

MINUTES

REGULAR COUNCIL MEETING

August 5, 2024

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. Business Not Ready for Action or No Action Needed
7. Old Business
8. Introduction of Ordinances and Resolutions
9. Consent Agenda
10. New Business
11. Added Items
12. Citizen Correspondence/Personal Appeals - Non-Agenda Items
13. Adjournment

ITEM 1. CALL TO ORDER BY PRESIDING OFFICER: Council President Robert Lewis

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>
LEWIS	<u> X </u>	<u> </u>			
JARRETT	<u> X </u>	<u> </u>	Chief of Police	<u> X </u>	<u> </u>
KARAFINSKI	<u>X(Tele)</u>	<u> </u>	Solicitor	<u> </u>	<u> X </u>
LEARN	<u> X </u>	<u> </u>	Engineer	<u> </u>	<u> X </u>
MOCCIA	<u> X </u>	<u> </u>	DPW Foreman	<u> X </u>	<u> </u>
TROIANI	<u> </u>	<u> X </u>	Reporter(s)	<u>Susan Schwartz (PE)</u>	<u> </u>
WOZNIAK	<u> X </u>	<u> </u>	Fire Chief	<u> X </u>	<u> </u>
MAYOR BURKE	<u> X </u>	<u> </u>			
Borough Manager	<u> X </u>	<u> </u>			

ITEM 3. REVIEW & APPROVE CURRENT AGENDA:

Discussion - None

Motion: Mr. Jarrett Second: Mr. Learn

All in favor, agenda approved.

ITEM 4. PRESENTATION: None

ITEM 5. Citizen Correspondence / Personal Appeals - Agenda Items

- Mark Spaid, 1175 R. First Ave. - Wants Council to do something about roosters in the Borough.
- Jason Keller, 1158 Second Ave. - Opposed to roosters being allowed in town.
- Karl Gause, 1123 Sterling Ave. - Questioned whether the upper section of Sterling Ave. is a road. After Borough Manager explanation, Council confirmed that it does not consider this to be a road.
- Rick Zwolinski, 1175 R. First Ave. (owner) - Noted that continued presence of roosters in town could impact him financially, and should not be allowed.
- Ralph Schumacher, 222 Iron St. - Feels government should not get involved with restricting livestock, including chickens.
- Terry Kessler, 225 E. 14th St. - Feels police shouldn't be spending their time on roosters, and that roosters don't belong in populated areas.

ITEM 6. BUSINESS NOT READY FOR ACTION:

1. Shaffer alley vacation request - Borough Manager explained reasoning for request for a partial alley. Council authorized Borough Manager to send letters to neighboring property owners, and add to a future agenda as appropriate.
2. Around the Table
 - a. Councilperson Moccia - In response to earlier public comment defending ownership of chickens, questioned whether early American government would be OK with junk yards in town.
 - b. Fire Chief Coolbaugh - PD is working with FD on forceable entry training.
 - c. Police Chief Strish - Echoed Chief Coolbaugh on cooperation between departments.
 - d. Police Chief Strish - Thanked Civil Service Commission for recent and past history of hard work.
 - e. Mayor Burke - Noted that Weis Markets is supporting Kids Night. Started buying coats for kids. Softball fundraiser is 9/21, to help offset Thanksgiving costs.
 - f. Borough Manager - Reminder of Kids Night.
 - g. Councilperson Jarrett - Thanked Berwick Area United Way, and Ayrin Shortlidge, for Celebrate Berwick.
 - h. Fire Chief Coolbaugh - Thanked Berwick Area United Way, Berwick Health and Wellness, and Talen for post-storm financial support.
 - i. Public Works Foreman - New hire started today, and seems like an excellent fit.

