

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
March 17, 2015

President James Troup called the meeting to order at 7:05 p.m. The Pledge of Allegiance was recited and Mayor Len Zboray offered an Invocation.

Roll Call

Council members present were Steve Reed, Paul Ruane, Ty Sees, James Troup, and Harry Wynn. Others present were Mayor Zboray; Ben Langdon, Acting Solicitor; Jeremy Deitrick, Sewer Department Supervisor; and Janice Bowman, Borough Secretary. Council member Adam Klock was present via telephone. Council member Ellie Rees was absent.

Public Comment

The four visitors present introduced themselves.

Ms. Cathy Bellve of 679 Duke Street provided pictures of vehicles with current registrations and inspection stickers. Mr. Troup asked if she just got the stickers. She replied that she had the stickers, but just put them on. Ms. Bellve said that the car is her sister's car and that she drives it. Ms. Bellve provided a letter from the Code Enforcement Officer. She stated that this is the only certified letter that they have ever received from the Borough. She added that the police haven't been called, nothing. Ms. Bellve said that when she was at the meeting last week, the Code Officer stated that he did not send a letter about revoking the rental license, but the letter that she presented did state that. She informed the council that if it doesn't stop, she will file a harassment charge against him. Ms. Bellve stated that they went to court last year with the neighbor and the cops have not been called there since. Ms. Bellve said that they received the letter last Wednesday, and asked why the Code Enforcement Officer didn't bring it up at the meeting last Tuesday. Mr. Langdon advised that since the Code Officer issued them an official notice She must go to the Code Officer and either a. get the official notice retracted because they did what they needed to do to be in compliance; or b. file an administrative appeal. He added that Borough Council not the proper place to address it; the proper place to address it is with the Code Officer. The Code Officer is a quasi-independent officer who is a quasi-law enforcement-type official. He has issued them a notice and what they need to do on the procedure is to get it withdrawn or appeal it. Ms. Bellve responded that the Code Officer won't listen to her and will not answer any phone calls. She added that that is why she comes to the Council. She stated that he is an employee of the Northumberland Borough and she questioned why she should have to hire a lawyer because of the harassment. Mr. Langdon stated that in the actual Borough Council meeting, the Borough is not in the position to look at all the facts and understand all the details of what happened. Ms. Bellve said that she was at the meeting last week and that the carbon monoxide is still coming into their window. She said that the problem is that he drinks and parties with the neighbors. Mr. Langdon stated that this is not the place to get into the details of the issues. Ms. Bellve said that when she asks for the letters and police reports, he refuses

to give them so there must not be any. Mr. Langdon stated that he does not know if that is the case. One of the problems for the council is that the Code Officer isn't here and the council doesn't have the Code Officer's records of what may or may not have gone on. He stated that she got the vehicles registered, which is one of the issues in the letter. She stated that they were registered. Mr. Langdon stated that the thing to do is to take that to the Code Officer and ask him to withdraw the letter and if he doesn't, then the last paragraph of the letter tells her how to file an appeal. Ms. Bellve stated that she doesn't want to sue the Borough. Mr. Langdon said that it is not what it is. She would be filing an administrative appeal to the Borough. Ms. Bellve said that she doesn't want to cause the Borough to have to spend money because the Borough would have to pay a lawyer. Mr. Shrawder stated that they complained about his vehicles and that there is a truck, a '48 Chevy three houses down, with no motor and no tranny in it. He wasn't going to bring it up. He said that Mr. Troup said last week to Ted to "let it go." Mr. Troup stated that when they were talking about a water pump last week, he said to give them a chance to get it. Mr. Shrawder said that Mr. McCollum had asked him how he was doing and he said that he told him that he told him that he found one pump but is still looking for the other. He said that when he told Ted about the truck last week, he walked out the door. Ms. Bellve stated that the Code Officer is after certain people and the harassment has to stop. She said that Mrs. Shrawder is seventy some years old and when she got the letter, she called them. Mr. Troup asked who lives at the house. Ms. Bellve stated that Darlene Shrawder and Donald Shrawder live at the property. She said that she lives in Milton and is here for Darlene. Mr. Langdon said that Borough Council can talk to the Code Officer but she needs to understand that the code officer issued a letter which is an official letter. They must either get him to withdraw it or file an appeal.

Northumberland Sewer Department Report

Mr. Klock reported that the PennVest loan has been settled. Mr. Klock made a motion to establish a Northumberland Borough Sewer Department Penn Vest bank account at the Northumberland National Bank and appoint James Troup, Adam Klock, Ty Sees, Jane Ressler, Ann August, and Janice Bowman as the signers. Mr. Reed seconded the motion. Council approved unanimously.

