

Borough of Northumberland

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Borough of Northumberland 175 Orange Street, Northumberland, PA 17857 Northumberland Borough Council Meeting April 3, 2018

President Paul Ruane called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited, and Mayor Dan Berard offered an Invocation.

Roll Call

Council members present were Paul Boyer, Ralph Cianflone, Ellie Rees, Paul Ruane, Ty Sees, Orlando Toro, and James Troup. Others present were Mayor Berard; Ryan Tira, Borough Solicitor; C.L. Kriner, Police Chief; Jeremy Deitrick, Sewer Department Superintendent; MaryKay Clark, Code Enforcement Officer; and Janice Bowman, Borough Secretary.

Penn DOT Update

Mr. Ted Deptula informed council that Front Street will be finished on the one side of the road next week. The construction crew will then start on the other side of the street.

Duke Street is going slower than anticipated. They expect to work until a few days before Pineknotters' Days, and then will stop work until after Pineknotters Days. They will complete the phase that they are working on now and hopefully the next phase before stopping for Pineknotters' Days. The original schedule was to have this phase completed by the end of April, but it will be sometime in May. The changes in this section include size and types of pipes. Some of the underground utilities were located higher than anticipated. Sewer pipes will be changed in two locations. Some of the laterals were changes.

Mr. John Moore stated that he understands that it is not possible for the Borough to stop every vehicle over 36 feet long. His concern is that a truck may crash into a house. He noted that a truck came very close to the porch of a house at the corner of Queen and Sixth Streets. Truckers traveling southbound are opting to continue on Queen Street to 2nd Front, or Water Street and not turning onto Third Street, the designated detour. The police have done an excellent job in getting people to park on one side of the street. The block between 3rd and 2nd Streets is not part of the detour, so vehicles are parked on both sides of the street.

Mr. Terry Snyder, a resident at Sixth and Duke Streets, stated that he sees trucks coming south, rarely trucks going north. He counted 13 trucks coming through today. He stated that he rarely sees a police officer there. He said that they turn people around and do not always write tickets. He stated that the curb has been lowered at his property and the truckers drive over the curbs. Mr. Ruane stated that the last he knew, over 90 tickets were written. Mr. Ruane added that he understands the frustration; he will have it at his home.

Mayor Berard asked if there is a way to have additional signage or a way to improve the signage. Mr. Deptula stated that they are looking at options and have implemented some changes.

Mr. Snyder asked if the state police could patrol Duke Street since it is a state road. Mr. Ruane stated that it is in the Borough.

Chief Kriner stated that 136 tickets have been issued since the beginning of March.

Mr. Pat McHugh, a resident at Queen and Third Streets, commended Mr. Deptula and PennDOT for the upgrades to the roads. However, he said that PennDOT fails on directing the traffic. He stated that the excuses for the inadequacies of the signage and detour are unacceptable. Mr. McHugh stated that his house looks like a construction zone. His water line was smashed into the ground because an 18-wheeler came across the yard. He said that the excuses that the truckdrivers don't speak English and follow their GPS when they shouldn't be in town are absurd. He said that the police have been at his home numerous times because of the trucks. He saw a truck driver flinging the cones that were set up along his property. He asked what PennDOT will do to make improvements for the traffic situation. He asked who is going to fix the sidewalks and curbs that have been damaged and when. He invited PennDOT to come and look at the traffic at his corner and his property. Mr. McHugh stated that the repairs of his water line will be a \$4,000-\$5,000 fix.

Mr. Moore stated that he has seen someone confront a trucker and is concerns that this could escalate because of residents wanting to keep truckers from coming through town.

Mr. Deptula stated that he hears their frustration. He said that they may be asking for the pictures of sidewalks and curbs to show PennDOT the original condition of the property. Mr. Deptula stated that PennDOT examines the detour and tries to place signs in the best locations. Someone noted that there is no detour sign at King and Third Streets.

