

MINUTES
BOROUGH OF BERWICK
MONTHLY COUNCIL MEETING
NOVEMBER 16, 2015
7:00PM

AGENDA:

The regular monthly meeting of council was held at City Hall on Monday evening at 7:00PM November 16, 2015.

- Call to order by presiding officer.
- A moment of Silence was observed for the Arden Oliver family and friends in Paris; The Pledge of Allegiance was recited by all in attendance.

ATTENDANCE CALLED:

- President Alvin Hill: Present
- Vice President Scott Bower: Present
- Joanne Huntington: Present
- Councilman Jay Jarrett: Present
- Arden Oliver: Absent
- Travis Petty: Present
- Jim Meighan: Present
- Mayor, Tim Burke: Present
- Borough Manager, Debra Force: Present
- Solicitor, Attorney Frank Kepner: Late but will attend.
- Engineer: Absent
- Chief of Police, Ken Strish: Present
- Fire Chief, Bill Coolbaugh: Present
- Code Enforcement Officer, Greg Harkins: Present
- DPW Foreman, Jack Kytte: Present
- Administrative Assistant, Nancy Sborz: Present
- Press Enterprise Reporter, Susan Swartz: Present
- A listing of residents in attendance is attached

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APPROVAL
and/or
ADMENDMENTS
OF AGENDA:

Two things to be added to the agenda.

1. The MOU.
2. Kawasaki Mule for DPW.

Councilman Jarrett wanted to add another item to the agenda. To start the testing for police officers new hires. Council President Alvin Hill said that is going in, Borough Manager Debra Force agreed. Councilman Petty said he was under the impression we had already passed that motion in last month's meeting. Council President Hill said that should be done. Councilman Jarrett said one other item. Add to the agenda to hire additional provisional officers. Councilman Petty said that is what the MOU is for. Councilman Jarrett said that is to extend what we have. Councilman Petty said we need to have in that MOU to hire additional ones. And can be done as one motion.

Motion to approve the agenda was made by councilman Scott bower and seconded by Councilman Jay Jarrett. All ayes, so ordered, motion passes.

CITIZEN
CORRESPONDANCE
And PERSONAL
APPEALS:

- Nadine Krmarz, McBride Public Library: Mrs. Krmarz was here to talk about funding for 2016. This year council gave the library \$10,000. To offset the cost of operations because this is where we are located and it is the largest borough in the area and every cent is appreciated. But of course the library is here to ask for more money for 2016. The state requires them to qualify for state aid to spend \$5.00 on every person in the service area. So according to the internet there is 10,343 residents in Berwick. She does not expect council to give

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her \$5.00 for every person. Everyone would love to have a budget like that. But right now they are receiving \$0.97 and that is very far away from what is recommended by the state. Currently at McBride there are 3544 active cards from just the Borough of Berwick in the system. That time 5 is \$17,720.00 which is what we are recommending. She understands that the budget needs to be looked at and see where the priorities are and that things are tight with the police officers and everything. But that is our current recommendation for 2016. Questions... Council President Hill verified the above numbers and said the budget is currently being put together and will be reviewed soon. Ms. Krmarz said that A library is an important thing for a community to invest in. With a good return. For every dollar you put into it you get \$5.06 of benefit. Council President Hill asked what the state requires to keep your grants going. Last year we were told that the borough had to put in \$10,000. To keep grants coming. Ms. Krmarz said she wasn't aware of any dollar requirement from the borough. The state requires the library to show they are spending state money in an appropriate manner, and their guideline for basic care is \$5.00 per capita and \$7.50 per capita for excellent care. Mr. Hill said that one time they were told that there was a minimum of \$10,000. that the borough had to contribute. Councilman Bower said that at one time the Borough gave \$15,000. And then it was cut to \$10,000. Councilman Petty said that last year someone came in and said that we had to give a minimum of \$10,000. For them to keep their aid. Mrs. Kamarz said she was not here last year and that maybe true but she would have to look into it. She knows that because they are in the borough there is a greater expectation that the borough would support them. But she would have to research on it.

- Female resident from 216 Iron Street stood up to talk about the alley near her home. She said the borough

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claimed the alley. She pays half the taxes and her neighbor pays the other half. She said she fell in the alley because a big hole opened up. The alley is real bad and someone who did Rocky Talanka's house told her she had to go to the borough. This alley is in bad shape, it used to be a walkway but now cars fly down there like there is a fire out of town and this only a small side alley and it needs something done to it. The stones are all coming up and the tires sink down in on each side. Council President Hill asked Jack Kytte if he was familiar with the alley. Jack asked if this alley was next to Rocky Talanka's house and was advised it is across the street. He said he is aware the alley is there but I don't know what condition it is in. Jack said he will look at it and make recommendations to council.

Councilwoman Huntington said that the alley has a raise middle that the bottom of your car will drag on it. And it is in bad shape. The second problem she has is with Tom Ho a landlord and his tenants are druggies. She wants to know what can be done about it. He is a bum and does drugs, but he doesn't go out to get them, he has them delivered and they put them in a cigarette pack so neighbors don't see. And different cars at 2 & 3 in the morning parked and lights are off. Chief Strish asked for to stop at this point because he doesn't want the information out there as he is aware of the situation. And investigations are open and ongoing. Council President Hill asked if her questions were answered and she said yes they were.

