

Borough of Northumberland
175 Orange Street, Northumberland, PA 17857
Northumberland Borough Council Meeting
May 18, 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, and James Troup. Council member Adam Klock was present by teleconference. Others present were Mayor Zboray; Jeremy Deitrick, Street Superintendent, and Janice Bowman, Borough Secretary. Council member Harry Wynn was absent.

Public Comment

Mr. Steve Cimino informed the council that the grass at the school property is twenty-six inches high. The Borough ordinance prohibits grass higher than six inches. He said that he knows the code officer isn't here tonight, but asked if council could do something about it. Mr. Troup stated that he would contact Mr. McCollum and make sure he contacts the school.

Mr. Cimino told the council that he had filled out a right-to-know form concerning the use of Borough equipment. He stated that part of his request was denied, and he understands why, because the Borough Secretary stated that she has not seen a written policy, nor has anyone else in the office. Mr. Cimino asked who on the council or an employee has the right to allow anyone to use Borough equipment. Mr. Troup stated that he thought she had said there was a written policy. The Borough Secretary stated that she had said that she had not seen a written policy, but it had been the practice. Mr. Troup said that he has only seen a fee schedule. Mr. Ruane added that there is a resolution now to ban this. Mr. Cimino said he feels he has a right to know why all this transpired prior to this. Mr. Ruane said that he thought that it could be done. He said that it is done and over and nothing happened. Council is now trying to correct the situation. Mr. Cimino said that he appreciates that; but can't stress enough the Borough's liability. Mr. Cimino said that he also requested information about who had rented the equipment and was provided with a spreadsheet with the list of names. He questioned who determined the amount of time that should be billed for the use of the equipment and the employee time. The Borough Secretary replied that she invoiced based on the amount of time that she was told by whoever was in charge at the time. Mr. Cimino said that the invoice for Harry Wynn said that the backhoe use was 1.5 hours. He asked if it was based on the meter, noting that if someone rents from a rental company, they are charged by the day, whether the hour meter moves or not. He asked who determined the amount of time. The Borough Secretary stated that she asked the street supervisor what should be billed. Mr. Cimino stated that the equipment was on the property for approximately four hours. Mr. Cimino said that he understands that this is being corrected, but feels that the Borough could be losing money. Mr. Troup asked if the bill had been paid yet and was told that it wasn't. Mr. Sees asked if the

Borough Secretary spoke directly to Ted (McCollum) about the bill. She responded that she had.

The question was asked if there is documentation to be completed by the renter. The Borough Secretary stated that there is no documentation that to be completed.

Mr. Reed stated, that being on Borough Council, he would not want to set himself up by using the Borough equipment. Mr. Troup stated that if there is not a policy in place, it sheds a bad light on everyone who sits on council.

Mr. Cimino asked if he would have been permitted to rent the equipment. Mr. Sees stated that in his opinion, he thinks Mr. Cimino would not have been permitted to use the equipment.

Mr. Cimino stated that he would like to see this followed through and if anything needs to be adjusted on the billing, it should be adjusted.

Mr. Troup stated that by Mr. Cimino bringing this to the council, it should not happen again. He noted that there is a resolution written up and that, if it passes, will not happen again.

Northumberland Sewer Department Report

- Mr. Klock stated that there are things to discuss in the Executive Session.
- Mr. Jeremy Deitrick informed the council that the heating and cooling unit in the office at the sewer plant is shot. He obtaining quotes to replace or repair the unit. The one quote he has received to replace the unit is \$8,750. This is an electric unit. There is no gas service at the plant. Repairs to the existing unit could run over \$2,000. The unit is a three ton unit. Mr. Deitrick was also advised that the duct work should be insulated.
- The I&I project is underway in the Borough. They will put an epoxy on the lines tomorrow and Wednesday. Sixth Street will be slip-lined tomorrow.
- The contractor, Fulkroad, has been onsite Monday through Thursday.
- Mr. Klock stated that Personnel will be meeting on Friday to review the resumes for the part-time position.
- Mr. Klock asked if the server is up and running. Mr. Deitrick replied that Jeff and Victor are working with Service Electric to get the ISP addresses.

