

**MINUTES**  
**REGULAR COUNCIL MEETING**  
**May 15, 2017**

**AGENDA:**

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday MAY 15, 2017 at 7:00PM; in City Hall. Presiding at this meeting was Vice President of Council Scott Bower, Council Members Jay Jarrett, Andrew Shecktor, Travis Petty, Joanne Huntington, Larry Surkin and Mayor Tim Burke.

Also present were Borough Manager Debra Force, the solicitor Attorney Frank Kepner, Police Chief Ken Strish, DPW Foreman Jack Kyttle, Fire Chief Randy Remphrey, and Press Enterprise reporter Susan Swartz.

Absent from the meeting was Council President Alvin Hill, Enforcement Officer Greg Harkins and the engineer.

A moment of silence was observed and The Pledge of Allegiance was said.

**REVIEW &**  
**APPROVAL**  
**OF AGENDA:**

Council Vice President Bower asked for a motion for Council to move into executive session to discuss personnel issues.

Motion to move into executive session was made by Councilman Petty, seconded by Councilman Surkin. All ayes, motion passes. Council moved into executive session at 7:02PM.

Council entered back into session at 8:03PM with a motion by Councilman Surkin, seconded by Councilman Petty, all ayes.

At this time council moved to the next agenda item without approving the agenda.

**PUBLIC HEARING,**  
**CITIZENS**  
**CORRESPONDENCE,**  
**PERSONAL APPEALS:**

**Berwick resident on Sycamore Street.**

Her sidewalks were damaged during the construction of the new school. She said she and her neighbor were promised new handicapped sidewalks by the school. She has been at a

school board meeting and they advised her to come to a Council meeting to discuss the issue with the borough. Also Street sign at Washington & Sycamore is down.

**Resident Larry Holloway from Arbor & Elm Streets.** Have a problem with storm water that he never had in the 5 years he has lived here. The way the grading sit now the water runs around the corner by Elaine Sheetz house, not very much of the water goes down the storm sewer that is higher. The drain now sits higher than the road and water is running around the drain. Pictures went around the table for members to look at. Jack Kytte said that it was installed by BAJSA. Vice President Bower said Mr. Holloway was at the last BAJSA meeting and was told to forget about it and to come see the borough. Jack will take a look at it to see if the borough can do anything with it. Jack also said there must be a bond the work and they should have to fix the problem.

**PRESENTATIONS:** NONE

**PREVIOUS  
MONTHS  
MINUTES  
APPROVED:**

**MOTION TO APPROVE APRIL 17, 2017 MINUTES.**

Councilwoman Huntington wanted a correction to the minutes for the address of resident Ralph Shumacker from Orange to Iron Street. **The motion to approve the minutes with the correction was made by Councilman Shektor and seconded by Councilwoman Huntinigton. All ayes. Motion passes.**

**PAYMENT  
OF BILLS**

**MOTION TO PAY THE BILLS was made by Councilman Jarrett and seconded by Councilman Surkin. All ayes. Councilman Petty opposed. Motion passes.**

AARON ZANOLINE	99.99	KMART STORE #9161	153.98
AMERICAN FAMILY LIFE ASSURANCE	1,009.32	KNORR HAULING, INC.	6,187.50
AMERICAN PAPER & SUPPLY INC	175.73	KOVATCH MOBILE EQUIPMENT	1,060.31
AMERICAN PAPER & SUPPLY INC	310.30	LARRY C. FRACE INSPECTIONS, LLC	2,860.00
AMERICAN PAPER & SUPPLY INC	125.75	LARRY C. FRACE INSPECTIONS, LLC	2,600.00
AVAYA, INC	27.83	LARRY'S LUMBER AND SUPPLY INC.	116.40
BARRY'S SERVICE INC.	393.04	LAUBACH'S AUTO REPAIR	355.33
BEAVER VALLEY ENVIRENMENTAL LLC	270.00	LAUBACH'S AUTO REPAIR	246.40

