

**MINUTES
REGULAR COUNCIL MEETING
NOVEMBER 21, 2016**

AGENDA:

Regular meeting of the Borough Council, Borough of Berwick, Pennsylvania was held Monday NOVEMBER 21, 2016 at 7:00PM; in City Hall. Present at this meeting was President of Council Alvin Hill presiding and Council Members Scott Bower (VP), 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, Codes Officer Greg Harkins and Fire Chief Bill Coolbaugh.

The Press Enterprise and the engineer were absent.

A prayer and The Pledge of Allegiance was said.

**REVIEW &
APPROVAL
OF AGENDA:**

Motion to approve the agenda was made by Councilman Larry Surkin, seconded by Councilwoman Joanne Huntington. All ayes, motion passes.

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

Mike Monico, representing the Berwick Boulevard Association. The opening is December 3rd from 6-10PM. Council is invited to the ribbon cutting. Usually they assemble in the CVS parking lot but this year is in limbo due to the building being sold. The Association would like council to approve closing 4th Street from Market to Robbins Ave for that one night, December 3rd from 5:30-10PM. The fire police will be in charge of the closing. They have trolley and hay rides. This year will be Berwick Winterfest. They would also like the use of Saint Charles Park for the 70th anniversary for the Boulevard and "It's a Wonderful Life". Mrs. Claus will lite a tree in the park. **All of Council approved the street closing and use of Saint Charles Park.** Council is very proud of what the Boulevard Association is doing.

Police Officer Scott Sienkiewicz and Reagan Rafferty before Council to request that Council postpone action to raise the Police Pension contributions from 2% to 5% until after the new year actuary audit. The officers claim the pension is sound. Councilman Petty said he would vote to wait until he has written proof of what needs to be done to keep the pension solvent and would agree to wait for the audit results. Attorney Kepner said that Council does not need an opinion from an actuary. Essentially, Act 600 is very specific that the deduction has to be between 5 - 8% per year and that you also have to provide a refunding to the officers in a given year any amount that is not required to make it sound. So you have to set up a mechanism that says you have to take a minimum 5% to 8% but there has to be a give back when the account is sound. Council would get a report every year (from Mackinaw) with a recommendation of that amount. Councilman Petty asked if an Ordinance was needed to clean this up and Attorney Kepner said yes, he is working on that.

Councilman Petty asked if there is any update on the email Chief Strish had sent out with regard to the police death benefit. Attorney Kepner said he has drafted a rough form a provision to appeal a resolution in 2008. Needs a copy of that resolution.

PRESENTATIONS: NONE.

PREVIOUS MONTHS MINUTES APPROVED:

MOTION TO APPROVE OCTOBER 17, 2016 MINUTES was made by **Councilman Jarrett** and seconded by **Councilman Shecktor**. **All ayes. Motion passes.**

PAYMENT OF BILLS APPROVED:

MOTION TO PAY THE BILLS was made by **Councilwoman Huntington** and seconded by **Councilman Bower**. **All ayes. Motion passes.**

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|-----------------------------------|----------|--------------------|--------|
| A.J. BOWER, INC. | 250.00 | JORDAN HOPPER | 70.00 |
| AMERICAN FAMILY LIFE ASSURANCE | 1,068.09 | JORDAN HOPPER | 325.00 |
| AMERICAN PAPER & SUPPLY INC | 345.39 | KEEFER'S ARMY NAVY | 240.64 |
| AVAYA, INC | 27.83 | KEVIN RYMAN INC | 83.00 |
| BARLETTA MATERIALS & CONSTRUCTION | 407.55 | KEVIN RYMAN INC | 376.28 |

