

**MINUTES**  
**REGULAR COUNCIL MEETING**  
**July 18, 2016**

**AGENDA:**

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday JULY 18, 2016 at 7:00PM; in City Hall. Present at this meeting were President of Council Alvin Hill presiding and Council Members Scott Bower (VP), Jay Jarrett, Jim Meighan, Travis Petty, Joanne Huntington and Mayor Tim Burke.

Also present were Borough Manager Debra Force, the solicitor Attorney Frank Kepner, Police Chief Ken Strish, DPW Foreman Jack Kyttle, and Press Enterprise reporter Susan Swartz.

Absent were Councilman Andrew Shecktor, the engineer, Codes Officer Greg Harkins and Fire Chief Bill Coolbaugh.

A prayer and The Pledge of Allegiance was said.

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

A motion was made by Councilman Petty to approve the agenda. 2<sup>nd</sup> by Councilwoman Huntington. All ayes. motion to approve agenda passes.

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

**Tyler Dombroski** of SEDA-COG ask council to so he may conduct the final public hearing for the 2016 FFY Community Development Block Grant. **At 7:02PM a motion was made by Councilman Jim Meighan to adjourn the meeting, this was seconded by Councilman Scott Bower, all ayes, meeting adjourned.** Tyler explained that this is the final public hearing for Berwick to prepare a 5-year consolidation plan and action plan the plan is in the back of the room to review. The 5 projects for 2016 are:

1. \$50,000. To repair sidewalks for eligible senior citizens. Policy to be announced.
2. \$50,000. For demolitions. In process of gathering the information now.
3. \$25,000. For Grant Street reconstruction.
4. \$129,721. For Pearl Street Reconstruction. This project may not be necessary at this time due to water main work.
5. \$42,593. For SEDA-COG administration costs.

**At 7:15PM the Public Hearing ended and a motion was made by Councilman Meighan to reconvene the council**

**meeting this was seconded by Councilman Petty, all ayes. Monthly council Meeting opened.**

**Carl Conserious** of 1925 Fairview Ave, with regard to the trucks using Berwick public streets for access to farmland at the end of Fairview Ave dead end. He questions why on the agenda that Fairview Avenue is not listed along with Spring Garden Avenue. Why was Fairveiw ever opened up when no permits were ever issued. He was advised that a permit was not necessary to drive on borough streets. The project would be completed by the 25<sup>th</sup> and then the street will be blocked off again.

**AD George** of 1017 LaSalle Street. He is having storm water problems in the alley. BAJSA out in a new drain and the alley was paved but after paving the pitch is not right and it doesn't run to the drain. Would like an inlet where North Street meets the alley. Jack will take a look at the area and see what can be done.

**Ralph Shumaker** with regard to the ordinance to restrict animals in the borough. He feels it is an infringement of the Pennsylvania State constitution and the US Constitution and he urges council to reject it. He would also like council to openly accept other farm animals into the community. He would like this new amendment that he distributed last month which we will call the Shumaker amendment. People should be allowed to have large farm animals. Also the sign ordinance should not charge political signs and should be voted down.

**Kirk Bower** and Scott Walden is looking to put an 18 hole Disk Golf course down at the Test Track Park in the wooded area near the trail. Council was in favor of the idea and suggested that Mr. Bower put together a plan and present it to council at the next meeting. They would build the project and then turn it over to the Borough to maintain.

**Randy Panetta** had a question for Attorney Kepner and asked him why your business partner requested a continuance on my right to know hearing. Attorney Kepner said his partner had a conflict with another hearing and was going to ask for a protective order but Mr. Panetta's attorney told her to just ask for a continuance and he would concur.

**Robin Potter** of Potters Produce. During the parade of Veterans of Foreign Wars Billy Coolbaugh said he had permission to park within 50 feet of my stand that day. His business runs 7 days a week and there were places up and down Rt 11 that he could have parked. But they had to park right in front of where I do business. Bill was not in attendance and council said he should attend the August meeting to ask Bill directly. Mr. Potter agreed.