BERWICK AREA UNITED WAY	115.00	LAUBACH'S AUTO REPAIR	455.25
BERWICK HOSPITAL CENTER	65.00	LECCE ELECTRIC, INC.	995.45
BERWICK HOSPITAL CENTER	60.00	LOWE'S	28.58
BERWICK HOSPITAL CENTER	70.00	MARYANN KOVALEWSKI	50.00
BERWICK POOL & SPA, INC	37.99	MATTHEWS FUEL SERVICE, INC.	1,813.10
BODNAR SALES & SERVICE	144.29	MATTHEWS FUEL SERVICE, INC.	781.68
BORO OF BWK GENERAL FUND	29,419.93	MATTHEWS SPRING WATER	85.50
BORO OF BWK HIGHWAY AID FUND	100.00	MATTHEWS SPRING WATER	16.50
BORO OF BWK MUNICIPAL PENSION	829.53	MATTHEWS SPRING WATER	41.50
BORO OF BWK MUNICIPAL PENSION	807.08	MATTHEWS SPRING WATER	5.50
BORO OF BWK PAYROLL ACCOUNT	35,054.47	MATTHEWS SPRING WATER	16.50
BORO OF BWK PAYROLL ACCOUNT	37,183.89	METROCAST	2.17
BORO OF BWK PAYROLL ACCOUNT	36,724.85	METROCAST	127.12
BORO OF BWK PAYROLL ACCOUNT	2,232.12	METROPOLITAN TELECOM	933.65
BORO OF BWK PAYROLL ACCOUNT	34,769.39	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	40,292.08	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	130.18	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	178.92	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	481.54	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	129.86	MIDLAND ASPHALT MATERIALS	1,069.70
BORO OF BWK PAYROLL ACCOUNT	178.92	MIDLAND ASPHALT MATERIALS	309.85
BORO OF BWK PAYROLL ACCOUNT	166.67	NANCY SBORZ	12.02
BORO OF BWK PAYROLL ACCOUNT	481.54	NAPA AUTOPARTS BERWICK	362.08
BOROUGH OF BERWICK -PETTY CASH	210.00	NAPA AUTOPARTS BERWICK	49.85
BORO OF BWK POLICE PENSION	721.82	NAPA AUTOPARTS BERWICK	823.73
BORO OF BWK POLICE PENSION	743.54	NAPA AUTOPARTS BERWICK	1,145.28
BORO OF BWK POLICE PENSION	694.66	NAPA AUTOPARTS BERWICK	459.31
BORO OF BWK POLICE PENSION TRUST FD	1,465.36	NAPA AUTOPARTS BERWICK	42.50
BOROUGH OF BERWICK RECYCLING FUND	12,800.00	NAPA AUTOPARTS BERWICK	12.49
BOROUGH OF DANVILLE	20.43	NAT'L TACTICAL OFFICERS ASSOC	150.00
BRANDON SHULTZ	20.00	NMS	96.00
CAMPBELL PRINTING CO.	2.50	P A W C	36.25
CAMPBELL SUPPLY CO., LLC	1,024.91	P A W C	22.47
CARGILL, INCORPORATED	1,368.97	P A W C	33.52
CENTRAL PA TEAMSTERS HEALTH & WELF.	42,532.49	P A W C	0.24
CENTRAL PA TEAMSTERS HEALTH & WELF.	2,157.76	P A W C	2,737.24
CENTRAL SUSQ COMM FOUNDATION	200.00	PA DEPT OF LABOR & INDUSTRY-E	66.00
CH WALTZ SONS, INC	26.45	PA UC FUND	322.87
CINTAS FIRE PROTECTION	271.27	PENNBCO	85.00
CNA SURETY	200.00	PENNSYLVANIA ONE CALL SYSTEM	49.53
CNA SURETY	175.00	PETERS CONSULTANTS, INC.	3,162.50
COLE'S HARDWARE	264.63	PETERS CONSULTANTS, INC.	596.25
COLE'S HARDWARE	12.34	PETERS CONSULTANTS, INC.	215.00
COLE'S HARDWARE	296.92	PETERS CONSULTANTS, INC.	281.25
COLE'S HARDWARE	11.10	PHILIP KEIFER	137.16
COLE'S HARDWARE	10.43	PHILIP MAINIERO	180.00
COMPRESSED AIR SYSTEMS, INC.	130.00	PITNEY BOWES PURCHASE POWER	1,210.50
CONSTELLATION NEWENERGY INC.	11.62	PPC LUBRICANTS	368.15

