

MINUTES
REGULAR COUNCIL MEETING
APRIL 18, 2016

AGENDA:

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday April 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, Andrew Shecktor, Travis Petty, Joanne Huntington and Mayor Tim Burke.

Also present were Borough Manager Debra Force, Police Chief Ken Strish, Fire Chief Bill Coolbaugh, DPW Foreman Jack Kytte.

Absent were the solicitor Frank Kepner and the Engineer.

A prayer and The Pledge of Allegiance was said.

REVIEW &
APPROVAL
OF AGENDA:

Updates to the agenda. Addition to Item #10, tabled last month was the Ordinance to change the alley at First & 2nd Ave to a one-way. And Item #12 New Business #3 change the reading from 'the Brewery's request' to 'borough-wide request'.

MOTION TO APPROVE: **Mr. Shecktor** - SECOND: **Mr.**

Jarrett

ALL AYES, motion passes.

PUBLIC HEARING,
CITIZENS
CORRESPONDENCE,
PERSONAL APPEALS:

A citizen named Glen was recognized to speak on the alley issue that was added to the agenda. He said he submitted a petition from neighbors that did not want the alley traffic changed because a lot of neighbors park back there and the garbage collectors have said they will not back down the alley to pick up. Residents would have to put garbage cans out in front of their properties. Neighbors do not feel they should be penalized because only one neighbor wants the change. Council President Hill this will be debated and a decision made tonight.

A second resident Bill stood to talk to council about the Sewer Authority, he wanted to know how the BAJSA board could lay off employees when big raises were given out and the board gets so much money for their services. He said that council needs to get

behind getting things back into control. Mr. Bower said that Berwick only has 3 votes. Mr. Petty said he doesn't buy that argument because everything that was voted on was unanimous by the board. Bill asked council if they know what's going on down there? The reply was no. Bill said he has pictures and video of what is flowing into the river. Mrs. Huntington asked him not to give up keeping watch. Bill said he would not.

PRESENTATIONS: NONE

PREVIOUS MONTHS MINUTES APPROVED: MOTION TO APPROVE MARCH 21, 2016 MINUTES:
MADE BY: **Mr. Shecktor** - Seconded: **Mr. Meighan,**
All ayes, Mr. Jarrett abstained (had not attended that meeting).

PAYMENT OF BILLS APPROVED: MOTION TO PAY THE MARCH 2016 BILLS.

Councilman Jarrett had some questions on the bills.

- AJ Limo bill for \$500.00. Council President Hill that was from the police taking the Junior Explorers to visit the court house and the jail.
- Laubaugh's Auto Repair for \$(could not hear the amount on the tape). Mr. Meighan said he just signed that bill for a new engine to be put in one of the cars.
- Quad 3 Engineering for \$11,000.00. Council President said that was for the Veteran's Memorial Park. \$5,000.00 of which has been donated already and the rest will come from selling of 3x3 plaques that will take place this summer. Mr. Hill noted that in comparisons Heimbach Park that was built by the state with engineering costs by Denny Peters for \$60,000.00.
- MADE BY: **MR. SHECKTOR** - SECONDED: **MRS. HUNTINGTON**
All ayes, motion passes.

A CERTIFIED ARBORIST, LLC	350.00	ICMA RETIREMENT TRUST	150.00
A.J. BOWER, INC.	500.00	J & M AUTO APPEARANCE	35.00
AMERICAN FAMILY LIFE ASSURANCE	821.21	JAMES DALBERTO	35.00
AMERICAN PAPER & SUPPLY INC	191.20	JAMES DALBERTO	40.00
ANNETTE BRENNAN	50.00	JERRY'S ENGINE REPAIR	91.85
ANNUZIATO DEGEORGE	50.00	JORDAN HOPPER	170.00
AUTOZONE	2.45	KEPNER, KEPNER & CORBA, P.C.	4,121.50
AVAYA, INC	25.30	KEYSTONE COMMUNICATIONS	123.00
BARRACUDA NETWORKS, INC	1,649.00	KEYSTONE COMMUNICATIONS	123.00
BARRY'S SERVICE STATION	33.99	KNORR HAULING, INC.	6,187.50
BERWICK AREA UNITED WAY	96.00	KNORR HAULING, INC.	6,187.50
BODNAR SALES & SERVICE	170.54	LACAL EQUIPMENT, INC	161.74
BORO OF BWK GENERAL FUND	7,558.75	LARRY C. FRACE INSPECTIONS, LLC	3,694.00