**PRESENTATIONS:** NONE

**PREVIOUS MONTHS MINUTES APPROVED:**

MOTION TO APPROVE JUNE 20, 2016 MINUTES:  
Motion made by **COUNCILMAN JARRETT** and seconded by **COUNCILMAN MEIGHAN** to approve the June Meeting Minutes. All ayes, motion passes.

**PAYMENT OF BILLS APPROVED:**

MOTION TO PAY THE MAY 2016 BILLS.  
Councilman Jarrett asked if some PO's (purchase orders) that have not been approved could be put into the bills for approval this month.  
MADE BY: **COUNCILMAN JARRETT**, SECONDED: **COUNCILMAN BOWER. ALL AYES, MOTION PASSES**

A & A AUTO PARTS STORES	159.99	KEYSTONE COMMUNICATIONS	123.00
AARON ZANOLINE	109.46	KEYSTONE COMMUNICATIONS	171.50
AMERICAN FAMILY LIFE ASSURANCE	1,068.09	KNORR HAULING, INC.	6,187.50
AMERICAN PAPER & SUPPLY INC	229.44	LARRY C. FRACE INSPECTIONS, LLC	3,447.00
ATLANTIC TACTICAL	1,927.10	LARRY'S LUMBER AND SUPPLY, INC.	680.03
AVAYA, INC	25.30	LARRY'S LUMBER AND SUPPLY, INC.	222.96
BARLETTA MATERIALS & CONSTRUCTION	1,266.75	LAUBACH'S AUTO REPAIR	225.20
BARRACUDA NETWORKS, INC	200.00	LAUBACH'S AUTO REPAIR	261.58
BEAVER VALLEY ENVIRONMENTAL LLC	380.00	LAUBACH'S AUTO REPAIR	49.95
BERWICK AREA UNITED WAY	91.00	LAUBACH'S AUTO REPAIR	176.28
BERWICK ELECTRICAL SUPPLY, INC.	66.49	MATTHEWS SPRING WATER	74.50
BERWICK POOL & SPA, INC	38.94	METROCAST	2.96
BODNAR SALES & SERVICE	160.76	METROCAST	127.12
BOROUGH OF BERWICK	6,079.54	METROPOLITAN TELECOMMUNICAT	794.13
BORO OF BWK GENERAL FUND	1,700.00	MICHAEL MONICO	1,123.20
BORO OF BWK MUNICIPAL PENSION FD	802.84	MICHAEL MONICO	1,123.20
BORO OF BWK MUNICIPAL PENSION FD	805.06	MICHAEL MONICO	1,123.20
BOROUGH OF BERWICK PAYROLL ACCT	2,242.32	MICHAEL MONICO	1,123.20
BOROUGH OF BERWICK PAYROLL ACCT	33,787.47	MID-ATLANTIC FIRE AND AIRE	578.00
BOROUGH OF BERWICK PAYROLL ACCT	36,917.31	MIDLAND ASPHALT MATERIALS INC.	335.53
BOROUGH OF BERWICK PAYROLL ACCT	34,904.77	NAPA AUTOPARTS BERWICK	48.37
BOROUGH OF BERWICK PAYROLL ACCT	731.34	NAPA AUTOPARTS BERWICK	75.89
BOROUGH OF BERWICK PAYROLL ACCT	35,216.21	NESCOPECK SUPPLY CO	53.85