- Colin Hill stood next to thank the community, council and everyone who helped make his Eagle project a success. The support was appreciated; he enjoyed

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working with Mrs. Sborz, Mr. Jarrett, Mr. Coolbaugh and Mr. Meighan. For over a year he has been working on his Eagle project for all of us to enjoy. 18 artifacts from the South tower of the World Trade Center make up a sculpture replicating the Twin Towers. He help weld the steel remnants to the 'I' beams without cutting, bending or changing the shape or character. A black granite monument with a wonderful design has been installed. He has been involved in every step of the construction and proud that the memorial has been built 100% by the people that live here. This project is meant to remember all the innocent citizens that perished in the attacks and also for the brave emergency responders who tried to save lives and lost their lives. The dedication for the Berwick 9/11 memorial is being held this Saturday at Reliance Fire Hall starting at 5 o'clock pm and he hopes to see everyone there. I fortunate enough to have community support. Mr. Jarrett told he back in July that when you have a good cause and it comes from the heart the people in Berwick will bond together and help and that is exactly what happened. As promised he is donating the remaining funds back to community programs like Keeping Kids Warm and the Ber-Vaughn pool restoration as well as the 2015 Berwick Christmas Boulevard. So he is making donations of \$200.00 to each of those. Applause.

- Mr. Nelson Lear was the next speaker. He had called to ask to be put on the agenda because he thought it was urgent to express his regrets about the way he acted. So he directs this to Councilperson Huntington. You had every right to be upset with him, you were not the only one who was upset; he personally was upset with

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himself. That is why by 9:15 Tuesday morning he on the phone and talked to the assistant to request to be put on the agenda. What he did that night was way, way out of order. You were right he was wrong and he apologizes for that because that is the right thing for anybody to do. He is sorry if he disappointed, he disappointed himself. He tries to be a man of honor and do the things that are right. But it was a major failure on his part and he hopes you will accept his apology and he will do his best to never, ever let that happen again. Thank you.

- Patricia James was the next speaker. She just believes that when CVS decided to build on the corner of Front & Ida that they must have presented something to council. Council President Hill said “no”. Mrs. James then asked who she should discuss this with because she has an issue. They have 3 exits and entrances. But they are using the one on Front Street would not be used because they even have a sign. Green Street is a one way. The issue is that tractor trailers, delivery truck everybody in town that is shopping at CVS is arriving and leaving onto IDA Street where her house is. It is a dangerous situation for her kids and now there is a parking patrol person and she has received 3 tickets that she now has to be far away from the stop sign. She has 3 vehicles and is park like sardines. If she needs to use her truck she has to move the cars, park the truck in the street and move the cars back again. She never has had a problem before. She is not on top of the stop sign. She does not believe he knows how far away she is anyway. But she has 3 tickets that she is not parked 30 feet away. 30 feet away put her past the steps that enter her house. That is the only parking that she has. Council President Hill said it

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	<p>is 25 feet. The point is that it is the CVS and who does she go to, this is not a main street here. Council President Hill wanted to explain the situation. So CVS wants to come in and buy properties like that first they have to draw up plans and go to the planning commission. Then the planning commission approved it it goes to the zoning board. Once Zoning Board approves it they have the permits to do whatever they need to do. We had concerns about coming down 2nd Street, turning left and holding up traffic. That was discussed but the state allowed them to do that on a state highway. As for turning onto a side street; the Zoning & Planning all Okayed the entrances and exits and council doesn't have a lot to say about it, "right Greg?" Codes Officer Greg Harkins said that they did okay it but citizen had opportunity to come to Zoning and complain or state arguments. Council President Hill Mrs. James if she received notice. She said she did receive something pertaining to the signs but at the time her husband was very sick and did pass away so at that point she did not care about what was going on outside of her household. But now it is a serious issue for me and as she said everyone is using that one entrances and exit and the traffic is crazy. And no one is following the 'no left turn sign' to get onto Front Street, not even the parking guy and maybe it is not needed any longer. Council President Hill said that is a state sign. She said that the tractor trailers are not following that. They are using it to pull in and out and she is surprised they are not on her property. My home, my cars and my children are not safe in that area. And I feel like there needs to be another entrance off of Front Street or something. And she wants to have</p>
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	<p>a little leeway for parking. She thought it was 30 feet as she did some research on the subject. Council President said it is 30 feet from a fire hydrant. She never had an issue with parking before; there has never been an accident. Never any problems. This is all happening for CVS because they need room for the tractor trailers to barrel around that corner to use the entrance that everyone is using. And it is just so conjectured. Councilman Bower said they are not to use that entrance, they are to in off Front Street. That was on the plans, right below the light. That is the entrance he uses. A discussion ensued regarding the Front Street entrance and the 'do not enter' sign. It was established that the sign refers only to entrance heading towards Bloomsburg. Not traffic coming from Bloomsburg. Council President Hill asked Greg Harkins to send CVS a letter that complaints were received regarding where delivery trucks can enter. It was on their plans that truck would enter from Front Street. Councilman Bower also asked Greg to check on the trailer that is setting on the property. They were not allowed to have storage boxes on the property. Mrs. James asked where to go to the state? Council President suggested Penn DOT at Montoursville. But once they approve the plans and right away there is not much you can do. Chief Strish said that just to clarify it is 30 feet from a stop sign, so you don't get any more tickets. Councilwoman Huntington asked if council could give an exception. Council President Hill said no. Mrs. James asked for the exception because for garbage collection she has to give them a space to get the garbage. Mr. Hill asked if she can park across the street. Mrs. James said she would not park on the other side</p>
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because of the way the truck come barreling around the corner. Mr. Hill said Greg would be sending CVS a letter. Mrs. James asked Chief Strish if she would be getting any more tickets. Chief Strish said she did not get any from the police department. Mrs. James said no it was from the parking guy. Borough Manager said parking enforcement answers to her and she will take a look at the property with the enforcement officer. Mrs. James said she has it marked with a magic marker where 30 feet is.

