

**MINUTES**

**REGULAR COUNCIL MEETING**

**December 20, 2021**

**7:00PM Council Meeting**

THE BUSINESS OF THE COUNCIL SHALL BE CONDUCTED IN THE FOLLOWING ORDER:

1. Call to Order by presiding officer  
Moment of silence, Pledge of Allegiance.
2. Roll Call (if quorum is not present, the meeting shall thereupon be Adjourned to a specific date by the majority vote of those present)
3. Review and approval of agenda.
4. Presentation
5. Citizen Correspondence/Personal Appeals - Agenda Items
6. Approval of the preceding meeting minutes if correct and rectifying mistakes if any exist.
7. Approval of Payment of Bills
8. Reports of Committees
9. Business Not Ready for Action or No Action Needed
10. Old Business
11. Introduction of Ordinances and Resolutions
12. New Business
13. Added Items
14. Citizen Correspondence/Personal Appeals - Non-Agenda Items
15. Adjournment

**ITEM 1. CALL TO ORDER BY PRESIDING OFFICER: Council President Scott Bower**

**ITEM 2. ROLL CALL (Attendance)**

<u>COUNCIL MEMBERS</u> <u>&amp; MAYOR</u>	PRESENT	ABSENT	<u>OFFICERS</u>	PRESENT	ABSENT
BOWER	<u>  X  </u>	<u>      </u>			
TROIANI	<u>  X  </u>	<u>      </u>	Chief of Police	<u>  X  </u>	<u>      </u>
ALLEY	<u>  X  </u>	<u>      </u>	Solicitor	<u>  X  </u>	<u>      </u>
LEWIS	<u>  X  </u>	<u>      </u>	Engineer	<u>      </u>	<u>  X  </u>
JARRETT	<u>  X  </u>	<u>      </u>	DPW Foreman	<u>  X  </u>	<u>      </u>
LEARN	<u>  X  </u>	<u>      </u>	Reporter(s)	<u>Susan Schwartz (PE)</u>	
TALANCA	<u>      </u>	<u>  X  </u>	Fire Chief	<u>  X  </u>	<u>      </u>
MAYOR BURKE	<u>  X  </u>	<u>      </u>			
DAMIEN SCOBLINK, MANAGER	<u>  X  </u>	<u>      </u>			

**ITEM 3. REVIEW & APPROVE CURRENT AGENDA:**

Discussion - Borough Manager requested addition of new action item #1 under Item 12, NEW BUSINESS, with all other action items to be

moved down. Executive Session prior to NEW BUSINESS was also added. Motion was made with these additions in mind.

Motion: Mr. Jarrett Second: Mr. Learn

All in favor, agenda approved with proposed changes.

**ITEM 4. PRESENTATION:**

1. Todd Kern - Alley vacation request: Mr. Kern presented on request to have unimproved alley vacated, so that he could improve and use for access to property. Council noted that this is on the agenda for consideration later in the meeting.
2. Greg Martz - CLFRF request: Mr. Martz was not present to present.

**ITEM 5. Citizen Correspondence / Personal Appeals - Agenda Items**

None

**ITEM 6. APPROVAL OF THE MINUTES OF THE PRECEDING MEETINGS**

- Regular Council Meetings of November 15, 2021.

Discussion - None

Motion: Ms. Alley Second: Mr. Lewis

All in favor, minutes approved.

**ITEM 7. APPROVE PAYMENT OF BILLS MOTION: Ms. Troiani SECOND: Mr. Learn**

All in favor, payment of bills approved.

**ITEM 8. REPORTS OF COMMITTEES**

MAYOR: Mayor Tim Burke - Thanksgiving meal giveaways were a success. Christmas wish list and coat giveaway donations were high. Coat giveaway is next week. Various other Christmas-related events are going on. Has heard of some Kmart plaza interest. Met with Wise, and is continuing to work on truck traffic concerns. Thanked Ms. Alley for her service on Council

ENGINEER: Quad 3 - None

SOLICITOR: Attorney Frank Kepner - None

PERSONNEL: Jeri Alley, Nelson Learn, Jay Jarrett - None

LEGAL AND FINANCE: Jeri Alley, Nelson Learn, Jay Jarrett - None

PARKS AND RECREATION: Teresa Troiani, Pete Talanca, Jay Jarrett - None

EMERGENCY MANAGEMENT: Greg Harkins, Scott Bower, Teresa Troiani, Jay Jarrett - None

STREETS, PARKS, & BUILDINGS: Jack Kyttle - Keeping up with recycling. Happy with the work on 5 ½ Street. Parks are winterized. Keeping inlets and drywells clean. Salt is on hand for the winter season.