BOROUGH OF BERWICK PAYROLL ACCT	103.08	NEWPORT AGGREGATE	413.22
BOROUGH OF BERWICK PAYROLL ACCT	300.00	NEWPORT AGGREGATE	201.20
BOROUGH OF BERWICK PAYROLL ACCT	73.63	NMS	228.00
BOROUGH OF BERWICK POLICE PENSION	759.42	NRA	150.00
BOROUGH OF BERWICK POLICE PENSION	734.88	P A W C	125.32
BORO OF BWK POLICE PENSION TRUST FD	1,916.30	P A W C	164.14
BORO OF BWK POLICE PENSION TRUST FD	1,494.31	P A W C	23.12
BOYER'S FOOD MARKET	194.01	P A W C	2,737.24
BRADCO SUPPLY CO, INC.	355.44	PA UC FUND	825.35
BRANDON SHULTZ	30.00	PA UC FUND	320.59
BRANDON SHULTZ	20.00	PETERS CONSULTANTS, INC.	48.75
BULL, BULL & MCDONALD, LLP	180.00	PETERS CONSULTANTS, INC.	616.25
C.H. RINEHIMER	41.00	PITNEY BOWES GLOBAL FINANCIAL	150.00
CARL SIMCHA	550.00	PITNEY BOWES PURCHASE POWER	402.50
CENTRAL PA TEAMSTERS HEALTH & WELF.	37,983.66	POWELL'S SALES & SERVICE	31,978.83
CENTRAL PA TEAMSTERS HEALTH & WELF.	2,057.84	PPL	90.31
CITY OF WILLIAMSPORT	50.00	PPL	35.11
CNA SURETY	100.00	PPL	135.75
COLE'S HARDWARE	214.36	PPL	288.03
COLE'S HARDWARE	28.41	PPL	11,509.51
COLUMBIA COUNTY COMMISSIONERS	100.00	PRESS-ENTERPRISE, INC.	32.22
CONNIE C. GINGHER	240.99	PSAB	215.00
CONSTELLATION NEWENERGY INC.	1,212.08	PSAB MUNI RETIREMENT TRUST	5,253.77
CONSTELLATION NEWENERGY INC.	418.54	QUAD THREE GROUP, INC.	979.72
CONSTELLATION NEWENERGY INC.	12.35	RICK BENNETT	220.00
CONSTELLATION NEWENERGY INC.	14.83	RIVERVIEW BLOCK	319.44
CONSTELLATION NEWENERGY INC.	1,512.03	ROCAL, INC.	52.00
DCED	292.00	ROCAL, INC.	3,940.08
EASTERN PENN SUPPLY CO.	570.71	ROGERS UNIFORMS	1,473.00
EASTERN PENN SUPPLY CO.	187.14	SEDA-COUNCIL OF GOVERNMENTS	18,790.00
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	STAPLES CREDIT PLAN	1,364.57
FIRST COLUMBIA BANK & TRUST CO.	1,412.58	STEPHEN LEVAN	158.95
FRIEDMAN ELECTRIC SUPPLY CO	42.56	STEVE SHANNON TIRE CO	20.95
FRIEDMAN ELECTRIC SUPPLY CO	145.38	STEVE SHANNON TIRE CO	141.88
FROMM ELECTRIC SUPPLY	4,907.98	STEVE SHANNON TIRE CO	115.00
FROMM ELECTRIC SUPPLY	26.66	STEVE SHANNON TIRE CO	268.00
GENERAL CODE	1,082.00	SUNTRUST EQUIPMENT FINANCE	2,998.05
GREGORY MARTIN	847.80	SUPERIOR PLUS ENERGY SERVICES	290.75
HAB-DLT/BERKHEIMER	79.25	SUPERIOR PLUS ENERGY SERVICES	204.88
HANSON AGGREGATES INC	367.74	SUPERIOR PLUS ENERGY SERVICES	691.99
HARTMAN & LALLY INSURERS, INC.	3,069.33	SUPERIOR PLUS ENERGY SERVICES	383.27
HELENA CHEMICAL CO	400.00	SUPERIOR PLUS ENERGY SERVICES	48.48
ICMA RETIREMENT TRUST	1,798.64	SUPERIOR PLUS ENERGY SERVICES	73.02
ICMA RETIREMENT TRUST	100.00	SUPERIOR PLUS ENERGY SERVICES	535.19
ICMA RETIREMENT TRUST	1,959.05	SUREFIRE, LLC	237.80
ICMA RETIREMENT TRUST	200.00	TEAMSTERS	1,234.84
ICMA RETIREMENT TRUST	1,783.88	TRAFFIC PARTS	170.28
ICMA RETIREMENT TRUST	150.00	TREASURER OF COLUMBIA COUNTY	125.00

