

**MINUTES**  
**BOROUGH OF BERWICK**  
**MONTHLY COUNCIL MEETING**  
**OCTOBER 19, 2015**  
**7:00PM**

-  
**AGENDA:**

The regular monthly meeting of council was held at City Hall on Monday evening at 7:00PM October 19, 2015.

- Call to order by presiding officer.
- A moment of Silence was observed and 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: Present
- Engineer: Absent
- Chief of Police, Ken Strish: Present
- Fire Chief, Bill Coolbaugh: Present
- Code Enforcement Officer, Greg Harkins: Absent
- 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:**

- Additions to agenda as follows:
  - With regard to Ordinances 2015-04 and 2015-05 for the Mayor to present council with a written waiver of service so the Borough would not have to re-advertise and vote this evening. The Mayor has agreed to this. The mayor was thanked for agreeing to this.
  - Nardi grievance, to pay going back to the beginning of 2015.
  - Future PT officers pay rate of \$16.50 per hour, after 3 years an increase of \$1.00 per hour, after the 5 year mark PT officers will be brought up to the FT per hour rate.
  - Direct the Borough Manager to enter the Borough into a contract with Bill Gamble to begin the hiring process for police officers. Council directs Police Chief Strish to take an active role in promoting the test to the Police Academy and the public. Council and the Police Department will not have any involvement with the physical, written or oral testing.
- Motion made by Councilman Bower to approve the agenda, seconded by Councilwoman Huntington. All aye; motion passed.

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**CITIZEN**  
**CORRESPONDANCE**  
**And PERSONAL**  
**APPEALS:**

- SEDA-COG's Tyler Dombroski (does community development for the Borough):
  - Council needs to approve the 2015 budget modifications as follows: 1. Using the left over funds for Maple Road paving. 2. Moving the demo funds from 728 LaSalle Street property to the 1140 5<sup>th</sup> Street property. **A motion was made by Councilwoman Huntington and seconded by Councilman Jim Meighan. All aye. Motion passed.**
  - Approve and sign the Fair Housing Resolution. **A motion was made by Councilwoman Huntington and seconded by Councilman Jarrett. All aye. Motion passed.**
  - Approve and sign Resolution to authorize the submission of 2015 application for CDBG funding. **A motion was made by Councilman Meighan and seconded by Councilwoman Huntington. All aye. Motion passed.**
- Kelly Morris of 125 E. 11<sup>th</sup> Street, behind Hinckley's Funeral Home. Here due to storm water runoff from Bear Dodge. They have 5 drain spouts running right into alley, they have no storm drains. There is an ordinance in the borough to contain your water on your property and the run off is causing our driveway to disintegrate. It has been brought up before. Ms. Morris has a letter from Greg Harkins that was sent to Berwick Chevrolet 11/29/2012 to no avail, and a letter from Denny Peters in 2013 addressing the same issue. Councilman Bower said that it has been like that since Mr. Brown owned it and they need to put up gutters. Mr. Harkins needs to go over there or send a letter and tell them they are in violation and they have to correct the problem. Council President Hill said to get a letter sent out to Leroy Deihl and keep Ms. Morris updated. Debra Force will email Ms. Morris.

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- Mr. Bob Myers said he talked to a lot of people and they really enjoyed Riverfest and he hopes it continues. A great job was done just like the good job Mr. Jarrett did a good job with the concerts.
- Dan Lostaglio of 205 Maple Road. Here due to a water problem that has been going on for years. First talked to Molly Sullivan-Sprug. He talked to past and present council and council president but got nothing. Council President Hill told him that he did as he asked and talked to Matt Riskofski and asked him to keep the drain cleaned. Exactly what Mr. Lostaglio asked him to do. He said he can't babysit him to make sure he keeps the drain cleaned. Mr. Hill said Matt does have a leaf problem and it is hard to keep up with. He works for the sewer authority and could go out every day and clean leaves off the inlets. It is an issue and maybe we can come to terms with Matt to put another drain in that parking lot. Councilman Petty asked the solicitor if this was a council problem or a neighbor issue. Attorney Kepner said this is a private neighbor thing but council can do what it wants on the issue. People have to control the water on their property. Councilman Petty asked if there was any action that council can take on Mr. Lostaglio's behalf or will he have to file a civil complaint. Attorney Kepner said that he thinks it is the latter. Councilwoman Huntington said that in Matt's defense that water also comes from another property that does not have any drains. Mr. Lostaglio said that it not that much water coming from there. Councilman Bower said Matt should be asked to send an employee out every day he is open to clean off the drain. Mr. Lostaglio said he has asked Matt to do that but it is not being done. Councilman Petty said that this goes back it being an issue between neighbors. Council President Hill said he cleans the inlet off on Market Street and can go back in 3 hours if the wind is blowing and it is raining and they will be covered again. Mr. Lostaglio asked if council saw the mattresses, that they have been there for