PRESENTATIONS:

- NONE

**APPROVAL OF
THE MINUTES
OF THE
PREVIOUS
MONTH:**

- Motion to approve the minutes from October 19, 2015 was made by Councilman Meighan and seconded by Councilwoman Huntington. All ayes, so ordered, motion passes.

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- **Motion to approve the bills** was made by Councilwoman Joanne Huntington and seconded by Councilman Jay Jarrett. All ayes, so ordered, motion passes.

AMERICAN FAMILY LIFE ASSURANCE	668.07
AMERICAN PAPER & SUPPLY INC	152.82
AVAYA, INC	25.30
BARRY'S SERVICE STATION	28.50
BERWICK AUTOMOTIVE	164.87
BERWICK AUTOMOTIVE	53.05
BERWICK ELECTRICAL SUPPLY, INC.	88.65
BERWICK ELECTRICAL SUPPLY, INC.	29.10
BERWICK FIRE POLICE	4,305.75
BERWICK FLORAL CENTER	86.91
BILL GAMBLE	1,252.52
BODNAR SALES & SERVICE	23.05
BOROUGH OF BERWICK	3,284.44
BOROUGH OF BERWICK	716.16
BOROUGH OF BERWICK	714.44
BOROUGH OF BERWICK PAYROLL ACCT	2,015.36
BOROUGH OF BERWICK PAYROLL ACCT	32,979.24
BOROUGH OF BERWICK PAYROLL ACCT	33,827.64
BOROUGH OF BERWICK PAYROLL ACCT	36,489.12
BOROUGH OF BERWICK PAYROLL ACCT	37,600.16
BOROUGH OF BERWICK PAYROLL ACCT	10.50
BOROUGH OF BERWICK PAYROLL ACCT	300.00
BOROUGH OF BERWICK PAYROLL ACCT	7.50
BOROUGH OF BERWICK POLICE PENSION	1,599.85
BOROUGH OF BERWICK POLICE PENSION	610.92
BOROUGH OF BERWICK POLICE PENSION	758.50
BRANDON SHULTZ	90.00
BROMM'S LULLABY FARM	1,104.00
BUCK'S LOCKSMITH SERVICE	685.00
BUJNO POTTERY	104.75
BULL, BULL & MCDONALD, LLP	100.00
CARGILL, INCORPORATED	5,144.22
COLE'S HARDWARE	204.62

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COLE'S HARDWARE	162.47
CONNIE C. GINGHER	273.70
DAN-BER CONCRETE & SUPPLY	830.00
DEBRA FORCE	161.25
DEBRA FORCE	65.00
DEFEBO GRAPHICS	1,450.00
DEFENDER FIRE CO.	383.33
DENT'S AUTO SERVICE	29.00
EAGLES FIRE COMPANY	383.33
EASTERN PENN SUPPLY CO.	224.60
FIRST COLUMBIA BANK & TRUST CO.	1,955.70
FIRST COLUMBIA BANK & TRUST CO.	1,412.58
FORT DEARBORN LIFE INS.	890.53
FROMM ELECTRIC SUPPLY	472.79
FROMM ELECTRIC SUPPLY	877.68
FROMM ELECTRIC SUPPLY	31.64
GALLS	32.13
GENERAL SALES, INC.	152.85
GORDY'S HEATING & AIR CONDITIONING	92.50
GREGORY MARTIN	320.30
HANSON AGGREGATES INC	532.86
HOME DEPOT CREDIT SERVICES	59.94
ICMA RETIREMENT TRUST	1,607.72
ICMA RETIREMENT TRUST	100.00
ICMA RETIREMENT TRUST	1,917.78
ICMA RETIREMENT TRUST	100.00
ICMA RETIREMENT TRUST	1,716.37
ICMA RETIREMENT TRUST	100.00
ICMA RETIREMENT TRUST	2,007.14
ICMA RETIREMENT TRUST	100.00
ICMA RETIREMENT TRUST	2,289.37
ICMA RETIREMENT TRUST	100.00
IHEARTMEDIA	1,900.00
JACK KYTTLE	50.00
JAMES DALBERTO	38.00
JAMES DALBERTO	20.00
JAMES DALBERTO	15.00
JAMES MCCLINTOCK	1,000.00
JORDAN HOPPER	74.00