Mr. Troup suggested that PennDOT should contact Google or Apple to have them post on GPS that the road is closed. Ms. Mindy Foresman stated that PennDOT has a 511 app that has the detour. She has talked to the traffic unit about this and there are other websites such as "ways" that have directed people to travel WestWay. She added that these apps work by people inputting directions. Mr. Deptula stated that they are trying to get information on how to change these apps.

Mrs. Moore asked if the original detour was to put the traffic on King Street all the way to the park. And because of a few people, the detour was changed. She stated that Queen Street is too narrow. She feels that the detour should be on King Street because it is a wider street. Mr. Deptula responded that several routes were considered. Mr. Ruane added that there was a meeting with several groups of residents and the current method was felt to be the best option.

Mr. Troup stated that trucks should not be in town.

Mr. Moore stated that trucks making local delivery may be in town. He said that truck drivers should be able to make the turns.

Mr. Boyer questioned if there could be signage sending trucks out Ridge Road.

Mr. Troup noted that the signs at the Duke and Water Street intersection face SUNCOM. The truck drivers may not notice the sign until they turn onto Duke Street. He asked if the signs could be turned so they are more visible to the truck drivers traveling on Water Street.

Mr. Deptula stated that they will see what improvements can be made.

Mr. Moore thanked the council and PennDOT for listening to their concerns.

Mrs. Rees stated that since we only have one police officer on duty, she would still like help from the state police.

Northumberland Borough Sewer Department

- Ms. Michele Aukerman, an engineer with RETTEW, provided a status report to the council. She stated that RETTEW is working with Jeremy to address the deficiencies with the reconstruction project.
- The engineers are working with Jeremy on issues with the pump controls at the Queen Street Pump Station. There are some failed control system components, so they made modifications to the control system to avert the possibility of a major control system failure.
- Mr. Jeremy Deitrick, informed council that he has 2017 reconciliation for the Sewer department customers to be approved. Point Township currently owes the Sewer Department \$1,106,647.96. Mr. Deitrick recommended that council approve a credit of \$92,029.24 to Point Township and a credit of \$5,182.82 to Upper Augusta.

Mr. Boyer made a motion to accept the reconciliation for the Sewer Department customers. Dr. Cianflone seconded the motion.

Mr. Sees asked if Point Township is paying toward their bills. Mr. Deitrick replied that they are paying at the flow rate at \$4.50 instead of \$7.67. He explained that the reason they are getting a credit is because the sewer department didn't spend the \$222,000 difference between the budget and the actual expenses because he didn't want to end the year in the red. Instead, the department ended the year in the black by about \$14,000. However, I&I projects were eliminated to save on the expenses.

Council unanimously approved the motion.

- Mr. Deitrick stated that a delinquency policy will be submitted to the Rules Committee to review.

Mayor's Report

Mayor Berard provided a report on the activity of the police department for the month of March. In addition to the 136 traffic citations, there were 4 non-traffic citations, 35 parking tickets, 42 court appearances, 13 people arrested for D.U.I.'s, simple assaults, drugs, or thefts. There were 409 calls for service for the month of March. The police assisted at 39

calls, twelve to Point Township, twelve to Sunbury, and 15 to other agencies. 1,660 miles were logged on the vehicles.

Committee Reports

Community Development

- Dr. Cianflone reported that the committee met last Monday.
- Brian Auman has looked at the pool area and will be working on various scenarios for the property.
- John Herring was present at the meeting. He is taking over the at Pineknott Park from Mr. Simpson. The lawn tractor has been taken to Bloom's for an estimate to repair. On April 14, there will be a work party at the ballfield. Plans are to call Meckley's to purchase cracker dust; to get the batting cages fixed up; get some carpet donated for the batting cages; contact Apollo Fence come to repair the fencing; and work on replacing a couple of lights.
- Dr. Cianflone has a couple of people coming in to provide estimates for heat and the A.C. for the gym.
- An 8th grade teacher from the Shikellamy Middle School has requested permission to have a semi-formal in the gym. Since there is no occupancy permit for the gym, Dr. Cianflone made a motion to allow the 8th grade to hold the semi-formal in the Savidge Room, free of charge. Dr. Cianflone stated that he would pay the security deposit. Mr. Boyer seconded the motion. Mr. Tira advised that the agreement should be completed along with a certificate of insurance from the school. Council approved unanimously.
- Mr. Troup questioned the amount of the fee for the consultant and if it had been voted on. Dr. Cianflone responded that the fee is \$2,500 and council had approved it.

