

**Borough of Northumberland**  
**175 Orange Street, Northumberland, PA 17857**  
**Northumberland Borough Council Meeting**  
**May 5, 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 Stephen Reed, Ellie Rees, Paul Ruane, Ty Sees, James Troup, and Harry Wynn. Others present were Mayor Zboray; Ryan Tira, Borough Solicitor; C. L. Kriner, Police Chief; Jeremy Deitrick; Sewer Department Superintendent; Ted McCollum, Street Supervisor; and Janice Bowman, Borough Secretary.

**Public Comment**

The seven visitors present introduced themselves.

Steve Cimino asked about the Borough's policy for using Borough equipment. He questioned who had given Harry Wynn permission to use the Borough equipment. Mr. Ruane stated that he had given permission. Mr. Wynn stated that he had contacted Mr. Ruane about using the equipment to remove tree stumps. Mr. Cimino questioned if Mr. Wynn had done a PA One Call and noted that the Borough may be liable if Mr. Wynn had hit an underground utility. Mr. Wynn responded that he knew there were no utility lines at that location on his property. Mr. Tira advised that the liability is attached to whoever is digging. Mr. Cimino questioned the Borough's liability by allowing others to use the equipment. Mr. Troup said that he is not aware of the policy. The Borough Secretary noted that others had rented equipment in the past and that the fee schedule includes fees for the use of the equipment. Mr. Sees stated that he feels it is a bad policy and Mr. Troup agreed. The question arose about whether the person is qualified to use the equipment and who would be responsible if the equipment was broken. Mr. Wynn stated that whoever is renting it would be responsible.

Mr. Troup made a motion to develop a policy of no rental or leasing of Borough equipment, including to employees. Mr. Sees seconded the motion. Council approved unanimously.

Chris Skelly discussed concerns about traffic safety at various intersections, Queen and Water Streets and King Street and Priestley Avenue with right-turn only lanes. He noted that there is a faded arrow and right-turn only sign on Queen Street at Water Street. Priestley Avenue has a right-turn only sign at King Street. Within the last month and a half, Mr. Skelly has sat at the intersection at Queen and Water Streets and has seen at least fifteen close accidents and has been in almost four. He said that when cars come up from Priestley Avenue, people cross the two lanes of traffic going south on Water Street and cannot see the traffic in the right lane if a larger truck is in the left lane. He said that people do not notice the sign that states right-

turn only. Mr. Skelly suggested that the no left turn sign on Water Street at Queen Street be limited to certain hours of the day such as 7:00 a.m. to 7:00 p.m. He provided several pictures to the council. Mr. Skelly stated that he didn't know if this would be something the Borough or the state would have to handle.

Bill Geise, a member of the Amazing Grace Community Church, told the council that they appreciate the use of the facility. He noted that the Church celebrated their one year anniversary this past Sunday and had 110 plus people in attendance. He explained that the Church needs more space and would like to be able to utilize the stage. He said that they have a group of men who do repair work in homes and are ready to get involved to help with renovations. Mr. Reed stated that when the plans are stamped and approved he will look them up. Mr. Geise said that they are looking for another location because they have to have a plan. But they would like to stay here and they appreciate what the council has done for them.

### **Council Meeting Minutes**

Upon motion of Mr. Ruane, seconded by Mrs. Rees, council voted 5-0-1 to approve the council meeting minutes of February 3, 2015. Mr. Reed abstained.

### **Northumberland Sewer Department Report**

Mr. Steve Siegfried, Hazen & Sawyer, announced that a public meeting to discuss stormwater maintenance is scheduled for Friday, May 8th, at 3:30 p.m.

Mr. Deitrick informed council that they should appoint two signers for the Penn Vest application for payment forms on behalf of the Northumberland Borough Sewer Department. Mr. Troup moved to authorize Jeremy Deitrick and Ed Margel as the two electronic signers for the PennVest application for payment forms on behalf of the Northumberland Borough Sewer Department. Mr. Ruane seconded the motion. Council approved unanimously.

