

MINUTES

REGULAR COUNCIL MEETING

May 16, 2022

7:00PM Council Meeting

THE BUSINESS OF THE COUNCIL SHALL BE CONDUCTED IN THE FOLLOWING ORDER:

1. Call to Order by presiding officer
Moment of silence, Pledge of Allegiance.
2. Roll Call (if quorum is not present, the meeting shall thereupon be Adjourned to a specific date by the majority vote of those present)
3. Review and approval of agenda.
4. Presentation
5. Citizen Correspondence/Personal Appeals - Agenda Items
6. Approval of the preceding meeting minutes if correct and rectifying mistakes if any exist.
7. Approval of Payment of Bills
8. Reports of Committees
9. Business Not Ready for Action or No Action Needed
10. Old Business
11. Introduction of Ordinances and Resolutions
12. New Business
13. Added Items
14. Citizen Correspondence/Personal Appeals - Non-Agenda Items
15. Adjournment

ITEM 1. CALL TO ORDER BY PRESIDING OFFICER: Council President Teresa Troiani

ITEM 2. ROLL CALL (Attendance)

<u>COUNCIL MEMBERS</u> <u>& MAYOR</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OFFICERS</u>	<u>PRESENT</u>	<u>ABSENT</u>
TROIANI	<u> X </u>	<u> </u>			
LEARN	<u> X </u>	<u> </u>	Chief of Police	<u> X </u>	<u> </u>
			Solicitor	<u> X </u>	<u> </u>
JARRETT	<u> X </u>	<u> </u>	Engineer	<u> </u>	<u> X </u>
LEWIS	<u> X </u>	<u> </u>	DPW Foreman	<u> </u>	<u> X </u>
MOCCIA	<u> X </u>	<u> </u>	Reporter(s)	Susan Schwartz (PE)	
TALANCA	<u> X </u>	<u> </u>	Fire Chief	<u> X </u>	<u> </u>
MAYOR BURKE	<u> X </u>	<u> </u>			
DAMIEN SCOBLINK, MANAGER	<u> X </u>	<u> </u>			

ITEM 3. REVIEW & APPROVE CURRENT AGENDA:

Discussion - Borough Manager requested that item be added as #1 under Added Items. Motion made to approve agenda with this change.

Motion: Mr. Jarrett Second: Mr. Talanca

All in favor, agenda approved, with addition.

ITEM 4. PRESENTATION

None

ITEM 5. Citizen Correspondence / Personal Appeals - Agenda Items

None

ITEM 6. APPROVAL OF THE MINUTES OF THE PRECEDING MEETINGS

- Regular Council Meeting of May 2, 2022.

Discussion - None

Motion: Mr. Learn Second: Mr. Moccia

All in favor, minutes approved.

ITEM 7. APPROVE PAYMENT OF BILLS MOTION: Mr. Lewis SECOND: Mr. Talanca

All in favor, payment of bills approved.

ITEM 8. REPORTS OF COMMITTEES

MAYOR: Mayor Tim Burke - Mayor, along with Mr. Learn, attended an event at the Teen Center. Recent Mayor's Ball was the biggest yet.

ENGINEER: Quad 3 - None

SOLICITOR: Attorney Frank Kepner - Met with appropriate parties regarding Planning Commission concerns.

PERSONNEL: Tom Moccia, Nelson Learn, Jay Jarrett - None

LEGAL AND FINANCE: Tom Moccia, Nelson Learn, Jay Jarrett - None

PARKS AND RECREATION: Teresa Troiani, Pete Talanca, Jay Jarrett - Thanked Chief Boone for assistance with Beyond Violence 5K. Reminded that concerts are starting soon.

EMERGENCY MANAGEMENT: Greg Harkins, Scott Bower, Teresa Troiani, Jay Jarrett - None

STREETS, PARKS, & BUILDINGS: Jack Kyttle - None

FIRE AND WATER: Scott Bower, Pete Talanca, Bob Lewis - Bylaws are ready for review.

CODES, RECYCLING, & ORDINANCES: Nelson Learn, Tom Moccia, Pete Talanca - None

SAFETY: Bob Lewis - None

POLICE: Chief Ken Strish - Officer firearm qualifications for the year are complete, as is use of force training. Getting ready to complete First Aid/CPR. Reviewed monthly statistics.

FIRE: Chief Gene Boone - Reviewed monthly statistics.

BAJSA REPORT: See Report - Report provided.

ITEM 9. BUSINESS NOT READY FOR ACTION:

1. Cable Franchise Agreement - Borough Manager reviewed situation. Multiple questions and concerns were raised by Council. Borough Manager agreed to request that Breezeline rep attend second June Council Meeting.

ITEM 10. OLD BUSINESS:

None

ITEM 11. APPROVAL OF ORDINANCES AND RESOLUTIONS:

1. Ordinance No. 2022-04 - Amending in Part Ordinance 2019-01

Discussion: Borough Manager reminded that this applies to using indoor furniture in an outdoor setting.