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|-------------------------------------|-----------|---------------------------------|-----------|
| BARRACUDA NETWORKS, INC | 3,000.00 | KEYSTONE COMMUNICATIONS | 123.00 |
| BEAVER VALLEY ENVIREMENTAL LLC | 2,290.00 | KEYSTONE COMMUNICATIONS | 123.00 |
| BERWICK FIRE POLICE | 2,765.88 | KMART STORE #9161 | 199.99 |
| BERWICK FIRE POLICE | 2,011.88 | KNORR HAULING, INC. | 6,187.50 |
| BODNAR SALES & SERVICE | 269.73 | LACAL EQUIPMENT, INC | 168.85 |
| BOROUGH OF BERWICK | 4,717.66 | LACAL EQUIPMENT, INC | 334.48 |
| BORO OF BWK MUNICIPAL PENSION | 807.96 | LARRY C. FRACE INSPECTIONS, LLC | 2,825.00 |
| BORO OF BWK PAYROLL ACCOUNT | 2,242.32 | LAUBACH'S AUTO REPAIR | 65.56 |
| BORO OF BWK PAYROLL ACCOUNT | 35,926.44 | LENDENMANN'S REMODELING | 4,400.00 |
| BORO OF BWK PAYROLL ACCOUNT | 37,111.30 | MARTY SITLER | 62.31 |
| BORO OF BWK PAYROLL ACCOUNT | 35,191.91 | MATTHEWS FUEL SERVICE, INC. | 123.36 |
| BORO OF BWK PAYROLL ACCOUNT | 39,712.25 | MATTHEWS SPRING WATER | 91.00 |
| BORO OF BWK PAYROLL ACCOUNT | 33.23 | METROCAST | 2.17 |
| BORO OF BWK PAYROLL ACCOUNT | 15.69 | METROCAST | 127.12 |
| BORO OF BWK PAYROLL ACCOUNT | 300.00 | METROPOLITAN TELECOMMUN | 786.71 |
| BORO OF BWK PAYROLL ACCOUNT | 23.74 | MICHAEL MONICO | 1,123.20 |
| BORO OF BWK PAYROLL ACCOUNT | 11.23 | MICHAEL MONICO | 1,123.20 |
| BORO OF BWK POLICE PENSION | 761.30 | MICHAEL MONICO | 1,123.20 |
| BORO OF BWK POLICE PENS TRUST FD | 1,480.98 | MICHAEL MONICO | 1,123.20 |
| BRADCO SUPPLY CO, INC. | 3,400.00 | NAPA AUTOPARTS BERWICK | 52.20 |
| BRANDON SHULTZ | 30.00 | NAPA AUTOPARTS BERWICK | 143.52 |
| CASSANDRA MOWERY | 40.00 | NMS | 246.00 |
| CENTRAL PA TEAMSTERS HEALTH & WELF. | 38,919.24 | P A W C | 39.48 |
| CENTRAL PA TEAMSTERS HEALTH & WELF. | 2,107.36 | P A W C | 2,737.24 |
| COLE'S HARDWARE | 206.42 | PENNSYLVANIA ONE CALL SYSTEM | 88.90 |
| COMMONWEALTH OF PENNSYLVANIA | 35.00 | PIKES CREEK ASPHALT | 788.00 |
| CONSTELLATION NEWENERGY INC. | 510.89 | PPL | 68.92 |
| CONSTELLATION NEWENERGY INC. | 24.63 | PPL | 63.46 |
| CONSTELLATION NEWENERGY INC. | 12.19 | PPL | 69.19 |
| CONSTELLATION NEWENERGY INC. | 2,084.17 | PPL | 207.12 |
| DEBRA FORCE | 359.44 | PPL | 11,509.51 |
| DEFEBO GRAPHICS | 1,472.00 | PRESS-ENTERPRISE, INC. | 1,282.08 |
| DICK STITZER | 150.00 | PSAB | 110.00 |
| EAGLES FIRE COMPANY | 383.33 | RANGER HOSE CO | 383.33 |
| EASTERN PENN SUPPLY CO. | 129.63 | REAGAN RAFFERTY | 495.00 |
| ECKERT SEAMANS CHERIN & MELLOCTT | 6,240.00 | RELIANCE FIRE CO | 383.33 |
| ECKERT SEAMANS CHERIN & MELLOCTT | 992.00 | RIVERVIEW BLOCK | 400.00 |
| FASTENAL COMPANY | 19.24 | ROGERS UNIFORMS | 832.00 |
| FIREMAN'S RELIEF ASSOCIATION | 51,486.00 | SCOTT SIENKIEWICZ | 116.99 |
| FIRST COLUMBIA BANK & TRUST CO. | 1,955.70 | SDI | 1,414.66 |
| FIRST COLUMBIA BANK & TRUST CO. | 1,412.58 | SEEWALD LABORATORIES, INC. | 213.00 |
| FORT DEARBORN LIFE INS. | 965.19 | SQUARE ONE CONSTRUCTION | 13,042.00 |
| FORT DEARBORN LIFE INS. | 965.19 | STAPLES CREDIT PLAN | 630.84 |
| GALETON | 79.80 | STEVE SHANNON TIRE CO | 649.68 |
| GENERAL SALES, INC. | 691.93 | SUNTRUST EQUIPMENT FINANCE | 2,998.05 |
| GORDY'S HEATING & AIR CONDITIONING | 96.00 | SUPERIOR PLUS ENERGY SERVICES | 649.05 |
| GREGORY MARTIN | 62.53 | SUPERIOR PLUS ENERGY SERVICES | 248.06 |
| GREGORY MARTIN | 12.28 | SUPERIOR PLUS ENERGY SERVICES | 39.85 |