CONSTELLATION NEWENERGY INC.	22.21	PPL	191.06
CONSTELLATION NEWENERGY INC.	442.65	PPL	466.04
CONSTELLATION NEWENERGY INC.	1,821.94	PPL	198.02
CONSTELLATION NEWENERGY INC.	1,686.02	PPL	11,513.18
CONSTELLATION NEWENERGY INC.	9.01	PPL	11,459.07
DCED	196.00	PPL	49.98
DEBRA FORCE	136.57	PRESS-ENTERPRISE, INC.	816.81
DEBRA FORCE	29.16	PRIME BUSINESS ADVANTAGE	1,982.50
DENT'S AUTO SERVICE	316.00	PSAB MUNI RETIREMENT TRUST	5,551.57
EAGLES FIRE COMPANY	383.33	RALPH YANUZZI	325.00
EASTERN PENN SUPPLY CO.	1.34	RALPH YANUZZI	240.00
EASTERN PENN SUPPLY CO.	154.93	RANGER HOSE CO	383.33
EASTERN PENN SUPPLY CO.	929.55	RELIANCE FIRE CO	383.33
FASTENAL COMPANY	173.52	RIVERVIEW BLOCK	163.51
FIRE SPECIALTIES	399.80	ROGERS UNIFORMS	1,230.00
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	STAPLES CREDIT PLAN	671.23
FIRST COLUMBIA BANK & TRUST CO.	1,412.58	STAPLES CREDIT PLAN	121.24
FIRSTLAB	225.57	STAPLES CREDIT PLAN	53.98
FORT DEARBORN LIFE INS.	942.45	STAPLES CREDIT PLAN	91.79
GENERAL SALES, INC.	628.51	STAPLES CREDIT PLAN	186.99
GENERAL SALES, INC.	1,593.42	STAPLES CREDIT PLAN	486.96
GENERAL SERVICES ADMINISTRATION	360.00	STEVE SHANNON TIRE CO	615.50
GOLDEN EQUIPMENT CO, INC	105.11	STEVE SHANNON TIRE CO	1,063.79
HAB-DLT/BERKHEIMER	54.00	STEVE SHANNON TIRE CO	22.95
HANSON AGGREGATES INC	400.69	STEVE SHANNON TIRE CO	215.82
HARTMAN & LALLY INSURERS, INC.	2,825.45	SUBURBAN FENCE CO.	66.00
HELENA CHEMICAL CO	110.00	SUNTRUST EQUIPMENT FINANCE	2,998.05
HELLER'S GAS INC.	81.23	SUPERIOR PLUS ENERGY SERVICES	111.71
HERSHEY LODGE	419.58	SUPERIOR PLUS ENERGY SERVICES	161.42
HIGHWAY EQUIP & SUPPLY	487.50	SUPERIOR PLUS ENERGY SERVICES	499.97
HOME DEPOT CREDIT SERVICES	5.96	SUPERIOR PLUS ENERGY SERVICES	49.10
ICC, INC.	135.00	SUPERIOR PLUS ENERGY SERVICES	160.25
ICMA RETIREMENT TRUST	1,787.71	SUPERIOR PLUS ENERGY SERVICES	264.75
ICMA RETIREMENT TRUST	150.00	SUPERIOR PLUS ENERGY SERVICES	90.13
ICMA RETIREMENT TRUST	1,913.88	SUPERIOR PLUS ENERGY SERVICES	575.14
ICMA RETIREMENT TRUST	150.00	TEAMSTERS	1,220.00
ICMA RETIREMENT TRUST	2,022.01	TRACTOR SUPPLY CO	11.56
ICMA RETIREMENT TRUST	150.00	TRAFFIC PARTS	63.69
ICMA RETIREMENT TRUST	1,869.46	TRI-COUNTY HARDWARE	131.04
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY HARDWARE	15.37
ICMA RETIREMENT TRUST	1,925.68	TRI-COUNTY HARDWARE	43.99
ICMA RETIREMENT TRUST	150.00	UGI PENN NATURAL GAS	384.09
JAMES DALBERTO	106.96	VERIZON WIRELESS	306.85
JORDAN HOPPER	160.90	WASHINGTON NATIONAL INS CO	369.30
KEN POLLOCK	1,229.09	WEST BERWICK FIRE CO	383.33
KEPNER, KEPNER & CORBA, P.C.	4,870.00	WEX FLEET UNIVERSAL	1,496.57
KEYSTONE COMMUNICATIONS	123.00	YIS/COWDEN GROUP INC.	62.75

