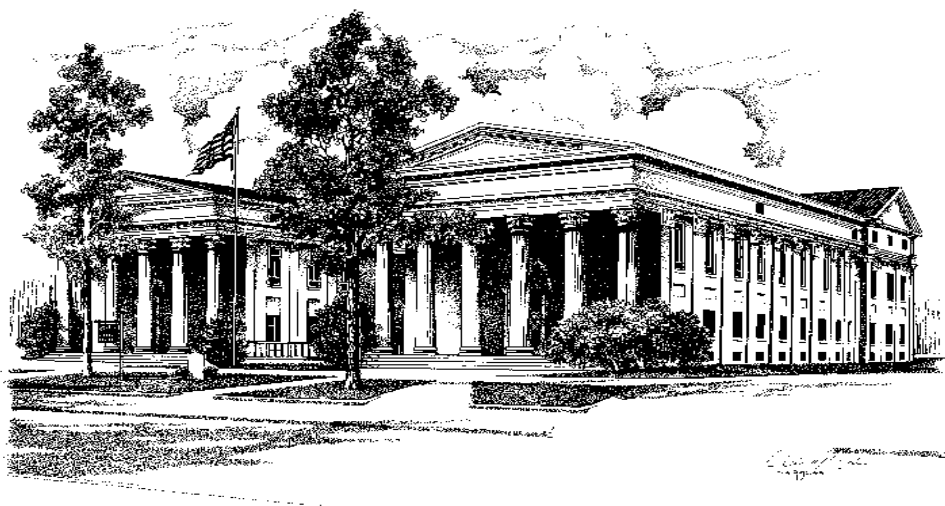


Erie County Legal Journal

October 6, 2017

Vol. 100 No. 40



100 ERIE 126-134

In re: Appeal of the Board of Auditors of McKean Township / 2017 Meeting

Erie County Legal Journal

*Reporting Decisions of the Courts of Erie County
The Sixth Judicial District of Pennsylvania*

Managing Editor: Megan E. Black
Administrator of Publications: Paula J. Gregory

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Erie County Bar Association

Calendar of Events and Seminars

SATURDAY, OCTOBER 7, 2017

Wills For Heroes
Erie County Public Safety Building
12:00 p.m. - 4:00 p.m.

TUESDAY, OCTOBER 10, 2017

Red Mass
Saint Peter Cathedral
5:15 p.m.

Buffet Dinner immediately following the Mass at
Gannon University's Morosky Center, lower level
\$38/person

WEDNESDAY, OCTOBER 18, 2017

Women. Confidence. Retirement.

EBCA Live Lunch-n-Learn Seminar

Bayfront Convention Center

11:45 a.m. - 12:15 p.m. - Registration/Lunch

12:15 p.m. - 1:15 p.m. - Seminar

\$47 (ECBA member/non-attorney staff), \$60
(nonmember), \$33 (member judge not needing CLE)
1 hour substantive

MONDAY, OCTOBER 23, 2017

ECBA Board of Directors Meeting
Noon

New ECBA Headquarters (429 West Sixth Street)

WEDNESDAY, OCTOBER 25, 2017

Defense Bar Meeting
4:00 p.m.

New ECBA Headquarters (429 West Sixth Street)

FRIDAY, OCTOBER 27, 2017

Personnel Committee Meeting
8:30 a.m.

New ECBA Headquarters (429 West Sixth Street)

TUESDAY, OCTOBER 31, 2017

Young Lawyers Division Event
Lunch With Our Judges - Judge Cunningham
Noon
The Erie Club

FRIDAY, NOVEMBER 3, 2017

Annual Admission Ceremonies
Court of Common Pleas - 11:00 a.m. - Courtroom H
Federal - 1:00 p.m.

