

# Borough of Northumberland

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**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**July 18, 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, and Jim Troup. Others present were Mayor Zboray; Levi Woodward; Acting Solicitor; Jeremy Deitrick, Sewer Department Superintendent; MaryKay Clark, Code Enforcement Officer; Brian Probst, Street Supervisor; and Janice Bowman, Borough Secretary. Council members Ty Sees and Harry Wynn were absent.

### **Public Comment and PennDOT Project**

Mr. Ted Deptula, Penn DOT representative, informed the council that 6% of the Duke Street Project is complete. They are currently working on Duke Street between 7<sup>th</sup> and 8<sup>th</sup> Streets. The detour was implemented in town. Phase 1 is scheduled to be completed in a week or two. Phase 2 will begin then which is reconstruction on Duke Street from Seventh Street to Pond Avenue which is below Sixth Street. The contractor is upgrading the drainage, working on ADA ramps at the corners and reconstructing the pavements.

Ms. Jane Moore, a resident of the 500 block of Queen Street, stated that she thinks they did a good job keeping most of the trucks out of Northumberland. She said that the detour doesn't quite seem to work. Traffic coming south on Route 147 get off at the right place. But when they should turn down Sixth Street to Duke Street, they keep traveling on Queen Street. The traffic traveling north on Route 147 turn up on Fourth Street but turn onto Queen Street instead of going up to King Street. She noted that with the size of vehicles, the street is too narrow for them to pass with parked vehicles on both sides. Someone's mirror was knocked off their vehicle. She asked if PennDOT had checked on the width of the streets. Mr. Deptula stated that the width of the streets was taken into consideration. She questioned if the number of housing units without off-street parking were considered. She asked what could be done to encourage people to follow the detour and go up to King Street. Mr. Deptula stated that they could see if the signs could be adjusted. Ms. Moore said that it would alleviate traffic if the trucks would follow the detour and go down Sixth Street instead of continuing to travel further on Queen Street.

Mr. Drake Owen thanked the police for working hard. Mayor Zboray noted that 98 trucks were pulled over. Mr. Owen thanked PennDOT for taking the cover off the stop signs. He feels that the streets are much safer and traffic is not backed up. He thanks the mayor for speaking to the flagger. He feels that by having the flagger make the trucks turn around, it will deter them from coming through town again. Mayor Zboray stated that they are working to keep the tour busses from coming through town. Mayor Zboray added that what the residents don't understand is that when

the truck is pulled over and ticketed, they still must get out of town. He said that Chief Kriner pulled seven trucks over as they went up Fourth Street and turned onto King Street. Mayor Zboray stated that it takes 20 to 25 minutes to write them up. He said that the police department has been working hard and they appreciate the residents' input. He commended Chief Kriner and the police officers for their hard work.

Ms. Mindy Foresman stated that they are still monitoring the detour to see if there are any modifications that should be done. She stated that if she sees a truck, she makes them turn around and go out of town to follow the detour.

Mr. Boyer added that the Fire Police were out on Monday night to turn trucks around at Sixth Street. Mayor Zboray stated that a street sign was knocked down within the first hour of the detour.

Mr. John Moore informed council that he takes pictures of the trucks that go past his Queen Street residence and posts them on his Facebook page. Mr. Moore stated that he has seen a decrease in truck traffic, but notices four-wheelers traveling over the 25 miles per hour speed limit. Mayor Zboray requested that the new radar sign be placed in the five hundred block of Queen Street. Chief Kriner replied that it is currently being used for a traffic study, but he would move it to Queen Street as soon as the study is completed.

Mrs. Rees stated that the Borough needs more funding to pay toward the police enforcement. Mr. Deptula stated that he has asked for funding but was told that funds for the project cannot be spent for enforcement. Mrs. Rees stated that the Borough really needs the help.

Mr. Bob Rowe informed the council that the street lights on Route 11 near the Barry King Bridge are not lit. PPL stated that the lights are not their responsibility. Mr. Ruane requested that Mr. Probst check on it. Mr. Probst stated that the street department has checked the breakers and that the receptacles on the lights work. He said that he would check again.

Mr. Jim Weiss stated that he was at the Pines and saw a lot of trucks traveling Orange Street.

Mr. Weiss stated that on June 6<sup>th</sup> he was at the meeting to ask about the curb on Water Street. PennDOT told him that it is his responsibility to replace the curb. He requested that the Borough check on a price from their contractor and if agreeable, he would reimburse the Borough. Mr. Ruane stated that the Borough could make some calls. He noted that a contract would have to be drawn up.

Mr. Weiss asked if council would consider eliminating some of the stop signs at the intersections with 4-way stop signs once the project is completed. Mr. Troup responded that people would speed through town and the stop signs slow them down. He gave several examples.