**REPORTS**  
**OF**  
**COMMITTEES:**

MAYOR: Tim Burke.

- On April 29<sup>th</sup> The Mayor's 3<sup>rd</sup> Annual Ball was held and was another success. Over the last 3 years the ball has raised \$10,000. For Berwick area non-profits.
- May 3<sup>rd</sup> went to the John Gordner dedication of the track.
- May 4<sup>th</sup> he was at the High School with the Attorney General.
- May 9<sup>th</sup> Dave Riley was here for a presentation for the Crime Watch.
- Any candidates that are here good luck in the primary tomorrow.

ENGINEER: Not in attendance.

SOLICITOR: Attorney Frank Kepner said nothing to report.

PERSONNEL: Travis Petty-Joanne Huntington- Debra Force.

- Councilman Petty said there will be a special meeting held in 2 weeks to discuss the hiring of the Police Clerk. That will be the Tuesday after Memorial Day (May 30<sup>th</sup> at 7:00PM)

LEGAL AND FINANCE: Travis Petty-Andrew Shecktor-Debra Force.

- Councilman Shecktor said only one thing as a follow up since it was brought up at the last Council Meeting regarding HR241 and the Fire Police. He has meet with Dave Millard and the signers of this bill and were assured it won't be a problem..

PARKS AND RECREATION: Jay Jarrett - Alvin Hill.

- Councilman Jarrett asked if all the remaining slots for the concerts have been filled and was advised yes.

EMERGENCY MANAGEMENT: Andrew Shecktor - Jay Jarrett - Greg Harkins.

- Nothing

STREETS, PARKS, & BUILDINGS: Joanne Huntington-Larry Surkin -Jack Kyttle.

- SEE DPW REPORT. Dumpster day was successful with about 200 residents taking advantage.

FIRE AND WATER: Andrew Shecktor, Larry Surkin, Fire Chief Randy Remphrey.

- SEE FIRE REPORT.

CODES, RECYCLING, & ORDINANCES: Scott Bower - Larry Surkin - Greg Harkins.

- SEE CODES REPORT.

SAFETY: Joanne Huntington-Scott Bower.

- Officer Sprung hurt his arm and was off a few days but is now back at work.
- On-going safety issue is the slides at Ber-Vaughn are cracked and need to be replaced. We are looking into help from the County CDBG funds. Councilman Shecktor asked if it would be a good idea to remove the slides until they can be replaced. He was advised that removing them would leave a big hole that would be a bigger safety issue. Jack Kyttle said that the new slides have a different design and won't have the same issue and should last longer.

