

MINUTES
REGULAR COUNCIL MEETING
June 19, 2017

AGENDA:

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday JUNE 19, 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 the solicitor Attorney Frank Kepner, Police Chief Ken Strish, Fire Chief Randy Remphrey, and Press Enterprise reporter Susan Swartz.

Absent from the meeting was Council President Alvin Hill, Borough Manager Debra Force, DPW Foreman Jack Kyttle, and the engineer.

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

The meeting moved out of order so that presentations may be awarded first...

PRESENTATION:

- ◆ Officer Regan Rafferty by Chief Ken Strish for high performance at the National Rifle Association Law Enforcement Division Tactical Police Competition.
- ◆ Sergeant Roger Bodwalk by Council for 38 years of service.
- ◆ Police Clerk James McClintock by council for 43 years of service.

REVIEW &
APPROVAL
OF AGENDA:

Skipped.

PUBLIC HEARING,
CITIZENS
CORRESPONDENCE,

PERSONAL APPEALS: **Peggy Coggins of 719 Sycamore Street.** Asking for help to stop Tuzzi's Bakery from throwing out

bread for the rats, birds, and rodents in the neighborhood. Her and her brother are moving back from Mississippi and Texas to live in their old homestead. She stated they are killing rats right and left because Mrs. Tuzzi is throwing bread dough everywhere. She had picture she claims shows the bread on her roof and in the back yard. She stated Mrs. Tuzzi also cleans her oil drums out back in the alley and has grease running down the alley. She sent a letter to Greg Harkins in Codes and has contacted Leon Napolitano from the Dept of Agriculture Food Safety. Another citizen, **Debra Bafile** said she hired Steve Lynn to trap the rats and he said as long as the bread is being put out they won't stop coming. Council said they would look into it with the Borough Manager when she gets back from vacation.

Councilman Andrew Shecktor of 1308 Fairview Street stood to speak. He recused himself as a Councilman and wished to speak to Council as a resident. He stated his opinions are his personal opinions and not his opinions as a Councilman or as a member of the Council. He said he highly commends the Mayor, the Police Chief and the force for doing a fantastic job. He wanted to bring to light here an issue. His garage was broken into about 2 and a half years ago. Officers responded, took a report and advised him on how to secure his garage. Over this Memorial Day weekend, someone tried to break in again. What he wants to bring to the attention of Council and the police is that we need to look at how we resolve the bottom end, we are catching the top end; the ones that are selling the drugs but for him as a citizen it is more concerting when someone comes and takes his stuff and breaks into his house or car. It is akin to being raped. It left him with PTSD. We need to increase the conviction rate of petty thieves. Because to a citizen that is what counts. It doesn't matter if you are buying or selling drugs.

END OF PERSONAL APPEALS

At this time presiding Vice President Scott Bower wanted to put in the record that an Executive Session was held after the June 12, 2017 work shop to discuss personnel issues, no action was taken.

PRESENTATIONS: See Above

PREVIOUS
MONTHS
MINUTES

- APPROVED: MOTION TO APPROVE Regular Council Meeting of MAY 15, 2017 and of the Special Meeting held on May 30, 2017.

The motion to approve the minutes was made by Councilman Shektor and seconded by Councilman Surkin. All ayes. Motion passes.

PAYMENT
OF BILLS

MOTION TO PAY THE BILLS was made by Councilman Shektor and seconded by Councilwoman Huntington. All ayes. Councilman Petty opposed. Motion passes.

