

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
October 6, 2015

President James Troup 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, Ellie Rees, Paul Ruane, Ty Sees, and James Troup. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; Ted McCollum, Street Supervisor/ Code Enforcement Officer; and Janice Bowman, Borough Secretary.

Public Comment

Eight visitors introduced themselves.

Jim Groninger, co-chairman of the Halloween Parade, requested permission to run the parade this year, to have the no-parking signs erected along the parade route, and for a \$500 donation from the Borough as in the past. He mentioned several problems last year. The no-parking signs were not set along the entire route; a council member had a confrontation with a member of the fire police and the same council member solicited funds throughout the parade route for another group. Last year the council made a motion that this would not be allowed. Mr. Groninger added that if it were allowed, a number of groups would be soliciting for funds.

Mr. Ruane moved to give permission for the Halloween parade and to donate \$500. Mr. Boyer seconded the motion. Council approved unanimously.

Phil Hallden, representing the Emergency Services Board, explained that the board oversees the two fire companies and the fire police. He explained that the law states that the fire companies may be reimbursed by the insurance companies for any disposables that are used during an incident. He presented a resolution with the request that the council approves it so the companies may collect this money. Mr. Hallden had a resolution that has been used by other municipalities and is used by a billing company. He noted that homeowners are never billed; only the insurance companies. If people do not have insurance, the fire companies cannot do anything about it. If the insurance company refuses to pay, the fire companies cannot do anything about it. If the response is to a building that is a rental, the property owner should have the insurance on the building. Insurance companies request that the Borough has a resolution on file.

Mrs. Rees made a motion to approve Resolution E-2015 regarding costs being recovered from insurance companies that are willing to do so. Mr. Troup seconded the motion. Council approved unanimously. Resolution E-2015 follows:

**“BOROUGH OF NORTHUMBERLAND
NORTHUMBERLAND COUNTY, PENNSYLVANIA
RESOLUTION NO.: E-2015**

A RESOLUTION OF THE BOROUGH OF NORTHUMBERLAND, NORTHUMBERLAND COUNTY, PENNSYLVANIA. AUTHORIZING THE FIRE DEPARTMENT OF THE BOROUGH OF NORTHUMBERLAND, PENNSYLVANIA TO RECOVER COSTS AND/OR EXPENSES FOR ITS SERVICES FROM PROPERTY OWNERS THROUGH CLAIMS SUBMITTED TO THE INDIVIDUAL PROPERTY OWNERS INSURANCE POLICIES

WHEREAS, The Code of the Borough of Northumberland, Northumberland County, Pennsylvania at Chapter 5 establishes the administration, authority, and composition of the Fire Department of the Borough of Northumberland, and

WHEREAS, The Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania wishes to provide for reimbursement to the Fire Department for any and all cost and/or expenses incurred by the Department which may be obtainable by the Department by submitting claims only to the individual property owners’ insurance carrier; and,

WHEREAS, The Fire Department responds to Fires, Vehicular Accidents, Environmental Incidents, and Rescue Incidents; and

WHEREAS, The Fire Department responds directly through 911 response; and,

WHEREAS, It is the findings of the Borough of Northumberland, Northumberland County, Pennsylvania that individual property owners may maintain insurance coverage within their own casualty insurance policies, homeowners’ policies and/or other applicable policies that would provide reimbursement to the Fire Department for firefighting and or other services rendered to the individual property owners’ properties in response to emergency service requests.

NOW THEREFORE, BE IT RESOLVED that the Fire Department is hereby authorized and directed, by and through its officers and authorized representatives, to ascertain what insurance coverage may be applicable and available under any given circumstance, and to take all necessary and affirmative steps to apply for and receive reimbursement from any Insurance Carriers where a property owner is or may be insured to reimburse the Fire Department for any cost and/or expenses incurred for services, supplies and/or equipment used for or provided to the property owner by the Fire Department.

Under no circumstances shall any property owner ever receive a bill from the Fire Department for fire protection or other services provided by the Fire Department except in the case of false alarms or fires set intentionally by the property owner.

This resolution shall be liberally construed to accomplish its purpose to compensate and/or reimburse the Borough of Northumberland Fire Department, Northumberland County, Pennsylvania from insurance proceeds only for costs and/or expenses incurred while providing services pursuant to their duties for the Fire Department.

ADOPTED at a regular meeting of the Borough of Northumberland, Northumberland County, Pennsylvania this 6th day of October, 2015.

