

MINUTES

REGULAR COUNCIL MEETING

May 18, 2015

7:00 P.M.

AGENDA:

Regular Meeting of Borough Council, Borough of Berwick, Pennsylvania was held Monday, May 18, 2015 at 7:00 P.M. with Council members Hill, Bower, Jarrett, Huntington, Petty, Oliver, and Meighan present. Also present were Borough Manager Debra Force, Chief of Police Ken Strish, Code Enforcement Officer Greg Harkins, Fire Chief Bill Coolbaugh, DPW Supervisor Jack Kyttle and Press Enterprise Reporter Susan Swartz.

Mayor Tim Burke was absent.

The Pledge of Allegiance was recited by all in attendance.

PRESENTATION:

Dr. John DeFinnis accepted the Certificate of Appreciation to the Berwick Health & Wellness Fund for support of the Berwick Borough.

A Certificate of Recognition was awarded to Miss Andrea Laraio for being awarded the Girl Scouts highest honor, the Gold Award.

APPROVAL

OF AGENDA:

Motion by Councilman Oliver seconded by Councilwoman Huntington carried unanimously to approve the Council agenda with the addition of Berlin Properties.

OLD BUSINESS: NONE

CITIZENS CORRESPONDENCE/ATTENDANCE:

Fred Gaffney, Columbia Montour Chamber of Commerce expressed appreciation for the level of cooperation the Borough provided for the 3rd Annual Celebrate Berwick event. 60 vendors participated which made it the largest to date.

Carol Andrew of Warren Street

A list of residents in attendance is attached

**APPROVAL OF
MINUTES:**

Motion by Councilman Meighan seconded by Councilman Bower.
Motion carried unanimously to approve the Regular Council
Minutes of April 2015.

**PAYMENT OF
BILLS:**

Approved the following bills to be paid.
Motion by Councilwoman Huntington and seconded by
Councilman Jarrett. Motion carried unanimously

AARON ZANOLINE	70.00	KENNETH STRISH	291.14
AMERICAN FAMILY LIFE ASSURANCE	668.07	KEPNER, KEPNER & CORBA, P.C.	5,288.20
AMERICAN PAPER & SUPPLY INC	267.05	KEYSTONE COMMUNICATIONS	42.00
ANNETTE BRENNAN	50.00	KEYSTONE COMMUNICATIONS	375.60
ANNUZIATO DEGEORGE	50.00	KMART STORE #9161	28.77
ANTHRACITE RUBBER COMPANY	708.00	KNORR HAULING, INC.	6,187.50
AVAYA, INC	23.00	LARRY C. FRACE INSPECTIONS, LLC	3,305.00
BBC FUNDING VIII LLC	586.41	LARRY'S LUMBER AND SUPPLY, INC.	25.84
BERWICK AREA UNITED WAY	94.00	LARRY'S LUMBER AND SUPPLY, INC.	318.53
BERWICK AREA UNITED WAY	125.00	LENDEMANN'S REMODELING	4,400.00
BERWICK AUTOMOTIVE	121.89	LENDEMANN'S REMODELING	5,300.00
BERWICK AUTOMOTIVE	28.09	LENDEMANN'S REMODELING	9,415.00
BERWICK FIRE POLICE	170.00	LOWE'S	282.15
BERWICK HOSPITAL CENTER	600.00	MATTHEWS FUEL SERVICE, INC.	1,098.69
BERWICK HS MUSIC ACTIVITY ACCT	125.00	MATTHEWS SPRING WATER	96.50
BERWICK HS MUSIC ACTIVITY ACCT	125.00	METROCAST	127.12
BWK PROFESSIONAL AUTO CENTER	463.25	METROPOLITAN TELECOMMUN	689.53
BODNAR SALES & SERVICE	24.12	MICHAEL MONICO	1,069.20
BODNAR SALES & SERVICE	25.77	MICHAEL MONICO	1,096.00
BORO OF BWK MUNICIPAL PENSION	720.80	MICHAEL MOONICO	1,096.00
BORO OF BWK MUNICIPAL PENSION	741.41	MICHAEL MONICO	1,008.00
BORO OF BWK PAYROLL ACCT	2,242.32	MICHAEL MONICO	1,096.00
BORO OF BWK PAYROLL ACCT	35,226.70	MICHAEL MONICO	359.12
BORO OF BWK PAYROLL ACCT	33,580.43	MIDLAND ASPHALT MATERIALS INC.	526.94
BORO OF BWK PAYROLL ACCT	40,066.16	NESCOPECK SUPPLY CO	57.24
BORO OF BWK PAYROLL ACCT	39,968.53	P A W C	24.97
BORO OF BWK PAYROLL ACCT	442.10	P A W C	38.88
BORO OF BWK PAYROLL ACCT	714.89	P A W C	25.96
BORO OF BWK PAYROLL ACCT	300.00	P A W C	2,739.70
BORO OF BWK PAYROLL ACCT	315.79	PENNSY SUPPLY INC	1,145.50
BORO OF BWK PAYROLL ACCT	510.64	PENNSYLVANIA ONE CALL SYSTEM	49.53
BORO OF BWK -PETTY CASH	250.00	PITNEY BOWES PURCHASE POWER	402.50
BORO OF BWK POLICE PENSION	596.98	PITNEY BOWES PURCHASE POWER	402.50
BORO OF BWK POLICE PENSION	741.46	PPL	373.21
BRANDON SHULTZ	40.00	PPL	850.10
BRANDON SHULTZ	70.00	PPL	81.96