AMERICAN FAMILY LIFE ASSURANCE	1,009.32	KEYSTONE COMMUNICATIONS	123.00
AMERICAN PAPER & SUPPLY INC	53.95	KNORR HAULING, INC.	6,187.50
AMERICAN PAPER & SUPPLY INC	64.91	KOVATCH MOBILE EQUIPMENT	85.79
AMERICAN PAPER & SUPPLY INC	60.56	LARRY C. FRACE INSPECTIONS, LLC	3,517.00
AMERICAN PAPER & SUPPLY INC	26.25	LARRY'S LUMBER AND SUPPLY, INC.	92.76
AMERICAN PAPER & SUPPLY INC	55.61	LARRY'S LUMBER AND SUPPLY, INC.	130.33
ANNETTE BRENNAN	50.00	LAUBACH'S AUTO REPAIR	519.00
ANNUZIATO DEGEORGE	50.00	LAUBACH'S AUTO REPAIR	176.70
AVAYA, INC	27.83	MARINOS, MCDONALD & KNECHT, LLP	144.00
BARRY'S SERVICE INC.	155.50	MARK TRAPANE	150.00
BARRY'S SERVICE INC.	160.66	MATTHEWS SPRING WATER	16.50
BARRY'S SERVICE INC.	65.00	MATTHEWS SPRING WATER	41.50
BEAVER VALLEY ENVIRENMENTAL LLC	312.58	MATTHEWS SPRING WATER	5.50
BERWICK ELECTRICAL SUPPLY, INC.	206.26	MATTHEWS SPRING WATER	16.50
BODNAR SALES & SERVICE	316.33	MATTHEWS SPRING WATER	11.00
BORO OF BWK MUNICIPAL PENSION	853.03	MATTHEWS SPRING WATER	5.50
BORO OF BWK PAYROLL ACCOUNT	45,966.80	MATTHEWS SPRING WATER	52.50
BORO OF BWK PAYROLL ACCOUNT	34,245.05	MCCARROLL PRECAST, INC.	1,652.75
BORO OF BWK PAYROLL ACCOUNT	2,232.12	METROCAST	127.12
BORO OF BWK PAYROLL ACCOUNT	33,773.53	METROCAST	2.17
BORO OF BWK PAYROLL ACCOUNT	34,190.05	METROPOLITAN TELECOMMUNICAT	802.79
BORO OF BWK PAYROLL ACCOUNT	35,001.55	METROPOLITAN TELECOMMUNICAT	796.74
BORO OF BWK PAYROLL ACCOUNT	755.04	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	5.13	MICHAEL MONICO	1,151.20

