the curb installed, but the price was too high. He asked if it would be possible to get a lower rate if his curb was installed at the same time the Borough was having curbing installed. He would reimburse the Borough. Mr. Tira asked Chris Neidig if he could check on whether PennDOT would replace the curb and copy the Borough on the response.

Mr. Dan Berard introduced himself, adding that he is going to be elected the next mayor of the Borough.

Mr. Orlando Toro had a public safety concern. He said that people traveling on Orange Street think that it is a 4-way stop at the intersection with Seventh Street. He noted that there used to be 2-way signs on the stop sign. He requested that 2-way signs be posted under the stop signs on Orange Street at the intersection of Orange and Seventh Streets. Mr. Ruane requested that Mr. Probst see that the signs are posted.

Mr. Weiss noted that when people come out of the driveway at Emmanuel Home onto Water Street, they don't realize that the street is one way. He requested that a "one way" sign be posted across from Emmanuel Home's driveway. Mr. Ruane noted that PennDOT would have to approve the signage.

PennDOT Project

Mr. Chris Neidig provided maps that show the trees that will be removed and replaced along the project route. Some of the types of trees to be planted have been changed due to requests from the Shade Tree Commission. He provided the maps to anyone who wanted them.

Ms. Mindy Foresman, project manager of the Duke Street Construction Project, provided a mailing that will be sent to residents announcing the public meeting to be held on Wednesday, June 14th at 7:00 p.m. at the Front Street Station. A hotline number and email address are provided for anyone who has concerns. In addition to annual public meetings, PennDOT will also conduct round table meetings. These meetings will be announced on the website and will be held at local parks for anyone who has concerns.

Mr. Joe Whitcomb, project manager for New Enterprise, informed the council that tomorrow the contractor will begin removing trees and the house at the intersection of Water and King Streets. The truck detour will begin on Thursday. He added that more information would be provided at the public meeting. Mr. Whitcomb stated that Phase 1 would begin on July 10th. They will start on Duke Street at Eighth Street. He anticipates that Phases 1 to 3 will be completed by September 2017. Depending on the weather, they will work through the winter. In 2018, work will be done on both Duke Street and Front Street. Work in 2019 will be on King and Water Streets.

Mr. Wynn asked where the truck detour signs would be posted. Mr. Whitcomb stated that message boards will be on every route coming into town. Mr. Wynn stated that he didn't see a sign for no trucks when he came down 147 today. Ms. Foresman noted that they have started setting up the message boards today and due to the amount of signage and the various locations, it will take several days to complete.

Dr. Cianflone asked if the reconstruction of Duke Street up to CVS will be completed by the end of 2017. Mr. Whitcomb explained that they would be ending a little before Fifth Street. They plan to reconstruct the roadway up to the binder course for Phase 1. Then they will do the curb, sidewalk, and utility work and up to the binder course for Phase 2. They will then do the same for Phase 3. By the end of September 2017, everything will be overlaid from Phases 1 to 3. The "leap-frog" detour will end until March 2018 when it will be back in effect. The truck detour will remain in effect for the three years. Weather permitting, they will work throughout the winter with temporary lane restrictions.

On March 1, 2018, the detour will be implemented again for the phases scheduled for 2018. More information will be provided at the public meeting.

Mr. Wynn asked if they could get the state police involved. Mr. Whitcomb stated that state police were not included as part of the project. Mr. Wynn stated that truckers will use other streets to go through town to get to Furman's.

Mr. Boyer asked when the bridges would be closed. Mr. Whitcomb stated that bridges will not be closed. Mr. Boyer noted that plans are to have traffic going out of town on the Barry King Bridge and coming into town on the Priestley Bridge. Mr. Neidig stated that this wouldn't go into effect until 2019.

Ms. Foresman requested that anyone having concerns should contact her. She added that she was in charge of the Mifflinburg project so she is familiar with these issues.

Mrs. Rees requested that Mr. Whitcomb advocate for the Borough for additional policing. She noted that the police department is busy with the safety of the Borough and does not have the size of

force to take on the additional policing. Mr. Whitcomb stated that he is working with the police department.

Mr. Berard asked if when the trees are removed, the stumps would be removed. Mr. Whitcomb stated that the stumps will be ground down six inches and covered with top soil. Replacement trees will be planted later in the project.

Mr. Berard asked if stop signs would be removed in town during the detour. Mr. Neidig responded that the approved detours change with the location of each phase. Mr. Neidig stated that the plans are on the website. Mr. Berard stated that he has a concern about cars speeding through the Borough if stop signs are covered. Ms. Foresman noted that when work was done in Mifflinburg, the detour did go well through the town.

Mr. Neidig thanked the council for inviting them to the meeting and stated that they would attend the next council meeting.