BUCK'S LOCKSMITH SERVICE	120.00	PPL	92.57
C.M. LAUBACH & SONS, INC.	39.99	PPL	141.62
CAMPBELL PRINTING CO.	78.00	PPL	13,206.27
CASSANDRA MOWERY	241.00	PRESS-ENTERPRISE, INC.	1,910.77
COLE'S HARDWARE	5.69	QUILL CORPORATION	45.23
COLE'S HARDWARE	537.60	RANDY GAUGLER	230.00
COLE'S HARDWARE	220.40	RANGER HOSE CO	383.33
COMPRESSED AIR SYSTEMS, ICN.	1,590.79	RELIANCE FIRE CO	383.33
D&M FIREWORKS, LLC	3,500.00	RHONDA T. KOCH, CCR	75.00
DAN-BER CONCRETE & SUPPLY	554.75	RIVERVIEW BLOCK	99.00
DEBRA FORCE	133.40	RIVERVIEW BLOCK	70.87
DEFENDER FIRE CO.	383.33	ROBERT MAIER	50.00
EAGLES FIRE COMPANY	383.33	SEDA-COUNCIL OF GOVERNMENTS	6,065.00
ERIK HELBING	50.00	SQUARE ONE CONSTRUCTION	17,930.00
EUGENE GOLLA	50.00	STEPHEN LEVAN	148.39
FASTENAL COMPANY	59.13	STEVE SHANNON TIRE CO	82.94
FHC SOLUTIONS INC	100.00	STEVE SHANNON TIRE CO	409.82
FIRST COLUMBIA BANK & TRUST	1,955.70	SUB CITY	320.96
FIRST COLUMBIA BANK & TRUST	1,412.58	SUNTRUST EQUIPMENT FINANCE	2,998.05
FIRST COLUMBIA BANK & TRUST	1,810.23	SUPERIOR PLUS ENERGY SERVICES	216.15
FORT DEARBORN LIFE INS.	890.53	SUPERIOR PLUS ENERGY SERVICES	185.84
FORT DEARBORN LIFE INS.	890.53	SUPERIOR PLUS ENERGY SERVICES	79.64
GAUL ASSOCIATES INC. PBM	56.04	SUPERIOR PLUS ENERGY SERVICES	272.50
HANSON AGGREGATES INC	356.53	SUPERIOR PLUS ENERGY SERVICES	218.26
HARTMAN & LALLY INSURERS, INC.	2,467.30	SUPERIOR PLUS ENERGY SERVICES	503.24
ICMA RETIREMENT TRUST	1,351.24	SUPERIOR PLUS ENERGY SERVICES	266.18
ICMA RETIREMENT TRUST	100.00	SUPERIOR PLUS ENERGY SERVICES	545.45
ICMA RETIREMENT TRUST	1,371.25	TEAMSTERS	1,209.60
ICMA RETIREMENT TRUST	100.00	TRI-COUNTY HARDWARE	155.47
ICMA RETIREMENT TRUST	1,424.28	TRI-COUNTY-LUMBER DIVISION	814.54
ICMA RETIREMENT TRUST	100.00	UGI PENN NATURAL GAS	307.64
ICMA RETIREMENT TRUST	1,735.77	VERIZON WIRELESS	302.80
ICMA RETIREMENT TRUST	100.00	WASHINGTON NATIONAL INS CO	60.90
J.H. WILLIAMS & CO., LLP	15,030.00	WEST BERWICK FIRE CO	383.33
JACK KYTTLE	100.00	WEX BANK	1,018.75
JAMES DALBERTO	55.00	XEROX CORPORATION	377.00
JAMES MEIGHAN	153.40	YIS/COWDEN GROUP INC.	87.00
KAY TODD	39.64	ZEISLOFT BROTHERS	336.00
KAY TODD	74.20		