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KENNETH STRISH	30.90
KEPNER, KEPNER & CORBA, P.C.	3,052.94
KEPNER, KEPNER & CORBA, P.C.	717.71
KEYSTONE COMMUNICATIONS	123.00
KNORR HAULING, INC.	6,187.50
LARRY C. FRACE INSPECTIONS, LLC	2,400.00
LARRY'S LUMBER AND SUPPLY, INC.	182.25
LECCE ELECTRIC, INC.	1,870.00
MARTY SITLER	60.31
MATTHEWS SPRING WATER	91.00
MICHAEL MONICO	1,096.00
MICHAEL MONICO	1,096.00
MICHAEL MONICO	1,096.00
MICHAEL MONICO	1,096.00
NESCOPECK SUPPLY CO	257.15
NESCOPECK SUPPLY CO	257.15
NMS	246.00
P A W C	2,739.70
PCCA	125.00
PENNSYLVANIA ONE CALL SYSTEM	69.85
PITNEY BOWES PURCHASE POWER	806.50
PPL	1,163.76
PPL	117.82
PPL	17.36
PPL	13,975.61
PRECISION WELDING SUPPLIES	93.82
PRESS-ENTERPRISE, INC.	1,189.59
RANDY GAUGLER	120.00
RANGER HOSE CO	383.33
RELIANCE FIRE CO	383.33
RIVERVIEW BLOCK	85.69
RIVERVIEW BLOCK	724.82
RIVERVIEW BLOCK	1,068.04
ROGERS UNIFORMS	6,212.00
SCHOOL OUTFITTERS	919.92
SQUARE ONE CONSTRUCTION	12,855.00
STARR PORTABLES	635.00
STEVE SHANNON TIRE CO	353.00
SUNTRUST EQUIPMENT FINANCE	2,998.05

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	SUPERIOR PLUS ENERGY SERVICES	177.37
	SUPERIOR PLUS ENERGY SERVICES	127.06
	SUPERIOR PLUS ENERGY SERVICES	447.01
	SUPERIOR PLUS ENERGY SERVICES	302.65
	TEAMSTERS	1,192.18
	THE ORIGINAL FRANCO'S PIZZERIA	103.35
	TRI-COUNTY HARDWARE	32.91
	TRI-COUNTY HARDWARE	207.11
	TRI-COUNTY-LUMBER DIVISION	216.14
	UGI PENN NATURAL GAS	52.03
	VERIZON WIRELESS	306.30
	WASHINGTON NATIONAL INS CO	60.90
	WEST BERWICK FIRE CO	383.33
	WEX BANK	1,297.48
	WHLM FM	297.00
	WHLM FM	300.00
	XEROX CORPORATION	535.98

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REPORTS of
BOROUGH
OFFICIAL:

- **BOROUGH MANAGER DEBRA FORCE:** Made follow up to the LCB in regard to the petition for a hearing to consider and exemption from the state regarding music being heard off premises of licensed establishments referring of course to The Brewery. So what council must do if we are interested in proceeding with this is we must do a resolution for a meeting and then with that it must be passed at a council meeting for a petition to the Liquor Control Board to consider an exemption. So then we send the resolution with our current Noise Ordinance with the petition, a map with a description of the area and as well as a 3x3 of the map and a list of all the registered establishments in that area. Plus a written explanation from Council as to why they are exploring this option. And we send that to the office of the PLC Chief Counsel and they schedule the meeting. The Borough Solicitor holds the hearing. If we are doing it borough wide for every establishment in the borough the meeting can be held here. If it is just for a focus area for one establishment the meeting must be held in that establishment. Councilman Jarrett asked if it was held inside the establishment. Borough Manager Force advised 'yes'. And then the hearing must occur in the place and the time frame is 30-60 days; that is as soon as we do the resolution and submit this petition then we must take action. So she is currently working on that. And then also an update with the budget. She met with all department heads and is currently working with the Treasurer on the projections for next year so the stratagem here is that by November 25th, next Wednesday afternoon you will have all of your books with the budget like we did last year. She will be delivering them to your homes. And then we will schedule the public budget meeting for December 7th -9th -14th -16th if needed at 6PM. That was all she had.

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| | <ul style="list-style-type: none">• <u>CODES OFFICER</u>: See attached report. No questions for Codes.
• <u>POLICE CHIEF</u>: Chief Strish read his report. See attached report. Councilman Jay Jarrett said did not know if any other council members had an opportunity to hear the 911 tape. He heard it on Facebook last Wednesday and was struck by the calmness and professionalism of the officers when this was going on. And one of them is sitting in the back of the room (Detective Martin). For the kind of situation they were going through, to hear the back and forth on the radio it was like another day at the office and that was really struck me. And if you haven't heard it and can still find it on Facebook it is worth 5 minutes to listen to it.
• <u>DEPARTMENT OF PUBLIC WORKS</u>: Supervisor Jack Kyttle read his report. See attached report. Councilwoman Joanne Huntington said that she wants to sing praises for the DPW crew, they do great work and she thanked Alvin for the idea of putting that work in and he needs thanks too. Councilman Bower said it looks good. Council President Hill said the dedication will be this coming Saturday at 1 o'clock, all the veterans the Amvets the Berwick and Nescopeck VFW have been notified. Councilman Petty said it should also be noted that Alvin hustled all the donations for this facility and it didn't cost the tax payers anything. Mr. Hill said the fountain alone cost \$30,000. that was donated.
• <u>FIRE CHIEF</u>: Wanted to thank everyone for all their support and well wishes there when I went through my valve there. He is not back 100%, he is cleared for only administrative work on. His Deputy Chief Terry Weaver |
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is running on the street fires so we are covered there. He did hand in his budget and monthly reports. See attached report.

