

Borough of Northumberland

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175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
January 19, 2016

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

Roll Call

Council members present were Paul Boyer, Ralph Cianflone, Ellie Rees, Paul Ruane, and James Troup. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; C.L. Kriner, Police Chief; Ted McCollum, Street Supervisor; and Janice Bowman, Borough Secretary. Council members Ty Sees and Harry Wynn were absent.

Public Comment

Members of the public introduced themselves. No comments were offered.

Northumberland Borough Sewer Department

- Mr. Ruane reported that the filter press controller was repaired. He made a motion to approve payment of \$14,680 to System, Inc. Mr. Boyer seconded the motion. Council approved unanimously.
- Mr. Ruane reported that the committee recommends extending the prior Agreement of Sale for nutrient credits with Ralpho Township for 2016 at the agreed upon price. Mrs. Rees seconded the motion. Mr. Tira recommended that the motion include authorization for Paul Ruane to sign as chairman of the Sewer Committee. The motion was amended as recommended. Council approved unanimously.
- Mr. Ruane stated that the Borough Council will meet with the Point Township Sewer Authority on January 27th at 6:00 p.m.
- Mr. Ruane reported that he and Mr. Boyer were at the construction meeting today and things are going well.

Mayor's Report

Mayor Zboray reported that the Shikellamy JROTC plans to have an "Earth Week" April 18 to April 22nd. They will volunteer in Northumberland and Sunbury. In Northumberland, they will clean up Duke Street from the intersection at Water Street to Sixth Street, behind Front Street Station along the train tracks, and on Route 11 from the underpass to W&L Sports Cars. They plan to cap it off with a race day on April 23rd at the football field. Colonel Walsh is heading it up.

Street Supervisor/Code Enforcement Officer's Report

- Mr. McCollum reported that he had a call from a property owner at 465 King Street about damage to the residence. The right corner of the porch and sidewalk are settling. There is an old arch made out of river stone that runs underneath the property. Mr. McCollum

has a map from Larson Design of the area from the stormwater project that had been completed around 2001. He stated that he has looked down the manhole behind 481 King Street and there is water running through the storm sewer which is about twelve feet deep. The storm sewer had been plugged up at Brickyard. Mr. McCollum said that he doesn't know if it had collapsed and there is surface water running through there or what the cause is. He noted that an adjuster for the property owner's insurance company and an adjuster for the Borough's insurance company are going to be there on Wednesday to look at the situation. He provided pictures of the water in the manhole.

- Mr. McCollum reported that ten 24-inch stop signs have been installed in the alleys to replace older ones. He has ordered 28 new street signs through the Pennsylvania Correction Industries at a cost of \$612. New poles will replace older ones.
- The street department is prepared for snow. Another load of salt was delivered today.
- Mr. Troup noted that during the snow storm last Tuesday, he was going up Fifth Street and a plow truck was coming down spreading salt, but not plowing snow. Mr. McCollum stated that there was only an inch of snow and it wasn't necessary to plow. Mr. Troup stated that he feels that since Fifth Street is an emergency route, the street should be cleared. Mr. McCollum said that because there was not much snow, the salt melts it and it saves the cutting edge. Mr. Troup stated that the salt did not melt it because on Wednesday morning, he slid through the stop sign and he was going very slowly.

Code Office

- Mr. McCollum reported that he sent out three letters regarding unregistered vehicles. He discovered that two of the three had valid registrations. He said that four more letters went out and tomorrow he will address one that has a flat tire on Jefferson Street. There were 18 complaints, 9 violations, and two building permits. Ryan Bordner at 260 Queen Street was granted a permit by the Zoning Board to renovate the building by converting the first floor to two apartments. He said that the apartments have high end finishes.
- Mr. Ruane questioned how many inspections are being done a month. Mr. McCollum said that he is working on it. Mr. Ruane noted that thirteen inspections should be done each month. Mr. McCollum said that he is busy on the streets. He noted that he is doing three jobs, streets, codes, administrative BCO and zoning. Mr. Ruane said that the codes, BCO and rentals should all go together. He added that the work must get done. Mr. McCollum said that if equipment breaks down, he fixes it.
- Mr. Troup asked if Mr. McCollum has talked to Mark Marotto. Mr. Marotto called Mr. Troup and said that the code officer sent him a letter that he would have the vehicle towed. Mr. Troup told him that the Borough has an ordinance about unlicensed vehicles. Council also discussed vehicles that are parked below Duke Street by CVS.

Committee Reports

Community Development

Dr. Cianflone reported that the committee met last week.