REPORTS OF BOROUGH OFFICIALS

BOROUGH MANAGER

CODE OFFICER: **REPORT ATTACHED**

CHIEF OF POLICE: **REPORT ATTACHED**

PUBLIC WORKS FOREMAN: **REPORT ATTACHED**

FIRE CHIEF: **REPORT ATTACHED**

ENGINEER: **NOT PRESENT**

SOLICITOR:

- **Attorney Kepner will appoint Curt Rider to take action on The Babb Property.**
 - **Councilman Bower asked for update on Cristella property 728 LaSalle Street. Attorney Kepner stated the property should be down before the next council meeting.**
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MAYOR: **NOT PRESENT**

REPORTS OF COMMITTEES:

PERSONNEL: **NONE**

LEGAL AND FINANCE: **NONE**

PARKS AND RECREATION: Councilman Jarrett: The first concert of the season will take place on the 28th. Community Watch will have a K-9 Dog presentation.

EMERGENCY MANAGEMENT:

Councilman Meighan: Citizen's Committee will take place June 3rd.

STREETS, PARKS, & BUILDINGS: NONE

FIRE AND WATER: **NONE**

CODES, RECYCLING, & ORDINANCES: **REPORT ATTACHED**

SAFETY:

The annual inspections of buildings and parks is complete

BAJSA REPORT:

COUNCILMAN BOWER (THE BOROUGH REPRESENTATIVE ON THE BOARD OF DIRECTORS FOR BAJSA)

COMPLETE REPORT IS ATTACHED.

CIVIL SERVICE COMMISSION: NONE

Discussion Items / Items Not Ready for Action: NONE

OLD BUSINESS:

Berwick Area Regatta (Boat Races) fund raising event for the Berwick United Way; to be held at Test Track Park the weekend of **June 26-28, 2015**. There will be limited vendors (will need (10)20AMP receptacles) this year as focus will be on the races. Proceeds will go to the Swimming Pool Association. Mr. Shotwell is the liaison for the event and will be in direct contact for future events with the Borough Manager.

Discussion:

There will **NOT** be a charge for parking and/or admission.

The Boat Dock will be closed for that weekend.

Mr. Shotwell is the liaison for the event and will be in direct contact for future events with the Borough Manager.

ORDINANCES AND RESOLUTIONS:

- Consider and take action on Alternative Dispute Resolution Ordinance 2015-04. Advertising of a Public Notice ran in the Press Enterprise April 29, 2015 and May 6, 2015.

Discussion: NONE

Motion: **MR. PETTY** Second: **MR. OLIVER** Approved, Denied

Consider and take action on Outdoor Fuel Burning Resolution 2015-02 as an addition to the Zoning Ordinance Section 802.19. Advertising of Public Notice ran in the Press Enterprise April 29, 2015 and May 6, 2015.

Discussion: **NONE**

Motion: **MR. MEIGHAN** Second: **MR. BOWER** Approved, Denied, Mr. PETTY Opposed

NEW BUSINESS

1. Consider and take action on Memorandum of Understanding between the Berwick Stuart Tank Committee and the Borough of Berwick.

Discussion: Borough Manager Debra Force will be the contact for the Borough. Roger Nunkester (NUNK) will be the contact for the Berwick Stuart Tank Committee.

Motion: **BOWER** Second: **HUNTINGTON** Approved, Denied, Tabled

2. Consider and take action to direct Borough Manager to send a letter to Penn DOT expressing Council's concerns of the traffic pattern at the new CVS site.

Discussion: Chief Strish is going to get numbers from Penn Dot before further discussion

Motion: **MEIGHAN** Second: **BOWER** Approved, Denied, Tabled

3. Consider and take action to approve an Ethics and sexual harassment training course for all elected officials and borough employees. Class is set for June 10, 2015. Morning afternoon and evening time slots.

Discussion: 10AM, 1PM AND 5PM

Motion: JARRETT Second: PETTY Approved, Denied, Tabled

4. Consider and take action on Civil Service letters of interest. Public Notice posted in the Press Enterprise May 9th - 11th - 13th of 2015 with a submission deadline of May 15, 2015 at 4:00PM.

