

**MINUTES**  
**REGULAR COUNCIL MEETING**  
**August 21, 2017**

**AGENDA:**

An EXECUTIVE session was held from 6:45Pm - 7:05pm to discuss personnel issues. Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday AUGUST 21, 2017 at 7:05PM; 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, DPW Foreman Jack Kyttle solicitor Attorney Frank Kepner, Police Chief Ken Strish, Fire Chief Randy Remphrey, and a representative of the engineering firm Quad 3.

Absent from the meeting was Council President Alvin Hill, Press Enterprise reporter.

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

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

Motion to approve the agenda was made by Councilman Shecktor, seconded by Councilman Surkin. All ayes, motion passes.

**PRESENTATIONS:**

Dave Levandoski an engineer with Quad 3 (the Borough's engineering firm) gave a presentation on MS4 a pollution reduction plan for the Chesapeake Bay that the Borough is required to participate in.

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

**Nadine Kramarz, McBride Library Director** with an update for council. It was reported that the library has 6,000 Berwick residents as active card holders. The library is asking for extra money this year. Nadine listed what the library offers residents. Council advised that the budget is tight and asked what she was asking for. Nadine said that the recommended amount is \$5.00 per active resident member which would

amount to \$30,050.00. After some prodding she settle on an extra \$5,000.00. So 15,000.00 total for 2018.

**Ann DeMelfi of 1130 3<sup>rd</sup> Avenue.** Complaint about Berlin's rental properties. And wanted to know why they do not have to be inspected. Attorney Kepner said the Borough is in litigation with Mr. Berlin at this time. Mrs. DeMelfi said the house across the street would never pass inspection and is a fire waiting to happen. She is worried for herself and her neighbors. Attorney Kepner said to call his office and make an appointment to come and talk to him.

**Rick ? 1405 3<sup>rd</sup> Avenue.** Regarding Mr. Berlin's properties also. He said he has called police 5 time himself this year alone. He talked to Mr. Harkins and discussed some of the problems he has seen and was told that if the police filed a report he can site them. But he found out that one report was written when he has called. It is disheartening. The neighbors are verbally abusing him. I have begged police to write reports so I have proof to proceed legally.

**Matt King 200 block 8<sup>th</sup> Street.** Why isn't the Borough doing what they should be doing after so many calls to the police with regard to the Berlin properties? Attorney Kepner also invited Mr. King to office to discuss the matter.

**Debra Bafile 719 Sycamore Street** with regard to the Tuzzi bread feeding issue. She brought a picture of a rat that was caught.

**Roy James** wanted to know what the process is to get his fire arms back. Police Chief said he would meet him at Curt's Gun Shop Wednesday at 11AM to start the process to get them back. Also wanted to know who to contact when he cannot get satisfaction from the police department. He was advised the Mayor.

**Danielle Busche of 201 E. 8<sup>th</sup> Street.** Wanted to discuss codes issues with regard to her neighbor. House is packed full and a fire hazard. Pool in back yard no permit And van in yard pack full.

**Chris Cashman 1400 Fairview Ave.** Police issue. Officer said no time to take care of it. Chief Strish said this is not to be discussed in public. Mr. Cashman agreed and an appointment to meet with the Chief was set up for this Wednesday at 1:00PM.

**PREVIOUS  
MONTHS  
MINUTES  
APPROVED:**

**MOTION TO APPROVE JULY 17, 2017 MINUTES. The motion to approve the minutes was made by Councilman Jarrett and seconded by Councilman Shecktor. All ayes. Motion passes.**