Mr. Jeremy Deitrick reported that construction has started at the plant. Some trees have been already removed for the construction access road. The pine trees may be removed.

Mayor's Report

- Mayor Zboray that the Savidge Trustees have approved reallocating the \$4,500 funding for the lights in the King Street Park to costs toward the new electric service in the first quadrant in the park. Additional applications will be submitted for funding to rewire the other quadrants.
- Mr. Zboray requested that Council keep Paul Boyer, one of the Borough's Fire Police Officers, in their prayers. He explained that Mr. Boyer had emergency heart surgery recently and is recovering.
- There are five candidates for the Civil Service exam. The testing will be set up soon.
- The new vehicle is scheduled to be here the first or second week of April and will be in service about two to three weeks later once the sirens, lights and cage are put on it.
- Rebeka Yocum, a resident of Point Township, has received the Girl Scout Gold Award. Mayor Zboray noted that this award is similar to the Boy Scout Eagle Award. For her project, Ms. Yocum was concerned for the children of the community and

created an outdoor play area called the "mud kitchen" at the Priestley-Forsyth Memorial Library where children can play, explore, and read books. The Girl Scout Council is requesting that the Borough Council send a letter of recognition to be presented to Ms. Yocum. Mr. Troup moved to provide a letter of recognition for Rebeka Yocum. Mr. Reed seconded the motion. Council voted unanimously.

- Mr. Reed asked if any of those applying for the police officer position are currently part-time officers. Mayor Zboray responded that two of them are.
- Mr. Troup requested that the Mayor ask the Police Chief if it would be possible for Personnel to sit in on the interviews. Mayor Zboray said that the interviews wouldn't be held until they pass the other tests, but it wouldn't be a problem.

Emergency Services Board Report - no report

Committee Reports

Community Development

- Mr. Reed stated that he talked to Travis (Fisher) and explained to him what needs to be done (at the pool) and he is on board. Pool fees will remain the same as last year.
- Mr. Reed spoke with the architect again about the gymnasium. He will make some adjustments to the plan and get back to Mr. Reed.
- Mr. Wynn stated that he would talk to the representative from Playworld this week about the playground.
- Mr. Reed said that Mr. McCollum fixed the plumbing at the Pineknott Park ballfield. Mr. Dick Simpson informed the council that the Borough Secretary has submitted a request for volunteers from the United Way for April 24th and a group from Susquehanna University for April 11th. Mr. Simpson said that they don't yet know if the irrigation system is okay. The building is re-piped and that Ted was installing a new water heater this afternoon.

Finance

Mr. Sees stated that the committee would meet on March 24th at 6:30 p.m.

Personnel

Mr. Troup stated that Personnel issues would be discussed in an Executive Session.

Public Safety - no report

Rules - no report

Streets

Mr. Ruane stated that he will provide the Borough's 2015 paving projects to the Central Susquehanna COG tomorrow night.

Mr. Ruane told council that when PennDOT's construction begins in 2017, Orange Street will be the main road going west and King Street will be the main road going east. He noted that the Borough has two years to get the work done on Orange and King Streets. Trucks will not be permitted in the Borough during PennDOT's construction. They will be detoured to Route 15 from Route 80. It was mentioned that when PennDOT worked on Duke Street before, the Borough had passed an

ordinance prohibiting trucks that did not have local business from coming through the Borough. The police fined those who did not follow the detour.

Old Business

1. MacRay VanKirk has invited the Borough officials to attend his Eagle Scout Court of Honor Ceremony. The dedication of his Eagle Project at Howling Hollow Dog Park will be at 3:00 p.m. on Saturday, April 11, 2015, followed by the Court of Honor at St. John's Lutheran Church Fellowship Hall. Council is asked to RSVP by April 1st.
2. The Borough Secretary stated that she has provided the report from Hazen & Sawyer on the Liberty Hollow pipe and the cost estimates for Hazen & Sawyer to draw up the plans and oversee the construction to Greg Showers at PEMA. The information has been forwarded to FEMA.