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week and they are on the drain. Council President said he and the Borough Manager can sit down and talk to Matt and ask him to be a good neighbor. Otherwise this Mr. Lostaglio will have to take legal action. He asked to wait on that until Council has a chance to talk to Matt and maybe legal action can be avoided. Attorney said that land owners are required to control the water on their property and if they don't then it is the neighbor that has to bring action to have it stopped. Mr. Lostaglio said that the parking lot is slopped incorrectly. Council President Hill said let us try to talk to Matt first before you file a law suit. Mr. Lostaglio said why should be spend his money when council just told him that a land owner has to control the water on his property. Attorney Kepner said that is right but it is not council's responsibility. It is the land owner that is being affected by the water to file suit. Mr. Lostaglio said ok go ahead and have your meeting with Matt and good luck.

- Nadine Krmarz the new Director of McBride Library. Here to introduce herself to council and the community. Council welcomed her and her children to Berwick, who were also in attendance.

- NONE

**PRESENTATIONS:**

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

- Councilman Bower made a motion to approve the September 21, 2015 minutes, 2<sup>nd</sup> was made by Councilwoman Huntington. 6 ayes; 1 abstain by Councilman Jarrett who did not attend the September meeting. Motion passed.

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**APPROVE  
PAYMENT OF  
BILLS:**

Councilman Jarrett made a motion to approve payment of the bills, 2<sup>nd</sup> by Councilwoman Huntington. All ayes; motion passed.

AARON ZANOLINE	40.00	KEN POLLOCK	283.79
AARON ZANOLINE	53.63	KEYSTONE COMMUNICATIONS	123.00
ALEC HARMON	400.00	KEYSTONE COMMUNICATIONS	348.50
AMERICAN FAMILY LIFE ASSURANCE	668.07	KEYSTONE COMMUNICATIONS	844.07
AMERICAN PAPER & SUPPLY INC	354.76	KNORR HAULING, INC.	6,187.50
ANNETTE BRENNAN	50.00	KOVATCH MOBILE EQUIPMENT	1,163.86
ANNUZIATO DEGEORGE	50.00	KUE	1,250.00
ASSOCIATION OF MAYORS	80.00	LARRY C. FRACE INSPECTIONS, LLC	2,530.00
AUTOZONE	8.90	LARRY'S LUMBER AND SUPPLY, INC.	151.92
AUTOZONE	60.53	LAUBACH'S AUTO REPAIR	111.43
AVAYA, INC	23.00	LAUBACH'S AUTO REPAIR	199.65
BARBARA NAGEL	125.00	LAUBACH'S AUTO REPAIR	243.83
BARLETTA MATERIALS & CONSTRUCTION	589.84	LENDENMANN'S REMODELING	9,800.00
BARLETTA MATERIALS & CONSTRUCTION	141.29	LENDENMANN'S REMODELING	8,821.00
BARRACUDA NETWORKS, INC	50.00	MARK TRAPANE	800.00
BASSLER EQUIPMENT CO.	451.62	MATTHEWS FUEL SERVICE, INC.	72.76
BERWICK AREA UNITED WAY	77.00	MATTHEWS SPRING WATER	123.50
BERWICK AUTOMOTIVE	1,011.82	MAY'S SEPTIC TANK	1,650.00
BERWICK AUTOMOTIVE	18.88	MEDICO INDUSTRIES	270.04
BERWICK AUTOMOTIVE	25.99	MEMORY LANE	750.00
BERWICK ELECTRICAL SUPPLY, INC.	33.98	METROCAST	127.12
BERWICK HOSPITAL CENTER	96.00	METROPOLITAN TELECOMMUNICATIONS	734.42
BERWICK PROFESSIONAL AUTO CENTER	122.78	MICHAEL MONICO	1,096.00
BLOOMSBURG PSYCHOLOGICAL CENTER	40.00	MICHAEL MONICO	1,096.00
BODNAR SALES & SERVICE	25.60	MICHAEL MONICO	1,096.00
BOROUGH OF BERWICK	86,702.96	MICHAEL MONICO	1,096.00
BOROUGH OF BERWICK	1,103.92	MICHAEL MONICO	1,096.00
BOROUGH OF BERWICK	731.25	MIDLAND ASPHALT MATERIALS INC.	972.30
BOROUGH OF BERWICK GENERAL FUND	55,397.87	MIDLAND ASPHALT MATERIALS INC.	495.41
BOROUGH OF BERWICK PAYROLL ACCOUNT	32,651.80	NATIONAL PATENT ANALYTICAL SYSTEMS,	170.93
BOROUGH OF BERWICK PAYROLL ACCOUNT	2,242.32	NESCOPECK SUPPLY CO	902.43
BOROUGH OF BERWICK PAYROLL ACCOUNT	31,850.98	ORIGINAL ITALIAN PIZZA	84.70
BOROUGH OF BERWICK PAYROLL ACCOUNT	35,526.67	P A W C	32.63
BOROUGH OF BERWICK PAYROLL ACCOUNT	37,620.58	P A W C	26.53