Discussion: Darly Elzzy, replacement; Damien Scoblink, alternate

Motion: PETTY Second: BOWER Approved, Denied, Tabled

5. Consider and take action on waiver of fees for BAJSA Storm Water/Sewer separation Project I.

Discussion: Council has never received a letter like this from BAJSA in the past. Why now?

Motion: PETTY Second: MEIGHAN Approved, Denied, Tabled
Abstained: BOWER, HILL

6. Consider and take action to direct the Borough Manager Force to write new Ordinance to address sewage lines underground and responsibility of.

Discussion: Debra to work with Committee Chair Scott Bower, Greg Harkins and Curt Rider

Motion: JARRETT Second: OLIVER Approved, Denied, Tabled

7. Consider and take action on the Joint Veterans Council request to hold a Memorial Day Parade on Sunday May 24, 2015 from 11:30 to 2:00PM. And to have the Penn DOT permit completed to close the

bridge and Market Street up to the Pine Grove Cemetery during the parade.

Discussion: NONE

Motion: MEIGHAN Second: HUNTINGTON Approved, Denied, Tabled

8. Consider and take action on the request from Pastor Mike Maleski of The Living Hope Community Church, First & Warren Street in Nescopeck is requesting to hold a 5 day Vacation Bible School in Ber-Vaughn Park Monday July 27 through Friday July 31, 2015 from 5-8pm each evening. They would only need 1 pavilion and have provided a Certificate of Insurance naming the Berwick borough as an additional insured.

Discussion: NONE

Motion: JARRETT Second: HUNTINGTON Approved, Denied, Tabled

9. Consider and take action on The Berwick Historical Society's request to hold a Civil War re-enactment (August 29th & 30th) on the lawn of Jackson Mansion. This event would be free to the public. The professional group would set up camp on the lawn; post guards as it would have been done during the war and cook over open fire. The 2nd day they would re-enact a civil War battle.

Discussion: NONE

Motion: OLIVER Second: JARRETT Approved, Denied, Tabled

10. Consider and take action on the request of the Blue Print Community to hold its annual Block Party at Sponslers Park on June 13, 2015.

Discussion: NONE

Motion: MEIGHAN Second: BOWER Approved, Denied, Tabled
Abstained: JARRETT

11. Consider and take action on ordering signs to be placed at Front & Oak Streets stating "NO TRACTOR TRAILERS" to access Susquehanna Avenue.

Discussion: Ordinance is being written

Motion: OLIVER Second: JARRETT Approved, Denied, Tabled
Oppose: MEIGHAN

12. Consider and take action on charging an electrical use fee for events at Test Track Park when electricity use is requested for events. Minimum charge of \$20.00, per pedestal, or electrical meter reading charges if cost is higher. This will be added to the Test Track Usage Request Form.

Discussion: With the exception of Borough events

Motion: MEIGHAN Second: BOWER Approved, Denied, Tabled
Oppose: HUNTINGTON

ITEM 13. ADDED ITEMS

- A.** Consider and take action ITEM: PA FISH & BOAT COMMISSION APPLICATIONS FROM STEVE LOWE OF 1001 SUSQUEHANNA AVE TO HOLD A FISH TOURNMENT AT TEST TRACK PARK 06/17/2015, 06/24/2015, 08/05/2015, and 08/19/2015.

Discussion: NONE

Motion: PETTY Second: JARRETT Approved, Denied, Tabled

- B.** Consider and take action Item: PA FISH & BOAT COMMISSION APPLICATIONS FROM MICHAEL SCHMIDT OF THE BIG BACK FORTY BASS CLUB OF 861 CENTER STREET, SHEPTON, PA TO HOLD A BASS TOURNMENT AT TEST TRACK PARK 07/05/2015, 08/23/2015, 10/18/2015.

Discussion: NONE

Motion: BOWER Second: HUNTINGTON Approved, Denied, Tabled

C. Consider and take action Item: ATTORNEY KEPNER REGARDING A SETTLEMENT.

Discussion: Landlord licensing feed \$13,000

Motion: MEIGHAN Second: BOWER Approved, Denied, Tabled

ADDED ITEM:

A. Item: Fred Berlin is now put on notice in reference to rental properties and the creation of LLC's. Rent To Own

Motion: BOWER

Second: PETTY

Roll Call Vote: Yes: **BOWER, JARRETT, MEIGHAN, OLIVER, HILL**

No: **PETTY AND HUNTINGTON**

ADJOURNMENT: Motion by Councilman Bower and seconded by Councilman Petty. The motion was carried unanimously to adjourn the meeting.

Debra Force
Borough Manager