Mayor's Report

- Mayor Zboray informed the council that Dick Simpson will be speaker for the Memorial Day Ceremony at the Riverview Cemetery. The parade to the cemetery will form in the King Street Park at 10:00 a.m. and move at 10:30 a.m.
- Mayor Zboray stated that S. Luther Savidge Trust has provided funding for re-wiring a portion of the King Street Park. The topic will be discussed later in the meeting.
- Mayor Zboray was contacted by PennDOT about the traffic light at Water and Duke Streets. A company had contacted PennDOT about a trucker who was stopped at the light. Mayor Zboray said that an officer checked and reported that the light was working properly through five cycles. He also said that if the trucker was above the stop bar, the light may not have worked properly, or there may have been a glitch. He said that if anyone is contacted about a problem, to let the office know. He noted that

there was a problem with the light a few years ago, and Penn DOT wanted the council to replace the light which was not done.

- Mayor Zboray announced that the S. Luther Savidge Trust has provided \$9,800 for cameras for two police vehicles, the Durango and the new Charger. He noted that the cameras will protect the officers and will show what is going on in town. A third camera may be funded in the future for the other police vehicle.
- The S. Luther Savidge Trust is also providing \$16,588 toward funding the Liberty Hollow Run trail. This amount satisfies the match that was required for the \$94,000 grant which has been awarded by the Pennsylvania Commonwealth Financing Authority (CFA). Mayor Zboray stated that the Savidge Trust is providing some of the money this year and some next year. The trail will provide a safer way to get from the hill section to Liberty Splashland and other downtown areas, instead of having to use Strawbridge Road. The trail will be built on the unopened portion of Washington Avenue. Mayor Zboray thanked Ann and Jan for their work to obtain the grant funding.
- The foundation has also provided funding for the King Street Park re-wiring. Mr. Ruane said that he is going to check on the conduit that had been installed at the park several years ago.

Emergency Services Board Report - No report

Street Supervisor/ Code Enforcement Officer's Report - No report

Committee Reports

Community Development

Mr. Reed stated that the committee met last week and talked by telephone to the company representative about the turf for the 2nd Street Playground. There are thirty-five tiles left over from the initial tile installation which will be used to replace any compromised tiles. The company representative feels that this will be a sound endeavor. The committee is recommending that the company install the new turf at a cost of \$24,525. The installation will take place around the middle of June. Council has been provided with the warranty from the company. Mr. Klock stated that the warranty does not cover labor and the turf is prorated. He questioned why, if the company feels it is a worthwhile endeavor, they don't warranty the installation. Mr. Reed stated that the company can only cover so much. They are covering their product; they can't cover the situation underneath it. Mr. Reed stated that we have a nice playground that is used hard. He has been told by several people that within the next three years, mulch will not be permitted because of the liability issue. Mr. Klock stated that the mulch could be taken away at that time.

Mr. Reed made a motion to have the turf installed at the 2nd Street Playground at a cost of \$24,525. Mrs. Rees seconded the motion. Discussion ensued. Mr. Sees questioned where the money is coming from. The Borough Secretary stated that there is \$7,000 in the Norry Playground Fund and \$4,000 that was included in this year's budget for the 2nd Street Playground. Mr. Sees stated that he runs numbers and feels there are more bills out there than what we have right now. He added that if it was guaranteed that we could get the rest of the money, he would be on board. He stated that there are run-out claims for the insurance of \$9,900 for the first three months and

it concerns him. He said that every day that goes by, the playground is a liability. Mr. Klock stated that he would prefer that mulch be installed now until grant funding is secured. Mr. Reed stated that if the council would want to save money, they could have the Borough employees install the turf with the company representative on site overseeing the installation at a total cost of \$19,090. Mayor Zboray asked about the bequest from Joe Epler. That money is earmarked for renovations to the gymnasium or history displays. There is money from Gerry Mertz's bequest that is designated for history displays and recreation. The remaining amount for the turf could be funded from this money which is in the Parks and Recreation account until application is made to one of the local foundations. Discussion ensued. Mr. Reed amended his motion to include using funds from the Mertz bequest for the additional amount required for the purchase and to replenish that money as other funding is secured. Mrs. Rees amended her second. Council voted 5-1 to approve the motion with Mr. Klock voting no.