POLICE: Scott Bower - Joanne Huntington - Police Chief Ken Strish.

- SEE REPORT.
- Councilman Jarrett said he saw in the paper that the Civil Service Commission is meeting tomorrow night and he heard from the Mayor that the newly appointed person (Casper Plish) is on vacation. So why are they meeting if he is not going to be there? Vice President Bower

said they can still have a meeting. Councilman Jarrett said we have another issue; we appointed 2 alternates last month and one of them is not eligible to serve. Mr. A D George is not eligible to serve because he is a member of the Zoning Board. Councilman Jarrett showed Council the passage in the Borough Code book that states this.

A discussion ensued with regard to advertising/picking more alternates. Borough Manager Debra Force said she would make a call to the Commission solicitor for advice on how to proceed and if the meeting needs to be postponed or not. She will keep Council informed. Council agreed.

BAJSA REPORT: Scott Bower.

- SEE REPORT.

**BUSINESS NOT  
READY FOR  
ACTION or NO  
ACTION NEEDED**: NONE

**OLD BUSINESS**:

- Councilman Surkin said that discussed at the last meeting was the painting of a blue line down the center of 3<sup>rd</sup> Street from Market west to Mulberry to thank local law enforcement.

**ORDINANCES &  
RESOLUTIONS**: NONE

**NEW BUSINESS**:

1. Consider and take action to approve Don E. Bower Change Order #1 with regard to grates:

Discussion: NONE

**A motion was made by Councilman Shecktor, seconded by Councilman Surkin. All ayes, motion passes.**

2. Consider and take action to approve FFY 2016 Annual Action Plan Substantial Amendment; West 6th Street, West 8th Street and Alley Behind Weis Markets:

Discussion: NONE

**Motion to approve was made by Councilman Shecktor, Seconded by Councilman Surkin. All ayes, motion passes.**

3. Consider and take action on the annual renewal of the PLCB petition that is due to expire on September 14, 2017; this is the exemption from compliance with section 493(34) of the Liquor Code, 47 P.S. 4-493(34) regarding amplified sound. This is an annual renewal that requires a hearing and a Resolution.

Discussion: Councilman Petty would like Frank Kepner to do legal work on this. Councilman Jarrett agreed. Attorney Kepner stated that he know what to do with it.

**Motion to approve with Attorney Kepner as Counsel made by Councilman Jarrett and seconded by Councilman Petty. Roll call vote: Jarrett = YES, Surkin = NO, Shecktor = YES, Petty = YES, Huntington = NO, Bower = NO. 3/3 tie vote goes to Mayor. Motion passes. Borough Manager Debra Force asked for clarification on the Mayor's YES vote that the hearing and everything will take place. The Mayor stated "yes".**

Vice President Bower asked the Solicitor Frank Kepner if he knew who to contact and Attorney Kepner stated he did. Mr. Bower stated it must be completed before September the 14<sup>th</sup>. The Borough Manager stated the petition needs to be started by June 16<sup>th</sup>.

4. Consider and take action to pay engineering invoices to Peters Consulting; one for \$215.00 for the Grant Street project, one for \$281.25 and one for \$596.25 under Blighted Housing Project. All to be paid from CDBG funds.

DISCUSSION:

**Motion to approve Councilman Jarrett and seconded by Councilman Shecktor. All ayes, motion passes.**

5. Consider and take action on the Borough's commitment to risk management & employee safety for our insurance carrier PennPrime.

DISCUSSION: Vice President Bower said that all departments must attend Safety Committee meetings and the Police Department has not been attending. Councilman Jarrett said this is a new requirement.



Motion to approve Councilman Jarrett and seconded by Councilman Surkin. All ayes, motion passes.

ADDED ITEMS:

A. NONE ADDED

ADJOURNMENT:

Motion to adjourn made by Councilman Surkin, seconded by Councilman Shektor.