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BOROUGH OF BERWICK PAYROLL ACCOUNT	33,791.78	P A W C	2,739.70
BOROUGH OF BERWICK PAYROLL ACCOUNT	33.50	PA UC FUND	294.05
BOROUGH OF BERWICK PAYROLL ACCOUNT	16.91	PANORAMA MAGAZINE	200.00
BOROUGH OF BERWICK PAYROLL ACCOUNT	49.01	PENNSYLVANIA MUNICIPAL LEAGUE	120.00
BOROUGH OF BERWICK PAYROLL ACCOUNT	300.00	PENNSYLVANIA ONE CALL SYSTEM	81.28
BOROUGH OF BERWICK PAYROLL ACCOUNT	23.93	PENNSYLVANIA STATE MAYOR'S ASSOC	60.00
BOROUGH OF BERWICK PAYROLL ACCOUNT	12.08	PITNEY BOWES INC.	152.98
BOROUGH OF BERWICK PAYROLL ACCOUNT	35.01	PITNEY BOWES PURCHASE POWER	806.50
BOROUGH OF BERWICK POLICE PENSION	908.12	PLAQUEMAKER	405.00
BOROUGH OF BERWICK POLICE PENSION	691.73	PPL	82.62
BRANDON SHULTZ	158.74	PPL	1,380.85
BROOKSIDE NURSERY	480.00	PPL	93.68
BUJNO POTTERY	469.25	PPL	1,010.38
BULL, BULL & MCDONALD, LLP	250.00	PPL	13,505.79
CAMPBELL PRINTING CO.	377.85	PRESS-ENTERPRISE	197.60
CASSANDRA MOWERY	35.00	PRESS-ENTERPRISE, INC.	940.92
CENTRAL PA TEAMSTERS HEALTH & WELF.	34,191.31	PSAB MUNI RETIREMENT TRUST	62,412.90
CENTRAL PA TEAMSTERS HEALTH & WELF.	1,908.24	PSAB MUNI RETIREMENT TRUST	4,684.56
CINTAS FIRE PROTECTION	153.98	QUAD THREE GROUP, INC.	2,737.66
COLE'S HARDWARE	266.90	QUILL CORPORATION	50.40
COLE'S HARDWARE	106.06	RANGER HOSE CO	553.33
COLE'S HARDWARE	255.80	RELIANCE FIRE CO	383.33
D&M FIREWORKS, LLC	3,500.00	RHONDA T. KOCH, CCR	75.00
DAN-BER CONCRETE & SUPPLY	676.25	RIVERVIEW BLOCK	609.83
DAN-BER CONCRETE & SUPPLY	1,172.50	ROBERT MAIER	50.00
DCED	356.00	ROBIN MARGANI	72.00
DEFENDER FIRE CO.	383.33	ROBIN POTTER	200.00
DOUGLAS CARRATHERS	225.63	ROGERS UNIFORMS	528.00
EAGLES FIRE COMPANY	383.33	SMITH FARMS	75.00
EASTERN PENN SUPPLY CO.	20.14	SQUARE ONE CONSTRUCTION	9,800.00
ERIK HELBING	50.00	STACEY CHAPMAN	30.00
EUGENE GOLLA	50.00	STAPLES CREDIT PLAN	247.60
FASTENAL COMPANY	849.00	STEVE SHANNON TIRE CO	61.70
FF1 PROFESSIONAL SAFETY SERVICES	955.08	STEVE SHANNON TIRE CO	545.83
FIREMAN'S RELIEF ASSOCIATION	51,879.09	STEVE SHANNON TIRE CO	400.20
FIRST COLUMBIA BANK & TRUST CO.	1,955.70	SUNTRUST EQUIPMENT FINANCE	2,998.05
FIRST COLUMBIA BANK & TRUST CO.	1,412.58	SUPERIOR PLUS ENERGY SERVICES	47.70
FORT DEARBORN LIFE INS.	890.53	SUPERIOR PLUS ENERGY SERVICES	670.10
GENERAL SALES, INC.	50.95	SUPERIOR PLUS ENERGY SERVICES	156.37
GORDY'S HEATING & AIR CONDITIONING	204.00	SUPERIOR PLUS ENERGY SERVICES	104.00