Mrs. Moore stated that when they were looking to move to this area thirty-six years ago, one thing they liked were the 4-way stop signs in town.

Mr. Terry Snyder, the resident of Sixth and Duke, stated that the stop signs at Duke Street are useless. Mr. Snyder stated that he knows that the police have been doing a good job. He added that they respond to his calls. He feels that the state police should be patrolling Duke Street since it is a state highway. Mayor Zboray stated that it is tough for the police to be everywhere. Mr. Snyder

said that in the mornings, the flagger is there directing cars up Fourth Street. Once the flagger leaves, the cars come to Sixth Street to turn up. At Sixth and Queen, there is no sign telling them to turn right so they continue on Queen Street instead of going back to Duke. Mr. Deptula stated that they discussed that today.

Ms. Marianne Owen stated that she is concerned about the safety for the children. She said that she couldn't understand how the flow of traffic could take precedence over the safety of the children and the residents.

Mr. John Deppen stated that he agrees with Mrs. Rees' request for funding. He said that in December a representative from Lynda Culver's office was here and he asked that they examine any and all possibilities for additional funding for law enforcement for this project. He said that the cops are doing a great job. He noted that traffic control should be the least of the police officers' concern. He stated that he has not heard anything from Representative Culver's office and he doesn't know if anyone else has. The Borough Secretary stated that she has. Mr. Deppen stated that the enforcement will continue to be a concern because 94% of this project remains to be completed. He questioned what would happen when there is an accident or crisis that causes the cops to be away from the detour. He also has concern about kids. His 13-year-old daughter goes to the library, the playground and the Norry Christian School. When she is walking with her friends, her safety is his primary concern. He feels that the safety of kids should be everyone's number one concern.

Mr. Terry Walker stated that he is present to check on the progress of no parking on Pond Avenue. Mr. Ruane stated that it will be discussed tonight.

Mr. Ted Koppen asked if there were "no parking" signs on one side of both King and Queen Streets. He feels that with parking on just one side of the street, traffic should be able to go in both directions. Ms. Moore stated that there are no "no parking" signs in the 500 block of Queen Street because that block is not supposed to be used as part of the detour.

Mr. Shawn Mowery stated that he lives on the 400 block of King Street. He thanked Chief Kriner and his police department for the job that they have been doing. He said that on more than one time he has seen trucks get pulled over and drivers jump out of their cabs right away. He said that he can't imagine what the police are thinking may happen. He asked the Chief what the residents can do to help the police. Chief Kriner thanked Mr. Mowery and said that the police are patrolling the detour as much as possible. He explained that the first day of the detour route, two officers were working. However, one of them had to execute a search warrant. The following day he had to follow up on the warrant. Chief Kriner explained that the one fine is a floating fine from \$100 to \$500. If the magistrate sets the fine at \$400, the Borough gets \$200. The total fine to the trucker is over \$600. Mr. Deptula stated that PennDOT has a device that informs truckers that citations are being issued. Whenever trucks are within range of this service, the notice is repeated every 45 seconds.

Mr. Troup stated that some of the locations of the signs do not make sense to him because they are already passed the exits. He said that when coming out of Ridge Road, there is no sign informing them to go to Route 15, not to go south on Route 147. Mr. Deptula stated that they have talked to Furmano's and they are informing their truck drivers of the detour. Chief Kriner added that he has

also met with Furmano's. Mr. Troup noted that not all truck drivers are driving Furmano's trucks; some are making deliveries to Furmano's.

Mr. Koppen asked if PennDOT has control over the information that is being broadcast over the GPS devices. Mr. Deptula stated that it is the software and GPS gets information from the 5-1-1.

Mrs. Moore stated that the storm sewer at 555 Queen Street does not have a grate on it and requested that a grate be put on the top of it. Several incidents have resulted due to the lack of the grate. Mr. Ruane requested that the Street Department take care of it.

### **Council Meeting Minutes**

Upon motion by Mr. Boyer, seconded by Dr. Cianflone, council unanimously approved the meeting minutes of June 6, 2017.

### **Northumberland Sewer Department**

Mr. Troup asked if the sewer department has extra manhole covers. Mr. Deitrick stated that they do have some extra covers. Mr. Troup stated that there was a call out a couple months ago and there was no replacement manhole cover available. The manhole was for a storm sewer. Mr. Dietrick noted that they do have a temporary plate that they put in until they can get the right size. He noted that the problem is that there is no standard size in the Borough and the manholes are numerous sizes and depths.

### **Executive Session**

Mr. Ruane adjourned the council meeting at 7:45 p.m. to discuss litigation issues regarding the sewer department. The meeting was reconvened at 7:53 p.m.