- ENGINEER: NOT PRESENT
- SOLICITOR: Nothing to report. Major depositions tomorrow on the Abbonizio case. Vince Kohick who was the Penn DOT representative on the site is going to be disposed by the Abbonizio's attorney so he expects that to go most of the day. Other than that there is nothing else.
- MAYOR BURKE: Is happy to see a couple of people in this room tonight. Detective Martin and Bill Coolbaugh. To viable members of the community that scared the daylights out of half the town during this week. We are glad you are both up and around and well. Thank you. As the Chief that could have been ugly. And he didn't think it could have been handled better. Facebook was going crazy and it would have been a good time to shut it down. People dying, people shot, people running. It was just... he couldn't say enough about our department defused it. It could have been a catastrophe real quick. Other than that on October 29th we went to have lunch and trick or treat at Holy Family School. November 6th we accepted an invitation with Mr. Millard, Mr. Kovach, Mr. Young and Mr. Barletta to do the Salem Township Veteran Memorial dedication. Saturday we went to LCCC to interview with a couple of journalism students. And we have some kind of invitation here from Penn State to attend and speak at an extension of Youth Development Program at the 21st which give us 3 events on the 21st so it

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is going to be a pretty busy day coming up. And I'll join the crew with saying our DPW crew.... there is nothing they can't do. Councilwoman Huntington agreed. They do whatever you ask them to do. The Mayor said and they do it well and they are well qualified group of people we have put together. And one thing, he welcomed Mr. Shecktor to council.

REPORTS of
COMMITTEES:

- PERSONNEL: Nothing.
- LEGAL & FINANCE: Nothing.
- PARKS & RECREATION: Nothing.
- EMERGENCY MANAGEMENT: Nothing.
- STREET, PARKS & BUILDINGS: Nothing.
- FIRE & WATER: Nothing.
- CODES, RECYCLING & ORDINANCES: Councilman Bower read the report. See attached.
- SAFETY: Working on renewing state certification, that is the biggest thing. The employees have been pretty safe and following the policies and procedures.
- BAJSA REPORT: Councilman Bower read the report. See report attached.

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**BUSINESS NOT
READY FOR
ACTION:**

OLD BUSINESS:

**INTRODUCTION
of ORDINANCES
&
RESOLUTIONS:**

- NONE

- **Ordinance 2015-06:** Park Rules & Regulations. Ordinance was tabled in the October 2015 Council Meeting due to language regarding carrying guns. This line item has been updated.
 - No discussion. Motion by Councilman Jim Meighan and seconded by Councilwoman Joanne Huntington.
 - All ayes, so ordered, motion passes.

- Sidewalk Ordinance 2015-08:
 - Discussion: Council President Hill directed a question to DPW Supervisor Jack Kyttle asking about a discussion that took place a while ago. To looking for state grants or funding to help people that are low income that own their own homes or senior citizens that they would only have to buy the concrete and we would go in and take the sidewalks out and re-do them as long as the concrete was paid for. Jack said that what we talked about before was that the borough could grant labor. Mr. Hill said that is correct, are you still actively looking? Jack said he is not sure what CDBG funds can be used for but that maybe something we can start with. Mr. Hill asked about some of the home grant money. Borough Manager Force said that she can check on that. Mr. Hill said we had a lot left over from previous years. Councilman Jarrett said they usually have some type or restrictions on that but it is worth checking into. Councilman Travis Petty said he would like to explore some options to help people out to get sidewalks. It is good for Berwick and walking traffic. But he worries about taking labor away from private businesses who do this. Mr. Hill said that is a double edge sward. And cautions council not to rush into this and explore all options for taking jobs away. Councilman

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Jarrett said if the funds can be used nothing says that we have to do it. Councilwoman Huntington said she sees what Travis is saying and she agrees and disagrees with him. She thinks we would only do it for people who couldn't afford the labor, right? Mr. Hill said people who fall within that income. She does not think it would be people that would be hiring a contractor anyway. Mr. Hill said yes it would be lower income and we are just exploring things. Mr. Kytte said it has nothing to do with the Ordinance. All agreed things got sidetracked.

- Motion was made by Councilman Bower to accept Ordinance 2015-08 Sidewalks. Seconded by Councilman Jarrett.
- All ayes, so ordered, motion passes.

