

MINUTES
REGULAR COUNCIL MEETING
April 17, 2017

AGENDA:

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday APRIL 17, 2017 at 7:00PM; in City Hall. Present at this meeting was President of Council Alvin Hill presiding and Council Members Scott Bower, Jay Jarrett, Andrew Shecktor, Travis Petty, Joanne Huntington, Larry Surkin and Mayor Tim Burke.

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

Absent from the meeting was the engineer.

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

REVIEW &
APPROVAL
OF AGENDA:

Council President Hill asked to add to the agenda a vote to add 3 inlet boxes to Good and Arch Street for the Storm Water Project.

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

PUBLIC HEARING,
CITIZENS
CORRESPONDENCE,

PERSONAL APPEALS: **Bridgett Coolbaugh representing Representative Millard.** Here to extend a personnel invite to Council to attend a Drug Awareness Program sponsored by the Attorney General's Office. A senior special agent will speak to the 9th and 10th graders. This will not be open to the public. Chief Strish is working with the school to secure the school during the presentation. The date of the program is Thursday May 4th starting at 9AM.

Ralph Shumacker here to speak with Council regarding the proposed Codes Ticket Ordinance

for vote this evening. It may be a violation of Anglo-American law as well as constitutional law. Councilman Surkin asked Mr. Shumaker where he lived, Mr. Shumaker replied he owns property at 222-224 Orange Street (residence is 222 Iron Street in the borough). Councilman Surkin went on to say that we have a very professional Codes staff. All items talked about are for the general good of the public. And the things sited from years ago are from a time when people cared and we do not have that caring today. This is quality of life issue. Councilman Petty stated that he understands his concerns but this is a step down from the current ordinance of fines in excess of \$200.00, they are down to a \$25.00 fine after codes exhausts all efforts to work with a resident. The courts have said you are wrong and no due process rights are violated. He asked that we move on.

PRESENTATIONS : NONE

**PREVIOUS
MONTHS
MINUTES
APPROVED:**

MOTION TO APPROVE MARCH 20, 2017 MINUTES was made by **Councilman Jarrett** and seconded by **Councilman Surkin**.
All ayes. Motion passes.

**PAYMENT
OF BILLS**

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

AMERICAN FAMILY LIFE ASSURANCE	1,009.32	KEPNER, KEPNER & CORBA, P.C.	6,349.95
AMERICAN PAPER & SUPPLY INC	59.82	KEYSTONE COMMUNICATIONS	123.00
AMERICAN PAPER & SUPPLY INC	115.91	KNORR HAULING, INC.	6,187.50
ARROW AUTO GLASS	250.00	LAUBACH'S AUTO REPAIR	23.10
ATLANTIC TACTICAL	345.00	LAUBACH'S AUTO REPAIR	138.86
AUTOZONE	82.76	LAUBACH'S AUTO REPAIR	355.33
AVAYA, INC	27.83	LENDENMANN'S REMODELING	11,139.00
BARRY'S SERVICE INC.	29.45	LOWE'S	23.60
BARRY'S SERVICE INC.	69.50	MATTHEWS SPRING WATER	90.50
BERWICK FIRE POLICE	157.00	MATTHEWS SPRING WATER	41.50
BERWICK HOSPITAL CENTER	140.00	MATTHEWS SPRING WATER	22.00
BERWICK PROFESSIONAL AUTO CENTER	146.00	MATTHEWS SPRING WATER	11.00
BODNAR SALES & SERVICE	72.92	MATTHEWS SPRING WATER	11.00
BODNAR SALES & SERVICE	144.29	METROCAST	2.17
BODNAR SALES & SERVICE	42.59	METROCAST	127.12