TUESDAY, NOVEMBER 7, 2017

ECBA In House Counsel Leadership Committee Meeting
Noon
New ECBA Headquarters (429 West Sixth Street)



Erie County Bar
Association



@eriepabar

To view PBI seminars visit the events calendar
on the ECBA website
<http://www.eriebar.com/public-calendar>

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**MOTION COURT DATES FOR JUDGE THOMAS P. AGRESTI
ERIE AND PITTSBURGH DIVISION CASES**

OCTOBER 2017 NOTICE

The following is a list of *October 2017, November 2017, and December 2017* motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(a)* before **Judge Thomas P. Agresti** in the Erie and Pittsburgh Divisions of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(a)* and Judge Agresti's *Procedure B(1)-(3)* summarized below and on Judge Agresti's webpage at: www.pawb.uscourts.gov. ***The motions will be heard in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501 and Courtroom C, 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA 15219.***

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Bankruptcy Rules* and the Judge's procedures, insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time, *only*, for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

SCHEDULE CHAPTER 13 MOTIONS ON:

Select the following times, EXCEPT for the specific matters to be scheduled at 11:30 a.m.:

Thursday, October 12, 2017	9:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, November 8, 2017	10:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, November 29, 2017	10:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Tuesday, December 12, 2017	11:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
	11:30 a.m.:	Ch. 13 Sale, Financing and Extended Impose Stay

NOTE: Chapter 12 matters are now scheduled on Ch. 11/7 Motion Court days, only.

SCHEDULE CHAPTERS 12, 11 & 7 MOTIONS ON:

Select the following times, EXCEPT for Ch. 7 Motions to Extend/Impose Stay scheduled only at 11:00 am, and, all sale motions and all Ch. 12 matters which are only to be scheduled at 11:30 a.m.:

Thursday, October 5, 2017	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, October 19, 2017	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, November 2, 2017	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, November 16, 2017*	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, December 7, 2017		including all Ch. 7 Motions to Extend/Impose Stay
Wednesday, December 20, 2017	11:30 a.m.:	Ch. 11 and 7 Sale Motions and all Ch. 12 matters at this time, only

**For November 16, 2017, only, matters may only be scheduled at 9:00 a.m., 9:30 a.m., 10:00 a.m., 1:30 p.m., and 2:00 p.m.*

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER (Public Access to Court Electronic Records) and on the Court's Web Site (www.pawb.uscourts.gov).

Michael R. Rhodes
Clerk of Court

Oct. 6

NOTICE

Effective October 26, 2017, Recording Fee for Notary Commission/Bond will be \$30.50. Prothonotary fee will remain \$3.00.

Oct. 6

ECBA Office Move Scheduled

The Erie County Bar Association will be closed on Monday, October 16 and Thursday, October 19 to move into its new headquarters at 429 West 6th Street, Erie, PA 16507. The ECBA's phone number will remain the same (814-459-3111).

Oct. 6, 13

**IN RE: APPEAL OF THE BOARD OF AUDITORS OF MCKEAN TOWNSHIP /
2017 MEETING**

SECOND CLASS TOWNSHIPS / TOWNSHIP SUPERVISORS / COMPENSATION

The compensation of supervisors, when employed as roadmasters, laborers, secretary, treasurer, assistant secretary, assistant treasurer or in any employee capacity not otherwise prohibited by this or any other act, shall be determined by the board of auditors, at an hourly, daily, weekly, semi-monthly or monthly basis, which shall be comparable to compensation paid in the locality for similar services.

***SECOND CLASS TOWNSHIPS / TOWNSHIP SUPERVISORS / COMPENSATION /
LOCALITY***

“Locality” is defined as “a definite region in any part of space; geographical position; place; vicinity; neighborhood; community.”

***SECOND CLASS TOWNSHIPS / TOWNSHIP SUPERVISORS / COMPENSATION /
INSURANCE***

Supervisors, whether or not they are employed by the township, and their dependents are eligible for inclusion in group life, health, hospitalization, medical service and accident insurance plans paid in whole or in part by the township. Supervisors and their dependents who are over sixty-five (65) years of age are eligible for inclusion in supplemental Medicare insurance coverage paid, in whole or in part, by the township. Their inclusion in those plans does not require auditor approval, but does require submission of a letter requesting participation at a regularly scheduled meeting of the board of supervisors before commencing participation.