ICMA RETIREMENT TRUST	1,797.14	TRI-COUNTY HARDWARE	11.57
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY-LUMBER DIVISION	127.09
ICU SURVEILLANCE	1,700.00	TRI-COUNTY-LUMBER DIVISION	4.47
ICU SURVEILLANCE	250.00	TSSI	531.43
INTOXIMETERS INC.	8,016.00	TUZZI'S BAKERY	75.00
JAMES DALBERTO	30.00	UGI PENN NATURAL GAS	33.89
JAMES DALBERTO	60.00	VERIZON WIRELESS	308.48
JC ADLER LLC	968.00	WALMART BUSINESS/GECRB	13.50
JEFF BROWN & THE SONS OF A SAILOR	375.00	WALMART BUSINESS/GECRB	34.77
JIMMY PECA	550.00	WASHINGTON NATIONAL INS CO	60.90
JORDAN HOPPER	59.26	WESTERN PINNACLE INTERNATIONAL	529.99
KEN POLLOCK	182.96	WEX BANK	1,370.10
KEN POLLOCK	1,156.08	WEX BANK	36.06
KENNETH STRISH	69.26	WILLIAM CASTALDI	2,200.00
KENNETH STRISH	32.00	YIS/COWDEN GROUP INC.	31.50

## REPORTS

### OF

### COMMITTEES:

MAYOR: Tim Burke. He has made two donations from the

ENGINEER: Quad 3 (NOT PRESENT)

SOLICITOR: Attorney Frank Kepner. Gyimesi case is resolved. The Judge ordered them to vacate.

PERSONNEL: Travis Petty-Joanne Huntington- Debra Force.

LEGAL AND FINANCE: Travis Petty-Andrew Shecktor-Debra Force. Debra and the finance committee will be working with Ed Knittel/PSAB with regards to the 2017 budget.

PARKS AND RECREATION: Jay Jarrett - Alvin Hill. Test Track Park was used for the Power Boat Races, the WWII Re-enactment, and a concert. The park looks good. The DPW is taking good care of things down there. There is a lot to do in Berwick. Concerts are going great. 50/50 drawings are bringing in some money to put back into the concerts.

EMERGENCY MANAGEMENT: Andrew Shecktor - Jay Jarrett - Greg Harkins. On the agenda to vote on tonight is a Resolution to approve the Radiological Emergency Response Plan.

STREETS, PARKS, & BUILDINGS: Joanne Huntington-Jim Meighan-Jack Kyttle. SEE DPW REPORT as that covers everything. There was some vandalism at the fountain. The security camera caught the vandals in the act. The police were notified and they might get community service but that will be discussed with the Police.

FIRE AND WATER: Jim Meighan-Fire Chief Bill Coolbaugh. SEE FIRE REPORT. August 18<sup>th</sup> emergency sirens will sound around noon to test them. Fire Departments are having their own safety meetings due to them having a separate insurance company. And they will report to Debra Force the Borough Manager any concerns or needs.

CODES, RECYCLING, & ORDINANCES: Scott Bower - Greg Harkins. SEE CODES REPORT.

SAFETY: Joanne Huntington-Scott Bower. Someone threw a rock at the street sweeper and broke the mirror. And an officer hurt his back during the bear chase. Also the Borough will get a 10% discount this year on the insurance due to having all paper work in order. Last the first aid kits need to be updated and/or refilled, so we are looking into that.

POLICE: Jim Meighan - Scott Bower - Police Chief Ken. Councilman Bower said the police items are on the agenda. Council President Hill announced that he will replace Councilman Meighan on the Police Committee due to health issues. Replacing him on the Police Committee will be Councilwoman Huntington.