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GREGORY C. HARKINS	161.95	SUPERIOR PLUS ENERGY SERVICES	499.23
HAB-DLT/BERKHEIMER	7.52	SUPERIOR PLUS ENERGY SERVICES	218.74
HARTMAN & LALLY INSURERS, INC.	2,467.30	SUPERIOR PLUS ENERGY SERVICES	401.90
HIGHWAY EQUIP & SUPPLY	82.00	TEAMSTERS	1,236.18
HIGHWAY EQUIP & SUPPLY	656.25	THE MACMAIN LAW GROUP, LLC	1,891.50
HOLDEN SPRUNG	227.61	THE MARVELOUS MUTTS, LLC	5,000.00
HOME DEPOT CREDIT SERVICES	84.70	THOMAS DUNLEAVY	1,500.00
ICMA RETIREMENT TRUST	1,636.76	TPC POWER CENTER	600.00
ICMA RETIREMENT TRUST	100.00	TPC POWER CENTER	6,825.00
ICMA RETIREMENT TRUST	1,705.14	TRI-COUNTY HARDWARE	390.80
ICMA RETIREMENT TRUST	100.00	TRI-COUNTY HARDWARE	39.95
ICMA RETIREMENT TRUST	1,847.98	TRI-COUNTY-LUMBER DIVISION	335.76
ICMA RETIREMENT TRUST	100.00	TRI-COUNTY-LUMBER DIVISION	172.56
ICMA RETIREMENT TRUST	2,060.32	TRI-COUNTY-LUMBER DIVISION	680.42
ICMA RETIREMENT TRUST	100.00	UGI PENN NATURAL GAS	33.34
IWORQ	500.00	VERIZON WIRELESS	306.56
J.H. WILLIAMS & CO., LLP	1,695.05	WALMART BUSINESS/GEGRB	28.67
JAMES DALBERTO	53.82	WASHINGTON NATIONAL INS CO	60.90
JAMES DALBERTO	40.00	WEST BERWICK FIRE CO	383.33
JAMES DALBERTO	30.00	WEX BANK	1,233.87
JENNIFER PETERS	30.00	WHITE BIRCH INN BED & BREAKFAST	106.82
JERRY'S ENGINE REPAIR	36.90	XEROX CORPORATION	420.64
JIM & GLENDA MOSER	98.49	YIS/COWDEN GROUP INC.	87.00
JOE LAPCHAK	200.00	ZEISER VAULT CO	150.00
JOE LAPCHAK	100.00		



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**REPORTS of**  
**BOROUGH**  
**OFFICIAL:**

- BOROUGH MANAGER DEBRA FORCE:
  - The Riverfest accounting will be ready for next month once all the bills are in.
  - 2016 budget meetings have been set up with all department and Committee heads.
  - Next Monday at 6PM the Civil Service Commission will have a mandatory training session and any and all council members and Attorney Kepner are encouraged to attend.
  
- CODES OFFICER: See attached report.
  
- POLICE CHIEF: See attached report.
  
- DEPARTMENT OF PUBLIC WORKS: See attached report.
  
- FIRE CHIEF: See attached report
  - State grants have just opened up and 3 out of 5 stations have submitted and can get up to \$15,000. Each year. Between all the stations it usually averages about \$50,000.
  - Busy time of year as we are doing schooled about fire prevention.
  - State inspections are coming up on hospitals and living centers.
  - Also getting a lot of calls from seniors that can't reach their smoke detectors and we go in with credential and help them.
  - Working on budget and visiting fire house to get a listing of wants and needs.
  - Numerous hours were spent at Wise Potato Chips they had a lot of alarms. I have a break down for the year

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but in September we hit hard because of the new construction down there. Under international fire code when they shut down a system to tie in the new system when it is brought back up it cannot be left shut down so you get burps in the lines that set off alarms. We have not had any calls since the call for the fire they had. The guys did a really good job on that.

- As of tomorrow I will get with Jay or Debra because Reliance has a full house generator that will go on line in case of an event like the 2011 flooding. The Red Cross is no longer in the Berwick area they are working out of Williamsport so Reliance is looking to make that somewhat of a shelter place. It can't be long term as there are no showers. But as far as kitchen and bathroom facilities and even for pets we can move the apparatus out of the bays and set up kennels and keep them separate from the humans. So that is what we are looking to do.
- It is just a busy season with parades and the big fire on LaSalle 2 weeks ago.
- 9/11 Memorial update the concrete has been set along with the beams, all electrical has been done on it. The next phase is the welding of the metal to the I beams. Had confirmation on the LED lights today. This guy designed this set up himself. At night the spot light will be on the stone but 2 beams will shoot up about 15-20 feet stream and will look like the towers are reaching up into the sky. Looking to reveal on Veterans Day. He hopes to invite everyone who was involved to a special unveiling before the official opening. Council Petty said commends the shelter idea as it fills a need from the Red Crossing leaving. He

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also wanted to commend Reliance for their participation in Beyond Violence Walk a Mile in Her Shoes. Reliance really goes above and beyond in the community aside from firefighting. Council President said our firemen do a lot of community participation doing the Speedo Run, the Walk a Mile, the guys are really active in the community.