FIRE AND WATER: Scott Bower, Pete Talanca, Bob Lewis - A lot of cooperation/camaraderie has been shown between stations recently.

CODES, RECYCLING, & ORDINANCES: Nelson Learn, Jeri Alley, Pete Talanca - None

SAFETY: Bob Lewis - None

POLICE: Chief Ken Strish - A lot of community policing activities around the holidays. Reviewed monthly statistics.

FIRE: Chief Gene Boone - Engine 131 is getting a quote on some issues. Most, possibly all engines need 5" hose. New program will be launched in January to help identify helpful information for the fire department regarding commercial properties in the borough.

BAJSA REPORT: See Report - No written report due to lack of items at most recent meeting.

**ITEM 9. BUSINESS NOT READY FOR ACTION:**

1. Geisinger EMS CLFRF request - Will discuss at January workshop.
2. Around the table
  - a. Mr. Jarrett - Thanked Ms. Alley for her service to the borough.
  - b. Mr. Learn - Echoed Mr. Jarrett in thanking Ms. Alley.

**ITEM 10. OLD BUSINESS:**

None

**ITEM 11. APPROVAL OF ORDINANCES AND RESOLUTIONS:**

1. Ordinance 2021-05, Establishing the Property Tax Rate for 2022

Discussion: None

Motion: Ms. Alley Second: Ms. Troiani  Approved,   
Denied,  Tabled

All in favor, ordinance passed.

**\*Council President Bower announced an executive session to discuss specific personnel.\***

**ITEM 12. NEW BUSINESS**

1. Consider and take action to approve amended 2022 Borough of Berwick Non-Uniformed Pension Plan MMO in the amount of \$124,087.

Discussion: Borough Manager explained that this just came to staff's attention today, but needed to be done prior to the 2022 budget being approved, necessitating that it be added to this evening's agenda at the meeting. Failure to do so would cause the Borough to be forced to put more than the required amount into the Non-Uniformed Pension Plan.

Motion: Ms. Troiani Second: Ms. Alley  Approved,   
Denied,  Tabled

All in favor, motion approved.

2. Consider and take action to approve the 2022 budget.

Discussion: None

Motion: Mr. Jarrett Second: Mr. Lewis  Approved,   
Denied,  Tabled

All in favor, motion approved.

3. Consider and take action to approve utilizing police vehicles as trade in credits toward purchase of new vehicles at provided rates.

Discussion: None

Motion: Mr. Learn Second: Mr. Lewis  Approved,   
Denied,  Tabled

All in favor, motion approved.

4. Consider and take action to approve payment of \$25,500 to Stuart Tank Memorial Association for replacement of lost revenues, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Mr. Jarrett Second: Ms. Alley  Approved,   
Denied,  Tabled

All in favor, motion approved.

5. Consider and take action to approve payment of \$7,856 to Beyond Violence, Inc., for payment of Marr Development Invoice #1607 for HVAC repairs, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Mr. Learn Second: Mr. Lewis  Approved,  Denied,  
 Tabled

Voting in favor were Councilpersons Bower, Troiani, Alley, Learn and Lewis. Councilperson Jarrett abstained, citing his position on the Board of Beyond Violence. Motion approved by a vote of five in favor, none opposed, with one abstention.

6. Consider and take action to approve advertising Ordinance 2021-06, vacating an alley that is the extension of North Poplar Street, pending agreements between the Kern and May families on continued access rights.

Discussion: Council initially discussed tabling, but after some discussion elected to approve this, conditional upon Mr. Kern providing evidence that there was a legal agreement between himself and the owners of a neighboring parcel of land, that would grant those owners continued usage/access rights.

Motion: Ms. Alley Second: Mr. Jarrett  Approved,  Denied,  
 Tabled

All in favor, motion approved.

7. Consider and take action to approve 2022 council meeting schedule.

Discussion: None

Motion: Mr. Jarrett Second: Mr. Learn  Approved,  Denied,  
 Tabled

All in favor, motion approved.