Finance – no report

Personnel

- Mrs. Rees reported that Brian Probst passed the pesticide test.
- There are issues to discuss in the Executive Session.
- Mr. Toro made a motion to hire Attorney Melissa Kelso on an as-needed basis for informational purposes to work along with our solicitor to get a second opinion. He noted that it would further strengthen our personnel background with Labor-Management Relations and grievances. Mr. Ruane seconded the motion. Mr. Sees asked what the rate would be. Mr. Toro stated that the rate is \$150, the same as Mr. Tira's rate. Mr. Sees noted that if she is to be contacted for a second opinion, the Borough is then paying \$300 per hour. Dr. Cianflone questioned if the personnel committee would come to the council for approval whenever they felt a second opinion was necessary. Mr. Tora replied that he would recommend coming back to the board before requesting the second opinion. Mrs. Rees stated that she feels the Personnel Committee should be entrusted to determine when another opinion is needed. She noted that Melissa and Ryan have agreed to work together. Mr. Sees questioned if approval of the majority of council is needed when public money is spent. Mr. Tira responded that if council approves this motion, it would not be required. Mr. Sees stated that it should come before all

council. Mr. Sees added that he's heard Mrs. Rees praise the great job that Ryan does as solicitor and questions why a second opinion is needed. He added that if a second opinion is needed, then we need a new solicitor, with no disrespect to Ryan. Mr. Troup agreed, adding that the council spends enough in legal fees. Mr. Sees encouraged people to check it out; to dive into borough affairs. Mrs. Rees explained that she thinks Ryan is wonderful. She noted whether it's the medical field or something else, sometimes we need to gather more information. Mr. Toro stated that based on the previous union handlings, he believes that it is for the benefit of the Borough, so he is making the motion to hire Attorney Melissa Kelso on an as-needed basis to work in conjunction with the solicitor for personnel reasons. Mr. Ruane seconded the motion. Roll call vote – Mr. Ruane, Mr. Toro, and Mrs. Rees voted yes; Mr. Sees, Mr. Troup, Mr. Boyer, and Dr. Cianflone voted no. Motion failed.

Public Safety – no report

Rules

Mr. Sees requested that Mr. Deitrick provide the committee with a copy of the policy.

Mr. Troup announced that the Rules Committee would meet next Monday, April 9th, at 6:00 p.m.

Streets

Mr. Boyer provided the following results for the stone bids that were bid through the COG:

1. 2A sub-base, 200 ton, picked up at the quarry - \$9.00 per ton for a total of \$1,800; delivered - \$12.65 per ton for a total of \$2,530.
2. Cold patch, 100 ton, picked up at the plant - \$125 for a total of \$12,500; delivered - \$130.35 for a total of \$13,035.

The low bidder was Meckley's Limestone. Mr. Boyer moved to approve the bids from Meckley's Limestone. Mr. Ruane seconded the motion. Council approved unanimously.

Mr. Troup asked about two street cuts on Second Street between Hanover and Orange Streets. Mr. Ruane stated that he's working on it, noting that there are two there and one on Hanover Street.

Old Business

1. Priestley Avenue Pipe

It was learned that a pipe was installed after the tanker accident in the 1990's. Minutes from 1996 state that a motion was made to hire the Feaster Company to do the work. Mr. Tira reminded council that he met with DEP on site and a decision is needed as to who is going to be the permit applicant and get the approval from DEP. DEP will provide a letter of approval. The recommendation was to make an open channel. Dr. Cianflone asked if the Borough takes the pipe out, will the property owners take care of the ground. Mr. Walker stated that he would. Mr. Ruane stated

that it is up to the council to decide what to do. Dr. Cianflone questioned that since the land is not the Borough's property, what would prevent someone else from asking the Borough to pay for repairs to their property. Mr. Tira explained that a surveyor would be required to determine on exactly whose property the pipe is located. He thinks that the pipe is located close to the property line. Mr. Tira advised that if the council wants to get into some more legal discussion about claims, they may want to go into Executive Session. Mr. Ruane stated that the crew has said that they could take out the pipe. Dr. Cianflone noted that if the Borough fixes this property, other people in town may come to the Borough to fix their property.

