

MINUTES

**REGULAR COUNCIL MEETING
September 19, 2022
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. Executive Session
6. Citizen Correspondence/Personal Appeals - Agenda Items
7. Approval of the preceding meeting minutes if correct and rectifying mistakes if any exist.
8. Approval of Payment of Bills
9. Reports of Committees
10. Business Not Ready for Action or No Action Needed
11. Old Business
12. Introduction of Ordinances and Resolutions
13. New Business
14. Added Items
15. Citizen Correspondence/Personal Appeals - Non-Agenda Items
16. Adjournment

ITEM 1. CALL TO ORDER BY PRESIDING OFFICER: Council Vice President Nelson Learn

ITEM 2. ROLL CALL (Attendance)

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

ITEM 3. REVIEW & APPROVE CURRENT AGENDA:

Discussion - Borough Manager recommended moving scheduled executive session to the end of the meeting, from its presently listed space on the agenda. Motion to approve agenda included this change.

Motion: Mr. Jarrett Second: Ms. Wozniak

All in favor, agenda approved with listed change.

ITEM 4. PRESENTATION:

- **Mayor Tim Burke**, Mayoral Proclamation - Mayor Burke read proclamation noting October as LGBTQ History Month, and the month of Outfest
- **Justin Ulanoski**, Native Creations - Mr. Ulanoski presented on the importance of maintaining appropriate green spaces in Berwick, including the possible uses of pollinator meadows, and removal of invasive tree species and possible replacements.

ITEM 5. EXECUTIVE SESSION: Council will move to executive session to discussion negotiations for the potential purchase of real property. **Executive session was moved to the end of this meeting.**

ITEM 6. Citizen Correspondence / Personal Appeals - Agenda Items

None

ITEM 7. APPROVAL OF THE MINUTES OF THE PRECEDING MEETINGS

- Regular Council Meeting of August 15, 2022.

Discussion - None

Motion: Mr. Jarrett Second: Mr. Talanca

All in favor, minutes approved.

- Regular Council Meeting of September 5, 2022.

Discussion - None

Motion: Mr. Moccia Second: Mr. Lewis

All in favor, minutes approved.

ITEM 8. APPROVE PAYMENT OF BILLS MOTION: Mr. Talanca SECOND: Mr. Moccia

All in favor, payment of bills approved.

ITEM 9. REPORTS OF COMMITTEES

MAYOR: Mayor Tim Burke - Continuing to make payments on funerals with funds from recent fundraiser. Sponsoring a Halloween movie at the movie theater. Working on yearly winter accessory giveaway. Hoping to restart in-school visits soon.

ENGINEER: Quad 3 - None

SOLICITOR: Attorney Frank Kepner - None, but anticipates have some updates on ongoing issues next month.

PERSONNEL: Tom Moccia, Nelson Learn, Jay Jarrett - None

LEGAL AND FINANCE: Tom Moccia, Nelson Learn, Jay Jarrett - None

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

EMERGENCY MANAGEMENT: Greg Harkins, Jeri Wozniak, Teresa Troiani, Jay Jarrett - None

STREETS, PARKS, & BUILDINGS: Jack Kyttle - Report provided. Paving of East Third Street is done, and completed to expectations. MS4 report is complete and ready for submission. Park bathroom projects are slowly coming along.

FIRE AND WATER: Jeri Wozniak, Pete Talanca, Bob Lewis - None

CODES, RECYCLING, & ORDINANCES: Nelson Learn, Tom Moccia, Pete Talanca - None

SAFETY: Bob Lewis - None

POLICE: Chief Ken Strish - Report provided. Reviewed monthly stats. A lot training is happening.

FIRE: Chief Gene Boone - None

BAJSA REPORT: See Report - Report provided.

ITEM 10. BUSINESS NOT READY FOR ACTION:

1. Summerhill Ave. Parking - Borough Manager reviewed safety concerns reported about parking on Summerhill Avenue, specifically when cars block the entire sidewalk, forcing pedestrians into the road. Council asked that Chief Strish review statistics and report back to Council before any action is taken.

2. Citizen Volunteer for Test Track Cleanup - Private citizen asked about "adopting" Test Track Park for regular litter patrolling. Borough Manager reported wanting to at least run it by Council before moving forward with anything. No one present reported any concerns.

ITEM 11. OLD BUSINESS:

None

ITEM 12. APPROVAL OF ORDINANCES AND RESOLUTIONS:

None

ITEM 13. NEW BUSINESS

1. Consider and take action to approve request to allow street cut for UGI service at 1626 Franklin Street.

Discussion: Borough Manager explained that this street will be at the end of its five-year moratorium this winter, and the owner is hoping to have natural gas installed for the winter. Also reports that Council has previously allowed cuts in this street for the same reason.