8. Consider and take action to approve allowing street cut at 125 East 9<sup>th</sup> Street, with stipulation as follows: follow the same requirements that were put in place for Franco's Pizzeria when it requested a street cut permit for a newly paved street.

Discussion: Council verbally agreed that any allowance made for cutting into a newly paved street needed to follow historical precedent for doing so.

Motion: Ms. Alley Second: Ms. Troiani  Approved,  Denied,  Tabled

All in favor, motion approved.

9. Consider and take action to approve CDBG FFY 2020 CAPER.

Discussion: None

Motion: Mr. Jarrett Second: Ms. Alley  Approved,  Denied,  Tabled

All in favor, motion approved.

10. Consider and take action to approve advertising to request proposals for professional services as follows: request Borough Engineering proposals.

Discussion: None

Motion: Mr. Lewis Second: Mr. Learn  Approved,  Denied,  Tabled

All in favor, motion approved.

11. Consider and take action to approve advertising to request engineering bids for South Eaton Street stormwater project, contingent upon approval of project scope by Borough engineer, manager, and DPW foreman.

Discussion: Borough Manager noted that he had only received draft earlier today, and had not yet had time to review.

Motion: Mr. Lewis Second: Mr. Jarrett  Approved,  Denied,  Tabled

All in favor, motion approved.

12. Consider and take action to accept the resignation of Scott Sienkiewicz from the rank of Sergeant in the Berwick Police Department, with his employment status to revert to that of a Patrol Officer, effective retroactively to November 23, 2021.

Discussion: None

Motion: Ms. Alley Second: Ms. Troiani  Approved,  Denied,  
 Tabled

All in favor, motion approved.

13. Consider and take action to approve results of Berwick Fire Department election naming Randy Remphrey as Fire Chief for 2022.

Discussion: None

Motion: Mr. Lewis Second: Mr. Jarrett  Approved,  Denied,  
 Tabled

A roll call vote was called for:

Mr. Lewis - No  
Mr. Jarrett - No  
Ms. Troiani - No  
Mr. Learn - No  
Ms. Alley - No  
Mr. Bower - No

Motion denied by a 6-0 vote against.

14. Consider and take action to approve Gene Boone to fill vacant role of Fire Chief of the Berwick Fire Department for 2022.

Discussion: None

Motion: Mr. Lewis Second: Mr. Jarrett  Approved,  Denied,  
 Tabled

A roll call vote was called for:

Mr. Lewis - Yes  
Mr. Jarrett - Yes  
Ms. Troiani - Yes  
Mr. Learn - Yes  
Ms. Alley - Yes  
Mr. Bower - Yes

Motion approved by a 6-0 vote in favor.

15. Consider and take action to approve purchase of a Codes Enforcement Vehicle as follows: 2022 Ford Escape at \$29,500

Discussion: None

Motion: Mr. Jarrett Second: Mr. Learn  Approved,  Denied,  
 Tabled

All in favor, motion approved.

16. Consider and take action to approve payment of Dell Invoice of Order #11082921, in the amount of \$15,526.24, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Mr. Lewis Second: Ms. Alley  Approved,  Denied,   
Tabled

All in favor, motion approved.

17. Consider and take action to approve payment of CODY Systems Invoice #9721, in the amount of \$59,816, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Ms. Troiani Second: Mr. Jarrett  Approved,   
Denied,  Tabled

All in favor, motion approved.

18. Consider and take action to accept resignation of Mr. Robert Maier from Berwick Zoning Hearing Board, effective December 31, 2021.

Discussion: None

Motion: Mr. Learn Second: Ms. Troiani  Approved,  Denied,  
 Tabled

All in favor, motion approved.

19. Consider and take action to appoint Mr. Andy Gromel to Berwick Zoning Hearing Board, effective January 1, 2022, to fill remainder of vacated term set to expire December 31, 2023.

Discussion: None

Motion: Mr. Jarrett Second: Ms. Troiani  Approved,   
Denied,  Tabled

### **ITEM 13. ADDED ITEMS**

None



**ITEM 14. Citizen Correspondence / Personal Appeals - Non-Agenda Items**

None

**ITEM 15. ADJOURNMENT:** Motion: Ms. Alley Second: Ms. Troiani

Meeting adjourned.