ATTEST:

BOROUGH OF NORTHUMBERLAND

Janice Bowman, Borough Secretary

James Troup, Council President

Approved this 6th day of October, 2015

Len Zboray, Mayor”

Mr. Jon Apple informed the council that the Fire Police had sent out letters to businesses requesting donations. They would like council to approve letters to Borough residents seeking donations for the Fire Police. Mr. Ruane moved to approve the letters. Mrs. Rees seconded the motion. Council approved unanimously.

Council Meeting Minutes – June 2; July 7; July 21; and August 4, 2015

Mr. Boyer moved to approve the minutes of June 2, July 7, July 21, and August 4, 2015. Mr. Ruane seconded the motion. Discussion ensued. The motion and second were rescinded in order to vote on the minutes separately.

Mr. Sees moved to approve the minutes for June 2, 2015. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Troup moved to approve the minutes of July 7, 2015. Mr. Boyer seconded the motion. Mrs. Rees voiced a concern that the minutes for the sewer department were minimal. She explained that someone from the sewer department wrote that portion of the minutes and they do not have the detail of the other minutes. She also noted that they were called sewer committee minutes and she feels they should be called sewer department minutes. She made a motion to table the July 7, 2015 minutes in order for more detail to be included in them. Mr. Ruane seconded the motion. Council voted 3-2 to table the minutes. Mr. Boyer, Mrs. Rees, and Mr. Ruane voted yes; Mr. Troup and Mr. Sees voted no.

Upon motion by Mr. Ruane, seconded by Mr. Troup, council voted 3-0-2 to approve the council meeting minutes of July 21, 2015. Mrs. Rees and Mr. Sees abstained.

Upon motion by Mrs. Rees, seconded by Mr. Troup, council voted 4-0-1 to approve the council meeting minutes of August 4, 2015. Mr. Ruane abstained.

Liberty Hollow Culvert Replacement Bid

Mr. Steve Siegfried, Hazen and Sawyer, reviewed the four bids for the project. They were \$203,799 from Mid State Paving and Excavating; \$262,421.70 from Kevin E. Raker Construction, LLC; \$359,315.00 from DOLI Construction Corporation; and \$45,887.00 from Pioneer Construction Co, Inc. The bids are approximately \$70,000 over budget. Mr. Brian Book stated that they would like to work internally to see if there is a way to reduce the project scope while keeping the integrity of the project. He noted that the bids are good for sixty days.

Mr. Troup moved to table the bids for two weeks, with the possibility of being able to accept the low bid with a change order that will bring it under budget. Mr. Boyer seconded the motion. Motion passed unanimously.

Northumberland Sewer Department Report

Mr. Ruane reported that the committee met tonight and received two applications for payment. The first is from Fulkroad, payment number four, in the amount of \$554,286.71. Mr. Ruane moved to approve the payment. Mr. Sees seconded the motion. Discussion ensued. Council voted unanimously to approve.

Mr. Ruane moved to approve payment to Lecci in the amount of \$190,695.78. Mr. Sees seconded the motion. Council approved unanimously.

Mr. Ruane stated that a proposal will be required to engage Hazen and Sawyer to file applications to renew the Borough's permit which will expire in September 2016. The application requires 180 days. Mr. Book stated that they would have a proposal for council's

action at the next meeting. Mr. Ruane stated that a proposal is also needed to have Hazen and Sawyer review the Act 57. No action is required at this time.

Mr. Ruane said that discussion took place about the rate base. The 2016 budget is almost completed. Salaries are needed from the personnel committee.

Mr. Book provided a letter outlining additional costs associated with the plant construction. Mr. Tira stated that discussion will be conducted in Executive Session. Mr. Book noted that page three of the Engineer's Report provides the amount of additional costs that the engineering firm has expended to date for design services during construction (\$111,950) and resident project representation (\$64,900), additional on-going costs for design services during construction (\$8,220 per month), and, if necessary, additional costs beyond the deadline for design services during construction (\$17,800 per month) and resident project representation (\$21,600 per month).