Motion: Mr. Talanca Second: Mr. Moccia Approved, Denied, Tabled

All in favor, motion approved.

2. Consider and take action to set 2022 Trick-or-Treat date and time as follows: October 30 and 31, from 6:00 until 8:00 p.m.

Discussion: Discussion centered on whether to have one or two nights. Pros and cons of each option were discussed, before a motion was made for allowing two nights.

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

Voting in favor were Councilpersons Learn, Jarrett, Lewis, Talanca and Wozniak. Voting in opposition was Councilperson Moccia. Motion approved by a 5-1 vote in favor.

3. Consider and take action to accept bids for CDBG Demolition Project, contingent upon final engineer and SEDA-COG approval, as follows:

- 243 Iron Street - A R Popple, \$12,000
- 345 S. Mercer Street - A R Popple, \$12,000
- 534 W. Front Street - Brdaric Excavating, \$28,000
- 604-606 Maple Street - Brdaric Excavating, \$16,500
- 608-610 Maple Street - Brdaric Excavating, \$17,000
- 1140 Ferris Avenue - Brdaric Excavating, \$17,000

- 1335-1337 Ferris Avenue - A R Popple, \$15,000

Discussion: Mr. Moccia questioned the need to rebid, and if the same thing would happen again. Borough Manager indicated that it was an error by the engineer, caught by SEDA-COG, that necessitated this action. Also indicated that, while he cannot absolutely promise there wouldn't be another need to rebid, the original concern was taken care of on the rebid, and no other obvious reasons to need another rebid were apparent.

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

All in favor, motion approved.

4. Consider and take action to approve increasing maximum CLFRF allotment to Berwick Area Swimming Pool, Inc., to \$300,000, with the understanding that the additional \$50,000 committed shall serve be last funds utilized, after currently committed funds from Berwick Borough and Columbia County, and proceeds from any capital campaign for the splash pad project.

Discussion: Borough Manager explained that the proposal essentially allows the Borough to act as a safety net for the pool, in case its efforts to raise remaining needed capital fall through. Also explained that ongoing inflation issues are what caused the extra funds to be needed in the first place, and the pool needs to lock in this cost to avoid potential future increases.

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

All in favor, motion approved.

5. Consider and take action to enter into proposed agreement with Barry Isett & Associates for MS4 annual reporting and compliance assistance for Years 2-5 of current MS4 permit.

Discussion: Borough Manager and Mr. Kyttle both indicated happiness with the service provided for Year 1, and Mr. Learn indicated that BAJSA had already approved the proposal.

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

6. Consider and take action to accept Diltz Equipment Sales Inc. proposal Quote #5364 for upgrade of current fueling tanks to obtain compliance with DEP standards.

Discussion: Borough Manager and Mr. Kyttle explained the need for the upgrade as it relates to MS4.

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

All in favor, motion approved.

- 7. Consider and take action to approve the completion of Kyle Trenholm's probationary period and change his status from Probationary Police Officer to Permanent Full-Time Police Officer.

Discussion: None

Motion: Mr. Lewis Second: Mr. Jarrett [X] Approved, [] Denied, [] Tabled

- 8. Consider and take action to accept recommendation to extend probationary status of Officer Joseph Gainley for a period of up to an additional six months, starting from the original probation end date of September 26, 2022, under the same contractual guidelines of original probationary period.

Discussion: Mr. Lewis clarified the inclusion of the phrase "up to" in the motion would allow Chief Strish to end the extended probationary period early, if he chose to do so. Chief Strish confirmed that this would be the case.

Motion: Mr. Lewis Second: Mr. Moccia [X] Approved, [] Denied, [] Tabled

All in favor, motion approved.

- 9. Consider and take action to accept proposal for cloud storage for use of CODY police records management system.

Discussion: Chief Strish explained the need for the additional storage space.

Motion: Mr. Jarrett Second: Ms. Wozniak [X] Approved, [] Denied, [] Tabled

ITEM 14. ADDED ITEMS

None

ITEM 15. Citizen Correspondence / Personal Appeals - Non-Agenda Items

None

ITEM 16. ADJOURNMENT: Motion: Mr. Talanca Second: Mr. Lewis

Meeting adjourned.

Following adjournment, Council met for an announced Executive Session, for the purpose of discussing the potential purchase of real property. No action would be taken following the conclusion of the Executive Session.