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| HAZLETON STANDARD ~ SPEAKER | 150.00 | SUPERIOR PLUS ENERGY SERVICES | 146.50 |
| HIGHWAY EQUIP & SUPPLY | 438.25 | SUPERIOR PLUS ENERGY SERVICES | 19.53 |
| HRI, INC. | 895.44 | TASER INTERNATIONAL | 267.12 |
| ICMA RETIREMENT TRUST | 1,893.99 | TEAMSTERS | 1,210.00 |
| ICMA RETIREMENT TRUST | 135.00 | THOMAS CASHMAN | 60.00 |
| ICMA RETIREMENT TRUST | 1,903.37 | TRI-COUNTY HARDWARE | 200.20 |
| ICMA RETIREMENT TRUST | 150.00 | TRI-COUNTY-LUMBER DIVISION | 224.54 |
| ICMA RETIREMENT TRUST | 1,830.11 | UGI PENN NATURAL GAS | 91.28 |
| ICMA RETIREMENT TRUST | 150.00 | VERIZON WIRELESS | 306.85 |
| ICMA RETIREMENT TRUST | 2,044.03 | WASHINGTON NATIONAL INS CO | 60.90 |
| ICMA RETIREMENT TRUST | 150.00 | WEST BERWICK FIRE CO | 383.33 |
| IHEARTMEDIA | 2,010.00 | WEX BANK | 1,037.56 |
| J.H. WILLIAMS & CO., LLP | 17,200.00 | YIS/COWDEN GROUP INC. | 31.50 |
| JAMES DALBERTO | 80.00 | YIS/COWDEN GROUP INC. | 60.50 |

REPORTS

OF

COMMITTEES:

MAYOR: Tim Burke.

- Started school visits.
- Participated in the Elks parade.
- Two officers were downtown during Fright Fest handing out candy.
- Recognition of Officer Martin for helping Washington DC police help with DNA testing of an area family to help in the identification of a missing family member in the DC area who has been identified.
- The Berwick Police Department is one of only 2 departments in Pennsylvania in the PAARI Program (Police Assisted Addiction & Recovery Initiative) and was listed in a national magazine Sober World.

ENGINEER: Quad 3 (NOT PRESENT)

SOLICITOR: Attorney Frank Kepner. The Armory was inspected and passed inspection and is in compliance. But he is still not to use the basement. And he has had people in the basement. That will have to be watched. It was observed by the inspector Larry Frace that he had people in the basement. The basement needs a sprinkler system and heat and another exit.

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

LEGAL AND FINANCE: Travis Petty-Andrew Shecktor-Debra Force. Nothing.

PARKS AND RECREATION: Jay Jarrett - Alvin Hill. Riverfest went well. The final numbers are not in yet, but they should be in soon. Thanks to everyone.

EMERGENCY MANAGEMENT: Andrew Shecktor - Jay Jarrett - Greg Harkins. Councilman Shecktor said he has just been elected the eastern assistant section manager for HAM radios. FEMA and PEMA will evaluation was very good.

STREETS, PARKS, & BUILDINGS: Joanne Huntington-Larry Surkin -Jack Kyttle. SEE DPW REPORT. Councilman Petty said the Welcome to Berwick sign in St Charles Park is looking rough and asked if DPW could do something with it, Jack Kyttle said he would look into it.