New Business:

- Consider and take action to appoint a borough resident to serve the remaining term of the late Arden F. Oliver, Sr.:
 - Council President Alvin Hill said that council thought about leaving his seat open in his memory for the rest of the year but the state will not allow that. So we have to appoint someone.
 - Councilman Jim Meighan made a motion that since Andrew Shecktor won the election to start up in January for the one month left in this year that he be appointed and given a head start. Seconded by Councilman Travis Petty.
 - All ayes, so ordered, motion passes.
 - Council President Hill congratulated Mr. Shecktor and told him to see the Borough Manager Debra Force for a letter.
 - Councilman Meighan said to make him aware of the procedure to be sworn in twice. Councilman Petty said Debra can take care of that. Debra advised she will take care of it.

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- Consider and take action on the recent elections of the Berwick Fire Chief.
 - Council President Hill said that bill Coolbaugh won for another year as Fire Chief and council has to approve all the Chief.
 - A motion was made by Councilman Petty to approve the list of Fire Chiefs. Second by council Meighan.
 - All ayes, so ordered, motion passes.

- Consider and take action on a 1993 mortgage lien on 1101 Mulberry Street; a property owned by Wesley LeVan for unpaid sewerage bills amounting to \$11,793.46 + fees and penalties.
 - Councilman Petty said he would give everyone a little history on the issue. For the benefit of the public, council had an opportunity to discuss this last week at the council work session. Mr. LeVan's realtor Sherri Conklin contacted Mr. Petty and said there is currently an agreement of sale in place for a buyer to purchase the old Buzy Bee by the football field. During a title search an old mortgage was found that was apparently was never satisfied. He understands Mr. LeVan believes it was satisfied however the borough was not able to find any records to that effect and neither has he. That is not to say it wasn't satisfied because it very well may have been but unfortunately the records do not reflect that. In addition to \$11,793.46 the amount of the mortgage, since this dates back to 1993, interest fees an penalties have accrued on this property, I think bringing it close to \$29,000.-\$30,000. Mr. LeVan I understand has agreed that he would satisfy this mortgage of \$11,793.46 and not pursue the issue any further if the borough agrees to waive the additional fees and penalties. The property has been sitting there vacant for quite some time and is becoming run down and I am hopeful and optimistic that if a new owner maybe it could be fixed up and cease being an eye sore. So it is my recommendation that we go ahead and waive the fees and penalties and allow Mr. LeVan to satisfy the mortgage

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- In the amount of \$11793.46 and I will put that in the form of a motion. This was seconded by Mr. Jarrett.
- All ayes, so ordered, motion passes.

- Consider and take action on the Columbia County Housing request to forgive past due property taxes owed on the building formally known as the Hayes Hotel located at 539 LaSalle Street.

- Council President Hill asked how much the taxes are. Councilman Jarrett said the problem is that we do not know how much is owned the borough. And it is not the Columbia County Housing it is the previous owner. We are trying to get everything cleaned up so they can go back to Judge James and close our conservatorship. The total taxes from the title search in August 2015 are \$20,350.00 but that is the school, the county and the borough. My guess of that is the school district based on my own tax bill but he did not have an exact figure. Mr. Hill said that before we vote on it we should have an exact figure on it. Councilman Petty asked if the school district or the county taken any action on it yet. Councilman Jarrett said they have been in contact with the school district and their meeting is in December and he will be going to it to make the same request. It has not been taken up with the county as of yet but we expect them to go along. The Berwick Area Joint Sewer Authority did forgive the past due bill last month of about \$7,000. Councilman Petty asked what the redevelopment plans were for the property. Councilman Jarrett said that the plans are to build something on the lot at some point but as of right now with the conservatorship still being open there is no, no...the owner is still (inaudible) we are just the conservator. Councilman Petty asked what the time frame was for getting the property back on the tax rolls. Councilman Jarrett said it is hard to tell exactly because a lot depends

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	<p>on grant funding. He will say that they are working on a pretty large scale project right now that will go for funding in March for here in the borough. Now whether or not it gets funded is not up to us (Columbia County Housing). And that lot is part of that plan. Councilman Petty asked when was the last time this property was..., did we receive any tax money on this property. Councilman Jarrett said 1995 maybe. That property before sat there in that condition for nearly 15 years until the Redevelopment Authority took the bull by the horns and went and started this conservatorship. Councilman Petty said he agreed with Mr. Hill about knowing the numbers up front, he hates to make a decision without knowing. Councilman Jarrett said he did try to call the tax office and unfortunately no one was there today. Councilman Petty said with that being said he would ask council if knowing those numbers would change any ones opinion on what we should and if the answer is that is whether what is owed to us is \$5,000. Or \$15,000. Wouldn't change our minds then... Mr. Hill said it is for the record. Mr. Petty said we will eventually know what those numbers are. If it is going to influence somebody then I ask that we hold off. For me personally it is not going to be on the tax rolls until we get through this hurdle and we haven't received money from it since the 90's, let's expedite this and move on. But if it is going to change somebodies mind I would certainly support a motion to table. I will throw it back to everyone else. Mr. Hill said he did not think it's going to change any one's mind but I think you would like to know what you are voting on. Councilman Jarrett said he understands and he did try to find out. Mr. Hill said you are voting on a blank thing. Council Vice President Bower said the majority is going to be the school district. So we are... it is not going to be that horrible for us. And we just gave another one here so. You know it is just to sit there and not give you any tax money anyway. Get rid of it.</p>
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Mr. Hill said he is just glad they took it down. It was a fire hazard. Mr. Bower said if Mr. Petty's makes a motion he will second it. Mr. Petty said he was interested in making a motion. Councilwoman Huntington said she would make the motion that we forgive the taxes for 539 LaSalle Street for the Housing Authority. Seconded by Councilman Bower.