BAJSA REPORT: Scott Bower. SEE REPORT.

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

**OLD BUSINESS**: NONE

**ORDINANCES &  
RESOLUTIONS**:

RESOLUTIONS:

- A. 2016-05 PLCB Resolution to be renewed. Discussion: No need to renew this Resolution. Because the petition has been filed with the LCB.
- B. 2016-07 Radiological Emergency Response Plan. Discussion, None. **Motion to approved plan was made by Councilman Meighan and seconded by Councilman Bower, All ayes. Motion approved.**
- C. 2016-08 Act 600 for years 2014, 2015, 2016 at 2% (to provide for Pension Auditors). Discussion, None. **Motion to approve Act 600 for years 2014, 2015, 2016 at 2% was made by Councilman Meighan and seconded by Councilman Bower, All ayes. Motion approved.**

ORDINANCES:

- A. 2016-02 Posting of signs in the Borough.
- B. 2016-03 Prohibited animals in the Borough.
- C. 2016-04 Street vendors in the Borough.

Discussion started of pros and cons and different aspects of all 3 ordinances on the agenda for tonight. The solicitor did not get a chance to do a thorough review of them. **A motion was made by Councilman Petty to put to vote the passing of all three ordinances 2016-02 Posting of Signs in the Borough, 2016-03 Prohibited Animals in the Borough, and 2016-04 Street Vendors in the Borough. The motion died for lack of a seconded.**

**Councilman Bower made a motion to table all 3 ordinances for review with the solicitor. This was seconded by Councilwoman Huntington. All ayes with one opposed by Councilman Petty. Motion to table all 3 ordinances passes.**

**NEW BUSINESS:**

1. Consider and take action on a paper alley request made by Jeff May. Alley is located off Freas Ave between Washington and Monroe Streets.

DISCUSSION: Council wanted confirmed that all legal expenses will be paid by Mr. May. Mr. May agreed he would.

A motion to vacate the alley was made by Councilman Meighan and seconded by Councilman Jarrett. All ayes with one opposed by Councilwoman Huntington and one abstained by Councilman Petty. **Motion to vacate paper alley off Freas Ave between Washington & Monroe Streets passes 4/1/1.**

2. Consider and take action on enforcing Spring Garden Ave as a no outlet.

A motion was made by Councilman Bower and Seconded by Councilman Meighan. All ayes with one opposed by Councilman Petty. **Motion to make Spring Garden Ave a no outlet passes.**

3. Consider and take action to direct the Borough Manager to place an advertisement for Fire Engine bids for Ranger Hose Company.

DISCUSSION: Mayor Tim Burke did not approve the language in the spec that stated "top of the line". He felt if the police have to make do with minimum spec on their equipment than the fire company should remove that from their specs.

A motion was made by Councilman Jarrett and seconded by Councilman Meighan to put the fire engine specs out for bid. All ayes. **Motion to advertise for bids on a new fire engine passes.**

4. Consider and take action to direct the Borough Manager to place an advertisement for (1) one Code Appeals Board position.

A motion was made by Councilman Meighan and seconded by Councilman Bower. All ayes. **Motion to advertise (1) one Code Appeals Board position passes.**

5. Consider and take action to direct the Borough Manager to place advertisement for DPW equipment sale consisting of a 1999 Dodge 2500 pick-up truck, 2000 GMC 6500 w/ 9" plow and tailgate spreader, Gravely mower w/ 60" front mount mower deck, John Deere 345 w/ 45" mower deck, 1990 International 6X12 utility trailer w/ GVW 3500, and a John Deere X520, 54" deck, 44" snow blower attachment.

A motion was made by Councilman Meighan to place the ad; this was seconded by Councilwoman Huntington. All ayes. **Motion to advertise DPW equipment passes.**

6. Consider and take action on approval of Trick or Treat in the Borough for 2016. (October 31<sup>st</sup> falls on a Monday this year).

DISCUSSION: Council questioned why this was on the agenda so early. They were advised it was so that the dates could be put in the Fall Newsletter. A discussion on 1 or 2 days followed.