Mr. Troup made a motion to advertise for a part-time employee at the wastewater treatment plant at a rate of \$12 per hour for approximately twenty-nine hours per week. The motion includes a 120 day probationary period and a requirement that he makes progress toward a waste water license and obtains a CDL within one year. Mr. Reed seconded the motion. Council voted 4-0-2 to approve with Mr. Sees and Mr. Wynn abstaining.

### **Mayor's Report**

- Mayor Zboray reported that the new police vehicle, a 2015 Charger, has arrived. It was decaled at Nye's Body Shop and Keystone Communications installed the lights. Mayor Zboray rode with Officer Roth today and has had positive comments from the police and the residents.
- Mayor Zboray stated that they collected meter money. Last time it was collected, the amount was around \$1,350.
- Mayor Zboray said that he turned in Mayor's phone and is using his personal phone. He added that his number is available to anyone who wants it.
- The Civil Service test is scheduled for next week.
- Mayor Zboray said that several people called him about having a spring clean up. The Borough is holding a brush drop off is next week.

- The Mayor was told that the plow tore up some curbing on 6th Street between Prince and Hanover Streets.
- Mayor Zboray received a letter that the crew has done a good job at the King Street Park.

Adam Klock, councilman, entered the meeting at 7:33 p.m.

- Mayor Zboray read a letter from the American Legion Post 44 Adjutant Clair Baney regarding the Memorial Day Parade scheduled for May 25th, forming at King Street Park at 10:00 a.m. and moving at 10:30 a.m.
- Mayor Zboray thanked Ann Roll for decorating the King Street Park with blue ribbons for child abuse awareness month.
- The Mayor and Police Chief are working on obtaining grants to purchase cameras for the police vehicles.
- Steve Reed and the Mayor attended the Eagle Scout ceremony at the dog park on April 11th. The mayor thanked McKray VanKirk for the bridge that he put up at the dog park.

**Emergency Services Board - no report**

**Street Supervisor/ Code Enforcement Officer's Report**

Mr. Ted McCollum informed the council that he was told by UGI that the company will be digging up King Street. They will be at the base of 6th Street in three weeks. Mr. McCollum suggested that a letter be sent to the company to learn their intentions. He does not feel that he should issue a street cut permit for a road that has just been paved. Mr. Ruane stated that he has told the employee that he would like someone to provide something in writing about what they will be doing. Mr. Wynn asked if the Borough has any stipulation that requires a utility to pave a street if they open it within a few years of it being paved. Mr. Reed stated that he spoke to Dave Fisher of UGI and was told that they would pave the streets that had recently been paved. Mr. Ruane stated that the street committee meeting will be next week. Mr. Cimino stated that he does not represent this area for UGI, but feels that the Borough can come to an amicable agreement with the company.

Mr. McCollum said that the street sweeper is running well. Mr. Ruane asked why it is missing the dirt in the middle. Mr. McCollum stated that in the spring, the screens become clogged with the flower petals that the trees shed. Once the screens are dirty, they must be cleaned periodically. Mr. Wynn stated that the sweeper is being driven too close to the curb and is brushing the curb, knocking out stones. Mr. Wynn noted that he cleaned the street in front of his house and picked up two wheelbarrow loads of gravel from curbing. He added that the center broom does not do its job. When the street sweeper came down Front Street, the center was full of stones. Mr. Wynn said that when the sweeper is down where it is supposed to be, it will pick up the fine gravel. Mr. McCollum replied that he would check on the down pressure. He added that he does not think the Borough should be doing Front Street, cleaning up the mess that the state left. Mr. Wynn said that the Borough has always cleaned Front and Water Streets.