- ENGINEER: NOT PRESENT
- SOLICITOR: Nothing to report.
- MAYOR BURKE:
  - Welcomes Bloomsburg Mayor Sandy Davis, Councilwoman Silvia Costa, Councilman Mr. Howell, and Councilwoman Diane LeVan.
  - In the last week has been to 14<sup>th</sup> Street School reading to the kids.
  - Invited to the Columbus Day Parade at the Maria Assunta.
  - Invited to the Bloomsburg University Homecoming Parade.
  - Sunday in conjunction with the Democratic Party a senior spaghetti dinner was sponsored down at the Maria Assunta. 80-85 people showed up.
  - Just came from the Library with Max from the BIDA where a discussion on Medical Marijuana was held with Judge Tom James, District Attorney Tom Leipole and Magistrate Rich Cashman.

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**REPORTS of**  
**COMMITTEES:**

- PERSONNEL: Nothing to report.
- LEGAL & FINANCE: Nothing to report.
- PARKS & RECREATION: Councilman Jarrett said the Summer Concerts have ended. 15 concerts were held with only 1 that couldn't be re-scheduled. Currently working on the 2016 season. And is working with Reliance to make that the back-up site if a concert gets rained out so that none have to be canceled. Councilman Petty commended the Parks & Recreation Committee for Riverfest, he knows a lot of hours go into this successful event. And wants to see if continue.
- EMERGENCY MANAGEMENT: Councilman Meighan said that they are done with the drills for this year. Last one was with FEMA and they were satisfied with it. Right now looking forward to working with the budget. Council President asked Councilman how Talen was as opposed to PPL. Councilman Meighan said they are not like PPL as so far they have not had a Citizen's Committee meeting. They are not into the mix as of yet.
- STREET, PARKS & BUILDINGS: Councilwoman said that DPW does a very good job and works very well together.
- FIRE & WATER: Councilman Meighan said most was covered by the Fire Chief. Council President Hill asked the Fire Chief Coolbaugh if he saw any major purchases coming for the budget with regards to ladders or pumps. The fire chief said the ladder truck was the big hit this year and that was for the warranty part of it. The ground ladders are done yearly and are always in the budget. Pumps also get serviced every year. No

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major expenses you will see in the budget for Rangers to replace out the engine if council chooses to do so. There are not a lot of needs as I always check with the companies and check for the wants also. Councilman Petty suggested putting money aside for future purchases of apparatus. Fire Chief Coolbaugh said that is not a bad idea because right now Rangers engine is a 2003 and I don't want to see the Borough get to there it was in the 1980's or 90's. Technically Rangers and Reliance are the only equipment that the Borough owns anymore because of the Federal Grants. The reason he put Rangers 2003 engine in the budget for 2014 to get in 2015 is because the engine will be 12 years old and that is when you get your best trade in value. In 2021 the Ladder Truck will be 20 years old and for what we have down there right now with no equipment on it runs 1.2 million, what will that be in 2021? Councilman Petty asked what a new engine would run right now. Fire Chief Coolbaugh said right now about \$450,000.

- CODES, RECYCLING & ORDINANCES:
  - Councilman Bower read the Codes report that Codes Officer Greg Harkins submitted. See report.
- SAFETY: Nothing to report. No agenda or quorum.
- BAJSA REPORT: See Report.

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<p><b><u>BUSINESS NOT READY FOR ACTION:</u></b></p>	<ul style="list-style-type: none"><li>• NONE</li></ul>
<p><b><u>OLD BUSINESS:</u></b></p>	<ul style="list-style-type: none"><li>• NONE</li></ul>
<p><b><u>INTRODUCTION of ORDINANCES &amp; RESOLUTIONS:</u></b></p>	<p>Council President Hill read the following and opened the floor for discussion.</p> <ul style="list-style-type: none"><li>➤ 2015-04 ALTERNATIVE DISPUTE</li><li>➤ 2015-05 STREET OPENINGS</li><li>➤ 2015-06 PARK RULES &amp; REGULATIONS</li><li>➤ 2015-07 RESTRICTED TRUCK TRAFFIC</li><li>➤ Review and approve for advertising the final draft of the Sidewalk Ordinance for a vote in the November monthly council meeting.<ul style="list-style-type: none"><li>○ Borough Manager Debra Force said the Mayor said he would agree to sign a ‘Waiver of Service’ in writing for 2015-04 &amp; 2015-05. The Mayor acknowledged yes with a nod.</li></ul></li></ul> <ul style="list-style-type: none"><li>• Council President Hill asked if there were any other discussion.<ul style="list-style-type: none"><li>○ Councilman Jarrett had question regarding the sidewalk ordinance. He questioned what is class A concrete? DPW Supervisor Jack Kyttle said that is a Penn DOT spec like how much stone to aggregate. A discussion ensued regarding concrete. Councilman Jarrett asked a masonry contractor and he did not know what class A concrete was. Upon googling it had to do with PSI. Councilman Jarrett asked if we could keep the ordinance simple and just say a certain PSI. Borough Manager said that using the Penn DOT publication is the simplest way because it spells it all out. Jack said that it is not that simple and if you go to any state approved concrete manufacturer they will know what class A concrete is. Mr. Hill asked if that was more</li></ul></li></ul>