- Rocky Baer, a licensed architect, has provided a proposal to design plans for the gymnasium. The committee plans to contact a second architect to provide a proposal for comparison.
- The pavilion on the playground was discussed.

- The design is progressing for the Liberty Hollow trail which will be built on Borough land above Liberty Splashland. The committee is recommending that council approve applying for a grant from the Chesapeake Bay Trust toward additional funding for the trail project. Mr. Boyer so moved. Dr. Cianflone seconded the motion. Discussion ensued. Council approved unanimously.
- The committee would like to extend the hours at Liberty Splashland this summer. They also discussed having theme nights to attract more patrons.
- Dr. Cianflone stated that Barbara Kistner told the committee that the renovations at the Girl Scout Little House are almost completed. She suggested that the building be rented out for parties.

Public Safety

Mrs. Rees said that the committee did not meet tonight because no one had any concerns to be addressed.

Mrs. Rees reported that she attended the Emergency Services Board meeting on January 4th. The firemen said that they now have four of the seven containers for the fire training at the Recycling Center. In 2015, the firemen responded to 374 calls, averaging one per day. In 2015, the Fire Police had 1,679 volunteer hours. Jonathan Apple reported that the new truck would be here on Friday. The only remaining expenses are \$7,000 to \$8,000 for equipment on the truck, such as lights and decals.

Fire Police Events

Mr. Troup moved to approve the Northumberland Borough Fire Police events for 2016 as submitted. Mr. Boyer seconded the motion. Council approved unanimously.

Rules - no report

Streets

- The street employees will be trimming trees that hang too low over the streets.
- The committee recommends that all street employees go through a CPR training program. The committee wants to check into obtaining an AED for the 2nd Street Community Center.
- The street department should attend a class in flagging traffic.
- A mileage log and equipment maintenance checklist had been utilized in the past. The committee wants to implement the use of these forms again. Mr. Boyer noted that in the fall, the leaf picker did not work when it was time to start collecting leaves. Last week, the chipper was taken out of service because of a gas leak. Mr. Boyer learned that the gas was leaking from the chipper last summer as it was sitting at the Recycling Center. Mr. Boyer feels that an inventory should be taken of all the Borough tools and they should be engraved. Every year, an inventory should be taken. At least one employee should be certified for pesticides. Mr. Boyer noted that the borough had spent \$100 for Travis Fisher to attend a class to be certified for the pool, but he did not attend.
- The Committee discussed the paving projects for this year. The sewer department must repair manholes on Wheatley Avenue at Sixth and Seventh Streets. Plans are

to pave Wheatley Avenue between Pond Avenue and Seventh Street, Orange Street between Sixth and Seventh and King Street between Sixth and Seventh. Micro-chipping is being considered for Seventh Street between Orange and Prince Streets. Ropewalk Avenue from Queen Street to Duke Street is also being considered for paving. Mr. Troup said that he understands that the alleys need done, but does not think this is the best use of Borough resources. He feels that the major streets should be paved because they are traveled by everyone.

Councilman Ty Sees arrived at 7:50 p.m.

- Mr. Boyer read the streets listed by Ted McCollum that UGI will pave this year.
- Mr. Boyer said that pictures were taken of the ice that forms on Front Street north of Prince Street. He noted that this is PennDOT's problem but is concerned that someone may pull over to the right when making a turn onto Prince Street and slide over the curb. He suggested that cones should be placed along the street.
- The construction workers at the sewer plant park behind the Fire Police building. Mr. Boyer suggested that the parking area should be plowed back to provide a larger area for parking.
- Mr. Boyer stated that Ted and Travis should report to Jan every day because she is here every day.
- The contract for salt through CoStars has been submitted for the year that runs from August 2016 to July 2017. Three loads of salt were ordered.

Old Business

1. Mr. Ruane made a motion to approve an \$8,000 loan to the Fire Police for the purchase of equipment for their new truck to be repaid as they get it on or before December 31, 2016. Mr. Boyer seconded the motion. Council approved unanimously.
2. PennDOT has requested that council approve a temporary occupancy permit for Pineknoller Park and the Point during the re-construction of Route 11. Current plans are to close traffic from the Duke and Water Street intersection to the Barry King Bridge. Mayor Zboray noted that he discussed the plans with a PennDOT representative who said that they may also close one lane of the Priestley Bridge. Mayor Zboray suggested that they talk to Dale Walter about detouring this lane of traffic to the lot in front of his building. Mayor Zboray stated that he also spoke with Lynda Schlegel-Culver who said that the Borough Council could determine that they do not want the project to proceed. However, PennDOT may not be receptive to the Borough's needs in the future. Funding is also available now and may not be available in the future. Mayor Zboray stated that he does not want the road closed for eight to ten weeks. Council's consensus was that one lane of traffic should be permitted on Route 11 during construction which is slated for 2018. Mr. Troup requested that the solicitor review the document for the next meeting. Action on the temporary occupancy permit was tabled.
3. Mrs. Rees stated that at the last meeting, she was distressed with how things went and she thinks it is hard to think on the spot. She said that she thinks that our illustrious Mayor should have either called for the vote for officers at the very beginning since