Mr. McCollum reported on the activity of the code officer; six street cuts, five violations, eighteen complaints, fifteen inspections, two zoning permits, and six building permits. He

said that he received a call today about the old W & S property. Closing is scheduled for the end of this month. The new owner is planning to put in either a dental or insurance office downstairs and an apartment upstairs. It was noted that the property will require a zoning hearing because it is in an area zoned R-2 and has not been utilized as a business for more than one year. Mr. McCollum stated that the realtor is aware of that.

## **Committee Reports**

### Community Development

#### 2<sup>nd</sup> Street Playground

Mr. Reed said that he, Paul, and Jan met with the Cianflone Group about the surfacing on the playground. The original quote was \$22,800. The owner provided some ideas. The area is larger than originally thought. For a price of \$19,090, the 70 ounce turf can be installed with the company representative overseeing the Borough's street department workers. He said that he would work along with the Borough's workers. Mr. Troup stated that he is concerned that if the Borough employees do the installation, it may not be done as well as if the company installs the turf. He questioned whether the warranty would be honored. The area is 43,000 square feet. The original quote of \$22,800 was based on 4,000 square feet. Other quotes were \$23,046 for the 50 ounce turf, installed, and \$24,525 for the 70 ounce turf, installed. The amount previously approved by council was 22,800. The Parks and Recreation account has funds that were given by Gerry Mertz for recreation and history displays. Money could be used from this fund so the turf could be installed and application could be made to the local foundations for funding which would reimburse the Parks and Recreation account. There is currently \$6,400 in the Norry Playground fund and \$4,000 that is budgeted for the 2nd Street Playground. Mr. Sees questioned if that money was budgeted for future expenses for the playground. Mrs. Rees stated for whenever we had something that required the funds. Mr. Reed stated that the company representative said that the Borough did get the life expectancy out of the tiles. The turf will be installed over the tiles. Mr. Klock stated that he is in favor of mulching the playground. Mr. Ruane moved to purchase the surface for the 2nd Street Playground from SPCKLC Enterprises LLC at a cost of \$24,525. Mr. Reed seconded the motion. Mr. Sees reviewed the proposed funding. Mayor Zboray stated that the Luther Savidge Trust meets tomorrow, but they already have a lot of people asking for money. He said that the Anselmo fund is for projects for children and the playground would qualify. He noted that the Moyer fund has earmarks for the Little League and the library. Any additional funding may be used for other projects. Mayor Zboray suggested that applications be made to these two funds. Mr. Klock said that mulch could be installed for much less and this money could be used to finish the gym. Mr. Troup stated that his concern is that it is being placed over the old surface and the tiles could curl up and rub the turf. Mr. Sees asked about the warranty and whether it would be pro-rated after several years. Mrs. Rees questioned if council would just need to vote on the difference between the \$24,525 and the \$22,800 that was previously approved. Mr. Tira responded that the motion is to approve a certain company at that amount. Mr. Reed stated that the company will address the high spots and fill in between the tiles with buffings where needed. Mr. Sees asked if there is a written warranty. Mr. Klock asked if it would be guaranteed since it is being placed on top of the tiles. Mr. Reed said that the company representative stated that there would be a full warranty. Mr. Ruane amended the motion that the purchase is

contingent upon satisfactory solicitor review of the contract and approval of council. Mr. Reed amended his second. Mr. Reed, Mrs. Rees, and Mr. Ruane voted yes; Mr. Troup, Mr. Wynn, Mr. Klock and Mr. Sees voted no. Motion failed.

Mr. Wynn left the meeting at 8:06 p.m.

Mr. Reed said that council had previously approved the \$22,800. Mrs. Rees stated that council has to do something to the playground. She suggested that someone from the company could come to a meeting to answer the questions and assure the council. Mr. Troup said that he does not understand why council is only looking at a \$25,000 answer, adding that other playgrounds have mulch. Mr. Ruane stated that it is too bad that other council members weren't at the meeting. He said that he and Steve have a working knowledge of what would happen. Mr. Troup stated that he would like to see a warranty that would cover the turf, adding that he wants to make sure the playground is safe. The representative also sells padding. He came to look at what was already in place and he said that the turf could be placed on top of it. Discussion ensued.

