

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
May 17, 2016

Council President Paul Ruane called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

Roll Call

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

Public Comment

Mr. Scott Webb and Mrs. Lisa Webb of Keystone Pumps wanted council to be aware that Fulkroad is not paying their current contractors. An email was sent to the Borough Office. She stated that their lawyer has started proceedings. She hoped that council would take the fact that they are not paying their current contractors into consideration before paying Fulkroad more money. Mr. Sees asked how far behind Fulkroad is in paying their bills. Ms. Webb stated that Fulkroad was invoiced in September and October. They made a payment to them in December and decided to pay \$15,000 but the bills totaled between \$25,000 and \$28,000. Fulkroad claimed that Kevin Tosh, the person who rented the equipment, was not an employee.

Mr. Sees asked if they are aware whether other contractors are being paid. Mrs. Webb responded that she is aware of some contractors who have not been paid. Mr. Ruane and Mr. Boyer stated that today was the first that they were aware of the problem. It was noted that the topic would be discussed in Executive Session.

Jill Bodmer stated that she was present to see if anything would be discussed about the PennDOT project.

Northumberland Sewer Department

Mr. Mark Strahota, Hazen & Sawyer, stated that he has topics to discuss with council in Executive Session.

Mr. Strahota informed council that he has received a hard quote of \$3,225.26 to repair the leaks in the walls at the Queen Street Pump Station. He requested that the council approve a change order in this amount for the repairs. Mr. Sees so moved. Mr. Troup seconded the motion. Council approved unanimously.

Liberty Hollow Culvert Replacement Change Order

Mr. Strahota explained that Mid-State Paving, LLC has provided a change order for the work to connect storm drain pipes that were discovered when the new pipe was installed. Mr. Boyer moved to accept the change order from Mid-State at a cost of \$2,441.76. Mr. Wynn seconded the motion. Council approved unanimously.

Mr. Strahota requested that council approve Payment Application #2 from Mid-State Paving, LLC, in the amount of \$11,757.56. This is the final payment. Mr. Wynn so moved. Mr. Boyer seconded the motion. Council approved unanimously.

Wheatley Avenue Manholes

Mr. Strahota informed council that Hazen & Sawyer sent the contract documents to Mid-State Paving for the Wheatley Avenue manhole project.

Mayor's Report

- Mayor Zboray informed council that he sent an email out to the council last evening as soon as he was aware of the incident in the Borough. He said that Chief Kriner was pleased with the professional performance of the officers. Mayor Zboray thanked them, as well as the police officers from Point Township, Sunbury and the task force from the Columbia-Montour SWAT team for keeping the Borough residents safe and for diffusing a possibly dangerous situation. Mayor Zboray told council that if they have any questions or concerns regarding the incident, to speak to Chief Kriner. Mr. Boyer added his thanks to the Northumberland and Sunbury Fire Police. Mayor Zboray concurred.
- Mayor Zboray stated that it was his honor to administer the oath of office to Donnie Ayars.
- Mayor Zboray stated that Reid Furman would be the guest speaker at the Memorial Day Ceremony at the Riverview Cemetery. The parade will leave King Street Park at 9:00 p.m.

Council member Ralph Cianflone arrived at 6:45 p.m.

Committee Reports

Community Development

- Brian Probst provided an update to the council of the work that has been done at Liberty Splashland. The work is on schedule for the pool to open on June 2nd.
- Dr. Cianflone stated that Family Fun Day is planned for June 2nd at Liberty Splashland. Representative Culver will be present. Admission is free that day. The radio station will be broadcasting from the pool during the afternoon. A movie will be shown that evening.
- Mr. Probst informed council that there is a spring above the swimming pool that has standing water. Mr. Probst estimated that the cost of a catch basin and piping to carry the water away is approximately \$600. He would like approval to do this work at Liberty Splashland. Dr. Cianflone so moved. Mrs. Rees seconded the motion. Council approved unanimously.
- Mr. Probst showed council pictures of the curbing on Prince Street from Strawbridge Road to Third Street. Mr. Ruane stated that he would check on the budget to see if there is funding this year. He requested that the area be measured.
- Mr. Probst talked to Shikellamy School District representatives about signage that will be required before the school opens. They will meet with him at a later date.

- Mr. Wynn questioned whether Shikellamy had agreed to pave half of Prince Street once the school was built. He also noted that the curbing that was installed was not professional work and is not level.
- Mr. Wynn asked about the grant for street work. Mr. Ruane stated that the office had looked into the information and a 50% match is required.

Finance

- Mr. Boyer made a motion to transfer \$6,000 from the General Fund to the Liberty Splashland account. This amount was budgeted for 2016. Mr. Wynn seconded the motion. Council approved unanimously.
- Mr. Sees stated that the committee would meet next Tuesday at 6:30 p.m.