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expensive. Mr. Kytte said he does not think you could get anything but class A at a concrete manufacturer and what you want to stop is the do-it-yourself property owner who mixes his own and put mortar down the pavement ends up falling apart. So you want to give him an idea of what he should use because he may not know. Discussion ended.

- Councilman Petty asked for it to be noted that on the 2015-04 & 2015-05 the Borough did not properly serve the ordinance to the Mayor and wants to thank him & commend him on using a common sense approach in waiving the service so the Borough does not have to spend tax payer dollars to get the ordinances passed. Discussion ended.
- Councilman Meighan had something on the Park Ordinance. Thursday night the Pool Association gave approval for a Dog Park across the parking lot from the pool. The rules we have for Ber-Vaughn Park say no dogs allowed anywhere in the park. If council does put a sign up on Park Road could it be different than the one at the main entrance and say no dogs but with the exception of people going to the dog park. Council President Hill said that the pool authority own the property, it was deeded to them. Councilman Meighan said the sign will be on Borough property and people have to use that road to get to the dog park. Council President Hill we can put the exception on the sign at that entrance. Councilman Bower said that is fine but keep the dogs on a leash or in a pen don't walk it through our park. They tend to let it do its business and then don't clean it up. Discussion ended.

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- Councilman Meighan went onto the next issue regarding the Park Ordinance. He said every park we have something in there about guns I was wondering what our Solicitor thinks by saying no firearm loaded or unloaded are we going against a State or Federal law that a person has a permit to carry? Councilman Petty said he will not vote for that Ordinance when that language is included. Council President Hill agreed so did Councilman Meighan. Councilman Meighan said they had it at the fair and the argument comes up about having a permit to carry. Councilman Petty said that the fair is private property and they can do what they want. And we can make that ordinance but do we need to circumvent peoples' conditional rights? Mr. Hill agreed. Discussion ended.
  
- Councilman Meighan said we have Arbor Park listed in the ordinance and we don't own it. Councilman Bower said we use it. Meighan said he working with Mr. Heckman with the Bloomsburg American Legion to get it transferred over to us. But we are going in and telling what the rules are and posting signage and we don't own the property. Mr. Hill said we can't enforce the rules on property we don't own. He asked Attorney Kepner if that was correct and the attorney said that is correct. Mr. Bower said wait until there is an accident there and see who they come after. Mr. Hill acknowledged we are always liable. Mr. Hill asked for a motion to pass the ordinances. Mr. Meighan made the motion. Mr. Hill asked for a second. Mr. Petty asked if we are going to keep the gun language in there. Mr. Bower asked Mr. Meighan what he wants to do. Mr. Meighan said to exclude that part. Mr. Hill said the motion is on the floor and again asked for a second. No second it dies. Mr. Petty asked that a vote be taken individually on the ordinances.



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- Council President started the vote on ordinances individually. First up 2015-04 ALTERNATIVE DISPUTE. Councilman Meighan made a motion to accept 2015-04, second by Councilman Jay Jarrett. All in favor. All ayes. No Nays. Motion passes.
- 2015-05 STREET OPENINGS. . Councilman Meighan made a motion to accept 2015-04, second by Councilman Jay Jarrett. All in favor. All ayes. No Nays. Motion passes.
- 2015-06 PARK RULES & REGULATIONS. Councilman Bower made a motion to table this ordinance, seconded by Councilman Petty. All in favor. All ayes. No Nays. Motion to table passes.
- 2015-07 RESTRICTED TRUCK TRAFFIC. Councilman Petty made a motion to accept 2015-07, second by Councilwoman Joanne Huntington. All in favor. All ayes. No Nays. Motion passes.
  - Council President Hill state that the Parks 2015-06 is tabled and will go back to the Committee for an update. Councilman Bower asked if we should remove Arbor Park? Mr. Hill said yes since we don't own it. Attorney Kepner agreed. Mr. Bower said to stop mowing it; why waste man power on it. Mr. Hill said it is a park kids play in. Mr. Petty agreed with Mr. Bower. Mr. Meighan said he informed the America Legion regarding maintaining the park. Mr. Petty asked if we could send them a letter that we are not going to maintain it any longer. Mr. Bower said sure you can. Mr. Meighan said it was gentleman agreement years ago. Mr. Hill asked Borough Manger Debra force to work with Mr. Meighan to get with the Legion to let them know we are concerned about the maintenance and liability. Mr. Jarrett said to have a meeting before we start threatening. Council agreed. Discussion ended.