Mrs. Rees stated that the council had approved the mulch last year; but the mulch was never put there. Since then Steve suggested this grass and contacted the supplier. Mr. Ruane stated that the sand must come out before mulch is put down, as well. Mr. Sees stated that as long as the company guarantees that the warranty would be good for fifteen years, he would be in favor of it. He added that he is still concerned about obtaining funding to reimburse the Parks and Recreation account.

Mr. Sees asked Mr. Simpson what he plans to install under the playground at Pineknoller Park. Mr. Simpson replied that he plans to use playground mulch.

Mr. Klock made a motion to install playground mulch over the existing tiles. Mr. Troup seconded the motion. Mr. Klock and Mr. Troup voted yes; Mr. Reed, Mrs. Rees, Mr. Ruane, and Mr. Sees voted no. Motion failed.

Mayor Zboray suggested that if the company would provide a written guarantee, approved by the solicitor, council should reconsider purchasing the turf. Mr. Sees stated that if the Borough can get a guarantee and Ryan approves it, he would reconsider. Mr. Reed requested that the Borough Secretary email the company and obtain the guarantee in writing for the solicitor to review.

#### Pineknoller Park

Mr. Dick Simpson explained that when the fencing was installed, the batting cages had to be taken down. He found a company, 3T Products, that sells batting cages at a cost of \$1,810. He stated that the ballfield has \$1,245 from the Bud Ditton Memorial fund and \$2,400 left from the banner fund for a total of \$3,645. This amount would cover the cost of two batting cages. The money is in the Parks and Recreation account, earmarked for the ballfield.

Mrs. Rees moved to purchase the double batting cages at a cost of \$1,810 each with the funding coming from the proposed funds. Mr. Reed seconded the motion. Council approved unanimously.

Mr. Simpson met with county to arrange for prisoners to help with cleaning out the bank behind the ballfield.

#### BINGO

An email from Lou Latsha asked if the council would run the BINGO stand during Pineknotters' Days. She stated that volunteers from the Amazing Grace Church would be available to help set up and tear down.

Mayor Zboray questioned how much was raised last year. The first few years, it was believed to be over \$1,000. The last few years, the amount has been lower. Mayor Zboray suggested that instead of BINGO, council sell raffle tickets and draw a winner each night. He noted that BINGO involves setting up the large tent, putting up tables and chairs, taking the sound system down each night and covering up the BINGO machine. He said that selling raffle tickets would only involve a table and a few chairs.

#### Finance

Mr. Sees stated that the committee would meet at 6:30 p.m. on May 21st.

#### Personnel

Council has been provided with the new state requirements for clearances. The total cost is \$47.00. Application is made online. Discussion ensued.

#### Public Safety

Mrs. Rees said there is no report.

Mr. Reed noted that there are a lot of problems downtown, broken fences, broken windows, fights, gunshots. He said that he would be willing let the borough put cameras in his corner building. He spoke to Carl Libby and he has offered to install the cameras at his cost. Mr. Klock questioned where the police are. Mayor Zboray stated that the police do go downtown before the bars close and patrol the area. Mayor Zboray said that there are a lot of things going on in town that people aren't aware of. He said that he was with an officer this afternoon doing meters and she had four calls within half an hour. He added that he thinks it is a good idea to install cameras.

Mr. Bill Geise noted that this includes more than putting up cameras. An infrastructure must first be put in place with the remote access.

Mrs. Rees thanked Mr. Reed for offering to have the cameras installed in his building and to pay for the electricity costs. Mr. Troup asked that it be discussed at the public safety committee meeting.

#### Rules - no report

#### Streets

Mr. Ruane stated that the cost for the base repair may go over budget because the paver may have to repair 400 feet, instead of the original 200 feet on King Street on the lower side of the park

Mr. Ruane stated that he learned about a company that will install 3/4 inch of topping on the street. Mr. Ruane is looking into this product for next year. Strawbridge Road was mentioned as a good street for this application.