BORO OF BWK POLICE PENS TRUST FD	1,966.74	LARRY'S LUMBER AND SUPPLY, INC.	359.25
BORO OF BWK MUNICIPAL PENS FD	804.23	LAUBACH'S AUTO REPAIR	186.90
BORO OF BWK MUNICIPAL PENS FD	801.94	LAUBACH'S AUTO REPAIR	342.45
BORO OF BWK PAYROLL ACCOUNT	2,242.31	LAUBACH'S AUTO REPAIR	71.75
BORO OF BWK PAYROLL ACCOUNT	38,301.50	LAUBACH'S AUTO REPAIR	3,155.14
BORO OF BWK PAYROLL ACCOUNT	36,792.51	LENDENMANN'S REMODELING	11,090.00
BORO OF BWK PAYROLL ACCOUNT	39,786.63	MATTHEWS FUEL SERVICE, INC.	702.15
BORO OF BWK PAYROLL ACCOUNT	36,777.60	MATTHEWS SPRING WATER	85.50
BORO OF BWK PAYROLL ACCOUNT	336.67	METROCAST	127.12
BORO OF BWK PAYROLL ACCOUNT	443.04	METROCAST	127.12
BORO OF BWK PAYROLL ACCOUNT	300.00	METROPOLITAN TELECOMMUNICATIONS	781.82
BORO OF BWK PAYROLL ACCOUNT	240.48	MICHAEL MONICO	1,123.20
BORO OF BWK PAYROLL ACCOUNT	316.46	MICHAEL MONICO	1,123.20
BORO OF BWK POLICE PENSION	750.40	MICHAEL MONICO	1,123.20
BORO OF BWK POLICE PENSION	764.11	MICHAEL MONICO	1,123.20
BORO OF BWK RECYCLING FUND	7,000.00	NAPA AUTOPARTS BERWICK	888.36
BRADCO SUPPLY CO, INC.	1,245.45	NAPA AUTOPARTS BERWICK	54.21
BULL, BULL & MCDONALD, LLP	450.00	NAPA AUTOPARTS BERWICK	709.60
CASSANDRA MOWERY	20.00	NAPA AUTOPARTS BERWICK	140.19
CENTRAL PA TEAMSTERS HEALTH	36,406.45	NAPA AUTOPARTS BERWICK	8.99
CENTRAL PA TEAMSTERS HEALTH	37,983.66	NATIONAL TACTICAL OFFICERS ASSOC	150.00
CENTRAL PA TEAMSTERS HEALTH	2,635.30	P A W C	24.94
CENTRAL PA TEAMSTERS HEALTH	2,057.84	P A W C	39.53
CNA SURETY	843.75	P A W C	2,737.24
CNA SURETY	100.00	PA DEPT OF LABOR & INDUSTRY-E	73.00
COLE'S HARDWARE	132.78	PA TURNPIKE	6.75
COLE'S HARDWARE	279.14	PA TURNPIKE	5.00
COLE'S HARDWARE	46.14	PA UC FUND	1,836.59
COLE'S HARDWARE	303.93	PA UC FUND	324.38
COLE'S HARDWARE	16.96	PENN DOT	45.00
COLE'S HARDWARE	63.01	PENNSYLVANIA CHIEFS OF POLICE ASSOC	150.00
COL MONT CHAMBER COMMERCE	244.00	PENNSYLVANIA ONE CALL SYSTEM	57.15
CONSTELLATION NEWENERGY INC.	12.86	PHILIP KEIFER	129.99
CONSTELLATION NEWENERGY INC.	54.37	PIKES CREEK ASPHALT	777.39
CONSTELLATION NEWENERGY INC.	457.85	PITNEY BOWES GLOBAL FINANCIAL	150.00
CONSTELLATION NEWENERGY INC.	3.58	PITNEY BOWES PURCHASE POWER	402.50
CONSTELLATION NEWENERGY INC.	19.35	PPL	552.50
CONSTELLATION NEWENERGY INC.	12.51	PPL	319.07
CONSTELLATION NEWENERGY INC.	1,956.69	PPL	178.67
DCED	224.00	PPL	11,540.73
DEBRA FORCE	68.04	PRESS-ENTERPRISE, INC.	769.95
DEFEBO GRAPHICS	22.00	PSAB	725.00
DEFENDER FIRE CO.	383.33	PSAB	300.00
DELL MARKETING L.P.	1,130.43	PSAB MUNI RETIREMENT TRUST	5,136.24
DENT'S AUTO SERVICE	29.00	QUAD THREE GROUP, INC.	440.00
DENT'S AUTO SERVICE	58.00	QUAD THREE GROUP, INC.	3,081.80
DICK STITZER	210.00	QUAD THREE GROUP, INC.	11,599.22
DOUGLAS CARRATHERS	130.50	RANDY GAUGLER	140.00