BORO OF BWK PAYROLL ACCOUNT	21.50	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	34.12	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	755.04	MICHAEL MONICO	1,151.20
BORO OF BWK PAYROLL ACCOUNT	3.67	MICK HUNSINGER	40.00
BORO OF BWK PAYROLL ACCOUNT	166.67	MIDLAND ASPHALT MATERIALS INC.	397.37
BORO OF BWK PAYROLL ACCOUNT	21.50	NAPA AUTOPARTS BERWICK	12.49
BORO OF BWK PAYROLL ACCOUNT	34.07	NAPA AUTOPARTS BERWICK	193.25
BOROUGH OF BERWICK -PETTY CASH	250.00	NAPA AUTOPARTS BERWICK	99.90
BORO OF BERWICK POLICE PENSION	712.27	NAPA AUTOPARTS BERWICK	183.92
BORO OF BWK RECYCLING FUND	29,650.00	NORTHEASTERN AUTOMATED TECH	4,038.95
BOYER'S FOOD MARKET	65.28	P A W C	36.25
BRADCO SUPPLY CO, INC.	340.00	P A W C	18.47
BRUCE MCCORMICK	400.00	P A W C	142.29
CAMPBELL SUPPLY CO., LLC	676.45	P A W C	23.52
CENTRAL PA TEAMSTERS HEALTH	42,532.49	P A W C	2,737.24
CENTRAL PA TEAMSTERS HEALTH	2,157.76	PA DEPART OF LABOR & INDUSTRY	50.00
CH WALTZ SONS, INC	46.57	PENN PRIME TRUST	11,017.00
CH WALTZ SONS, INC	95.97	PENN PRIME TRUST	48,022.00
CINTAS FIRE PROTECTION	2,550.00	PENN PRIME TRUST	35,795.00
CINTAS FIRE PROTECTION	434.44	PENNSYLVANIA ONE CALL SYSTEM	48.26
CINTAS FIRE PROTECTION	463.03	PETERS CONSULTANTS, INC.	657.50
CNA SURETY	100.00	PETERS CONSULTANTS, INC.	68.75
CNA SURETY	100.00	PITNEY BOWES GLOBAL FINANCIAL	184.65
COLE'S HARDWARE	9.49	PITNEY BOWES GLOBAL FINANCIAL	184.65
COLE'S HARDWARE	12.50	PITNEY BOWES PURCHASE POWER	402.50
COLE'S HARDWARE	55.55	PITNEY BOWES PURCHASE POWER	806.50
COMMONWEALTH REPORTING CO,	101.50	PPL	195.60
CONSTELLATION NEWENERGY INC.	27.53	PPL	103.00
CONSTELLATION NEWENERGY INC.	96.52	PPL	766.41
CONSTELLATION NEWENERGY INC.	342.28	PPL	11,459.07
CONSTELLATION NEWENERGY INC.	22.00	PPL	188.97
CONSTELLATION NEWENERGY INC.	1,686.02	PRECISION WELDING SUPPLIES	141.82
CURTIS RIDER	230.00	PRESS-ENTERPRISE, INC.	545.95
CUSTOM ADVERTISING	162.00	PRESS-ENTERPRISE, INC.	34.00
D&M FIREWORKS, LLC	3,500.00	PROJECT BALD EAGLE	3,750.00
DAN HESS	400.00	PROJECT LIFESAVER, INC.	437.12
DAVE REILLY	432.00	PSAB MUNI RETIREMENT TRUST	63,058.00
DEBRA FORCE	137.96	QUAD THREE GROUP, INC.	6,064.05
DEFEBO GRAPHICS	55.00	RANGER HOSE CO	383.33
DELL COMPUTER	1,157.00	RELIANCE FIRE CO	383.33
EAGLES FIRE COMPANY	2,683.31	RHONDA T. KOCH, CCR	75.00
EAGLES FIRE COMPANY	615.99	ROBERT MAIER	50.00
EAGLES FIRE COMPANY	330.56	SEDA-COUNCIL OF GOVERNMENTS	24,453.00
EASTERN PENN SUPPLY CO.	474.26	SHERWIN-WILLIAMS	123.30
ECKERT SEAMANS CHERIN & MELLOCTT	208.00	SHERWIN-WILLIAMS	27.39
EUGENE GOLLA	50.00	SQUARE ONE CONSTRUCTION	20,400.00
FIRST COLUMBIA BANK & TRUST CO.	1,412.58	STAPLES CREDIT PLAN	940.96