FIRE AND WATER: Andrew Shecktor, Larry Surkin-Fire Chief Bill Coolbaugh. (SEE REPORT). The Fire Chief said a recent fire at the Berwick Hospital was put down, good job Chief 80. Holiday events are in full swing with different department doing events for kids. Have been doing walk throughs inspections of nursing homes.

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

SAFETY: Joanne Huntington-Scott Bower. No reported accidents. Fire Department audit went well and should result in a Signiant decrease in the yearly cost.

POLICE: Scott Bower - Joanne Huntington - Police Chief Ken Strish. SEE REPORT. Chief Strish asked if he should go ahead and order uniforms this year. It was discussed to order half this year and half next year. But since it was not discussed in work shop and is not on the agenda it is to be put on the December agenda.

BAJSA REPORT: Scott Bower. SEE REPORT.

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

OLD BUSINESS: NONE

**ORDINANCES &
RESOLUTIONS:** RESOLUTION 2016-12 POLICE PENSION CONTRIBUTION.

DISCUSSION: NONE

A motion to table the resolution was made by Councilman Petty, seconded by Councilman Jarrett. All Ayes, motion to table passes

NEW BUSINESS:

1. Consider and take action on the selection of an engineer for the Grant Street Project and the un-named street project:

Discussion: Councilman Jarrett asked if it was covered under CDBG funding. Tyler said yes. Councilwoman Huntington asked if council could send another request out to rebid. Tyler said that will delay the project. Tyler recommends Peters Consulting because he seemed to have actually gone out and reviewed the project. And is offering more engineering time.

Motion to approve was made by Councilman Jarrett and seconded by Councilman Surkin. All ayes, one opposed (Councilwoman Huntngton) motion passes.

2. Consider and take action to approve the ~~2016~~ 2015 CDBG Professional Services Agreement.

Discussion: None

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

3. Consider and take action to approve an emergency road cut request located at 211 Iron Street.

Discussion: Tentative street cut. Best case they will tie right in at the sidewalk area, worse case is they will have to cut the street. This was all discussed at the work shop.

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

4. Consider and take action to approve a fee waiver for BAJSA in an approximate amount of \$700.00 to separate storm water lines from the combined system.

Discussion: None

Motion to approve was made by Councilman Bower and seconded by Councilwoman Jarrett. All ayes, motion passes.

5. Consider and take action to adopt the 2017 proposed budget and to direct the Borough Manager to advertise the proposed budget notice which will state the public can examine the budget for 10 days at City Hall Monday - Friday 8AM - 5PM.

DISCUSSION: **This was removed from the agenda.**

6. Consider and take action to authorize the separation of the current security camera system. Providing City Hall and the Police Department with separate permissions. Estimate cost of \$800.00.

DISCUSSION: The cameras are for City Hall to see what is going on outside the offices. But nothing in the Police Station.

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

7. Consider and take action on the request from Briar Creek Borough to partner in a July 4th celebration - sharing the cost of the fireworks. Also, to allow Briar Creek Borough to hold a celebration in Ber-Vaughn Park to celebrate their Centennial which would include vendors and activities.

DISCUSSION: Councilman Petty was in favor to partner with Briar Creek Borough as long as the fireworks were held at Crispin Field. Council President Hill wanted to remind everyone that the fireworks were removed from the budget

because of the deficit. Councilman Surkin asked how we would pay for the fireworks if Briar Creek agrees to the terms. Mr. Petty said by donations. Mr. Surkin asked what Council would do if donations did not come in. Mr. Petty assured Council he would get the donations.

A motion was made by councilman Petty to grant permission for Briar Creek Borough to use Ber-Vaughn Park for their celebration. And to partner with Briar Creek Borough for Fireworks if they are held at Crispin Field. A roll call vote was taken. Mr. Bower: NO, Mr. Jarrett: YES, Mr. Shecktor: YES, Mr. Surkin: NO, Mr. Petty: YES, Mrs. Huntington: YES, Mr. Hill: YES. Motion passes 5/2.

ADDED ITEMS:

a. Nothing added.

ADJOURNMENT:

Motion to adjourn made by Councilwoman Huntington.