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**NEW**  
**BUSINESS:**

- Review and approve the advertising of the Sidewalk Ordinance.
- Mr. Bower asked if everyone was ok with the ordinance as written. Mr. Jarrett said he read through it was ok. All agreed. Motion was made by Councilman Bower, seconded by Councilwoman Huntington. All in favor. All ayes. No Nays. Motion passes.
  
- **New business:** Consider and take action on B.A.L.L. letter. Council President Hill said everyone received a copy of the letter that states they want to turn over one field and take possession of another. Any discussion? Mr. Jarrett said the draft of the borough letter was acceptable to him; he asked if the borough manager worked with B.A.L.L.? Debra said she developed it from her conversations with Larry Clausen and the work sessions. Mr. Jarrett asked if Larry had seen the letter. Debra said no he had not seen the letter. Mr. Jarrett gave Mr. Clausen a copy of the letter. Councilman Meighan suggested moving on to the next agenda item to give Mr. Clausen time to read over the letter. Mr. Hill agreed. Discussion delayed.
  
- Consider and take action on: Request to waive all fees related to building of the Reliance Fire Company's addition.
  - Council President Hill said the fire company is planning to put on an addition to the firehall, he is a member there and feels it is a great idea to have an expansion for our volunteer fire company. Councilman Meighan said as the head of Fire & Water this is something the community can give back to the firemen. The firemen are always giving to the borough and I think it is the least we can do. Motion was made by Councilman Meighan, seconded by Councilman Petty. All in favor. All ayes. No Nays. Council President Hill abstains due to membership to the fire company. Motion passes.

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- Consider and take action on: To include the Borough of Berwick in the Pool Association grant application to DCNR for the PEER to PEER grant. If awarded, the Pool Authority will hire a paid staff person to search out recreation/park grant opportunities to the Municipalities involved.
  - Councilman Petty said it is not going to cost us anything to explore the option. They were here and he specially asked if there is any commitment if the grant is awarded and they ‘no’ this is just to have the study done and to see the feasibility and what all that would include. He does not think it hurts to explore our options.

Councilman Meighan said what it amounts to is they attended a seminar where we put a DCNR grant in with Mr. Ferringer in Danville, who is representative in this area and he said the best thing to do is the more communities around here that we get involved in it then it helps that grant and when they do get a director they will work with all municipalities not just one.

Councilman Petty said this is just for the study, correct.

Councilman Meighan said ‘yes’.

Borough Manager Debra Force said the study is already paid for by DCNR.

Councilman Meighan said ‘yes’.

Debra said that when they hire the paid person it is 100% the first year, 75% the second year, then 50%.

Council President Hill said as long as the borough does not have to pay anything.

Council Petty said not at this point.

Council President said not at this point.

Councilman Jarrett said then that is a separate discussion, they are just asking for the support at this time and it is not just for the pool, it is for recreational opportunities community wide including Salem Township and Nescopeck and Briar Creek.

Council Meighan said it can help with all our Parks in town.

Councilman Jarrett said it is a good idea the way they explained it to us.

Councilman Petty said he wants to see what the study shows and the cost analysis.

Council President Hill said that sometimes the way you

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put your discussion out and the way it falls it totally different. Councilman Petty said he disagrees with that characterization. Mr. Hill said he doesn't. At this time Fire Chief excused himself from the meeting to leave for an appointment. Motion was made by Councilman Jarrett, seconded by Councilman Meighan. All in favor. All ayes. No Nays. Motion passes.

- Consider and take action on: Submitting a petition to the Pennsylvania Liquor Control Board (PA LCB) for a hearing to consider an exemption from the statute. This will allow the local police to handle enforcing the law based on the local noise ordinance rather than having the LCE enforce their own noise law.
  - Debra Force said that the language was taken directly from an email that she had out at State College. Councilman Petty said that before we even discuss this he would like to note for the record my abstention from any discussion on this at this time. Councilman Meighan said he would like the opinion of the Chief of Police since this concern him and his department. Chief Strish said the noise ordinance has been an issue with an individual that lives on Susquehanna, the noise that when it is reported never reaches the level on our noise meter to cite the business and he is unhappy with that and he has contacted the LCE. I have not seen the email on the State College thing so I can't weigh in on what it says or how it has been successful or anything along those lines. And I have no issues with continuing to do what we do. But he is not happy with the results but the results are the results. Council President Hill said that is correct and asked for a motion. Councilman Bower added one thing about this if we do this petition it is for each year. Mr. Hill that is correct each year it has to be redone. Mr. Bower said that State College has it for the whole area out there. Council President Hill said that we will follow State College's lead, he asked for a motion. Councilman Jarrett made the motion, Councilwoman Huntington

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second. All in favor. All ayes. No Nays. Councilman Petty abstains. Motion passes.