A motion was made by Councilman Petty to set the Trick or Treats dates as Monday October 31<sup>st</sup> and Tuesday November 1<sup>st</sup> 6-8PM, this was seconded by Councilman Jarrett. A roll call vote was taken.

Bower=NO, Jarrett=YES, Meighan=YES, Shecktor=absent, Petty=YES, Huntington=NO, Hill=YES. **4/2 motion to set Trick or Treat date passes.**

7. Consider and take action on fees for use of Test Track Park. Fees charged will be used towards maintenance/repairs of the park. Fees would start for 2017.



DISCUSSION: Council again discussed the amount to be charged (flat fee or a fee charge to individual vendors at the event), what it would be used for, would the charge be different for non-profits, what would be charged to open the main stage, how it would be monitored, would fees be charge to enter the event. A motion was made by councilman Meighan and seconded by Councilwoman Huntington to table the issue. All ayes.

**Motion to table Test Track Park fees passes.**

8. Consider and take action to direct the Borough Manager to place an advertisement to notify all residents of Park Street of the possibility of turning Park Street into a one way.

A motion was made by Councilman Meighan and Seconded by Councilman Bower. All ayes. **Motion to notify all Park Street residents passes.**

9. Consider and take action on waiving permit fees for the Berwick Theatre and Center for Community Arts in the amount of \$765.00.

DISCUSSION: The fees were clarified as follows; \$400.00 is Larry Frace's fee to review the plans. \$765.00 is the Borough's permit fee. And \$525.00 is the inspection fee. The Boroughs policy in the past has been to waive just the permit fees. This has been done for the Fire Companies and the Blue Print Housing.

A motion was made by Councilman Jarrett to waive the \$765.00 Borough permit fee, this was seconded by Councilman Petty. All ayes, with one opposed by Councilman Petty. **Motion passes 5/1.**

10. Consider and take action on the purchase of a police vehicle.

DISCUSSION: Vehicles have been found but they do not have the money readily available and they lose the vehicle until they can get a check at next council meeting. The Mayor would like a check ready to go to purchase the next vehicle they find. Council asked how much money is needed. They asked for up to \$4,900.00 to be available for the purchase.

A motion was made by Councilman Jarrett and seconded by Councilman Bower. A roll call vote was taken.

Bower=YES, Jarrett=YES, Meighan=NO, Shecktor=absent, Petty=YES, Huntington=NO, Hill=YES. **4/2 motion passes to make a check available to the Mayor or the Chief for funds up to \$14,900.00.**

11. Consider and take action to purchase gun mounts for Police Department Vehicles.

DISCUSSION: The police are looking to outfit 6 cars with mounts of approximately \$800.00 each.

A motion was made by Councilman Petty and seconded by Councilman Meighan to approve funding of approximately \$4,800.00. All ayes. **Motion passes to outfit 6 cars with guns mounts for approximately \$4,800.00.**

12. Consider and take action to purchase one (1) sample uniform for Police Department.

DISCUSSION: This will be to outfit one officer to test the uniform out.

A motion was made by Councilman Meighan and seconded by Councilman Bower to purchase the one sample uniform. All ayes. **Motion to purchase the one sample uniform passes.**

13. Consider and take action to change the scheduled time for Police Committee meetings from the second Wednesday of the month to the first Wednesday of the month at 3pm in Council Chambers. Direct Borough Manager to place an advertisement of the new schedule. All Committee Meetings are open to the public.

DISCUSSION: Council questioned Councilwoman Huntington if this was acceptable to her and she advised Council that yet it was.

A motion was made by Councilman Bower and seconded by Councilman Petty. All ayes. **Motion to change the day/time of the Police Committee meeting passes.**

**ADDED ITEMS:** NONE

**ADJOURNMENT:** Motion to adjourn made by Councilman Petty and seconded by Councilman Bower. All ayes.  
**Motion to adjourn passes.**