New Business

1. Upon motion by Mr. Wynn, seconded by Mr. Klock, council voted unanimously to approve payment of the bills. The Borough Secretary provided an additional bill from the Donations Account for approximately \$600. An anonymous donor will reimburse the Borough for this amount. The motion and second were amended to include this bill. The bills to be paid from the General Fund total \$6,267.52; Liberty Splashland bills total \$33.34; and Sewer Department bills total \$68,021.11.
2. FEMA is conducting a Discovery Process with a meeting on April 2nd. The Borough Secretary stated that Paul Ruane and Ted McCollum will attend the meeting. The Borough Secretary is completing the questionnaire regarding the Borough's boundaries, issues with flooding, pictures, studies. She will provide the information to them this week.
3. The Priestley-Forsyth Memorial Library will have the Touch-a-Truck event on June 13, 2015 and has requested that the council waive fee for the use of King Street Park. Mr. Sees so moved. Mr. Klock seconded the motion. Council approved unanimously.
4. Mr. Wynn asked if anything was decided on the addition of a full-time street department employee. Mr. Troup stated that council has to see if any money is owed to Benecon for reimbursements for health insurance benefits. Mr. Sees stated that the first invoice is to be sent out at the end of this month. He noted that the agreement says that the Borough is liable for expenses submitted for up to one year. He added that he questions how Benecon can do this when the Borough has paid for services through 2014 even if they are submitted after December 31, 2014. Mr. Troup agreed, noting that it is not the Borough's fault if the bills were submitted after December 31st. Mr. Sees noted that some municipalities have received money back but if you don't get money back, the municipality is in a catch-22 when it goes to get out. Mr. Langdon stated that as a general rule, council should first look at the initial agreement and what the parties' intentions were when they entered into the agreement, and past practices and if there is any specific set of policies. Another issue looked at would be if this fits with the expectations. A written contract would spell this out. The Borough Secretary

stated that there is a contract. Mr. Sees said he would like a copy for the Finance meeting.

5. Mr. Klock stated that he would like to move forward with the new phone system for the Borough. He said that there are three quotes to be considered. The cost for three phone lines and a fax line for Borough Office. The police side will have two dedicated phone lines and a separate fax line. Mr. Klock made a motion to accept the Ironton Phone System quote of \$5,927.84. Mr. Reed seconded the motion. The Borough Secretary asked what part of the budget the money was coming from for the purchase. Mr. Klock responded that it is coming from the General Fund. The Borough Secretary stated that the Vonage phone system would cost several hundred dollars. The current telephones would be used. Mr. Klock stated that he has asked other vendors and the Vonage System is an inferior product and there is no service and if there is a problem you are calling India. The Borough Secretary stated that Vonage had good reviews online. Mr. Klock stated that the conversation about Ironton began on January 27th and nothing was brought up about it since then. The Borough Secretary stated that she doesn't think there is anything wrong with the current phones; the issue is with the provider. Mr. Sees asked what the total cost will be with the other motions. Mr. Klock stated that cost for the equipment and to set up the equipment will be \$6,767.44. The monthly fee is about \$214 per month. Both the Borough Office and the Police department are on the same internet line which is provided by Service Electric. Training will be provided for the equipment. Council voted 4-2 to approve with Mr. Wynn and Mr. Ruane voting no.

Mr. Klock made a motion to accept the quote of \$839.60 from Service Electric for the phone set up and custom configuration of eight telephones. Mr. Klock noted that the price is \$104.95 for each phone. Mr. Troup seconded the motion. The vote passed 4-2 with Mr. Wynn and Mr. Ruane voting no.

Mr. Klock made a motion to accept the service quote of \$213.95 per month from Service Electric. Mr. Troup seconded the motion. Council voted 4-2 to approve with Mr. Wynn and Mr. Ruane voting no.

Mr. Klock stated that there is one more topic that he would like to bring up regarding the network. He said that that involves networking all the computers in the Borough so that council can have access to files, remotely, if desired, to forgo the necessity to email requests or make phone calls for documentation if they are already structured in structure that they recognize, they can go online and remotely access the paperwork themselves. He added that it would also give council the opportunity to provide oversight. He stated that the topic was brought up about what people are doing during the day. This would give council the ability to provide oversight on the work on the computer. Council would have the ability to log into the network through a VPN license which is a virtual private network. They would log in with an ID and password. There would be an audit trail to see who accessed the documents and whether any documents were saved, modified or deleted. He stated that the council could have read only access so they could not change anything. He said that the sewer department files would be kept separate from the Borough files. A sewer department employee would not be able to access any Borough files and vice versa. Limited

access would be provided to people for certain files. The system can be configured the way they want it. There are two licenses for council in the quote. But for any council member that would want remote access, it would cost \$50 for each license. The quote from ProNet includes a yearly fee for two licenses for \$100, \$1,500 in labor to do all the set up, the monitoring system is \$336 for the year, and the cost to upgrade the office computers to Windows 7 Pro for \$100 a computer for three computers. Mr. Klock said that the cost proposed by ProNet is \$2,236. Mr. Ruane said that cost plus the \$6,700 plus brings the total to over \$9,000. He added that it is not in the budget. Mr. Klock stated that the equipment is already there. Mr. Wynn questioned where the council is getting this money. Mr. Klock responded that people are talking about hiring people and there is money in it for them. Mr. Wynn said that there is no money in the general fund for it. Mr. Klock stated that there is no money to hire people. He added that this is a one-time expense, not an annual expense. Mr. Ruane stated that there is no money. The Borough Secretary stated that the council had voted to purchase the server for the sewer department and the Borough was not to be included on the server. Mr. Klock stated that the concern that Ellie (Rees) raised was that she did not want the sewer department to be able to access the Borough files and vice versa. Mr. Wynn stated that the server was to be only for the sewer department. Mr. Klock said that the way the server is set up, access is limited. He said that is the stipulation that was made.