King Street Park Electrical Upgrades

Mr. Reed read a memo from Ann August about the electrical plan for King Street Park. The upgrades would be done by the four quadrants of the park. She met with K&N Electric who provided the quote of \$8,313 to install a new main electrical panel, five in-ground flush concrete boxes in quadrant A, and to rewire the gazebo. The Savidge Trust has provided \$9,500 this year toward the project. The remainder of \$1,187 would be used to repair the decorative streetlight lamps throughout the park, the removal of disconnected receptacles, and to install new receptacles on top of the decorative streetlight lamps as well as the cost for the trench, backfill and grass reseeding. The other three quadrants would be re-wired in the future as funding is secured. Ann August has approached the Kiwanis Club/ Pineknotters' Days Association for a donation toward the project. Mr. Reed moved to accept the quote of \$8,313 from K&N Electric. Mr. Sees seconded the motion. Mr. Troup asked if another quote was obtained. Mayor Zboray stated that K&N was contacted because he was familiar with the project, having rewired the park in Sunbury and K&N has always done good work. Council voted 4-2 to approve with Mr. Troup and Mr. Klock voting no.

Gymnasium

Mr. Reed had an email from Troy Smith. He is waiting on the final plans from his electrical and HVAC contractor.

Fire Police Building

Mr. Jon Apple explained that the UGI would install a natural gas furnace at the Fire Police building at a cost of \$1,000. Once the work is completed, the company will return the money through a grant. Mr. Apple stated that the electric heating cost was around \$1,600 last year. Mr. Reed stated that the gas heat would probably be about half that amount. Mr. Reed moved to approve the gas service at the Fire Police building. Mrs. Rees seconded the motion. Council approved unanimously.

Liberty Splashland – Swimming lessons

The Borough Secretary read information from Rebekah Kline regarding swimming lessons and lifeguarding classes. The first session for the progressive swimming

lessons would be June 15th to June 26th and the second session would be July 6th to July 17th. The pre-lifeguarding classes for ages 9 to 14 would be held from July 6th to July 17th and lifeguarding classes from June 8th to June 26th. They may end earlier, depending on how quickly everyone learns the skills. The participants must be 15 years old by the last day of the class. The fee for the pre-lifeguarding class is \$50 and the lifeguarding class is \$115. The fee for the swimming lessons wasn't available. The Borough Secretary had emailed the information to Travis Fisher. He said that Jonathan Ruths is willing to help with the classes. Mayor Zboray questioned if the lessons were profitable. The Borough Secretary responded that as far as the lifeguarding, that fee is paid directly to Ms. Kline. Mr. Reed moved to approve the request from Rebekah Kline to offer swimming lessons. Mr. Troup seconded the motion. Mr. Sees suggested that since council doesn't have an established fee for the swimming lessons, the phrase, pending reasonable rates be included in the motion. Mr. Reed amended his motion. Council voted unanimously to approve.

Dog Park Work Party

Mr. Reed asked Mr. Klock if he had talked to Phil Hallden about a work party. He said that he has contacted him, but hasn't been given a date. Mr. Klock stated that he hasn't been involved in the park since last year. Mr. Reed said that he would talk to him again and if he is too busy, he thinks that Jamie Mercado would be interested in overseeing a work party. Mr. Klock stated that she has taken over the Facebook page for the dog park. He said that she is pretty involved and he feels that she would be willing to help.

Girl Scout House Work Party

Barbara Kistner has a work party scheduled for June 6th beginning at 9:00 a.m. A company from Milton has donated flowers which will be planted around the building.

Finance

Mr. Sees stated that the committee would meet at 6:30 on May 26th. Mr. Klock asked if Mr. Sees would like Ed Margel to attend the meeting to demonstrate the Access database that he has developed for the employees' time off. Mr. Sees stated that that would be fine or he could go down to the sewer plant to look at it.

Personnel

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

Public Safety

Mrs. Rees stated that the committee met this evening instead of tomorrow evening because of Election Day. They discussed the concern that Chris Skelly brought to council about the intersection at Water and Queen Streets. The committee wants to have the streets painted with arrows. Mr. Ruane stated that he would work with Ted. Mr. Troup stated that the intersections at Water and Duke Streets and King and Water Streets are also the Borough's responsibility to paint the lines.

Mrs. Rees said that the committee discussed obtaining cameras for the downtown area.

David Helsel has volunteered to serve as a member of the Fire Police. Upon motion by Mrs. Rees, seconded by Mr. Ruane, council unanimously approved the appointment of David Helsel to the Fire Police.