FIRST COLUMBIA BANK & TRUST CO.	1,955.70	STAPLES CREDIT PLAN	26.99
FIRSTSOURCE SOLUTIONS	236.90	STAPLES CREDIT PLAN	208.92
FIVE STAR INTERNATIONAL LLC	124.00	STAPLES CREDIT PLAN	28.95
FORT DEARBORN LIFE INS.	904.88	STEVE SHANNON TIRE CO	71.94
FOUGHT'S DISPOSAL SERVICE, INC	6,492.05	STEVE SHANNON TIRE CO	71.94
GERALD JARRETT	51.86	STEVE SHANNON TIRE CO	4,827.16
GOLDEN EQUIPMENT CO, INC	277.72	SUB CITY	320.96
HANSON AGGREGATES INC	400.69	SUMMIT SUPPLY CORP OF CO	685.52
HARTMAN & LALLY INSURERS, INC.	2,825.45	SUPERIOR PLUS ENERGY SERVICES	192.23
HELENA CHEMICAL CO	146.50	SUPERIOR PLUS ENERGY SERVICES	184.93
HELENA SHULTZ	4,667.93	SUPERIOR PLUS ENERGY SERVICES	57.06
HILLER'S HEATING & AC	1,775.00	SUPERIOR PLUS ENERGY SERVICES	499.04
ICMA RETIREMENT TRUST	1,996.25	SUPERIOR PLUS ENERGY SERVICES	382.31
ICMA RETIREMENT TRUST	150.00	SUPERIOR PLUS ENERGY SERVICES	217.09
ICMA RETIREMENT TRUST	1,917.54	SUPERIOR PLUS ENERGY SERVICES	934.52
ICMA RETIREMENT TRUST	150.00	SUSQUEHANNA FIRE EQUIPMENT CO	56.45
ICMA RETIREMENT TRUST	1,822.27	TEAMSTERS	1,220.00
ICMA RETIREMENT TRUST	150.00	TOM ROOD ENTERTAINMENT	175.00
ICMA RETIREMENT TRUST	1,769.96	TOTAL AMUSEMENTS	80.00
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY-LUMBER DIVISION	42.77
ICMA RETIREMENT TRUST	1,872.22	UGI PENN NATURAL GAS	263.01
ICMA RETIREMENT TRUST	150.00	UGI PENN NATURAL GAS	83.65
JOE LAPCHAK	200.00	UTOPIA	600.00
JOE STANKY	500.00	VERIZON WIRELESS	306.85
JOHN DAVIS	900.00	WANDELL'S WAREHOUSE	90.00
JOINT VETERANS COUNCIL	300.00	WASHINGTON NATIONAL INS CO	326.20
KEN POLLOCK	75.73	WEST BERWICK FIRE CO	383.33
KETTERER'S RESCUE PRODUCTS	352.05	WEX FLEET UNIVERSAL	1,509.21

REPORTS

OF

COMMITTEES:

MAYOR: Tim Burke.

- On May 16th a police cars was taken to West Berwick Elementary to talk to the kids.
- Also attended on that same day the Grand Opening of Beyond the Blend.
- May 20th was with the Veteran and high school students from the Distinguished Group to put flags on the Veteran graves.
- May 23rd he and the Police Chief went to New Story School to talk to the students about bulling.

- May 28th he participated in the Memorial Day parade from Nescopeck to the Grove Cemetery.
- June 3^{ed} he attended Celebrate Berwick.
- June 11th he attended an awards dinner for the Boy Scouts.
- June 15th the he and the Borough Manager met with SEDA-COG Rail Road on issues they are having down on Interceptor Road with trash dumping.
- June 17th stop at the Beyond Violence Fund Raiser to deliver the first donation of \$700.00 from the 2017 Mayors Ball. Councilman Jarrett said on behalf of the Board the donation was greatly appreciated.
- A little mix up occurred on Kids Night. The Borough Manager was asked about who would pay for the syrup for the sno-cones, he was advised to ask Nancy who said she did not have the authority to approve that. The Mayor said he went down to the Police and they paid for the syrup. 2 bikes were also given away that night. A thank you to the fire department for
- The Mayor currently has 3 mobility devices that are being worked on (2 scooters and a chair) but they person getting the first one will need HC ramps built. He has some contractors willing to help with that but next month he will ask Council to consider waiving the permit fee since everything is being donated.
- The Mayor officiated over 3 wedding this month.
- On June 20th he will be having an end of year sno-cone party at New Story School. Along with a fire truck and police.

ENGINEER: Not in attendance.

SOLICITOR: Attorney Frank Kepner

- Berlin cases looks to be settled, his attorney said Berlin will sign the agreement as he prepared it. But has not received signed papers back as of yet. He has a call into Mr. Berlin's attorney.
- Was in court on the McLeggan matter. Judge James gave them until the day after tomorrow (Wednesday June 21 at noon) to secure a bond or said we could go ahead and tear it down.
- Councilman Surkin asked if that (Berlin case) had changed since the last memo about dates he

was trying to cover. Attorney Kepner said yes. He wanted to put a whole lot of amendments into the agreement saying that the agreement would not cover things in the future. Attorney Kepner told them we were not going to change things. He later got an email from Berlin's attorney saying they would sign the agreement as it was prepared.