Council Meeting Minutes

Mr. Boyer made a motion to approve the council meeting minutes of April 4, 2017 and May 2, 2017. Dr. Cianflone seconded the motion. Mr. Wynn noted that there was a mistake in his name in the April 4th minutes. The Borough Secretary stated that a correction was sent out. Mr. Sees requested that the meeting minutes be voted on separately because he disagreed with the minutes from the April meeting.

Mr. Boyer made a motion to approve the minutes of the April 4, 2017 council meeting as amended. Dr. Cianflone seconded the motion. Dr. Cianflone, Mrs. Rees, Mr. Ruane, and Mr. Boyer voted yes; Mr. Sees and Mr. Wynn voted no; Mr. Troup abstained because he was not present. The motion passed by a vote of 4-2-1.

Mr. Boyer made a motion to approve the May 2, 2017 minutes. Dr. Cianflone seconded the motion. Council approved unanimously.

Northumberland Sewer Department

- Mr. Tira stated that the council needs to be in Executive Session to discuss potential litigation issues.
- Mr. Steve Siegfried, representing RETTEW, noted that formal notification from PennDOT was received that the Borough's costs of the sewer project on Duke Street will be totally reimbursed.
- Mr. Siegfried noted that the department has met with BIMBO and is looking for council's approval of the professional services agreement to complete future work to support the Sewer Department in negotiations with BIMBO.
- Mr. Wynn made a motion to approve the agreement with RETTEW for professional services in negotiations with BIMBO. Mr. Boyer seconded the motion. Dr. Cianflone questioned if BIMBO is going to reimburse the Borough for this expense. Discussion ensued. The motion was withdrawn until additional information is obtained.
- Mr. Wynn asked where the Borough stands with PennDOT in the reimbursement costs for replacing the sewer line on Duke Street. Mr. Ruane noted that the Borough would have had to pay the expense of one fourth of the project cost or about \$125,000. Since Ann August

located a map from 1912 that proved that the Borough's sewer line was installed before the state took over the road in the 1920's, the project is 100% reimbursable.

- Mr. Boyer made a motion to approve the addendum to the Project Change Order agreement that was approved in March in the amount of \$12,500. Mr. Wynn seconded the motion. Council approved unanimously.

Mayor's Report

Mayor Zboray read three proclamations honoring David Helsel, Michael S. Lutcher, Northumberland Borough Fire Police and Carl E. Bird, Jr., Point Township Fire Police, declaring June 9, 2017 as David Helsel Day, Michael S Lutcher Day, and Carl E Bird, Jr. Day. These three volunteer fire police members recently passed away. Mayor Zboray asked that the council remember them and others who volunteer to serve the Borough.

Mayor Zboray announced that at the May S. Luther Savidge Trust meeting, \$5,000 was awarded to Northumberland Borough for new electrical service for the third quadrant of King Street Park; \$2,500 was awarded to Liberty Splashland for new lounge chairs and general repairs; and the police department will receive \$3,500 for a street-smart data recording module sign. It will flash speeds to drivers, record traffic movement and times, plus the number of speeders. It is modular and can be placed wherever the police have complaints. It will also be used for traffic studies.

Code Enforcement Officer's Report

Ms. MaryKay Clark reported that five building permits and one zoning permit were issued for a total of \$309. There is also one pending. The code office received eleven complaints, issued eight code violations, conducted six rental inspections at \$210, one re-inspection at \$15, and car mileage was 308 miles.

Street Supervisor's Report

- Mr. Brian Probst informed the council that there is a sink hole at the area below Priestley Avenue. Mr. Ruane asked if the area is cordoned off. Mr. Probst stated that it is not. Mr. Ruane requested that a barrier be placed around it. He stated that the street committee should discuss it.
- Mr. Wynn asked if Meckley's could look at it to see the cause when they come to pave. Mr. Ruane stated that the pipe is collapsing. Mr. Wynn stated that this is what happened on King Street several years ago. Mr. Ruane stated that this is in the grass, not in the street.
- Mr. Wynn made a motion to have the area below Priestley Avenue barricaded off and obtain prices to fix the problem. The motion includes having the engineer review the problem area to determine what needs to be done. Mr. Sees seconded the motion. Council approved the motion unanimously.

Executive Session

Mr. Ruane adjourned the meeting at 7:57 p.m. to discuss litigation relating to the sewer plant. The meeting was reconvened at 8:14 p.m.

The meeting was reconvened at 8:29 p.m. No action was required.