EAGLES FIRE COMPANY	383.33	RANGER HOSE CO	383.33
EAGLES FIRE COMPANY	290.95	RANGER HOSE CO	260.00
EAST PENN FIRE & EMERGENCY SALES	652.49	RELIANCE FIRE CO	383.33
EASTERN PENN SUPPLY CO.	151.73	RHONDA T. KOCH, CCR	150.00
ERIK HELBING	50.00	ROBERT MAIER	50.00
EUGENE GOLLA	50.00	SEDA-COUNCIL OF GOVERNMENTS	4,800.00
FASTENAL COMPANY	67.01	SQUARE ONE CONSTRUCTION	7,750.00
FASTENAL COMPANY	70.14	SQUARE ONE CONSTRUCTION	11,655.00
FIRE & RESCUE PRODUCTS	1,226.44	STAPLES CREDIT PLAN	982.54
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	STEVE SHANNON TIRE CO	70.94
FIRST COLUMBIA BANK & TRUST CO.	1,412.58	STEVE SHANNON TIRE CO	166.48
FORT DEARBORN LIFE INS.	965.19	SUNTRUST EQUIPMENT FINANCE	2,998.05
G & S FLAG	330.00	SUPERIOR PLUS ENERGY SERVICES	468.22
GALETON	87.93	SUPERIOR PLUS ENERGY SERVICES	101.93
GENERAL SALES, INC.	72.53	SUPERIOR PLUS ENERGY SERVICES	26.08
GENERAL SALES, INC.	158.04	SUPERIOR PLUS ENERGY SERVICES	159.65
GREGORY C. HARKINS	64.65	SUPERIOR PLUS ENERGY SERVICES	875.33
HARTMAN & LALLY INSURERS, INC.	3,069.33	SUPERIOR PLUS ENERGY SERVICES	257.90
HELLER'S GAS INC.	58.10	SUPERIOR PLUS ENERGY SERVICES	215.15
HIGHWAY EQUIP & SUPPLY	549.66	SUSQUEHANNA FIRE EQUIPMENT CO	30.35
HILTON GARDEN INN HERSHEY	859.14	TEAMSTERS,	1,234.84
ICC, INC.	135.00	THE LOCKER ROOM	1,311.00
ICMA RETIREMENT TRUST	1,961.94	TRAFFIC PARTS	67.03
ICMA RETIREMENT TRUST	1,986.54	TRI-COUNTY HARDWARE	39.52
ICMA RETIREMENT TRUST	150.00	TRI-COUNTY-LUMBER DIVISION	248.20
ICMA RETIREMENT TRUST	150.00	UGI PENN NATURAL GAS	257.71
ICMA RETIREMENT TRUST	150.00	VERIZON WIRELESS	307.00
ICMA RETIREMENT TRUST	1,650.10	WASHINGTON NATIONAL INS CO	60.90
ICMA RETIREMENT TRUST	1,863.88	WEST BERWICK FIRE CO	383.33
ICMA RETIREMENT TRUST	150.00	WEX BANK	998.99
ICMA RETIREMENT TRUST	1,884.19		

REPORTS

OF

COMMITTEES:

MAYOR: Tim Burke: Attended a memorial for Colin Hill getting his Eagle Scout Award, he did a great job. A piece of history right here in Berwick. Chief Strish out for a family emergency, a death in the family.