***SECOND CLASS TOWNSHIPS / TOWNSHIP SUPERVISORS / COMPENSATION /
DISCRETION***

Auditors have very broad discretion in setting salaries pursuant to [53 P.S. §65606], and no maximum or minimum rates of pay are required by the statute, except that the rates “shall not exceed compensation paid in the locality for similar services... The word ‘compensation’ under the statute includes more than mere wages; rather, it also includes fringe benefits such as insurance, pension, and medical plans and premiums.

SECOND CLASS TOWNSHIPS / ATTORNEY’S FESS

If in the opinion of the court the final determination is more favorable to the township officer involved than that awarded by the board of auditors, the township shall pay reasonable attorney fees... incurred by the officer in connection with the surcharge proceeding.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION

No. 90007 - 2017

Appearances: Gery T. Nietupski, Esq., on behalf of Brian P. Cooper, Janice T. Dennis and Ronald T. Bole, McKean Township Supervisors (Appellants)
Edward J. Betza, Esq., on behalf of Joseph Szymanowski, Delores Renick and Barbara Craig, McKean Township Auditors (Appellees)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Domitrovich, J.

September 12, 2017

AND NOW, to-wit, this 12th day of September, 2017, after thorough review of the entire record, including, but not limited to, the testimony and evidence presented at the Civil Non-Jury Trials on May 3, 2017 and July 13, 2017; the proposed Findings of Fact and Conclusions of Law submitted by both counsel; and the Supplemental Briefs in Support submitted by both counsel, as well as an independent review of relevant statutory law and case law, this Trial Court hereby enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. McKean Township is a Pennsylvania municipality organized and existing under the laws of the Commonwealth of Pennsylvania.
2. McKean Township is a Second-Class Township, which operates pursuant to the provisions set forth within the Second-Class Township Code. *See 53 P.S. §65101-68701.*
3. There are twenty-one (21) Second-Class Townships located in Erie County, Pennsylvania.
4. McKean Township is governed by three (3) Supervisors, each of whom is elected by the citizens of McKean Township. *See id., §65402(b).*
5. The three (3) sitting Supervisors are Brian P. Cooper, Janice T. Dennis and Ronald T. Bole (hereafter referred to as “Appellant Supervisors”).
6. McKean Township has three (3) Auditors, each of whom are elected by the citizens of McKean Township. *See id., §§65402(b), 65606.*
7. The three sitting Auditors are Joseph Szymanowski, Delores Renick and Barbara Craig (hereafter referred to as “Appellee Auditors”).
8. Appellant Supervisors establish the pay rates for the employees of McKean Township. *See id., §65607(3).*
9. In addition to their duties as elected Supervisors, for which they are paid a statutorily-imposed stipend, Appellant Supervisors work in various additional capacities as employees of McKean Township.
10. Pennsylvania ethics law prohibits Appellant Supervisors from establishing their own pay rates for these additional duties.
11. Pursuant to Second-Class Township Code, Appellee Auditors are responsible for establishing the pay rates for Appellant Supervisors when the Supervisors are not working in the capacity as “Roadmasters” or “Secretaries.” *See, §§65606, 65803 and 65901.*
12. §65606 of the Second-Class Township Code, titled “Compensation of Supervisors,” specifically sets forth the process and manner by which the wage rates are determined.
13. On or about January 4, 2017, Appellee Auditors established the 2017 pay rates for Appellant Supervisors.
14. Appellant Supervisor Cooper’s compensation was reduced from \$23.60/hour (2016) to \$20.19 (2017), Appellant Supervisor Dennis’ compensation was reduced from \$23.60 (2016) to \$14.00 (2017), and Appellant Supervisor Bole’s compensation of \$18.00/hour (2016) remained the same. *See Appellant’s Petition, ¶11.*
15. In addition, Appellee Auditors substantially reduced Appellant Supervisors’ benefits packages and eliminated Appellant Supervisors’ overtime compensation. *See id., ¶12.*
16. On or about February 3, 2017, Appellant Supervisors filed the present appeal.
17. The issue on appeal is whether Appellee Auditors violated the Second-Class Township