Committee Reports

Community Development

- Dr. Cianflone reported that the pump is running at Liberty Splashland and the new vacuum comes tomorrow. A party for the Priestley Elementary School will be held on Thursday. The pool opens on Friday, the last day of school. Forty people attended a safety course on Saturday for the staff. The Daily Item was present.
- Dr. Cianflone made a motion to pay the lifeguards \$9.25 per hour with a twenty-five cent raise each year they return and to pay the front desk and concession stand staff \$8.00 with a 25 cent increase each year they return. Mr. Boyer seconded the motion. Discussion ensued regarding the pay of the managers and number of hours that they would work. Mr. Troup stated that he feels that this is a lot in salaries. Dr. Cianflone stated that the rates are comparable with the Sunbury pool. Mr. Wynn, Mr. Boyer, Dr. Cianflone, Mrs. Rees, and Mr. Ruane voted yes; Mr. Sees and Mr. Troup voted no.
- Dr. Cianflone stated that a new freezer was donated for the concession stand by Mr. Ruane. The old freezer was rusted. Mr. Ruane bought the old freezer for \$20. Mr. Troup asked if that should have been brought up before council. Mr. Tira advised that anything over \$500 involving a councilman would have to go through a public purchasing process; but anything that is declared as surplus or junk would be noncompetitive. Mr. Ruane stated that he made a \$162 donation for the used freezer, \$142 for the purchase of the new freezer for the concession stand and \$20 to purchase the used freezer. Mr. Sees asked why the list of bills include the freezer. He was told that the pool purchased the freezer and Mr. Ruane donated the funds to pay for it to the pool so sales tax would not be charged. Mr. Sees asked if he paid with cash or by check. Mr. Ruane stated that he paid by check. Mr. Sees requested copies of the receipt.
- Dr. Cianflone made a motion to charge the YMCA day care field trip \$3.00 per participant and permit the staff free admission. Mr. Boyer seconded the motion. Council approved unanimously. Mr. Sees asked if other day cares would be given the same rate. Dr. Cianflone stated that they would have to come to council for any rate other than the advertised group rate.

Finance

Mr. Troup moved to approve the following contributions: Shade Tree Fund - \$1,000; Priestley-Forsyth Memorial Library - \$3,000; Penn Valley Airport Authority - \$1,500; and Liberty Splashland - \$5,888.98. Dr. Cianflone seconded the motion. Mrs. Rees questioned how the number for Liberty Splashland was determined. She was told that \$6,000 was budgeted for Liberty Splashland and that a purchase was made with the debit card. The amount to be transferred to the pool account is the difference. Council approved unanimously.

Personnel

- Mrs. Rees made a motion to approve a fifty cent per hour raise to Melinda Martin, beginning July 1, 2017. She has been working for the Borough for six months. Her current rate is \$10.50 per hour and she averages twenty hours per week. Dr. Cianflone seconded the motion. Mrs. Rees, Mr. Ruane, Mr. Boyer, and Dr. Cianflone voted yes; Mr. Sees voted no, stating that it has nothing to do with her. Mr. Troup voted no, adding that the council needs to get spending under control because we are overpriced for a Borough entity, and Mr. Wynn voted no. The motion was approved 4-3.
- Mrs. Rees made a motion to hire the list of pool applicants and summer street department applicants, as provided. Dr. Cianflone seconded the motion. Council approved by a vote of 6-0-1. Mr. Sees abstained because his daughter is on the list. Mr. Sees stated that some

employees had not been informed of the meeting on Saturday. Dr. Cianflone said that he received calls from employees who had not known of the meeting.

- Mrs. Rees stated that the Personnel Committee is recommending not to pursue the COPS grant program. The government would pay 75% of an additional officer's salary for three years. The Borough would be committed to pay for the full cost for another year.
- Mr. Troup asked where the civil service process stands. The test was advertised and one person has applied. The commission will determine the testing dates.
- Mrs. Rees stated that at the last meeting Personnel and Community Development had recommended a policy regarding surplus items in the concession stand at the end of the season. The Rules committee added some things to that. Mrs. Rees stated that she asked the Borough Secretary to incorporate the additions to the policy as well as the caveat from Mr. Tira that cash would be acceptable as long as there is an itemized receipt and everything is accounted for.

Mr. Boyer made a motion to accept the end of year concession stand policy. Mr. Wynn seconded the motion. The council approved unanimously. The policy is as follows:

"Directive Regarding Concession Stand End of Season Surplus

1. *The Concessions Manager may decide to discount food and drinks during the last two weeks of the regular pool season for sale only at the concession stand. During the second to last week, food and drinks may be discounted at no less than seventy-five percent (75%) of retail prices. During the last week, food and drinks may be discounted no less than fifty percent (50%) of retail prices. Discount prices shall be posted for customers to see.*
2. *The Concessions Manager is responsible to make sure that a complete inventory of all remaining food and drink items with their expiration dates is taken after the concessions stand closes at the end of the summer season and a detailed itemized inventory list is completed.*
3. *The Concessions Manager is to notify all vendors of unopened cases of sodas or other drinks within one week of the pool season's ending date and that the cases or other drinks are picked up and credited to the Liberty Splashland account.*
4. *The Concessions Manager may decide to further discount remaining food and drinks at no less than wholesale prices during the two weeks immediately following the closing date of the pool. At a minimum, public notices will be posted at the pool, one week prior to the pool season's ending date, as well as on the Borough's website and Liberty Splashland Facebook page. People interested in purchasing food or drinks are to make an appointment with the Concessions Manager and pay by check (payable to Liberty Splashland account) or cash with an itemized receipt and pick up the items at the pool. All items sold, will be itemized, and all monies will be deposited into the Liberty Splashland account. All discounts shall be offered to all interested individuals on a first come, first serve basis.*
5. *The Concessions Manager is to make sure that all remaining perishable food is donated to a food bank or homeless shelter within one week of the pool's closing date. An itemized record shall be maintained for all items donated, and to whom the items are donated. -*
6. *The Concessions Manager is to make sure that all remaining non-perishable food and drinks are donated to a food bank or homeless shelter within three weeks of the pool's closing date. An itemized record shall be maintained for all items donated, and to whom the items are donated.*
7. *The Concessions Manager shall create a reconciliation report to account for the sale and donation of the food and drink items. The reconciliation report shall be provided to the Community Development Committee and a complete copy provided to each member of Council. -*

Personnel Committee
Community Development Committee
Rules Committee"

- Mrs. Rees stated that she has one item for Executive Session.
- Mrs. Rees stated that Mr. Troup was not present at the last meeting when Mrs. Rees asked Mr. Tira about his municipal experience. She requested that Mr. Tira tell the council of his municipal experience so it gets in the minutes. Mr. Sees stated that he feels that the other

candidate should have the opportunity to describe his experience. Mrs. Rees stated that she could tell the council the other candidate's experience. Mr. Wynn agreed with Mr. Sees. Mr. Sees stated that he is fine with having both candidates provide their experience to council during a meeting.

Dr. Cianflone stated that at the last meeting he made a motion to hire Joel Wiest as solicitor and retain Mr. Tira as solicitor for the Sewer Department. Mr. Sees had suggested that the motion be tabled until all council members be present.

Mrs. Rees stated that she would be glad to have Joel Wiest come to speak with council.

Dr. Cianflone made a motion to hire Joel Wiest as Borough Solicitor and to have Ryan Tira remain as the solicitor for the sewer project completion and the sewer department lawsuit. Mr. Wynn seconded the motion. Mrs. Rees asked Mr. Wynn since he thought it would be most fair to have both Mr. Wiest and Mr. Tira talk to council about their qualifications, if he would help her understand why he seconded the motion to hire Mr. Wiest without hearing those qualifications. Mr. Wynn noted that he just seconded the motion, he did not say he was going to hire him. Mr. Wynn stated that he understood that the motion that was made was to bring him forward. He was told that the motion was to hire Mr. Wiest. Mr. Wynn withdrew his second.

Mr. Sees stated that he would make the same motion, to hire Joel Wiest as Borough Solicitor and to have Ryan Tira remain as solicitor for the sewer department project completion and the sewer department law suit. Mr. Troup seconded the motion. Mr. Troup, Dr. Cianflone, and Mr. Sees voted yes; Mr. Wynn, Mr. Boyer, Mrs. Rees, and Mr. Ruane voted no. Motion failed by a vote of 3-4.

Public Safety – no report

Rules – no report

Streets

- Mr. Boyer informed council that the committee discussed removing the tree in the cul-de-sac on Honey Locust. The estimate to cut down the tree is \$700 plus \$150 to remove the stump. The committee felt that the price is too high and there is nothing wrong with the tree.
- Mr. Boyer stated that the wire that was purchased to repair the street sweeper cost \$1,294.67. The street sweeper was out of service. Mayor Zboray asked if there is a warranty on the street sweeper. Mr. Wynn stated that there is a five-year warranty on street sweeper. He added that Mr. Propst should have the warranty and phone numbers at the garage.
- Barriers were erected at the top of Fifth Street at a cost of \$500. The "no outlet" sign will be replaced. Mr. Ruane noted that no funds remain in the budget to pay for these things.

Old Business – none

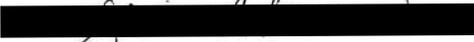
New Business

1. Mr. Wynn moved to approve payment of the bills. Dr. Cianflone seconded the motion. Council voted 5-1 to approve the motion. Mr. Sees voted no. Bills to be paid from the General Fund total \$66,653.20; Liberty Splashland bills total \$2,067.95; Shade Tree Fund bills total \$350; Liquid Fuels bills total \$24,676; and Sewer Department bills total \$87,405.70.

Executive Session

Mr. Ruane adjourned the meeting at 9:11 p.m. to discuss personnel issues. The meeting was not reconvened.

Respectfully submitted,



Janice R. Bowman
Borough Secretary