**PAYMENT  
OF BILLS**

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

12TH MAN BOOSTER CLUB	165.00	JIMMY PECA	550.00
A.O. RENT	911.98	KENNETH STRISH	573.35
AMERICAN PAPER & SUPPLY INC	373.57	KENNETH STRISH	100.00
AMERICAN PAPER & SUPPLY INC	146.29	KEYSTONE COMMUNICATIONS	123.00
AMERICAN PAPER & SUPPLY INC	39.70	KNORR HAULING, INC.	6,187.50
AMERICAN PAPER & SUPPLY INC	7.92	LACAL EQUIPMENT, INC	54.44
AMERICAN PAPER & SUPPLY INC	29.91	LARRY C. FRACE INSPECTIONS, LLC	3,023.00
AMERICAN PAPER & SUPPLY INC	56.16	LAUBACH'S AUTO REPAIR	536.00
AMERICAN PAPER & SUPPLY INC	25.65	LAUBACH'S AUTO REPAIR	9.94
ANNETTE BRENNAN	50.00	LAUBACH'S AUTO REPAIR	565.52
ANNUZIATO DEGEORGE	50.00	MARINOS, MCDONALD & KNECHT, LLP	212.50
AVAYA, INC	27.83	MATTHEWS SPRING WATER	96.50
BACKYARD BOUNCIN'	700.00	MATTHEWS SPRING WATER	5.50
BARRY'S SERVICE INC.	125.30	MAY'S FOOD SERVICE INC.	200.00
BARRY'S SERVICE INC.	384.80	MEMORY LANE	750.00
BEAVER VALLEY ENVIRENMENTAL LLC	380.00	METROCAST	127.12
BEN MIKE	400.00	METROCAST	2.17
BWK AREA SWIMMING POOL ASSOC	180.00	METROPOLITAN TELECOMMUNICAT	807.05
BOB GIFT OR	700.00	MICHAEL MONICO	1,151.20
BODNAR SALES & SERVICE	182.17	MICHAEL MONICO	1,151.20
BODNAR SALES & SERVICE	114.86	MICHAEL MONICO	1,151.20
BORO OF BWK GENERAL FUND	9,502.98	NAPA AUTOPARTS BERWICK	86.99
BORO OF BWK MUNCIIPAL PENSION FD	738.48	NAPA AUTOPARTS BERWICK	1.64
BORO OF BWK PAYROLL ACCOUNT	2,232.12	NAPA AUTOPARTS BERWICK	22.98
BORO OF BWK PAYROLL ACCOUNT	35,007.73	NAPA AUTOPARTS BERWICK	43.11
BORO OF BWK PAYROLL ACCOUNT	33,897.16	NAPA AUTOPARTS BERWICK	245.03
BORO OF BWK PAYROLL ACCOUNT	32,299.59	NAPA AUTOPARTS BERWICK	51.49
BORO OF BWK PAYROLL ACCOUNT	166.67	NMS	198.00