BOROUGH OF BERWICK GENERAL FUND	29,419.93	MICHAEL KLINETOB	81.75
BOROUGH OF BERWICK MUNICIPAL PENSION	820.69	MICHAEL MONICO	1,151.20
BOROUGH OF BERWICK MUNICIPAL PENSION	1,376.66	MICHAEL MONICO	1,151.20
BOROUGH OF BERWICK PAYROLL ACCOUNT	41,042.88	MICHAEL MONICO	1,151.20
BOROUGH OF BERWICK PAYROLL ACCOUNT	35,743.25	MID-ATLANTIC FIRE AND AIRE	153.15
BOROUGH OF BERWICK PAYROLL ACCOUNT	2,232.12	NAPA AUTOPARTS BERWICK	29.85
BOROUGH OF BERWICK PAYROLL ACCOUNT	37,277.81	NAPA AUTOPARTS BERWICK	4.56
BOROUGH OF BERWICK PAYROLL ACCOUNT	93.66	NAPA AUTOPARTS BERWICK	269.50
BOROUGH OF BERWICK PAYROLL ACCOUNT	176.01	NAPA AUTOPARTS BERWICK	823.73
BOROUGH OF BERWICK PAYROLL ACCOUNT	93.66	NAPA AUTOPARTS BERWICK	115.39
BOROUGH OF BERWICK PAYROLL ACCOUNT	176.01	NAPA AUTOPARTS BERWICK	1,145.28
BOROUGH OF BERWICK PAYROLL ACCOUNT	166.67	NAPA AUTOPARTS BERWICK	17.18
BOROUGH OF BERWICK -PETTY CA	21.59	NESCOPECK AGWAY	136.77
BOROUGH OF BERWICK POLICE PENSION	780.42	NMS	474.00
BOROUGH OF BERWICK POLICE PENSION	1,034.07	P A W C	38.37
BORO OF BWK POLICE PENSION TRUST FD	1,814.49	P A W C	23.52
BORO OF BWK POLICE PENSION TRUST FD	1,475.86	P A W C	0.24
CAMPBELL PRINTING CO.	2.50	P A W C	32.70
CAMPBELL SUPPLY CO., LLC	1,024.91	P A W C	2,737.24
CARGILL, INCORPORATED	1,272.62	PENNBCO	85.00
CASSANDRA MOWERY	140.00	PENNSYLVANIA ONE CALL SYSTEM	38.10
CENTRAL PA TEAMSTERS HEALTH & WELF.	42,618.70	PETERS CONSULTANTS, INC.	5,347.50
CENTRAL PA TEAMSTERS HEALTH & WELF.	2,732.00	PETERS CONSULTANTS, INC.	805.00
CINTAS FIRE PROTECTION	128.39	PHILIP KEIFER	69.98
CNA SURETY	843.75	PPL	139.91
COLE'S HARDWARE	76.45	PPL	191.74
COLE'S HARDWARE	15.51	PPL	521.73
COLE'S HARDWARE	67.76	PPL	11,513.18
COLE'S HARDWARE	11.10	PPL	136.13
COLE'S HARDWARE	41.98	PRECISION WELDING SUPPLIES	36.84
COLE'S HARDWARE	296.92	PRESS-ENTERPRISE, INC.	618.66
COLE'S HARDWARE	37.20	PRESS-ENTERPRISE, INC.	631.33
COLE'S HARDWARE	185.45	QUAD THREE GROUP, INC.	3,761.44
COLE'S HARDWARE	58.09	QUAD THREE GROUP, INC.	1,312.75
COMMONWEALTH REPORTING CO, I	101.50	RANGER HOSE CO	383.33
CONSTELLATION NEWENERGY INC.	26.42	RELIANCE FIRE CO	383.33
CONSTELLATION NEWENERGY INC.	159.59	RIVERVIEW BLOCK	974.12
CONSTELLATION NEWENERGY INC.	1,821.94	ROGERS UNIFORMS	2,600.00
CONSTELLATION NEWENERGY INC.	306.43	SEDA-COUNCIL OF GOVERNMENTS	3,970.00
CUSTOM ADVERTISING	80.07	SEEWALD LABORATORIES, INC.	47.00
D&M FIREWORKS, LLC	3,500.00	STAPLES CREDIT PLAN	283.14
DAVE HARGRAVES AUTO-BODY	1,925.00	STAPLES CREDIT PLAN	88.99
DENT'S AUTO SERVICE	59.00	STAPLES CREDIT PLAN	88.99
DENT'S AUTO SERVICE	257.00	STAPLES CREDIT PLAN	281.99
DON E. BOWER, INC.	3,335.00	STAPLES CREDIT PLAN	211.26
EAGLES FIRE COMPANY	383.33	STEPHEN LEVAN	293.00
ECKERT SEAMANS CHERIN & MELLOCTT	468.00	STEPHENSON EQUIPMENT INC	875.06
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	STEVE SHANNON TIRE CO	544.00