there was a quorum, or, he should have waited until after both council members who he knew were coming late had arrived, and not for just one of them to arrive. She said that she was distressed that council didn't do one or the other; take the vote at the beginning or wait for two people. So, she said that she would like to make a motion to reopen the voting for officers. She added that it is her understanding that any one of the council members may do that. Mr. Sees questioned if there is a particular reason why. Mrs. Rees replied that she gave her reason, she thinks it should have been one or the other. So, she said that she would like to make a motion to reopen the voting for officers. She added that it is her understanding that any one of the council members may do that. Mr. Sees said that he wants to know one thing. Any meeting that anybody misses, council can go back and revote on things? Mrs. Rees responded absolutely not. She thinks that since the election of officers was at the beginning of the agenda it either should have been done at the beginning of the agenda, or as the Mayor said, they would wait for Ty and Ralph to come. But he didn't wait for Ralph to come. So she would like to reopen the vote for officers for council. Mr. Tira advised that the vote that was taken is valid. What council would have to do is to remove the officers from their positions to create a vacancy to then have a vote because there are people sitting in the positions of President, Vice-president and President Pro-tem. Mrs. Rees said that perhaps her motion should be to remove the three officers who were elected at the last meeting because the vote wasn't taken at the beginning or taken after both people who were coming late arrived, as the Mayor had suggested. Mayor Zboray asked if he "messed up" because he didn't call the vote when there was a quorum. Mr. Tira said that the Mayor's actions were valid because there is not a specific time. Mayor Zboray asked if it is allowed to wait for other people to come. Mr. Tira replied yes. He added that he has seen other times at an organizational meeting where they moved ceremonial items up so people did not have to wait through the organizational portion. There is nothing that would invalidate what happened since the Mayor had waited until after the advertised time of the meeting and there was a quorum present. Mrs. Rees stated that she wishes Mr. Tira had been present at the meeting. She noted that she understands that what the Mayor did was valid and asked if her bringing the subject up is also valid and Mr. Tira replied that the officers serve at the pleasure of council so council would have to remove them from their positions and then vote to appoint the new officers.

Mrs. Rees stated that she has a motion on the floor that she would like to remove all three officers. Mr. Boyer seconded the motion. Mr. Troup stated that he would like to know why. He asked if there is something that he is doing wrong that she would like to have changed. He asked what agenda she has, adding that he knows she has plenty of them. Mrs. Rees replied that it may be his opinion, but that she does not. Mrs. Rees explained that she was very troubled about it that night and, in retrospect, she wishes that she had spoken up that night to ask that the vote wait until both Ty and Ralph were present. Mayor Zboray stated that he also thought that Harry was coming. Roll call was called. Dr. Cianflone questioned if the vote should be now, without Mr. Wynn. He said that he would like everyone to be present. Mr. Tira stated that the motion is on the floor and council must vote. Council voted 3-3 with Mr. Boyer, Mrs. Rees, and Mr. Ruane voting yes; Dr. Cianflone, Mr. Sees, and Mr. Troup voted no. Mayor Zboray voted yes.

Mr. Tira advised that Mayor Zboray should take control of the meeting. Mayor Zboray opened the floor for the nomination of President. Mr. Sees nominated Jim Troup. Mrs. Rees nominated Paul Ruane. No other nominations were made. Council voted as follows: Mr. Boyer, Dr. Cianflone, Mrs. Rees and Mr. Ruane voted for Paul Ruane. Mr. Sees voted for Mr. Troup. Mr. Troup did not vote.

Mr. Ruane took control of the meeting. He opened the floor for the nomination of Vice-President. Mr. Boyer nominated Jim Troup. Mr. Troup declined. He added that he didn't like the way this went down. If we don't get what we want, we re-vote. Mrs. Rees stated that if Mr. Tira felt it wasn't valid, he could have told her that it couldn't be done. Mr. Troup stated that it is not against Paul, he just feels that it is back-dooring. Mr. Boyer nominated Dr. Cianflone. Dr. Cianflone declined, adding that he did not feel qualified. Mrs. Rees nominated Paul Boyer. Mr. Troup nominated Mr. Sees. Mr. Sees questioned if he could conduct a meeting if something came up where he would have to recuse himself. Mr. Tira responded that if there is an issue dealing with the union, the deliberations would take place in Executive Session without him and he would be recused from the vote. Mr. Tira added that he could work around it. No other nominations were made. Council voted as follows: Dr. Cianflone, Mr. Sees, and Mr. Troup voted for Ty Sees. Mrs. Rees, Mr. Ruane, and Mr. Boyer voted for Paul Boyer. Because there was a tie vote by council, Mayor Zboray voted for Paul Boyer.