2. United Way Days of Caring will be held on April 27th. Requests were submitted for volunteers to work at the 2nd Street Municipal Center, the Little House, and King Street Park.

New Business

1. Upon motion by Mr. Boyer, seconded by Dr. Cianflone, council unanimously voted to approve payment of the bills. Bills to be paid from the General fund total \$66,104.26; Liberty Splashland bills total \$113.84; Parks and Recreation bills total \$88.00; Parking Meter bills total \$392.29; and Sewer Department bills total \$86,315.00.
2. Mr. Fritz Dabulis informed council that BIMBO told him to come and see council concerning the black, sooty substance on the neighboring houses. Mr. Ruane said that the only house he sees anything on is the one on the corner of Sixth and North. He stated that it looks like a mold or fungus because it is worse under the shade tree. Mr. Dabulis responded that the property owner of that property lives alone. The other neighbors are cleaning their houses, patios, concrete. He noted that he's installed new windows and facia and new concrete. He said that it is already turning black. Mr. Dabulis stated that you cannot get the black soot off the siding. Mr. Sees stated that the bakery has been here for several years. He questioned when the problem was noticed. Mr. Dabulis replied that it started when BIMBO took over. Mr. Ruane stated that you cannot see anything coming out of the vent. Mr. Dabulis stated that the fan on the roof is black. Mr. Dabulis also noted that the company is planning to add on to the building. He noted that there are orange markings on the street. Mr. Troup explained that the markings are for a PA One call. Mr. Dabulis asked if there is a set-back requirement. Mr. Ruane said that there is a set-back requirement. However, there is a stipulation in the codes that say that you may go by the adjoining area. Mr. Dabulis asked why there is no permit for the building and what happens if they begin work. Mr. Ruane replied that if they begin working without a permit, the work will be stopped.

Mr. Ruane stated that the code officer will be asked to check out the complaints, make a report on what she finds and contact the appropriate agency.

Mr. Dabulis asked when the temporary permit runs out for the trailers. Mr. Ruane said that he didn't know; but noted that they can request an extension. Mr. Dabulis asked if the Borough is going to give it to them. Mr. Ruane stated of course. He

questioned how the Borough could deny it, adding that they are going to submit their plans for the addition. Mr. Dabulis stated that they shouldn't have been given a permit and council knows it. Mr. Ruane stated that there are supervisors that take care of the work in the various departments; he is not into their business. He added that MaryKay (Clark) will check on it.

3. Borough Council received an invitation for the Open House at the Albright Center in Sunbury on April 20, 2018 from 11:30 to 1:30.
4. Sean Mowery, a resident of 459 King Street, asked council about parking. He said that there is less traffic flow in the evening and asked if the parking restriction could be relaxed for overnight parking for both sides of the street. He added that most of the residents work during the day. Mr. Boyer noted that the contractor has plans to work 24 hours a day. Mr. Ruane added that council would have to ask PennDOT because this is their detour.

Executive Session

Mr. Ruane announced that the council would go into an Executive Session to discuss personnel, union, and litigation issues. The meeting was adjourned at 8:23 p.m.

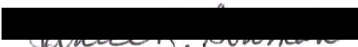

Mr. Ruane reconvened the council meeting at 9:56 p.m.

Mrs. Rees moved to approve contracting with idexpertscorp.com for any individual whose information has been compromised for a period of 10 years. Mr. Boyer seconded the motion. Council approved unanimously.

Mrs. Rees moved to submit application for quotes for cyber security insurance. Mr. Troup seconded the motion. Council approved unanimously.

Mr. Troup moved to adjourn. The meeting was adjourned at 9:58 p.m.

Respectfully submitted,



Janice R. Bowman
Borough Secretary