- Councilman Surkin asked if there was anything new on the UGI case. Attorney Kepner said yes there are somethings that should be discussed in an Executive Session next month.
- Councilman Jarrett asked about the PLBC thing. Attorney Kepner said he sent a Resolution over about a week ago to the Borough Manager to have signed and that is all he is waiting on. Attorney Kepner was advised that the Resolution was on the agenda for a vote tonight. (Attorney Kepner was handed the signed Resolution).

PERSONNEL: Travis Petty-Joanne Huntington- Debra Force.

- Nothing to report

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

- Nothing to report

PARKS AND RECREATION: Jay Jarrett - Alvin Hill.

- Nothing to report.

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

- Councilman Shecktor said he will bring more information to the next work shop with regard to joining the SHARES Network that is made up of volunteers that can connect directly 24/7 to Homeland Security.

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

- SEE DPW REPORT.

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.

Ongoing SAFETY concerns are as follows:

- Jackson Mansion fence repair on 5th Street side.
- Ber-Vaughn Park replace 5 swing sling seats, remove hanger from above Pavilion 1, tighten base of spring duck.
- City Hall repair emergency lights in Council Chamber and EMA room.
- Sponsler's Park tighten play equipment. Install new baby swing or sling swing.
- Test Track Park replace missing lags on picnic table, clean up picnic area and tighten picnic tables.

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

- SEE REPORT.
- On June 26th 6-8Pm police will be partnering with Project Bald Eagle to distribute 50 Naloxone 2 dose Kits to anyone taking the training. There is no cost to the borough. This drug is used to save someone from an opioid overdose. The Mayor asked if the borough protected for liability for giving this stuff out? The Chief said yes. It is the head doctor at Geisinger, there is a policy put forth by the District Attorney's Office and then I blanket the policy with our police force.
- Councilman Jarrett asked how we are coming with the police hiring with Civil Service. Councilman Surkin said they had their first reorganization meeting. Getting ready to move forward. And waiting to hear back from Harrisburg. Councilman Jarrett asked why are we waiting to hear back, what difference does

it make? Councilman Surkins said we want to make sure we follow everything properly; in case there is a problem with the steps in there. We want to make sure we do everything proper order so we don't have a voided list. Councilman Jarrett said the thing in Harrisburg is just a copy of what is in the Ordinance so just follow it and get this thing moving. Councilman Surkin said they are using the Ordinance. Councilman Jarrett said then he doesn't understand the hold up. Councilman Surkin said one of thing they are looking at is who is going to do the testing. Councilman Jarrett asked when is the next meeting? Councilman Surkin said he is not the Chairman. Damien must call the meeting.

- Councilman Jarrett asked to have the letter from Robert Lewis added to the agenda as number 13 for a vote to appoint as an alternate on the Civil Service Commission. Vice President Scott Bower agreed to add it this to the agenda as number 13.

BAJSA REPORT: Scott Bower.

- SEE REPORT.

REVIEW AND APPROVE OF AGENDA:

- Taken out of order...
- Addition to agenda: Consider and take action to appoint Robert Lewis as an alternate member of the Civil Service Commission.
- All ayes, agenda passes with addition.

(NOTE: No motion or second was made)

BUSINESS NOT

READY FOR

ACTION or NO

ACTION NEEDED: Discussion on a labor attorney to review collective bargaining agreements & pensions at a cost of \$3,000. - \$6,000.

Hold until Council hears back from the attorney.

OLD BUSINESS: NONE

ORDINANCES &

RESOLUTIONS:

RESOLUTION 2017-03 FOR PLCB PERMIT.