Personnel

Mrs. Rees stated that the committee has held several interviews for the code enforcement officer position. They will be making a decision within the next few weeks.

Public Safety – no report

Rules – no report

Streets

- Mr. Boyer stated that the Sewer Department exchanged an old truck to the Street Department for a lawn mower.
- Josh Kurtz will help the street department with installing a waterfall in the King Street Park.
- The street crew will install the playground equipment at Pineknott Park.
- Barbara Kistner has offered to paint the Santa House. Mr. Probst added that Buzz Meachum has volunteered to help with the Santa House. Mr. Sees asked if the Santa House is road worthy. Mr. Probst stated that it is too tall for the size of the trailer. Several options were discussed.

Old Business

1. Mr. Ruane tabled Resolution C-2016, the Police Retirement contribution, until the police contract is settled.
2. PennDOT has requested that council approve the wording in form Section 4(f). Mr. Tira was reviewing the form.

New Business

1. Mr. Wynn moved to pay the bills. Dr. Cianflone seconded the motion. Discussion ensued. Council approved unanimously. Bills to be paid from the General Fund total \$24,805.14; 2nd Street Community Center bills total \$910.80; Liberty Splashland bills total \$4,468.01; and Sewer Department bills total \$32,363.86.
2. The council was provided with two options regarding the renewal of flood insurance for Fire Police Building. The cost for coverage of \$30,300 on the building would be \$634

while the cost for coverage of \$27,500 would be \$602. Both options have a deductible of \$1,000. Mr. Sees moved to approve the renewal of the flood insurance at the cost of \$634 for coverage of \$30,300. Mr. Boyer seconded the motion. Council approved unanimously.

3. The Borough Office learned that the Borough is not getting the DEP grant to finish the riverbank stabilization project along the North Branch of the Susquehanna River. Another possible funding source is through the Commonwealth Finance Authority (CFA). The grant application is due by June 30th and requires a 15% match. The amount being sought is \$175,000. The Borough was awarded a grant through DCNR to establish a trail on top of the riverbank stabilization which cannot be done unless the riverbank stabilization is completed. Mr. Ruane questioned where the match would come from. Some of the match could be in-kind service if the Borough does some of the work. Local foundations would be approached for funding for the match. It was noted that if the Borough would be awarded the grant, but would not have the match, the grant could be declined. Mr. Troup moved to approve Resolution E-2016 which is the grant application approval required by the CFA. Mr. Boyer seconded the motion. Council approved unanimously.
4. PennDOT Emergency Responder Preemption letter
The Fire Department requested permission to request that when PennDOT install the new traffic signals during the reconstruction project, PennDOT install an emergency responder pre-emption. PennDOT requires a letter authorizing the installation at no cost to the Borough. Mrs. Rees so moved. Mr. Wynn seconded the motion. Council approved unanimously.
5. Mr. Tira informed the council that PennDOT is changing their stance with the wording in form Section 4(f). He recommended that council table the discussion until he speaks with the contact at PennDOT to learn the reason for the change.

Executive Session

Mr. Ruane adjourned the council meeting at 7:19 p.m. for an Executive Session to discuss possible litigation and personnel issues.

The council meeting was reconvened at 8:51.

Mr. Sees made a motion to authorize the submittal of Fulkroad's request for an extension to DEP. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Ruane explained that Fulkroad has requested a reduction in the retainage amount in their contract. Dr. Cianflone made a motion to approve option 2. This option is to reduce the retainage amount to 5% of the overall contract amount of \$482,890.00 and hold it there for the remainder of the project. Mr. Boyer seconded the motion. Council approved the motion by a vote of 4-3 with Mr. Boyer, Dr. Cianflone, Mrs. Rees and Mr. Ruane voting yes and Mr. Sees, Mr. Troup, and Mr. Wynn voting no.

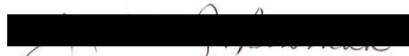

Mr. Ruane requested a motion to accept Travis Fisher's resignation as of May 3, 2016. Mrs. Rees so moved. No second was offered. Mr. Tira stated that if the council does not recognize the

resignation, what is the plan to move forward? Mr. Wynn stated that the plan to move forward is to upgrade the assistant manager to manager and to interview in-house for an assistant. Mr. Tira recommended that the record acknowledge that Mr. Fisher did resign but there is no motion to memorialize it.

Mr. Boyer made a motion to hire Tylor Dzwonchyk as the pool manager at a rate of \$10 per hour and to look in-house first for an assistant pool manager and if necessary, put an ad in the newspaper if we couldn't find anyone in-house that was suitable. Mr. Wynn seconded the motion. Council approved the motion by a vote of 5-2. Mr. Sees and Mr. Troup voted no. Mr. Sees added that his vote is nothing personal against Tylor.

Mr. Wynn moved to adjourn. The meeting was adjourned at 8:56 p.m.

Respectfully submitted,



Janice R. Bowman
Borough Secretary