- Code in establishing the 2017 compensation rates for the three (3) Appellant Supervisors
18. Appellee Auditor Barbara Craig has been an Auditor for McKean Township for three (3) to four (4) years.
 19. Appellee Auditor Craig contacted via telephone surrounding Second-Class Townships, including, Amity, Conneaut, Concord, Elk County, Fairview, Girard, Greene, Greenfield, LeBoeuf, North East, Springfield, Union, Venango, Washington, Waterford and Wayne, regarding compensation of Supervisors, including years of service and salary, but did not ask whether or not said Townships cut their Supervisors' compensation.
 20. Appellee Auditor Craig stated Appellant Supervisor Dennis' compensation was reduced, although Appellant Supervisor Dennis had been doing "a wonderful job" and Appellee Auditor Craig was not aware of any disciplinary actions.
 21. Appellee Auditor Craig stated Appellant Supervisor Cooper's compensation was also reduced. Appellee Auditors determined Appellant Supervisor Cooper would become a salaried employee, although no performance reasons for the reduction were observed or noted as to Appellant Supervisor Cooper.
 22. Appellee Auditor Craig was "upset" that Appellant Supervisors hired an independent auditor, Monahan & Monahan, to which she [Craig] wrote a "Letter to the Editor" expressing her disapproval with the outsourcing of auditing work and Appellant Supervisors' "refusal" to supply information relating to expenditures. *See Petitioner's Exhibit 17.*
 23. Pursuant to Pa. R. E. 706 and by Order dated June 15, 2017, Aaron Phillips was appointed by this Trial Court as an expert to review possible compensation, payroll and benefits packages for Appellant Supervisors and develop a Report for this Trial Court and for both counsel.
 24. In determining compensation and benefits for Appellant Supervisors, Mr. Phillips evaluated information from Second-Class Townships comparable to McKean, i.e. townships of similar size and residential costs, including Franklin, Girard, Greene, North East, Washington and Waterford.
 25. Mr. Phillips developed three (3) options in determining compensation - the first option utilized Second-Class Township data from the Northwest region; the second option utilized Second-Class Township data with populations between 4,001 and 8,000; and the final option utilized a custom blend of Second-Class Townships with similar size and populations within Erie County, Pennsylvania.
 26. In developing compensation for Roadmaster and Secretary, Mr. Phillips also analyzed and evaluated PSATS data; the experience of each Supervisor in the role of Roadmaster and Secretary in comparison to other personnel in the same role as other Second-Class Townships; and the experience of each Supervisor performing duties similar to Roadmaster and Secretary.
 27. Mr. Phillips acknowledged Appellant Supervisors Bole and Cooper have less experience as Roadmasters with McKean Township, but concluded Appellant Supervisors Bole and Cooper have more experience performing duties similar in nature to Roadmaster.
 28. Mr. Phillips also concluded Appellant Supervisor Dennis has significantly more experience as Secretary than all other Second-Class Townships' Secretaries.
 29. Mr. Phillips ultimately determined Appellant Supervisors Bole and Cooper, as