Mayor Zboray thanked Ted for taking care of blocking off King Street between Seventh and Eighth Streets where the gas company was working.

### **Old Business**

1. Mr. Klock stated that Mr. Tira would provide more information about obtaining new inspectors. Mr. Tira stated that the Borough may have more than one inspector at a time or open building permits may be transferred to a new inspector. Mr. Ruane questioned who would do inspections for nothing. He said that the current company has already received money for the permits and inspections. Mr. Troup asked about the possibility of allowing the current company to complete the ongoing projects and hire the new company to conduct inspections on new building permits. Mr. Klock asked Jeremy (Deitrick) if the sewer department was charged for any inspections. He responded that they weren't. Mr. Ruane stated that a new company would have to review the plans, which have already been reviewed by the current company. He added that the current company does not charge the Borough for Borough owned facilities. Mr. Klock stated that the Borough had to replace windows because there are two codes and the inspector followed the more stringent code. It was stated that previously Jim Soos was the Borough's Building Code Official. Now Ted McCollum is the Building Code Official and Jim Soos of Building Inspection Underwriters is the inspector. Mr. Ruane said that the BCO may overrule the inspector's decision. Mr. Klock asked Steve Siegfried how he feels about the inspector. Mr. Siegfried stated that he was incorrect in his interpretation to the codes relative to the building permit submission. It was time consuming securing the building permit. He does not know that this is an issue now. He said that he needs to make sure that the contractor knows who will be conducting the inspections so they are done on a timely basis. Mr. Reed asked if there was a misinterpretation about Falso's building permit that Joel Wiest came to discuss. He was told that the permit has been issued. The plans had originally been rejected because they weren't stamped plans. Mr. Klock asked if council is comfortable changing the inspectors and keeping the current company for the open permits. Mr. Sees asked if Jim Soos would be obligated, if council says they are using another inspector for other things, Jim Soos is still obligated to do what he has set out to do. Mr. Klock stated that if he wouldn't conduct the inspections, he would have to refund the money for the unexecuted services. Mr. Klock said that the sewer plant project was held up a month on the timeline and cost the engineering firm \$5,000 to reprint the drawings. Mr. Ruane questioned if the new company would do the inspections for free. Mr. Klock asked if he should check. Mr. Troup agreed. Mr. Sees stated that if it would cost the Borough additional money, he would keep Jim Soos as the inspector for the projects that are already started.

### **New Business**

1. Mr. Reed moved to pay the bills. Mr. Troup seconded the motion. Mr. Sees questioned what portion of the Verizon Wireless bill was for the police tablets. He was provided with the bill. Mr. Sees questioned if internet service is required for the tablets. Mayor Zboray stated that they do need internet service. Mr. Troup stated that

they should be Wi-Fi. Mr. Geise stated that Wi-Fi is only for a short distance. The internet is secured. Mr. Sees stated that there is an additional cost for the internet that he was not aware of. He does not think this was part of the budget. Council voted five to one to approve payment of the bills. Mr. Sees voted no. Bills to be paid from the General Fund total \$32,344.24; Liberty Splashland bills total \$145.94; Park and Recreation Fund bills total \$1,008.10; DEP Account bills total \$50,203.18; Donations Account bills total \$168.35; Parking Meter bills total \$400.00; and Sewer Department bills total \$81,916.56.

2. Upon motion by Mr. Reed, seconded by Mr. Klock, council voted unanimously to approve the handicap parking request from Victor Soble at 357 Third Street, to be reviewed on an annual basis. Mr. Sees asked if anyone with a handicapped placard may park in the handicapped spaces that are approved by council. He was told that they may.

**Executive Session**

Mr. Troup stated that the council would adjourn to an Executive Session to discuss personnel issues, litigation, and contract issues. He stated that the council may return to vote. The meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Janice R. Bowman  
Borough Secretary