The Borough Secretary stated that the Borough uses Bill Geise's company AsuroIT to work on the Borough's computers. Mr. Klock stated that ProNet was hired to do the network installation and questioned why they would bring in a different vendor. The Borough Secretary replied that Bill Geise has worked on the Borough's computers for many years and Mr. Klock brought in the different vendor for the sewer department server. Mr. Klock stated that he is not putting the network in. Mr. Wynn stated that he does not think the Borough needs the network and it was only supposed to be for the sewer department. Mr. Klock stated that that is not the way the motion was made and he said again that Ellie (Rees) did not want the sewer department to have access to the Borough's files and that the way it will be set up. [Note: The discussion and vote to hire ProNet are in the approved council meeting minutes of November 3 and November 17, 2014.] Mr. Troup stated that he doesn't know what everyone's fear is of networking. He said that it would make it easier for council to access shared files. He said that they couldn't change the files, but could access them. He added that a lot of places are doing this. He added that it would make Jan and Ann's jobs a lot easier. Mr. Ruane stated that the cost went from \$6,700 to \$9,100. Mr. Sees questioned if anything was obtained from Geise and asked if he could provide the same service. Mr. Klock responded that ProNet was hired to install the server and configure the network for the sewer plant and it doesn't make sense to hire someone else to do the configuration for the Borough. Mr. Klock stated that this doesn't affect the police department. Mayor Zboray said that he sees the positive but wonders how many people on council would use it. Mr. Ruane stated that he would not; Mr. Wynn stated that he would not. Mr. Reed said that he would possibly use it; Mr. Sees stated that his use would be limited. Mayor Zboray stated that as a taxpayer, council is spending money that could be used elsewhere. He said that there were a lot of complaints this winter about the street department because they were short-handed. Mayor Zboray said that even if it is \$500 or \$800 or \$2,000, he feels that it should be put into

something that we need and the Borough needs employees. Mr. Klock stated that there is a labor factor involved in this as well. The council would not constantly be contacting the Borough employees for documentation. When there is a concern or an accusation about an employee not pulling their weight or spending too much time in their office on the computer, or a question about whether they are being productive, the council would be able find out what the employees are spending their time on and monitor them. The Borough Secretary asked what employees he is talking about. Mayor Zboray questioned who would have time to monitor them adding that there are four cameras in the police office and the only time they monitor them is if there is a problem and they have to go look at them. Mr. Wynn added that the council bought time clocks and three of them aren't hooked up. Mr. Klock stated that it has nothing to do with this. Mr. Wynn responded that it does because it is money spent that is useless. Mr. Klock stated that he doesn't know why they aren't in use, adding that the time clock has been up in the sewer plant and is working fine. The Borough Secretary stated that it does not work fine. She noted that she cannot look at the printout from the time clock to do the payroll. It does not contain all the information needed to do the payroll so she still receives copies of their timesheets. Mr. Klock stated that he was not aware of that. Mr. Wynn stated that it was discussed in a meeting. Mr. Klock said that he would look into it. Mr. Wynn said that he does not feel that the council should spend money for something that isn't needed. Mr. Wynn added that if it brought something into the Borough he would be for it; but it is just costing the Borough. Mr. Troup stated that nothing brings in money other than taxes. Mr. Wynn said that people are moving out because the Borough is in bad shape and they can't afford it. Mr. Troup stated that it is not the Borough taxes; it is the Shikellamy School Board taxes. Mr. Klock noted that the Borough hasn't raised taxes in three years. Mr. Wynn said that he doesn't think the council should spend money on something that they don't need. He agreed with Mr. Troup that anyone could get into it and use the benefit of it; but none of the council would benefit from it.

Mr. Klock moved to accept Pro-Net's quotation of \$2,236 for the installation of licenses for two users, upgrade for three computers to Windows 7 Pro, the annual fee for five licenses for web monitoring, and the labor for installation, data transfer, user training, and configuration for \$1,500. Mr. Reed seconded the motion. Mr. Reed, Mr. Troup, and Mr. Klock voted yes; Mr. Ruane, Mr. Sees and Mr. Wynn voted no. The vote was tied at 3-3. Mayor Zboray voted no. The motion failed.

Mr. Troup announced that the council would go into an Executive Session to discuss a personnel issue and would not return to vote on anything. The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Janice R. Bowman
Borough Secretary