Rules - No report

Streets

Mr. Ruane stated that at the last committee meeting, he, Ted McCollum, and Jan Bowman met with UGI representatives to discuss the work that they have planned for this year. The company is planning to replace the cast iron pipes in the Borough. The paving will be postponed until September so the work can be completed. They said that UGI will pave one half of any Borough streets that have been paved within the last five years. Mr. Ruane noted that the company will offer gas service to the property owners before the new line is installed. They will not dig up the street for new gas service for five years once the street is paved.

Old Business

1. Liberty Hollow Storm Pipe Replacement

The Borough Secretary stated that FEMA has approved the Borough's request for additional funding to replace the pipe. The original agreement with Hazen and Sawyer for professional services totaled \$44,100. So far, the survey and study have been completed at a cost of \$22,500. The cost for permitting is \$3,900 and the design fee is \$17,700. Hazen and Sawyer have provided PEMA with their fee schedule for additional meetings and inspections during construction. PEMA has approved a time extension for the Liberty Hollow Storm Pipe Replacement project until September 12th. If additional time is required, the request must be made to FEMA. Because the project has become more extensive, with a new headwall, it must be rebid. Mr. Ruane made a motion to have Hazen & Sawyer continue with their work for the Liberty Hollow Pipeline. Mr. Klock seconded the motion. Council approved unanimously.

New Business

1. Mrs. Rees moved to approve payment of the bills. Mr. Ruane seconded the motion. Mr. Sees noted that the Borough has received a bill for the run-out claims from Benecon. He feels that before payment is made, Benecon should provide a breakdown of the costs so the Borough may verify that the fees are accurate. He said that no medical information would be requested, just the employee/dependent name, the date of service, and the cost amount. Discussion ensued. Mrs. Rees amended her motion to exclude the bill from Benecon for the run-out claims. Mr. Ruane amended his second. Council voted unanimously to approve payment of the bills. Bills to be paid from the General Fund total \$10,720.14; Parks and Recreation bills total \$3,590; and Sewer Department bills total \$22,429.86.
2. Upon motion by Mr. Reed, seconded by Mrs. Rees, council unanimously approved a handicap parking request from Allison Bensinger at 545 Hanover Street.
3. Mr. Klock made a motion to adopt Resolution D-2015. Mr. Sees seconded the motion. Council voted unanimously to approve. The motion is as follows:

RESOLUTION NO. D - 2015
BOROUGH OF NORTHUMBERLAND
NORTHUMBERLAND COUNTY, PENNSYLVANIA

WHEREAS, the Borough Council of the Borough of Northumberland (the "Borough") has determined that it is in the best interest of the Borough and its residents to limit the use of Borough owned equipment to matters of Borough business; and

WHEREAS, the Borough Council has determined that this limitation will serve the public interest by reducing the Borough's potential liability and extending the life of the Borough owned equipment; and

WHEREAS, the Borough Council in furtherance of this decision has established the following policy:

1. All Borough equipment, including but not limited to machinery, hand tools, power tools, vehicles and heavy equipment, shall only be operated by qualified Borough personnel.
2. All Borough equipment shall only be utilized for Borough business. Borough business will be considered to be matters carried out for the general public and within the scope of the Borough's general duties. Borough business shall not be considered work done for the personal benefit of any individual, including employees, elected officials or other residents.
3. Borough business shall include steps taken by Borough personnel on private property to rectify or enforce Ordinance violations, such as property maintenance violations. Such action shall be taken only after notice has been properly provided to the property owner. Further, all such use of Borough owned equipment on private property shall be billed to the property owner at the established rates.
4. The established rates are to be utilized solely for the purposes of billing property owners for services provided by the Borough due to the property owner's failure to comply with a notice of violation of an Ordinance. The rates are not to be considered rental rates for the private use of Borough owned equipment by individuals.

WHEREAS, the Borough Council has determined that the above policy furthers the public interest of limiting the Borough's liability and preserving and extending the life the Borough owned equipment;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Northumberland that the above policy on the use of Borough owned property is hereby adopted.

ADOPTED as a resolution of the Council of the Borough of Northumberland, Northumberland County, Pennsylvania, this 18th day of May, 2015.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: _____
Janice Bowman, Borough Secretary

By: _____
James Troup, Council President

Passed this 18th day of May, 2015.

By: _____
Len Zboray, Mayor"

Executive Session

Mr. Troup announced that the council would go into an Executive Session to discuss personnel issues. He added that the meeting may be reconvened. The meeting was adjourned at 8:35 p.m. and was not reconvened.

Respectfully submitted,

Janice R. Bowman
Borough Secretary