Mr. Boyer made a motion to approve payment application #14 to MYCO in the amount of \$43,752.37. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Troup asked if everything is working. Mr. Deitrick responded that there are some things that still need work but there is nothing glaring. The fence has not been installed. Mr. Troup stated that he thought the fence would be moved back to allow more public access at the Point.

### **Mayor's Report**

- Mayor Zboray announced that the Roy H. and Carol J. Moyer Community Trust has awarded Liberty Splashland \$600 for new Adirondack chairs, \$200 for a new chlorine and depth probe, and \$500 for an upright freezer to store backup inventory for the concession stand.
- The S. Luther Savidge Trust has awarded \$3,000 to the Borough for a used Kohler gas generator to be used in emergencies.
- The annual Day of Remembrance at the Riverview Cemetery will be held on Saturday, August 26<sup>th</sup>. Registration begins at 11:00 a.m. and the ceremony begins at noon. Refreshments will be available for purchase.
- The 7<sup>th</sup> annual "See You in September" concert by Memory Lane will be held on September 3<sup>rd</sup> in King Street Park from 3:00 to 6:00 p.m. The S. Luther Savidge is sponsoring the event. Refreshments will be available for purchase.
- Mayor Zboray noted that it was his honor to present a Mayoral Certificate on behalf of the Borough to the Shikellamy Girls Bowling Team. The event was held during the Sunbury

City Council Meeting on July 10<sup>th</sup>. The team won a state championship and finished 4<sup>th</sup> at Nationals held in Tennessee.

### **Code Enforcement Officer's Report**

Ms. MaryKay Clark reported that for the month of June there were four building permits and three zoning permits issued for total fees of \$462. There were 13 complaints; 12 code violations and 2 citations issued. She conducted five rental inspections and four re-inspections. Fees collected totaled \$235. The car mileage for the month was 43 miles.

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

Mr. Brian Probst informed council of a storm water issue at 115 Madison Avenue. The water runs down Madison, goes into the storm drain, crosses the street and comes out in the yard. The property owner used to get water in his basement and he had someone put in a swale. The water is now running into the back of his property and the roots of the trees are becoming exposed. Mr. Ruane noted that this was the way storm water was addressed and a lot of places have pipes in the yard. He added that this was an exceptionally heavy storm. Mr. Probst stated that the property owner has asked if there is anything the Borough can do. He said that he was sent pictures but was unable to open them to show council. Mr. Probst said that even if we went in and dug a ditch and buried a pipe, tree roots would be cut. Mr. Ruane stated that the best solution would probably be to run storm pipes under the street, but he doesn't think there is anything council can do right now.

### **Committee Reports**

Community Development – no report

Finance – no report

Personnel

- **Long-Term Disability for Uniformed Personnel**

Mrs. Rees stated that council had voted on providing a long-term policy for the police. However, the benefit that had been voted on is not available through the Borough's insurance companies. Information had been obtained about several plans. The Personnel Committee is recommending the long-term disability plan from One America that has a benefit percentage of 60%. The maximum monthly benefit is \$1,000 and the minimum monthly benefit is the greater of 10% of the gross monthly benefit or \$100. The maximum benefit duration is for three years to age 70. The total monthly premium for the five officers is \$16.67 with a rate guarantee offered for two years. Discussion ensued.

Mrs. Rees moved to accept the long-term disability policy for the police officers from One America, as described, superseding the approved motion from May 2, 2017. Dr. Cianflone seconded the motion. Council approved by a vote of 4-1 with Mr. Troup voting no.

- Mrs. Rees stated that the council had discussed hiring an outside lawyer to look into some personnel matters. The lawyer who was presented at the time charged a fee that council considered to be too high for the borough financial status. Mr. Tira offered to look for another lawyer. Mr. Tira provided information to Mrs. Rees about an attorney who specializes in labor laws and charges the same fee as Mr. Tira. Mr. Troup questioned why council wouldn't let the litigation fall through. Mrs. Rees replied that this is about investigating personnel matters. Mr. Troup questioned if there is money to spend on this,

noting that council can't afford to bring a patrolman on overtime, but would spend money on this. Mrs. Rees stated that if the council doesn't spend the money to hire Melissa Kelso, they would spend it on Mr. Tira. Mr. Troup asked why. Mrs. Rees responded that council should conduct an Executive Session to discuss it.

### **Executive Session**

Mr. Ruane adjourned the meeting for an Executive Session at 8:10 p.m. to discuss personnel matters. The meeting was reconvened at 8:22 p.m.

### **Committee Reports, continued**

#### Personnel

Mrs. Rees made a motion to hire Attorney Melissa Kelso of Carlisle, who was recommended by the Borough Solicitor Ryan Tira, to investigate personnel matters and do a fact finding to help council with the problems, up to 100 hours, at a rate of \$150 per hour. Mr. Boyer seconded the motion. The motion passed by a vote of 4-0-1. Mr. Troup abstained.