Mr. Ruane opened the floor for the nomination of President ProTem. Mr. Sees nominated Mrs. Rees. She declined. Mr. Boyer nominated Dr. Cianflone. He declined. Mr. Tira noted that this is not a mandatory position. No other nominations were forthcoming. The position remained vacant. Mr. Tira added that the position could be filled at a future meeting.

Mrs. Rees made a statement that if what Mr. Troup was referring to is about re-voting on Ann's hours, it was decided among council that Ann's hours would be revisited in three months, and it was. This was at a public meeting. At that time it was decided that it would be revisited in another three months to see how the finances were doing. Mr. Sees stated that he doesn't know if it was a good idea to put a full-time person on. She said that it is not that she brought something up for a re-vote; it was something that as a council they had decided to look at again. She said that if this is not what Mr. Troup was referring to, she doesn't know what he is referring to. And she stated that she was counting on Mr. Tira to tell her that she was wrong if she was not allowed to bring this up. Mr. Troup said something about Mrs. Rees going into the office. Mrs. Rees replied that she does not go into the office unless there is a meeting.

New Business

1. Mr. Troup made a motion to pay the bills. Mr. Boyer seconded the motion. Mr. Sees questioned the AsuroIT vendor. He was told that it was formerly Geise Associates. Mr. Sees asked about the bill from Garden State Highway. This is for street signs. Mr. Sees asked if the Borough has replaced all of the signs as required. Mr. Ruane said that there is not a time limit for changing out the signs. The stop signs must have the "All Ways" signs below them if posted at each side of the intersection. The signs must also be

reflective. The signs to be replaced are street signs, stop signs, and no parking signs. Council voted unanimously to approve payment of the bills.

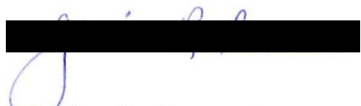
2. Resolution A-2016 sets the signers for the bank accounts. They are Ann August, Janice Bowman, Jane Sanders-Ressler, Paul Ruane, Ty Sees, and James Troup. Mr. Boyer made a motion to approve Resolution A-2016. Mrs. Rees seconded the motion. Mr. Troup stated that he doesn't see the need for his name to be included. The motion was revised to remove Mr. Troup's name and add Paul Boyer to the list. Mrs. Rees revised her second. Council approved unanimously.
3. Mrs. Rees informed the council that she plans to attend the Pennsylvania State Association of Borough's Boot Camp. She stated that she is happy to pay the cost herself but had been told by the Borough Association when she called to register that the municipality usually pays the cost. She questioned if the Borough had paid the fee in the past. The Borough Secretary stated that she thought the Borough had paid for a council member in the past and could check. Mr. Boyer made a motion to pay the registration fee for Mrs. Rees to attend the seminar. No second was made.
4. Mr. Ruane noted the composition of the council committees:
 - Community Development: Ralph Cianflone, chairperson; Ellie Rees; Ty Sees
 - Finance: Ty Sees, chairperson; Ralph Cianflone; Ellie Rees
 - Personnel: Ellie Rees, chairperson; Jim Troup, Paul Ruane
 - Public Safety: Jim Troup, chairperson; Paul Boyer; Harry Wynn
 - Rules: Harry Wynn, chairperson; Ralph Cianflone; Ty Sees
 - Streets: Paul Boyer, chairperson; Paul Ruane; Harry Wynn
 - Sewer Department: Paul Ruane, chairperson; Paul Boyer; Jim Troup

Mr. Troup asked if Mr. Ruane had already had the list made up. Mr. Ruane said that he was working on it. Mrs. Rees commented that she had called Paul to ask if it was okay with him if she nominated him. Mr. Troup made some disparaging remarks. Mr. Ruane repeated some of the committee assignments. Mr. Sees questioned if the president of council should be chairperson of the personnel committee. Mr. Tira said that the president does not have to chair the committee.

Executive Session

Mr. Ruane said that the council meeting would be adjourned for an Executive Session and would not be returning. Mr. Tira stated that the purpose of the Executive Session is for pending litigation and personnel issues. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,


Janice R. Bowman
Borough Secretary