BOROUGH OF BERWICK -PETTY CASH	100.00	P A W C	2,740.64
BORO OF BWK POLICE PENSION	731.22	PENNSYLVANIA ONE CALL SYSTEM	61.74
BORO OF BWK POLICE PENS TRUST FD	1,432.89	PHILIP KEIFER	37.57
BRANDON SHULTZ	35.00	PITNEY BOWES PURCHASE POWER	402.50
BRUCE MCCORMICK	400.00	PPL	497.38
CAMPBELL PRINTING CO.	396.27	PPL	813.83
CENTRAL CLAY PRODUCTS, INC	156.50	PPL	51.88
CH WALTZ SONS, INC	14.49	PPL	78.11
CNA SURETY	100.00	PPL	11,518.60
CNA SURETY	100.00	PRESS-ENTERPRISE, INC.	261.73
COLE'S HARDWARE	268.34	PSAB MUNI RETIREMENT TRUST	63,058.00
COLE'S HARDWARE	50.86	QUAD THREE GROUP, INC.	1,974.00
COLE'S HARDWARE	111.56	RANGER HOSE CO	383.33
COLE'S HARDWARE	30.35	RELIANCE FIRE CO	383.33
COLE'S HARDWARE	18.48	RIVERVIEW BLOCK	1,049.14
COMMONWEALTH OF PA	62.50	ROBERT MAIER	50.00
COMPUTER SOFTWARE, INC.	7,650.00	RR DONNELLEY	38.00
CONSTELLATION NEWENERGY INC.	34.14	SARGENT'S COURT REPORTING SERV	245.75
CONSTELLATION NEWENERGY INC.	632.18	SEDA-COUNCIL OF GOVERNMENTS	24,453.00
CONSTELLATION NEWENERGY INC.	8.72	SHERWIN-WILLIAMS	2,861.46
CONSTELLATION NEWENERGY INC.	1,475.09	SHERWIN-WILLIAMS	246.60
CURTIS RIDER	60.00	SQUARE ONE CONSTRUCTION	7,815.00
DAN-BER CONCRETE & SUPPLY	100.00	SQUARE ONE CONSTRUCTION	7,600.00
DCED	416.00	STAPLES CREDIT PLAN	54.82
DEBRA FORCE	108.54	STAPLES CREDIT PLAN	228.28
DEBRA FORCE	278.14	STAPLES CREDIT PLAN	126.16
DEFEBO GRAPHICS	30.00	STAPLES CREDIT PLAN	111.98
EAGLES FIRE COMPANY	383.33	STAPLES CREDIT PLAN	156.89
ECKERT SEAMANS CHERIN & MELLOCTT	2,626.00	STAPLES CREDIT PLAN	56.77
ERIK HELBING	50.00	STARR PORTABLES	230.00
EUGENE GOLLA	50.00	SUPERIOR PLUS ENERGY SERVICES	263.19
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	SUPERIOR PLUS ENERGY SERVICES	339.80
FORT DEARBORN LIFE INS.	871.34	SUPERIOR PLUS ENERGY SERVICES	46.07
GENERAL SALES, INC.	57.95	SUPERIOR PLUS ENERGY SERVICES	370.33
GEORGE ELY ASSOCIATES	5,136.00	SUPERIOR PLUS ENERGY SERVICES	76.78
GEORGE NASH	500.00	SUPERIOR PLUS ENERGY SERVICES	247.33
HARTMAN & LALLY INSURERS, INC.	2,825.45	TEAMSTERS	1,260.20
HIGHWAY EQUIP & SUPPLY	87.40	THE INTERNET PLACE	140.82
HIGHWAY EQUIP & SUPPLY	1,274.83	THE PENN STATE UNIVERSITY	450.00
HIGHWAY EQUIP & SUPPLY	1,000.00	TRI-COUNTY HARDWARE	31.53
ICMA RETIREMENT TRUST	1,874.87	TRI-COUNTY HARDWARE	5.99
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY HARDWARE	9.98
ICMA RETIREMENT TRUST	1,806.60	TRI-COUNTY HARDWARE	8.99
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY HARDWARE	9.98
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY-LUMBER DIVISION	136.37
ICMA RETIREMENT TRUST	1,779.12	UGI PENN NATURAL GAS	34.70
ICU SURVEILLANCE	79.00	VERIZON WIRELESS	307.00
IREM STRING BAND	300.00	WEST BERWICK FIRE CO	383.33

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

MAYOR: Tim Burke.

- Attended the World War II event on July 23<sup>rd</sup>.
- Go Joe was in town on July 26<sup>th</sup> and was very successful.
- August 1<sup>st</sup> was National Night Out great event and well attended.
- August 12<sup>th</sup> he attended the Bible Reading at St Charles Park.
- On August 14<sup>th</sup> Joint Drug Alliance and the Crime Watch combined forces. That is why he missed the work shop.

ENGINEER: Gave presentation earlier in the meeting.

SOLICITOR: Attorney Frank Kepner.

- 2 letters sent to Berlin and should have something to report at the next month.

CIVIL SERVICE COMMISSION: Damien Scoblink  
Commission Chair said the last meeting was held on July 27<sup>th</sup>. At that time the commission went over changes to the rules & regulations that the Police department wanted changed. The commission attorney said he would he would review the changes and make recommendations and send the changes back for council to vote on. Mr. Scoblink said he was under the impression that City Hall employees would do follow up and not him. Mr. Scoblink said he would call the attorney to follow up on the changes. It was noted that the Police Chief's Association has not replied back with a cost quote.