- Roadmasters, would have compensation between \$23.79 and \$28.55, and Appellant Supervisor Dennis, as a Secretary, would have compensation between \$18.91 and \$22.69.
30. Mr. Phillips also determined Appellant Supervisors Bole and Dennis, both of whom work part-time, are not eligible for township benefits; however, Appellant Supervisor Cooper is eligible for benefits, which Mr. Phillips determined are currently inferior to benefits offered by other comparable Second-Class Townships.
 31. Mr. Phillips stated Appellee Auditors are trying to achieve “parity” with other Second-Class Townships regarding benefits, and recommends a four-year phased-in approach for benefits.
 32. Mr. Phillips provided to this Trial Court and to counsel a “McKean Township Compensation and Benefits Review, July 2017” on July 12, 2017.
 33. Appellee Auditor Delores Renick has been an Auditor with McKean Township for six (6) years.
 34. Appellee Auditor Renick acknowledged Appellee Auditors did not have a stated “methodology” for setting compensation for Appellant Supervisors.
 35. Appellee Auditor Renick further acknowledged the Second-Class Township Code Book requires comparing other Second-Class Townships in establishing compensation rates for Appellant Supervisors.
 36. Appellee Auditor Renick complained that Appellant Supervisors were being paid “too much,” including overtime pay.
 37. Appellee Auditor Joseph Szymanowski has been an Auditor for McKean Township since 2016 and was a Supervisor for McKean Township from 1984 to 1988.
 38. Appellee Auditor Szymanowski admitted Appellee Auditors did not speak with comparable Second-Class Townships that reduced compensation and benefits.
 39. Appellee Auditor Szymanowski indicated Appellee Auditors also reviewed the Pennsylvania State Association of Township Supervisors (“PSATS”) in setting compensation rates for Appellant Supervisors.
 40. Appellee Auditor Szymanowski believed Appellant Supervisor Bole supported and campaigned for his [Szymanowski’s] opponent for Auditor in 2015.
 41. According to Appellee Auditor Szymanowski, Appellee Auditors established the compensation and benefits for Appellant Supervisors Bole and Cooper by dividing the average part-time Roadmaster salary and the average full-time Roadmaster salary, and then multiplying that quotient and the salary of the non-elected Roadmaster to arrive at \$18.00/hour.
 42. According to Appellee Auditor Szymanowski, Appellee Auditors established the compensation and benefits for Appellant Supervisor Dennis by dividing the part-time average Secretary salary and the average full-time Secretary salary, then multiplying that quotient with only the full-time Secretary salary from Green Township (\$20.90/hour), a different Second-Class Township.
 43. According to Appellee Auditor Szymanowski, Appellee Auditors determined Appellant Supervisor Cooper’s compensation by multiplying fifteen percent (15%) to Appellant Cooper’s salary (\$23.60/hour), arriving at \$20.19/hour; however, the reasons for this particular “methodology” are unknown.
 44. Appellant Auditor Szymanowski had previously stated that Appellant Supervisors’

benefits packages were “unheard of in this marketplace.”

45. Appellant Supervisor Janice Dennis worked as McKean Township Secretary since January of 1984 and her duties include, but are not limited to, maintaining the minutes, ordinances and resolutions, preparing Data Management Reports for the McKean Township Sewer Treatment Plants, preparing Chapter 94 Reports, drafting ordinances and resolutions, preparing Supervisor agendas and minutes, etc.
46. Appellant Supervisor Dennis is in her second (2nd) term as McKean Township Supervisor.
47. At the January 4, 2017 meeting, Appellee Auditor Szymanowski told Appellant Supervisor Dennis that she “couldn’t ask questions” as to why the Appellant Supervisors’ compensation was reduced.
48. The other McKean Township employees had received a one percent (1%) increase in compensation, which includes a non-elected Roadmaster, and information gathered indicated a two percent (2%) to three percent (3%) for those employees in other Second-Class Townships.
49. When Appellant Supervisors hired an independent auditor, Monahan & Monahan, “as needed,” Appellee Auditors became “upset.”
50. Appellant Supervisor Dennis stated no financial problems exist in McKean Township, in that there are no budget crises that would negatively affect the McKean Township employees’ compensation. No debt issues exist within McKean Township.
51. Appellant Supervisor Ronald Bole has been a McKean Township Supervisor since January 4, 2016 and his duties as “Roadmaster” include setting up roadwork, conducting winter snow cleanup (plowing snow) and operating equipment.
52. Previously, Appellant Supervisor Bole performed construction/septic/driveway work; performed work as a lineman for Penelec; performed work as a general contractor; and assisted in building roads for the township.
53. Appellant Supervisor Bole acknowledged he supported the opponent for Appellee Auditor Szymanowski’s Auditor position in 2015, and Appellee Auditor Szymanowski informed him to stop supporting his opponent “or else.”
54. Appellant Supervisor Bole’s current compensation is \$18.00/hour, which is \$5.00 less than other comparable Second-Class Townships.
55. Following the January 4, 2017 meeting, Appellant Supervisor Bole’s compensation and benefits were frozen.
56. Appellant Supervisor Brian Cooper has been a McKean Township Supervisor and Roadmaster since January of 2012.
57. Previously, Appellant Supervisor Cooper performed work in a mechanic’s shop and with heavy equipment, which are similar duties as he performs now as Roadmaster for McKean Township.
58. In addition to his Roadmaster duties stated above, Appellant Supervisor Cooper also performs pipework, road mowing, tree trimming/removal and mechanical work for McKean Township.
59. Following the January 4, 2017 meeting, Appellee Auditors determined the following: Appellant Supervisor Cooper became a salaried employee, his compensation reduced to \$20.19/hour and his benefits reduced. Appellant Supervisor Cooper also lost all of his overtime pay.