➤ Councilman Jarrett abstains from the vote. All ayes, so ordered, motion passes.

- 5. Consider and take action to purchase one (1) new police vehicle for the fleet and one (1) used vehicle for the police investigator.

➤ Councilman Petty said this was discussed at the workshop as well. Last year the borough had to buy 3 new police vehicles all at once and I asked that we begin to make a rotation and start this process so we are not faced the situation where we ever have to buy 3 vehicles again. It is his understanding and Debra I don't know if you had a chance to verify that the police budget is going to be under budget by approximately \$100,000. And those are the figure provided to me by the Chief of Police. And I think that is a good opportunity to start this rotation and to get that new police vehicle. However, at this time I would like to explore some other options as to getting a used vehicle for the police investigator without going out and purchasing one. I understand through discussion with the Chief of Police that there might be a possibility of some of the vehicle from drug investigations that have been seized that they may be forfeited and become the boroughs property. In which case I would hope that we could use one of those vehicle for the investigator vehicle. Also, I don't know the extent of what the Chief of Police's vehicle is being used right now and if push comes to shove there could be the possibility of using that vehicle in an investigative fashion. But I definitely think we should explore the

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Chief's recommendation and pick up a new vehicle and using some of those excess funds he has saved throughout the budget year and start this vehicle rotation maintenance plan.

- Councilman Bower asked if it is in the budget for next year. You are not going to buy the thing now, right? I agree buying one each year and then retiring one, that way you're not buying a lot of them at one time.
- Councilman Petty confirmed Mr. Bower was talking about the new police vehicle.
- Chief Strish said the new vehicle was not put in the budget by him (for 2016).
- Councilman Petty said he would like to use the excess funds, the \$100,000. left over from Chief's budget from this year to purchase that new vehicle.
- Council President Hill wanted to confirm that there is \$100,000. Left over.
- Councilman Meighan said that \$18,000. was received from the insurance company from the totaled vehicle when the lady went through the red light. It was put in the general fund. We could use that towards the purchase of a new vehicle.
- Councilman Petty went on to say that if we do decide to get a new vehicle there are two things he would like to see for this vehicle. Well, actually three. So in meeting with the police department the last vehicles that we purchased do not have push bars. I had an opportunity to have discussions with several officers that explained the purpose of the push bars which was not at all what I thought what it was. I watched one to many episodes of COPS apparently. And I thought the push bars were for just for that purpose. Being a push bar and spinning out another vehicle.
- Here Chief Strish interrupted and asked Councilman Petty not to discuss what he was about to. Councilman Petty said "yes, sir. Good call", he went on to say that there are other purposes I have researched that show the

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necessity of a push bar. So I would recommend a push bar also I recommend we get a separator for the back seat to allow different gender inmates to be transported simultaneously. Alleviating the necessity to take two cars for transports.

- Chief Strish said that if the borough decides to purchase a new vehicle that they purchase a Durango that has 3 rows of seats. And I have been asking for a van for a while to serve as a multi-purpose vehicle to allow us the opportunity to transport up to six people at once. At that point we might be able to save some money and move the Expedition into the investigator.
- Councilman Petty said that one of his concerns about doing that would be for the Teamster Union and that it is unsafe to transport more prisoners than there are persons. So before we go ahead with that move I want to see what the position of the Union is and how they are going react to that.
- Chief Strish said that timing is everything we have only a few weeks left in the year and the money is going to go by come December 31st. And it is not in the budget for the next year. It is the same thing that happened...
- Councilman Petty said this gives us an opportunity to have new cruiser a new patrol car on the street.
- Chief Strish said he has given his projection and where we will end the year with the (budget) and he has given his opinion to all of council not just the police committee. And in there it indicates we can get a brand new police car and a vehicle for the investigator for under \$15,000. which keeps us from having to do with bidding. This will also allow us to get the testing process most of the way out of the way in 2015 not 2016.
- Councilman Petty said to be honest he wants them to hire in 2015 but does not think that will happen.
- Council President Hill put the conservation back on track to the vehicle purchase. And asked Mr. Petty what the third thing was.