Mayor's Report

- Mayor Zboray thanked Steve Reed for serving on Borough Council.
- Mayor Zboray welcomed Paul Boyer to the council and thanked him for being willing to serve on council and as a member of the fire police.
- Mayor Zboray reported that patrol officer Samantha Ortona started back to work yesterday. He thanked council for approving her return to the force.
- Mayor Zboray informed the council that two candidates have passed the Civil Service test. They are both currently serving as part-time officers, Rachel Shear and Kevin Romansik. He noted that the Borough is very fortunate to have these officers in the ranks, adding that it is very difficult to find officers and all the departments are competing to fill their ranks. Mayor Zboray stated that he and Chief Kriner would like council to hire part-time patrol officer, Rachel Shear, as a full-time officer under the police contract. Mr. Tira questioned if the Civil Service Commission has provided a certified list. Mayor Zboray responded that the chairman had provided the scores but did not provide a certified list. Mr. Tira advised that the appointment should not be made until the list is official.
- Mayor Zboray provided council with the 2014 uniform crime reports and a fact sheet about taxes and miscellaneous information from the Police Chief concerning the police department. He said that Chief Kriner would be happy to meet with council to answer any questions. He also invited the personnel committee to meet with Patrol Officer Kevin Romansik or any other council members who wished to speak with him on his part-time performance. Mayor Zboray and Chief Kriner are requesting that the council hire Officer Romansik as a full-time officer at the next council meeting on October 20th. He added that Chief Kriner welcomes any comments or suggestions before that meeting.
- Mayor Zboray read a letter from U.S. Senator Pat Toomey:
"Dear Mayor Zboray, Thank you for hosting my public town hall meeting last month. I thought the Borough Hall was a great location for this event, and I appreciate your kind welcome. As always, please feel free to contact my office if I can ever be of assistance. Sincerely, Pat Toomey." Mayor Zboray noted that Senator Toomey was very impressed with the building.
- Mayor Zboray read a letter from Sandra Tosco, PennDOT:
"Dear Mayor Zboray, As a result of a PennDOT construction project on state route 11 and 147, traffic was congested in and around Northumberland Borough on September

8th. The work performed was expected to take less time than it actually did. Because of the congestion, the contractor will be completing his work during the evening hours. This should minimize the impact to the travelling public and congestion in the Borough. I'm truly sorry for the inconvenience this has caused you and the citizens of Northumberland Borough and the travelling public. If you have any further comments or questions, please contact Ted Deptula, P.E., Assistant Construction Engineer. Sincerely, Sandra Tosco, P.E. District Executive, Engineering District 3-0."

- Mayor Zboray requested that council review what he gave them in their mail and hopefully, next meeting, council can discuss it and get Rachel hired. Mr. Troup asked if there was an interview process. Mayor Zboray stated that there was an interview process which was scored. Mr. Troup asked if there was a sit down interview. Mayor Zboray stated that it was mentioned at the last meeting when the interview process was planned. Mr. Troup stated that he was not aware of the date and time. He added that personnel would schedule interviews with them.

Emergency Services Board Report

Mrs. Rees reported that the Board met last evening. They are making progress with hiring a lawyer to incorporate the companies into a department. Brian Ginck noted that Jill Neggy was hired to start the process. She has assistants who come at no cost. Brian Crebs said that this attorney was highly recommended and has done forty-two of these consolidations. In addition, Dwayne Agler is paid by the sociology department at Millersville University to study fire department consolidations. He has an assistant and they come at no cost to the fire department. Brian Ginck stated that the group is very excited about this and feels that this is monumental for the Northumberland Fire Department.

Mayor Zboray stated that members of the fire department were at the cemetery on Sunday installing a cement base under the bench that was donated in Robin Bolig's memory by his wife Ona.

Street Supervisor/ Code Enforcement Officer's Report

Ted McCollum informed council that Meckley's will begin paving on October 19th. UGI has agreed to pay for half of the paving around King Street Park. The streets where UGI has been replacing lines that cannot be paved this year will have a new base installed. UGI will pave half the width of the streets next year. Mr. McCollum noted that UGI tore up 10,703 square feet of Borough roads. Discussion ensued concerning the condition of the streets.

Mr. McCollum stated that plates have been placed over the sink hole below Priestley Avenue. Mr. McCollum stated that a new casual employee is starting to work on October 19th. The concrete for the pavilion on the playground will be poured by the four street department employees.

Mr. McCollum reported that for the Code Office, there were nineteen street cuts, twelve violations, twenty-three complaints, two citations, and three permits. At 260 Queen Street Mr. McCollum denied a permit. The owner was doing electrical work and putting up walls without a permit and planned to put four apartments in the building. An ordinance that was passed in 2003, additional multiple units may not be created in the R-2 district. The owner is re-evaluating his position. There were originally two apartments upstairs.

Mr. Troup asked if any headway has been made about the brush and tall weeds along Front Street. Mr. McCollum stated that he has not gotten to it yet. Mr. Troup noted that there is a pile of bricks and rubbish behind the veterinary hospital on Duke Street. Mr. McCollum responded that he spoke to the owner last week and would check on it.