CONCLUSIONS OF LAW

The compensation of supervisors, when employed as roadmasters, laborers, secretary, treasurer, assistant secretary, assistant treasurer or in any employee capacity not otherwise prohibited by this or any other act, shall be determined by the board of auditors, at an hourly, daily, weekly, semi-monthly or monthly basis, which shall be comparable to compensation paid in the locality for similar services. 53 P.S. §65606(a). “Locality” is defined as “a definite region in any part of space; geographical position; place; vicinity; neighborhood; community.” *See Black’s Law Dictionary*, pg. 939 (6th Ed. 1990). Supervisors, whether or not they are employed by the township, and their dependents are eligible for inclusion in group life, health, hospitalization, medical service and accident insurance plans paid in whole or in part by the township. *See 53 P.S. §6506(c)(1); see also Uremovich v. Commonwealth of Pennsylvania State Ethics Commission*, 566 A.2d 375, 377 (Pa. Commw. Ct. 1989). Supervisors and their dependents who are over sixty-five (65) years of age are eligible for inclusion in supplemental Medicare insurance coverage paid, in whole or in part, by the township. *See id.* Their inclusion in those plans does not require auditor approval, but does require submission of a letter requesting participation at a regularly scheduled meeting of the board of supervisors before commencing participation. *See id.*

“Auditors have very broad discretion in setting salaries pursuant to [53 P.S. §65606], and no maximum or minimum rates of pay are required by the statute, except that the rates “shall not exceed compensation paid in the locality for similar services...”” *See id; see also Synoski v. Hazle Township*, 500 A.2d 1282, 1285 (Pa. Commw. Ct.) (*quoting McCutcheon v. State Ethics Commission*, 466 A.2d 283 (Pa. Commw. Ct. 1983)). “The word ‘compensation’ under the statute includes more than mere wages; rather, it also includes fringe benefits such as insurance, pension, and medical plans and premiums.” *See id* at 286.

According to the 2016 Liquids Fuel Allocation, offered into evidence as Petitioner’s Exhibit 2, the following Second-Class Townships have similar populations: Conneaut, 4,290; Girard, 5,102; Greene, 4,706; McKean, 4,409; North East, 6,315; Summit, 6,603; and Washington, 4,432. *See Petitioner’s Exhibit 2*. A review of the “PSATS 2016 Wages & Benefits Survey Results,” offered into evidence as Petitioner’s Exhibit 8A, provides the compensation wages for Second-Class Townships with populations between 4,001 and 8,000. First, the hourly rate information for a full-time Roadmaster is: Low - \$9.00/hour, Avg. - \$23.85/hour, Med. - \$23.60/hour and High - \$36.46/hour. Second, the hourly rate information for a part-time Secretary is: Low - \$16.48/hour, Avg. - \$18.84/hour, Med. - \$17.24/hour and High - \$23.60/hour. *See Petitioner’s Exhibit 8A, pg. 10.*

Following the McKean Township meeting on January 4, 2017, Appellee Auditors froze Appellant Supervisor Bole’s compensation at \$18.00/hour; Appellee Auditors reduced Appellant Supervisor Cooper’s compensation from \$23.60/hour to \$20.19/hour; and Appellee Auditors reduced Appellant Supervisor Dennis’ compensation from \$23.60/hour to \$14.00/hour. A comparison of the 2016 PSATS Survey compensation information and Appellant Supervisors’ compensation following the January 4, 2017 township meeting clearly demonstrates Appellant Supervisors’ compensation is below the average compensation for a full-time Roadmaster and a part-time Secretary in other Second-Class Townships. Furthermore, Appellee Auditors failed to present a specific methodology for arriving at Appellant Supervisors’ compensation. According to Appellee Auditor Szymanowski,