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- Councilman Petty said the police are going to (inaudible) him on this as well but we have quite a few low profile vehicles and that is great but he would like to see some vehicles that have the light bars on top so our police are more readily identified when they are driving around town. I hear from people that our officers are never around and I know their work volume and our guys are all over the place all the time and I know that perception is because our vehicles are so stealthy they are unrecognizable and in my vision of community policing I would like us to be more recognizable in the community and people see the work our guys are doing.
- I have no objections to a vehicle that has lights on top but aside from stealth or not stealth it comes down to the simplicity that we have the money to purchase a vehicle, if not multiple vehicles and continue on with the projection and the recommendations that I have made.
- Discussion ended. Council President Hill asked for a motion.
- Councilman Jay Jarrett made a motion to add a new police vehicle to the fleet and I know there are other ways to get a vehicle but if we have the money let's get the used vehicle. We have a couple cars that need to be replaced.
- Chief Strish said the seized vehicles we talked about have no guarantee that we will get them. And that is the plan for the narcotics investigator.
- Councilman Petty started to ask a question but Council President Hill stopped him due to the motion was already on the floor. He asked for a second.
- Councilman Meighan seconded. Mr. Hill asked for a roll call vote.
- Mr. Bower Would like to hear more from Mr. Petty but Councilman Hill advised the motion is on the floor and once the motion starts it is yes or no. Mr. Bower voted YES.

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ADDED AJENDA
ITEMS:

- Continuing with the roll call vote: Mr. Jarrett = YES, Mr. Meighan = YES, Mr. Petty = NO, Mrs. Huntington = NO, Mr. Hill = NO. 3/3 tie. Mayor Burke = YES.
- Motion passes.

- Kawasaki side by side with the snow plow. \$6,800.00 used, purchased from TCP Power Center.
 - Motion made by Councilman Bower, seconded by Councilman Meighan.
 - All in favor, one opposed (Councilman Petty). Motion passes.

- The MOU (Memo of Understanding) in reference to the provisional officers. Discussion....
 - Councilman Jarrett said it will expired November 12th and we need to get through the end of the year so if the Union is good enough to extend it let's get through the end of the year.
 - Councilman Petty said in having the opportunity to meet with our officers they are hurting. We have multiple officers out for various reasons. And our guys are being forced to pick up extra shifts and they need some bodies out there. We need to get some provisionals out there to help out until we can get the hiring process complete. It is imperative that we get the hiring process complete as soon as possible. But this is one way to help alleviate that situation.
 - Council President said that tomorrow Debra will put the ad in the newspaper for the Civil Service Test.
 - Borough Manager Debra Force said yes for full and part time.
 - Councilman Bower asked how many provisional officers we have now.
 - Chief Strish said 3. Mr. Bower asked if all 3 are working. Chief answered 2 of the 3 are. And that one has to many hours scheduled between all the places he works.

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Mr. Bower asked if the other 2 are on the schedule. Chief Strish confirmed that the other two are on the schedule every week.

- Councilman Jarrett said we had an opportunity to add another one. Chief Strish confirmed that is correct. MOTEC certified and working Councilman Meighan said she is currently working in Hemlock Township.
- Councilman Petty said he did not know if we can decide who we are going to hire tonight.
- Councilman Jarrett said he understands but at the beginning of the meeting we said that it could be considered part of the motion. Councilman Petty said yes to add another officer but we can't determine who we are going to add tonight. Councilman Jarrett said they need to be MOTEC certified and ready to go on the street.
- Chief Strish said if the motion is to add it would have to expedited so the person can actually work, there are only 7 weeks left in the year remaining that count in this year's budget. Councilman Petty asked if we would need to have a special meeting. Chief Strish said if you were to agree the person would have to apply and council would send that application to the Civil Service Commission and they would have to recommend that she is certified.
- Borough Manager Debra Force said that it would be a special meeting.
- Councilman Petty asked if we could get this done a week from today.
- Chief Strish said we only have one that actually indicated that they would.
- Council President Hill said we haven't even advertised yet.
- Chief Strish said there is no need. And didn't know we would advertise.
- Mr. Hill said he did not know what council will do.

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- Chief Strish said if you advertise you are looking at two weeks.
- Councilman Petty said Ms. Force has indicated to me prior to this meeting that we have 4 applications still for provisional status.
- Chief Strish said he is unaware of that.
- Councilman Jarrett asked Debra if this is from the last time.
- Borough Manager Force said no these are people that have dropped off applications in the meantime saying they wanted to be hired and so when we do the testing said call me.
- Councilman Petty asked if we can make this happen within a week's time to have a special meeting. Can you get the Civil Service Commission to review this and make a recommendation within a week?
- Debra Force asked Bill Coolbaugh who heads the Civil Service Commission if can get the commission together. Mr. Coolbaugh said yes.
- Councilman Petty said he would like to be hiring provisional officers one week from today then. So Ms. Force you will need to advertise for a special meeting. Ms. Force said she would.
- Mayor Burke asked Chief Strish that since the MOU has expired on the 12th are provisional still scheduled. The Chief answered no sir. Mayor Burke said they are not working? Chief Strish said not on this schedule. Mayor Burke said so it is paramount. Chief Strish said yes sir. Mayor Burke said Ok, thank you.
- Councilman Petty said that council could still approve this MOU tonight so he can get them back on the schedule.
- Councilman Jarrett said absolutely and that he was not aware that we had 4 applicants. And he thinks that is awesome and the more the merrier.

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ADJOURNMENT:

➤ Councilman Petty made the motion that we extend this Memorandum of Understanding (MOU) and thank the Union for being willing to do so as well. Seconded by Councilman Meighan. All ayes, so ordered, motion passes.

- A motion to adjourn was made by Councilman Jarrett and the meeting ended.

Debra Force, Borough of Berwick
Manager
November 16, 2015