Mr. Ruane asked how he is making out on winterizing the pool. Mr. McCollum stated that he has obtained three quotes. One was for \$2,400 from Boyer's; another was \$2,000 from MCL, and Bryan Luden said it would be \$60 to \$80 to blow the lines out. Mr. Troup stated that he felt it should be done and recommended that MCL be contacted since he does other municipal pools. Mr. Ruane stated that the room where the filters are must be winterized. The Borough Secretary noted that the pool account currently has only \$700. The Borough is still owed for a portion of the pool payroll. Funding is anticipated from PHEAA and Degenstein toward the payroll. Mr. Ruane moved to accept the quote from MCL for \$2000. Mrs. Rees seconded the motion. Council approved unanimously.

Mrs. Rees questioned if Brian Probst is the casual employee who was mentioned. Mr. McCollum stated that it is.

Committee Reports

Community Development

Mr. Boyer informed the council that he, Ellie, and Paul met with Jim Neidig from Playworld and chose panels and a tether ball to be installed as part of a grant from BIMBO. The items will be installed on October 23rd. Volunteers from BIMBO will be installing the equipment. They have requested shovels, a digging bar, bags of concrete, a wheel barrow and access to water. Mrs. Rees made a motion to accept the grant from BIMBO Bakeries and to provide the cement. Mr. Boyer seconded the motion. Council approved unanimously.

Mr. Boyer said that the committee would meet next Monday at 7:00 p.m.

Finance

Mr. Sees stated that the committee would meet at 6:30 on October 27th to work on the budget.

Personnel

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

Public Safety - no report

Rules - no report

Streets

Mr. Ruane stated that he would be meeting with Meckley's tomorrow to go over the paving work. A PA One call will be put in for the construction. The committee will meet next Tuesday at 7:00 p.m.

Old Business

1. Mr. Troup stated that Adam Klock has submitted his resignation, effective tonight. Mr. Sees read the email that Mr. Klock had sent on September 22, 2015:

"All, I appreciate the opportunity entrusted in me by Northumberland Borough residents to serve as a Borough Councilman since 2012 and sewer authority member since 2011, but it's with great regret that I cannot continue to serve the Borough in the capacity that I have and feel is necessary for a Councilman. Therefore, I am resigning from the remainder of my 4-year term that ends in December.

I also believe this is an ideal opportunity for my likely successor, and current candidate, Ralph Cianflone to take an early Council seat and become involved in discussions on the 2016 budget Council will vote on in January.

I wish the new Council continued success with the betterment of our whole community.

*Kind Regards,
Adam Klock"*

Mr. Boyer moved to accept Adam Klock's resignation. Mr. Troup seconded the motion. Council approved unanimously. Discussion ensued. Mr. Troup made a motion to advertise the open council seat, with applications due by October 20th at 7:00 p.m. Council voted 4-1 to approve with Mrs. Rees voting no.

New Business

1. The Borough Secretary added a bill for \$300 to the Montour County Sheriff's office for their shooting range fees in addition to the list of bills. Mr. Sees asked why they don't go out to the gun club. Mayor Zboray stated that it is for a certain type of training. Two of the officers are scheduled to go there for training tomorrow. Mr. Sees questioned why the police department doesn't use Northumberland County, noting that there are plenty of instructors in Sunbury within the parole department or the police department. Mayor Zboray contacted Chief Kriner and learned that the range in Montour County is just for police officers and is not open to the public. Mr. Ruane moved to approve payment of the bills, including the bill from the Montour County Sheriff's office; Mrs. Rees seconded the motion. Council voted 4-1 to approve with Mr. Sees voting no. Bills to be paid from the General Fund total \$97,074.18; Liberty Splashland bills total \$1,602.10; Donation Fund bills total \$400.20; 2nd Street Community Center bills total \$306.04; Sewer Department bills total \$22,034.43; and Sewer Department PennVest Account bills total \$36,731.20.
2. Council discussed the hours for Trick-or-Treat night in the Borough. Upon motion by Mr. Troup, seconded by Mr. Boyer, council unanimously approved Trick-or-Treat night for October 31st from 6:00 to 9:00 p.m.
3. Mayor Zboray stated that Mr. Roll called and said that he would provide the information to Jan tomorrow to make the Civil Service list. He also said that the two officers would be available whenever council wishes to meet with them.
4. Mr. McCollum asked if he should contact the pool manager to be present at the pool when the company comes to close it. Mr. Troup responded that if he is available, yes.

Executive Session

Mr. Troup announced that the council would go into Executive Session to discuss personnel issues and possible litigation. The meeting may be reconvened. The Executive Session began at 8:13 p.m. The council meeting was not reconvened.

Respectfully submitted,

Janice R. Bowman
Borough Secretary