Appellee Auditors divided the average compensation for part-time and full-time Roadmasters and Secretaries, and then multiplied the respective quotients by Appellant Supervisors' current salaries to arrive at the 2017 compensation. However, Appellee Auditors' determination simply reduces Appellant Supervisors' compensation. Appellee Auditors failed to account for "comparable compensation paid in the locality for similar services," pursuant to the Second-Class Township Code. *See* 53 P.S. §65606(a). Rather, Appellee Auditors "cherry-picked" certain Second-Class Townships that they thought subjectively were comparable to McKean Township. Therefore, although Appellee Auditors have "very broad discretion" in establishing Appellant Supervisors' compensation, *see Synoski*, 500 A.2d at 1285, this Trial Court finds and concludes the determinations made by Appellee Auditors do not adhere to statutory requirements of the Pennsylvania Second-Class Township Code.

Furthermore, the Appellee Auditors' decisions to reduce Appellant Supervisors' compensation and benefits are based upon improper bias and are arbitrary and capricious. First, Appellant Supervisor Bole supported and campaigned for Appellee Auditor Szymanowski's opponent for Auditor in 2015, which created friction between Appellee Auditor Szymanowski and Appellant Supervisor Bole. Second, Appellant Supervisors hired an independent auditor, Monahan & Monahan, to review McKean Township's finances, which became another point of contention between the McKean Township Auditors and Supervisors. Appellee Auditor Craig demonstrated displeasure about this decision to hire an independent auditor by her writing and submitting for publication a "Letter to the Editor," expressing her disapproval with Appellant Supervisors' outsourcing auditing work and Appellant Supervisors' "refusal" to supply Appellee Auditors with information relating to expenditures. Finally, during the January 4, 2017 meeting, Appellee Auditor Szymanowski refused to answer Appellant Supervisors' questions to explain why Appellee Auditors reduced Appellant Supervisors' compensation, thereby providing no rationale or basis for Appellee Auditors' decision-making. Therefore, the clear negativism between Appellee Auditors and Appellant Supervisors was the catalyst for Appellee Auditors reducing Appellant Supervisors' compensation and benefits.

Aaron Phillips, Decision Associates Business Consulting Group, was appointed by this Court, pursuant to Pa. R. E. 706. Mr. Phillips is an expert in human resources; responsibilities/duties and compensation/benefits, and his expertise was necessary to assist the undersigned judge as the trier and finder of fact. Mr. Phillips developed an agreeably and generally acceptable methodology in the field of human resources for determining Appellant Supervisors' compensation and prepared a "Compensation and Benefit Evaluation for McKean Township Supervisors," admitted as Court's Exhibit I. In Mr. Phillips' Evaluation, he analyzed and developed three (3) options in crafting the appropriate ranges of compensation. For the first option, Mr. Phillips utilized Second-Class Township data within the Northwest region; for the second option, he utilized Second-Class Township data with populations between 4,001 and 8,000; and for the final option, he utilized a custom blend of similar size and population Second-Class Townships within Erie County, Pennsylvania. *See Court's Exhibit I* pg. 2.

In developing ranges of compensation for Roadmaster, Mr. Phillips analyzed and evaluated the PSATS data, the "experience in the role in comparison to other personnel in the same role as the other [Second-Class Townships] surveyed" and the "experience in a

role performing duties similar to Roadmaster outside of [McKean Township].” *See id.*, pg. 3. Although Appellant Supervisors Bole and Cooper have less experience as Roadmasters with McKean Township than other Second-Class Townships, Mr. Phillips concluded Appellant Supervisors Bole and Cooper have more experience in performing duties similar in nature to their current role as Roadmasters. *See id.* Mr. Phillips recommended this Trial Court consider and establish Appellant Supervisors Bole and Cooper’s compensation as Roadmaster in the range between \$23.79/hour and \$28.55/hour, and further recommended the Roadmasters’ compensation should be “at or greater than the fiftieth (50th) percentile.” *See id.*

Additionally, in developing ranges of compensation for Secretary, Mr. Phillips analyzed and evaluated the PSATS data and the “experience in comparison to other [Second-Class Townships] surveyed personnel in the same role.” *See id.*, pg. 3-4. Mr. Phillips concluded Appellant Supervisor Dennis has “significantly more experience as Secretary than all other [Second-Class Townships’ Secretaries]” and recommended Appellant Supervisor Dennis’ compensation as Secretary have a salary in the range between \$18.91/hour and \$22.69/hour, with said compensation established near the top of the above-referenced compensation range due to the significant experience. *See id.*, pg. 4.