FIRST COLUMBIA BANK & TRUST CO.	1,412.58	SUNTRUST EQUIPMENT FINANCE	2,998.05
FORT DEARBORN LIFE INS.	942.45	SUPERIOR PLUS ENERGY SERVICE	376.46
GENERAL CODE	3,299.40	SUPERIOR PLUS ENERGY SERVICES	104.78
GENERAL SALES, INC.	53.55	SUPERIOR PLUS ENERGY SERVICES	261.83
GENERAL SALES, INC.	574.96	SUPERIOR PLUS ENERGY SERVICES	117.85
HARTMAN & LALLY INSURERS, IN	2,825.45	SUPERIOR PLUS ENERGY SERVICES	201.94
HIGHWAY EQUIP & SUPPLY	487.50	SUPERIOR PLUS ENERGY SERVICES	249.79
ICMA RETIREMENT TRUST 457-30	1,787.71	SUPERIOR PLUS ENERGY SERVICES	769.58
ICMA RETIREMENT TRUST 457-30	150.00	SUPERIOR PLUS ENERGY SERVICES	430.96
ICMA RETIREMENT TRUST 457-304347	1,876.35	SUPERIOR PLUS ENERGY SERVICES	1,310.85
ICMA RETIREMENT TRUST 457-304347	166.00	SUSQUEHANNA FIRE EQUIPMENT C	30.45
ICMA RETIREMENT TRUST 457-304347	1,875.60	TEAMSTERS	1,286.00
ICMA RETIREMENT TRUST 457-304347	150.00	TRI-COUNTY HARDWARE	13.06
ICMA RETIREMENT TRUST 457-304347	1,927.63	TRI-COUNTY HARDWARE	15.37
ICMA RETIREMENT TRUST 457-304347	150.00	TRI-COUNTY HARDWARE	13.83
ICMA RETIREMENT TRUST 457-304347	1,799.59	TRI-COUNTY-LUMBER DIVISION	278.27
ICMA RETIREMENT TRUST 457-304347	150.00	TRI-COUNTY-LUMBER DIVISION	16.92
ICMA RETIREMENT TRUST 457-304347	1,993.48	VACUUM SALES, INC.	1,118.51
ICMA RETIREMENT TRUST 457-304347	150.00	VERIZON WIRELESS	306.60
JACK KYTTLE	49.98	WASHINGTON NATIONAL INS CO	369.30
KEN POLLOCK	57.30	WEST BERWICK FIRE CO	383.33
KENNETH STRISH	67.30	WEX FLEET UNIVERSAL	1,901.26

REPORTS

OF

COMMITTEES:

MAYOR: Tim Burke.

- The Mayor said on March 25 he attended the anniversary of the Jackson Mansion.
- March 30th Chief Strish was in Washington D.C. with United States Senator Bob Casey to address drug issues.
- On April 4th Chief Strish was named Distinguished Citizen by the Berwick Elks.
- April 15th he officiated at a wedding.

ENGINEER: Not in attendance.

SOLICITOR: Attorney Frank Kepner said nothing to report.

PERSONNEL: Travis Petty-Joanne Huntington- Debra Force.

- In the process of replacing Police Clerk Mr. McClintock and then hopefully the Civil

Service Commission will be moving ahead with the hiring of police officers.

LEGAL AND FINANCE: Travis Petty-Andrew Shecktor-Debra Force.

- Nothing.

PARKS AND RECREATION: Jay Jarrett - Alvin Hill.

- Summer Concert start Thursday, May 25th.
- Preparing to open the fountain.
- Little League is playing in Ber-Vaughn.

EMERGENCY MANAGEMENT: Andrew Shecktor - Jay Jarrett - Greg Harkins.

- May 15th and October 23rd there will be a 3 hour course at Vo-Tech on decontamination.

STREETS, PARKS, & BUILDINGS: Joanne Huntington-Larry Surkin -Jack Kyttle.

- SEE DPW REPORT.

FIRE AND WATER: Andrew Shecktor, Larry Surkin, Fire Chief Randy Remphrey.

- Councilman Shecktor said he had a very important matter concerning the Fire Police not being covered with death benefits. This has to do with the definition of Fire Police not being listed as Firemen. They have been denied death in the line of duty benefits across the state. (Title 35 Health & Safety of House Bill 241). Also concerning is that the Fire Chief will have no control over Fire Police or their training. Councilman Shecktor will work with the Fire Chief to make sure Berwick has all aspects covered and will report back to Council.

CODES, RECYCLING, & ORDINANCES: Scott Bower - Larry Surkin - Greg Harkins.

- SEE CODES REPORT.
- Councilwoman Huntington asked about the fire damaged Cristos Restaurant in the K-Mart Plaza. Councilman Bower said it all fixed up

and ready to go to anyone who wants to rent it.

SAFETY: Joanne Huntington-Scott Bower.

- No reported accidents.

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

- SEE REPORT.
- Gun mounts are in. Keys had to be returned. Should be installed within a week.

BAJSA REPORT: Scott Bower.

- SEE REPORT.

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

OLD BUSINESS: NONE

**ORDINANCES &
RESOLUTIONS**:

- **Revised Code's Ticket Ordinance 2015-04.**

Motion to approve was made by Councilman Bower and seconded by Councilman Surkin. All ayes, Councilman Shecktor opposed. Motion passes.

NEW BUSINESS:

1. Consider and take action on recommendation on Grant Street Project Engineering bids from Tyler Dombroski of SEDA-COG.

Discussion: This is to seek bids via SEDA-COG for the additional roads (W.6th Street, W. 8th Street and alley in front of Weis Markets).

A motion was made by Councilman Shecktor, seconded by Councilman Jarrett. All ayes, motion passes.

2. Consider and take action on award the contractor bid for the Grant Street Project.

Discussion: Don E. Bower won the bid at \$65,443.80.