Public Safety - no report

Rules – no report

#### Streets

- Mr. Boyer stated that he and Chief Kriner talked about several ordinances that must be adopted to enforce the rules. The first is to establish “no parking” on Pond Avenue from Hanover Street to Prince Street. The second is to erect a stop sign on upper Elliott Drive at Fifth Street, and the third is to approve a “no parking - loading zone” on Fourth Street next to Crouser Tire so trucks can be unloaded.
- Mr. Boyer stated that there is a paving problem on Pond Avenue at King Street. The contractor has been contacted and has said that they will look at the area to see what can be done when they are paving at the cemetery in the next few weeks. Mr. Ruane stated that there is a handicapped ramp at this area and the alley slopes toward King Street.
- Mr. Boyer said that two complaints were received last week after the heavy storm. Mr. Ruane handled the one complaint where a broken pipe was flooding a resident's yard. It was discovered when he cut down a tree. During the storm last week, his back yard was flooded. It was determined that the pipe was coming from the neighbor's yard. Mr. Ruane said that this is an issue between neighbors.
- In addition to checking the storm water problem on Madison Avenue, Mr. Boyer noted that Mr. Probst was called to replace the storm sewer lid at Brickyard and Queen Streets that blew off during the storm.
- Dr. Cianflone informed Mr. Probst that there is a storm sewer that is completely occluded on Fourth Street before the train tracks. He said that the car wash and Amato's were flooded during the heavy storm.
- Mr. Boyer made a motion to create the following three ordinances:
  - Establish “no parking” on Pond Avenue between Hanover and Prince Streets;
  - Erect a stop sign on the upper end Elliott Drive at Fifth Street;
  - Establish a “no parking- loading zone” on Fourth Street by Crouser Tire.

Mr. Troup seconded the motion. Council approved unanimously.

- Mr. Troup asked about locations on Third Street where residents have painted yellow lines in front of their properties and posted “no parking” signs. Mr. Ruane stated that it is not legal. The one area is at a driveway where parking is legally prohibited. Mr. Troup suggested that the property owners be sent letters to remove the lines and signs.
- Mr. Boyer informed the council that Mr. Probst ordered a new garage door opener because the old one no longer worked.

### **Old Business**

1. The Borough Secretary met with the Borough engineer to review the broken pipe below Priestley Avenue. He will provide a cost estimate to conduct a study on how to fix the problem. The Borough Office staff has tried repeatedly to contact the DEP representative for this area and has been unsuccessful in reaching him. The Borough Secretary stated that she will try again so they can learn what DEP recommends and if any permitting is required.

### **New Business**

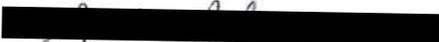
1. Two handicapped parking requests have been received. Ray Rogers, 267 Front Street, has requested one at the parking meter in front of his residence. The First Regular Baptist Church has requested a second handicapped space for the church on Queen Street near 2<sup>nd</sup> Street because they have four members with handicapped placards, with three of them attending church services regularly. Currently there is a handicapped space on 2<sup>nd</sup> Street. The letter of request also stated that if the second sign was no longer needed, they would contact the Borough to remove it. Mr. Boyer recommended that council also consider placing a handicapped parking sign on 2<sup>nd</sup> Street near the entrance to the 2<sup>nd</sup> Street Playground. Discussion ensued. Mr. Ruane stated that off-street parking is available at the rear of the house at 267 Front Street.

Mr. Boyer made a motion to approve handicapped parking signs for the First Regular Baptist Church on Queen Street and on 2<sup>nd</sup> Street near the 2<sup>nd</sup> Street Playground. Dr. Cianflone seconded the motion. Council approved unanimously. No action was taken on the request from Mr. Rogers because of the off-street parking at the residence.

2. Mr. Troup made a motion to approve payment of the bills. Mr. Boyer seconded the motion. Mr. Troup noted that the pool is \$23,000 in the hole. He said that salaries alone are at \$30,711 and he had questioned the pay rates when council was hiring the employees. Mr. Troup said that council needs to look at ways to cut costs next year because the Borough can't afford it. Discussion ensued. Council unanimously approved payment of the bills. Bills to be paid from the General Fund total \$129,682.20; Liquid Fuels bills total \$96,688.75; Liberty Splashland bills total \$47,797.49; Parks and Recreation fund bills total \$3,313.62; Parking Meter bills total \$7,449.69; 2<sup>nd</sup> Street Community and Municipal Center account bills total \$1,537.50.

Mr. Troup made a motion to adjourn. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

  
Janice R. Bowman  
Borough Secretary