- Council President moved back to the B.A. L.L. letter: Mr. Clausen said he has read over the letter and has a few minor concerns. But nothing that can't be worked through. Councilwoman Huntington asked him to state his concerns. Mr. Clausen said the terminology of scheduling and giving 6 week notice, he said that he does not get schedules until mid-April once they start. The softball field he does not make the schedule because it is a combined league. So they are at the mercy of someone down in Southern Columbia; we are on the field working on it before they get the schedule. Other than that there is nothing else we can't work out. We are going to work with the Borough and do our due diligence on what needs to be done and not rush into anything. Our hope is to upgrade the field, we do have the State Tournaments coming through 2019 and we don't those schedules until a week before. Council President Hill said the scheduling conflict was with someone else like fast pitch wanted to use the field. Correct? Councilman Jarrett said there was some issues but not in the last few years because the league has gone downhill but our concern was what if they came back in a few years and want to play again. Mr. Clausen said we would work with them we understand that it is a community park and we would not deny anyone use of a field. Council President wanted to confirm that there would not be any locks on the fields. Mr. Clausen said locks would do no good down there anyway. Council understood that. Mr. Clausen said they would work with anyone on field use. Councilman Jarrett made the motion, seconded by Councilwoman Huntington. All in favor. All ayes. No Nays. Motion passes.

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- Consider and take action on: Street Sweeping services agreement between the Berwick Borough and Briar Creek Borough.
  - Council President Hill said that this agreement has to be renewed every year and the concern is that DPW is being stretched very thin with the amount of work given to them.
  - DPW Supervisor Jack Kyttle said of course we are always busy and we should always reach out and help others if we can but at this point I am scheduling work to be done and it would be up to council. Councilman Petty asked if it was taxing on the guys. Mr. Kyttle said yes. Council President said it is more wear and tear on equipment. Mr. Kyttle went on to say it is not just them. That just Briar Creek Township, Nescopeck and Salem Township have asked for help from time to time. Where do we stop, that is the question. It is not fair to do for one and not another. Council President Hill said when you enter into an agreement like this you are cutting other businesses out. Councilman Petty said ‘good enough’ and he believes we must give 30 days’ notice. Council President Hill said that is correct and asked for a motion. Councilman Bower made that motion and Councilwoman Huntington seconded. All in favor. All ayes. No Nays. Motion passes.
  - Mr. Bower asked for a roll call vote on this issue. Council President Hill said he already so ordered the passing of the motion and Mr. Bower had a chance to say yes or no. Mr. Bower said he said yes, but did not hear anyone else; his was the only one he heard. Councilman Petty said he verbalized his, Councilwoman Huntington said she also verbalized her aye vote. Council President Hill said he heard them.

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**ADDED AGENDA**  
**ITEMS:**

- The Nardi grievance, Borough Manager Debra Force read off this added agenda item. Council would like to pay off Officer Nardi going back to January 2015.
  - Councilman Petty made a motion to pay officer Nardi back to January 2015 at a starting rate of a full time officer in recognition of his years of service that he has with the Borough Police Department, 16-17 years. He also wanted noted this is not the result of addendum A or what that may say or may not say. Seconded by Councilman Meighan. All in favor. All ayes. No Nays. Motion passes.
- Future part time hires. Borough Manger Debra Force stated future part time hires starting at \$16.50 an hour, after a 3 year period the increase will be by \$1.00 an hour, then once they hit the state of the 5 years they will receive the starting hour rate of a full time officer.
  - Councilman Petty stated this is a proposal to be sent to the union for their vote, they have not agreed to it at this point, they asked for a written proposal from council and then it would come up for a vote. Motion made by Councilman Meighan, seconded by Councilwoman Huntington. All in favor. All ayes. No Nays. Motion passes.
- Last on the list, the police hiring; advertising. The Borough Manager read the proposal. Direct the Borough Manager to enter the borough into a contract with Bill Gamble to begin the hiring process for police officers. Council directs Chief Strish to take an active role in promoting the test to police academies and the public. The police department and council will not have any involvement with the physical, written or oral testing. Motion made by Councilman Bower and seconded by Councilwoman Huntington. Ayes and nays. Vote went to roll call. Bower: Yes, Jarrett: No, Meighan: Yes, Petty: No, Huntington: Yes, Hill: Yes. 4/2, Motion passes.

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**ADJOURNMENT:**

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

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Debra Force, Borough of Berwick  
Manager  
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