Motion to approve was made by Councilman Jarrett, Seconded by Councilwoman Huntington. All ayes, motion passes.

3. Consider and take action to increase the amount of Rehabilitation assistances to a maximum of \$50,000 for projects that do not have lead-base paint and to \$65,000 for those that do have lead-based paint. The loan and mortgage amount will be established by using SEDA-COG's housing Rehabilitation Specialists cost estimates without taking into account the state wage impact on the job.

Discussion:

Motion to approve Councilman Bower and seconded by Councilman Shektor. All ayes. Opposed; Councilman Petty and Councilwoman Huntington. Motion passes.

4. Consider and take action to approve the revised Fire Department By-Laws.

DISCUSSION: By-Laws need change to reflect 4 fire companies not 5.

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

5. Consider and take action to reimburse the Joint Veterans Council for Memorial Day Parade expenses. (\$300.00).

DISCUSSION:

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

6. Consider and take action to pay 2 engineering invoices to Peters Consulting; one for \$805.00 and second one for \$3,162.50 to be paid from CDBG funds under the Blighted Housing Project.

DISCUSSION:

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

7. Consider and take action to open sealed bids and award demo of 1336 Spring Garden Avenue property.

DISCUSSION: Bids were opened as follows:

Brdaric Excavating for \$9,200.00

Hile Enterprises for \$40,645.00

Columbia Excavating for \$9,700.00

Steinbacher Enterprises for \$12,060.00

Team Green for \$7,925.00

Belles Property Management for \$27,750.00

Motion to accept bid from Team Green for \$7,925.00 was made by Councilman Bower and seconded by Councilman Shecktor. All ayes, Councilman Petty abstains, motion passes.

8. Consider and take action to accept the resignation of Bill Coolbaugh from the Civil Service Commission.

DISCUSSION:

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

9. Consider and take action to appoint 2 new members to the Civil Service Commission.

DISCUSSION: 3 people are interested: Casper Splish Jr., AD George, Kimmie Cook. Borough Manager said since we received no letters of interest, she contacted the Civil Service Solicitor who said that since this is an appointed position just like zoning or planning so that anyone Council wishes to appoint, they can do so without a letter of interest. Councilman Bower said he contacted 2 of the people to ask if they are interested and they said they would be. Each one is willing to serve. Councilman Jarrett said to appoint the alternate to a position. It was said that it was for the Commission to decide. Discussion went on about how the Commission would do that without enough to hold a meeting.

**Motion by Councilman Jarrett to appoint the sitting alternate to an open position pending his ok, 2nd open position to Mr. Splish, and the rest to alternate positions. This was seconded by Councilman Surkin. A roll call vote was taken. BOWER: NO, JARRETT: YES, SHECKTOR: YES, SURKIN: YES, PETTY: YES, HUNTINGTON: NO, HILL: NO.
Motion passes 4/3**

10. Consider and take action to reimburse the U.S. General Services Administration for a stolen side arm in the amount of \$360.00.

DISCUSSION: This was the Klinetob deal from 2010.

Motion to approve Councilman Jarrett and seconded by Councilman Shektor. All ayes. Opposed by Councilwoman Huntington. Motion passes.

11. Consider and take action to accept the resignation of part-time DPW worker Kevin Laubaugh.

DISCUSSION:

Motion to approve made by Councilman Bower, seconded by Councilman Jarrett. All ayes. Motion passes.

12. Consider and take action to direct the Borough Manager to advertise and hire for a part-time DPW position.

DISCUSSION:

Motion to approve made by Councilman Bower and seconded by Councilman Jarrett. All ayes. Motion passes.

13. Consider and take action to paint a blue line in the middle of 16th Street to show support of Police Officers.

DISCUSSION: DPW Supervisor Jack Kytte suggested painting the blue line on E. 3rd Street from Market to Vine Street. Councilman Surkin agreed to this.

Motion to do the blue line on E. 3rd Street as suggested was made by Councilman Shektor and seconded by Councilman Jarrett. All ayes. Motion passes.

14. Consider and take action to direct the Borough Manager to advertise for bids on the paving of High School Avenue and the un-named alley behind Martz Technology.

DISCISSION:

Motion to approve made by Councilman Bower and seconded by Councilman Surkin. All ayes. Councilman Petty abstains. Motion passes.

ADDED ITEMS:

- A.** Consider and take action to add 3 inlet boxes and engineering in and around Good & Arch Streets at a cost of approximately \$30,000. - \$40,000. to be paid from the State Liquid Fuels Fund.

DISCISSION:

Motion to approve made by Councilman Surkin and seconded by Councilman Bower. All ayes. Motion passes.

ADJOURNMENT:

Motion to adjourn made by Councilman Bower, seconded by Councilman Petty.