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

Voting in favor were Councilpersons Troiani, Learn, Jarrett, Lewis and Moccia. Voting in opposition was Councilperson Talanca. Ordinance approved by way of 5-1 vote in favor.

ITEM 12. NEW BUSINESS

1. Consider and take action to appoint Ms. Jeri Wozniak to fill remainder of vacated Berwick Borough Council term.

Discussion: Borough Manager noted that there were three applicants: Ms. Jeri Wozniak, Mr. Andrew Shecktor, and Mr. Robert Youlls.

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

All in favor, motion approved.

2. Consider and take action to appoint Ms. Marissa Scala to fill remainder of vacated Berwick Borough Planning Commission term.

Discussion: Borough Manager noted that Ms. Marissa Scala formally applied, but that Councilperson Moccia had expressed interest as well. Mr. Moccia stated that he had expressed that out of a desire to ensure that the position was filled, and that he was very content with Ms. Scala being appointed.

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

All in favor, motion approved.

3. Consider and take action to approve payment of \$7,625.95 to Berwick Theater and Center for Community Arts, representing one-half of Alliance Masonry Corp. Pay App #2, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Mr. Talanca Second: Mr. Lewis Approved,
Denied, Tabled

All in favor, motion approved.

4. Consider and take action to approve payment of Whitmoyer Ford, Inc. Invoice #F7872, in the amount of \$52,844.69, to be paid utilizing CLFRF funds.

Discussion: None

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

All in favor, motion approved.

5. Consider and take action to approve payment of Whitmoyer Buick-Chevrolet Invoice #FG7367, in the amount of \$61,205.92, to be paid utilizing CLFRF funds.

Discussion: None

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

All in favor, motion approved.

6. Consider and take action to approve payment of Anthony H. Visco Jr. Architects Invoice #221-33.08, in the amount of \$273, to be paid utilizing CDBG funds.

Discussion: None

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

All in favor, motion approved.

7. Consider and take action to approve Butternut Street Reconstruction Project Change Order #4.

Discussion: Borough Manager explained purpose of change order, and how it relates to Pay App under Item 8.

Motion: Mr. Talanca Second: Mr. Lewis Approved, Denied, Tabled

All in favor, motion approved.

8. Consider and take action to approve Umbriac Trucking LLC Final Pay App, in the amount of \$7,547.60, for Butternut Street Reconstruction Project, to be paid utilizing CDBG funds.

Discussion: None

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

Voting in favor were Councilpersons Troiani, Learn, Lewis, Moccia and Talanca. Councilperson Jarrett abstained, citing ongoing litigation he is personally engaged in that is related to the project.

9. Consider and take action to approve LIVIC Civil 2021 CDBG Streets Contract Change Order #1.

Discussion: Borough Manager explained purpose of change order, and how it relates to Invoices under Items 10 and 11.

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

All in favor, motion approved.

10. Consider and take action to approve payment of LIVIC Civil Invoice #3531 in the amount of \$2,358.94, to be paid utilizing CDBG funds.

Discussion: None

Motion: Mr. Lewis Second: Mr. Talanca Approved, Denied, Tabled

All in favor, motion approved.

11. Consider and take action to approve payment of LIVIC Civil Invoice #3506 in the amount of \$10,362.50, to be paid utilizing CDBG funds.

Discussion: None

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

All in favor, motion approved.

12. Consider and take action to provide support to Mickey's Restaurant as follows: utilize CLFRF funds, in the amount of \$2,200, as replacement of Borough's restaurant grant.

Discussion: It was noted that owner of Mickey's provided a copy of Borough restaurant grant application to Borough Manager, which she reported to have mailed prior to the deadline. This application was never received by SEDA-COG. Multiple members of Council noted how unreliable the mail was at that time, and that it was plausible that it simply was lost. \$2,200, while not the full amount, was determined to be a reasonable replacement.

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

All in favor, motion approved.

ITEM 13. ADDED ITEMS

1. Consider and take action to authorize Borough Manager to approve and sign, on behalf of Berwick Borough Council, Standard Stormwater Maintenance and Monitoring Agreements, as presented for approval by the Berwick Borough Planning Commission.

Discussion: Borough Manager and Solicitor explained purpose of this document, and that it will only be presented for signature upon approval by Borough engineer and Planning Commission. Borough Manager agreed to bring before Council if a format other than standard was being used for this agreement.

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

All in favor, motion approved

ITEM 14. Citizen Correspondence / Personal Appeals - Non-Agenda Items

- Crystal Hess, 141 Martzville Road - District Manager of Dollar Tree, presented a complaint about Borough employee to Council.
- Miranda Cope, Dollar Tree - Employee of Berwick Dollar Tree, supported previous complaint about Borough employee.
- Councilperson Learn - Asked that Dumpster Day be added to agenda for next meeting.
- Randy Remphrey, Eagle Hose Company - Asked about payment of bill that was submitted prior to Eagle's allotment being stopped. Borough Manager agreed to make sure that it gets paid.

ITEM 15. ADJOURNMENT: Motion: Mr. Lewis Second: Mr. Learn

Meeting adjourned.