ENGINEER: Quad 3 (NOT PRESENT AT MEETING)

SOLICITOR: Attorney Frank Kepner.

Gyimesi and Benjamin hearings coming up. Council President Hill asked the audience if anyone remembers a few years ago the borough going to court to get Mr. Gyimesi to clean up his property. Now the property is back to a condition worse than before

and the Borough has to spend taxpayer money to go back to court again.

PERSONNEL: Travis Petty-Joanne Huntington- Debra Force. Nothing to report.

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

Mr. Shecktor said there are two things that we need to address and have on the record. One is the flying of drones in the parks and the other being parking/driving in parks. The Ordinance we have now does not address these two issues correctly. Council President Hill both these issues will be taken up in the Ordinance Committee Meeting and were referred to Councilman Bower. He also said that there are tractor trailers doing driving training in Test Track Park that will need to be addressed. Mr. Bower that we are not trying to control the air space, it just says that you cannot bring them into the park. Mr. Shecktor said we cannot enforce it the way it is written. Councilman Petty said for now we will just not enforce it.

PARKS AND RECREATION: Jay Jarrett - Alvin Hill. Summer Concert contracts are sent out and locked in. Newsletter will be coming out soon. Time & dates for Kids Night and Cake & Ice Cream night will be in there. And we will be having 50/50 drawings at each concert due to having funding cut. All parks are open and ready for use. Pavilions reservations need to be made, so call City Hall to set it up. We just took money from the Kayak Poker Paddle that we put some benches and a grill at the pavilion in Test Track Park.

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

Federal drill not scheduled until September also a seminar will be held in Wilkes-Barre.

STREETS, PARKS, & BUILDINGS: Joanne Huntington-Jim Meighan-Jack Kytte.

Fountain is up and running. We encourage residents to report any vandalism. We had some kids that took the tops off the fountain heads and they had to be scolded but they returned the fountain heads and Jack fixed them.

FIRE AND WATER: Jim Meighan-Fire Chief Bill Coolbaugh

Fire Chief has submitted the monthly report. Mr. Meighan brought Mr. Shecktor to the last meeting and introduced him to everyone.

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

SAFETY: Joanne Huntington-Scott Bower. The committee discussed revamping the accident reports. Jack will get cost of new First Aid kits & co-ag packets.

POLICE: Jim Meighan - Scott Bower - Police Chief Ken Strish. SEE REPORT. Uniforms & Gun mounts were discussed.

BAJSA REPORT: Scott Bower. SEE REPORT.

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

OLD BUSINESS: FRANCIS DORAN ALLEY ORDINANCE THAT WAS TABLED LAST MONTH. COUNCILMAN MEIGHAN SAID HE DROVE THAT ALLEY A FEW TIMES AND AGREES THAT IT WOULD BE A HARDSHIP FOR ANYONE THAT WOULD HAVE TO BACK UP THAT ALLEY. **MOTION TO NOT PROCEED WITH THE ORDINANCE WAS MADE BY COUNCILMAN MEIGHAN & SECONDED BY COUNCILWOMAN HUNTINGTON. A ROLL CALL VOTE WAS TAKEN. BOWER = YES, JARRETT = YES, MEIGHAN = YES, SHECKTOR = YES, PETTY = YES, HUNTINGTON = YES, HILL = YES. ALL IN FAVOR, MOTION TO NOT TO PROCEED WITH THE ORDINANCE IS PASSED.**

**ORDINANCES &
RESOLUTIONS:** NONE

NEW BUSINESS:

1. Consider and take action on the Minority & Women's Business Enterprise Action Plan, the CDBG Block Program Income Reutilization Plan, the Residential Anti-Displacement & Relocation Assistant Plan, the Code of Conduct, and the Financial Management Plan.
 - Tyler Dombroski from SEDA-COG stood to talk about the transition from the state of Pennsylvania administrating the plan to have HUD take over administrating the program. This will double the money the borough receives. All of the various plans the borough must have in order to participate need to be reflect the new language that states the Federal

Government will now administrate the program for the borough.