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.

- Siren testing last Thursday.

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.

- Nothing to report.

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

- SEE REPORT.
- National Night Out held August 1<sup>st</sup>, gave thanks to all who volunteered. It was a great success.
- Officers have filed another grievance for not hiring within 150-day rule per article 10 section 6. Councilman Petty said everyone is trying to work in good faith.

BAJSA REPORT: Scott Bower.

- SEE REPORT.

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

**OLD BUSINESS**: NONE

**ORDINANCES &  
RESOLUTIONS:** NONE

**NEW BUSINESS:**

1. Consider and take action on an addendum to the Borough Manager's current contract. In compliance with Borough Code Sub-Chapter G MANAGER. Section 1142 Powers & Duties. (B) Employment Agreement. (3) To specify conditions under which a Borough Manager will be entitled to severance compensation.

Discussion: *After considerable back and forth on this issue it was decided not to offer a severance for termination for unjust cause at this time. Even though the severance clause is in other contracts. What council did decide to do was to remove the four months' notice she is required to give should she resign and put it at a 2-week notice should she resign.*

**Motion to remove the 4-month notice of resignation to a 2-week notice of resignation was made by Councilman Surkin and seconded by Councilwoman Huntington. All ayes, motion passes.**

2. Consider and take action upon the hiring of \_\_\_\_\_ as Labor Attorney to review Union Contracts.

Discussion: *Harvey at \$365.00 an hour, Gartley at \$175.00 an hour, Goldberg at \$235.00 an hour.*

**Motion to approve was made by Councilman Surkin, seconded by Councilwoman Huntington to hire Gartley at \$175.00 an hour. Roll Call vote: Jarrett: NO, Surkin: YES, Shecktor: YES, Petty: NO, Huntington: YES, Bower: YES. Motion passes 4/2.**

3. Consider and take action the following SEDA-COG requests:

A: Approve Change Order #2 to Don E. Bower, decreasing their contract amount \$1,720.80 on the Grant Street project.

**No discussion. A motion was made by Councilman Jarrett and second by Councilman Shecktor. All ayes, motion passes.**

B: Approve 1st/Final Payment Application to Don E. Bower in the amount of \$64,961.00 on the Grant Street project.

**No Discussion. A motion to approve was made by Council Surkin and seconded by Councilman Jarrett. All ayes, motion passes.**

C: Approve advertising for bids for the West 6th Street reconstruction project.

**No Discussion. A motion to approve was made by Council Jarrett and seconded by Councilman Surkin. All ayes, motion passes.**

D: Approve advertising for bids for the West 8th Street Reconstruction project.

**No Discussion. A motion to approve was made by Council Jarrett and seconded by Councilman Surkin All ayes, motion passes.**

E. Approve advertising for bids for the Pine & Chestnut Street Alley Reconstruction project.

**No Discussion. A motion to approve was made by Council Shektor and seconded by Councilman Jarrett. All ayes, Councilman Petty: NO. Motion passes.**

F. Approve advertising for bids for the Removal of Blighted Structures project.

**No Discussion. A motion to approve was made by Council Petty and seconded by Councilman Surkin All ayes, motion passes.**

4. Consider and take action on directing the Borough Manager to advertise for bids to repair to the traffic signal at the 2nd & LaSalle Streets.

DISCUSSION: *This is an insurance claim.*

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

5. Consider and take action to pay engineering invoice to Peters Consulting; for \$938.75. To be paid from CDBG funds under the Blighted Housing Project.

**No discussion. Motion to approve Councilman Jarrett and seconded by Councilman Shektor. All ayes, motion passes.**

6. Consider and take action to pay engineering invoices to Peters Consulting; one for \$401.25 and another for \$1,459.90 for representation services for Grant Street reconstruction to be paid out of CDBG funding.



No discussion. Motion to approve Councilman Jarrett and seconded by Councilman Shecktor. All ayes, motion passes.

ADDED ITEMS:

A. NONE ADDED

ADJOURNMENT:

Motion to adjourn made by Councilman Petty.