ITEM 7. OLD BUSINESS:

None

ITEM 8. APPROVAL OF ORDINANCES AND RESOLUTIONS:

None

ITEM 9. CONSENT AGENDA

1. Consider and take action to approve all items on the Consent Agenda, as follows:
 - a. Approve the minutes of the July 15, 2024 meeting of Council
 - b. Allocate CLFRF funds in the amount of \$20,955 toward contract with General Code to complete Borough of Berwick codification project
 - c. Approve payment of General Code invoice #PG000037292, in the amount of \$4,199, to be paid utilizing CLFRF
 - d. Approve payment of SEDA-COG invoice of July 15, 2024, in the amount of \$4,764, to be paid utilizing CDBG funds
 - e. Approve payment of SEDA-COG invoice of July 15, 2024, in the amount of \$4,000, to be paid utilizing CDBG funds
 - f. Approve payment of Sunbury Motor Company invoice #119421, in the amount of \$55,390, to be paid utilizing CLFRF
 - g. Approve payment of A&H Equipment invoice #00-F01392, in the amount of \$49,580, to be paid utilizing CLFRF
 - h. Approve CDBG FFY 2024 Annual Action Plan
 - i. Approve payment of M&J Excavation, Inc., Washington Street Reconstruction Project Pay App #1, in the amount of \$40,131, to be paid utilizing CDBG funds

Discussion: None

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

All in favor, consent agenda approved.

ITEM 10. NEW BUSINESS

1. Consider and take action to accept engineering proposal from Peters Consultants, Inc., in the amount of \$14,100, for CDBG Phase 4 Demolitions.

Discussion: Councilperson Moccia requested clarification on whether all MBE/WBE requirements were met. Leslie Hosterman of SEDA-COG confirmed that they were. Council President Lewis requested confirmation that this was just for demolition work, which Borough Manager confirmed to be accurate.

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

All in favor, motion approved.

2. Consider and take action to approve advertisement of Ordinance No. 2024-XX, Amending Borough of Berwick Ordinance No. 2024-04.
Discussion: Borough Manager confirmed that this is for Wyandotte Avenue parking, and that a meeting had been held with representatives of the Post Office and local pizzeria to determine best locations.

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

All in favor, motion approved.

3. Consider and take action to approve advertisement of Ordinance No. 2024-XX, Placing Limits on the Legality of Harboring Chickens, Version 1.
Discussion: New Business Items 3 and 4 were discussed jointly. Borough Manager clarified that, at this point, the vote was only to advertise, and that Council had the option to advertise either, both, or neither. Extensive conversation around the merits of placing limits on chicken ownership, and requiring permits. It was agreed that language needed to be added noting that the rest of the original animal ordinance remained in effect. Borough Manager drafted language to be added and included in ordinance to be advertised. Motion to advertise included the addition of this language.

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

Council President Lewis called for a role call vote. Voting in favor were Councilpersons Learn, Wozniak, Moccia, Karafinski and Lewis. Voting in opposition was Councilperson Jarrett. Motion approved via 5-1 vote in favor.

4. Consider and take action to approve advertisement of Ordinance No. 2024-XX, Placing Limits on the Legality of Harboring Chickens, Version 2.
Discussion: See New Business Item 3. Motion to advertise included same additional language as this item.

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

Council President Lewis called for a role call vote. Voting in favor were Councilpersons Wozniak, Jarrett, Learn and Lewis. Voting in opposition were Councilpersons Moccia and Karafinski. Motion approved via 4-2 vote in favor.

5. Consider and take action to promote Greg Martin to the position of Sergeant within the Borough of Berwick Police Department, effective September 8, 2024.

Discussion: Borough Manager provided effective date, and noted that Sergeant testing would still occur for remaining open position.

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

All in favor, motion approved.

ITEM 11. ADDED ITEMS

None

ITEM 12. Citizen Correspondence / Personal Appeals - Non-Agenda Items

- Jason Keller, 1158 Second Ave. - Question about the ability to add crosswalks on Front St. It was noted that this is a Penn-DOT road, and more research would be needed.
- Mark Spaid, 1175 R. First Ave. - Questioned if better signage for crosswalks was possible.
- Kathleen Brady, Peters Consultants, Inc. - Thanked Council for the opportunity to work with the Borough.
- Mark Spaid, 1175 R. First Ave. - Expressed praise to the street department for all they do.

ITEM 13. ADJOURNMENT: Motion: Mr. Jarrett Second: Mr. Learn

Meeting adjourned.