- Councilman Jarrett asked if we ever started the borough wide survey for the LMI (low to moderate income). Tyler stated that no he did not. But if council wants to do that he can. SEDA-COG can do the training to complete the survey. Mr. Jarrett said that would be the best way to go because it would make it easier to do projects in the borough. The LMI numbers listed now do not seem correct. Tyler stated he would have to find out how long the survey would be good for before we start. Mr. Jarrett agreed. Tyler said it would be a lot of work. Mr. Jarrett said it will be hard to spend the extra money if we don't.
 - **Motion to approve all six plans for the Community Development Block Grant Development (CDBG) was made by Councilman Jarrett and seconded by Council Vice President Bower. Roll call vote was taken.**
BOWER = YES, JARRETT = YES, MEIGHAN = YES, SHECKTOR = YES, PETTY = YES, HUNTINGTON = NO, HILL = YES. Motion passes.
 - **Motion to suspend the Council Meeting and open the floor to Tyler Dombroski to hold a public participation meeting for CDBG was made by Councilman Jarrett and seconded by Councilman Shecktor, all ayes. Motion passes.**
 - **Council meeting opens back up after 15 minutes.**
2. Consider and take action to set May 7th from 8AM - 1PM as Dumpster Day.
- No discussion.
 - **Motion was made by Councilman Petty to set May 7th from 8AM - 1PM for Dumpster Day, seconded by Councilman Jarrett.**
 - **Some changes are charges for tires and TV's because we are charge for disposal.**
 - **All ayes, motion passes.**
3. Consider and take action on the Borough wide request to adopt a resolution of the Borough of Berwick, Columbia County Pennsylvania, authorizing the submission of a petition to the Pennsylvania Liquor Control Board for a hearing to consider an exemption from the state regarding amplified music being heard off the premises of licensed establishments.
- Council President explained that as it stands now if you are sitting outside and you live near an establishment that is playing music and you call the LCB (Pennsylvania Liquor Control) that establishment gets cited. What the Ordinance will do is to take the control away from the LCB and give control to our Police department. We have a noise ordinance that states the noise would have to be under a certain decibel. Councilman Jarrett said he wants to make clear that it is not Council's decision, it is the LCB's

decision. All we are voting on is to request a hearing. Council President Hill went on to explain that if we are granted permission, it would have to be renewed every year by Resolution. This will be on a year by year basis. The public needs to come to this hearing and have your concerns voiced.

- **Motion made by Councilman Jarrett, seconded by Councilwoman Huntington. Roll call vote was taken.**
BOWER = YES, JARRETT = YES, MEIGHAN = YES, SHECKTOR = YES, PETTY = YES, HUNTINGTON = YES, HILL = YES. Motion passes.
- Attorney Kepner was asked for a time frame. The hearing must be held within 30-60 days. This will be under public notice so it will be advertised. Attorney Kepner said he will contact them tomorrow.

4. Consider and take action on the Pool Authority's request to hold an annual Carnival at Ber-Vaughn Park May 24-28. They are not requesting the assistance of the Fire Police.

- No discussion
- **Motion made by Councilman Jarrett, seconded by Councilman Shecktor. All ayes, motion passes**

5. Consider and take action on the ELKS request to have the annual Pet & Toy Parade on Tuesday May 24th with a rain date of Wednesday May 25th. They are requesting help to close off parts of 3rd Street to form parade and intersection on Market Street (the parade route).

- Councilman Petty asked if this was on the list of approved events to help cover expenses with Fire Police. He was advised yes.
- Motion made by councilman Jarrett, seconded by Councilwoman Huntington. All ayes, motion passes.

- ❖ Councilman Meighan said it was good to see a good turnout of the public at this meeting.
- ❖ Council President Hill said he want to publically thank Bill Coolbaugh who works for the Sewer Authority for coming out on his own time to help Jack down At Ber-Vaughn Park when a pump station failed. He volunteered to come down on his own time to do the Borough a favor and fix it.

ADJOURNMENT: Motion to adjourn made by Councilman Jarrett and seconded by Councilman Meighan. All ayes, Motion passes.