Discussion: Councilman Petty said that at our next work session we will have a meeting with the

owners of the bars at the suggestion of Councilman Surkin. At our last work session, he felt that the borough tax payers should not foot the bill for the legal fees associated with passing this Ordinance. I agree with him on that. We are going to look into a permit fee for establishment that want to take advantage of this to have live outdoor music and not saddle the tax payers with this bill. Councilman Jarrett wanted to remind both Councilmen that the licensees are also tax payers. Let's not lose sight of this. Councilman Petty does not think a charging a fee is unreasonable. Councilman Jarrett said that would depend on how much it is.

Motion to approve the RESOLUTION 2017-03 to apply for the PLCB permit made by **Councilman Jarrett** and seconded by **Councilman Shecktor**.

Roll Call Vote: SURKIN = NO, PETTY = YES, HUNTINGTON = NO, JARRETT = YES, SHECKTOR = YES, BOWER = YES. Motion passes 4/2.

NEW BUSINESS:

1. Consider and take action on Amendment 1 with regard to the McLaggan property at 732-7324 Front Street. If BOND IS secured by noon on Wednesday June 21st increase engineering contract \$425.00 and replace 732-734 Front Street property with 315 N. Mulberry Street property.

If BOND is NOT secured by noon on Wednesday June 21st; increase property list to 6 to include 315 N. Mulberry Street and increase engineering contract \$1,615.00.

Discussion: NONE

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

2. Consider and take action to select engineering firm for W. 6th Street, W. 8th Street and un-named alley by Weis Markets.

Discussion: Recommend Peter's Consulting as the low bidder for \$11,939.00.

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

3. Consider and take action on percentage allocations of 2017 CDBG funds for 2017 projects.

Discussion: Tyler Dombroski from SEDA-COG said the Borough has about \$255,000.00 available for 2017. After discussion it was decided on 30% to blighted properties, 40% to the 2 block 3rd Street paving project and 30% for curbing cuts.

DISCUSSION:

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

4. Consider and take action to pay engineering invoice to Peters Consulting; one for \$657.50. To be paid from CDBG funds under the Blighted Housing Project.

DISCUSSION:

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

5. Consider and take action on opening of bids for paving project of School House Ave and un-named alley behind Martz Technology.

DISCUSSION: 2 BIDS RECEIVED

~~Robert C. Young for \$24,675.70~~

Gelman or Young for \$27,765.70 (NS correction)

Don E. Bower for \$24,973.80

Motion to approve BOWER BID at \$24,973.80 Councilman Jarrett and seconded by Councilman Surkin. All ayes, Councilman Petty abstains. Motion passes.

6. Consider and take action on a \$1.00 an hour raise for the Administrative Assistant.

DISCUSSION:

Motion to approve Councilman Surkin and seconded by Councilwoman Huntington. All ayes, I nay from Councilman Jarrett. Motion passes 5/1.

7. Consider and take action on Mr. E. Smith, elected constable, services to the borough

DISCUSSION: Denied

Motion to deny was made by Councilman Surkin and seconded by Councilman Shektor. All ayes, Councilman Petty abstains. Motion passes.

8. Consider and take action upon pool association request for the use of the RC rink to hold an adult hockey league.

DISCUSSION: Council had questions and no one was in attendance to answer.

Motion to table for more information made by Councilman Shektor and seconded by Councilman Surkin. All ayes, motion passes.

9. Consider and take action on Parking ticket prices increase from \$10 to \$15.

DISCUSSION: Council discussed that Bloomsburg parking ticket id \$40.00.

Motion to approve Councilman Shektor and seconded by Councilman Surkin. All ayes, Councilman Petty and Councilman Jarrett opposed. Motion passes 4/2.

ADDED ITEMS:

- A.** Consider and take action to appoint Robert Lewis as an alternate on the Civil Service Commission.

DISCUSSION:

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

ADJOURNMENT:

Motion to adjourn made by Councilman Petty, seconded by Councilman Jarrett.