Finally, in recommending benefits for Appellant Supervisors, Mr. Phillips concluded only one Supervisor, Appellant Supervisor Cooper, is eligible for township benefits. *See id.*, pg. 6. Appellant Supervisors Bole and Dennis are employed by McKean Township part-time and only receive a supplement to Medicare. *See id.* Regarding township benefits, Mr. Phillips reviewed benefits offered to employees in surrounding Second-Class Townships and compared those benefits offered by other Second-Class Townships to the benefits offered to Appellant Supervisor Cooper, who is eligible for benefits as he is the only Supervisor by McKean Township on a full-time basis. *See id.* After thorough review, Mr. Phillips determined the benefits packages offered by other Second-Class Townships are “by and large much richer” and Appellant Supervisor Cooper’s benefits “illustrate stark differences with most benefits,” including holidays, sick time, required premium contribution for medical, dental and vision insurance and required pension comparison. *See id.*, attachment #4. Mr. Phillips concluded although Appellee Auditors were attempting to gain “parity” with township benefits and private sector benefits, he recommended a better process - a “phased-in approach,” which “would allow benefit adjustments to be made over a period of up to four (4) years.” *See id.*, pg. 7.

After review of this entire record, including testimony and evidence presented, and review of relevant statutory and case law, this Trial Court finds and concludes the generally acceptable methodology in the field of human resources prepared by Aaron Phillips, Decision Associates Business Consulting Group, is the appropriate methodology for determining Appellant Supervisors’ compensation and benefits. This Trial Court adopts Mr. Phillips’ well-reasoned and objective methodology as its own. This Trial Court also finds and concludes the appropriate compensation rate for Appellant Supervisors Bole and Cooper as Roadmasters is \$26.17/hour, which this Trial Court determined by averaging of the compensation ranges recommended by Aaron Phillips for Roadmasters. This Trial Court also finds and concludes the appropriate compensation rate for Appellant Supervisor Dennis as Secretary is \$21.75/hour, which this Trial Court determined by averaging of the compensation ranges recommended by Aaron Phillips for Secretaries (\$20.80), then averaging the top pay

range (\$22.69) with the average of the total range to arrive at the median of \$21.75/hour. Furthermore, this Trial Court finds and concludes Appellant Supervisors' benefits packages will be reinstated and the inclusion of said benefits packages for Appellant Supervisors shall not require Appellee Auditors' approval, as statutorily indicated in 53 P.S. §65606(c)(1). In addition, Appellant Supervisors' overtime pay shall be reinstated. Finally, this Trial Court finds and concludes McKean Township shall be responsible for Appellant Supervisors' reasonable attorney fees as this Trial Court's Findings of Fact and Conclusions of law are "more favorable to [Appellant Supervisors] than that awarded by the Board of Auditors." *See 53 P.S. §65915(1)*. In the event the parties cannot agree upon an amount appropriately considered as reasonable attorney's fees, this Trial Court will schedule a hearing, at the request of either party, in order to determine the appropriate amount of reasonable attorney's fees for Appellant Supervisors' counsel.

For all of the reasons set forth above, this Trial Court enters the following Order and reserves to enter additional Findings of Fact and Conclusions of Law in the future, if needed:

ORDER

AND NOW, to-wit, this 12th day of September, 2017, after thorough review of the entire record, including, but not limited to, the testimony and evidence presented at the Civil Non-Jury Trial on May 3, 2017 and July 13, 2017; the proposed Findings of Fact and Conclusions of Law submitted by both counsel; and the Supplemental Briefs in Support submitted by both counsel, as well as an independent review of relevant statutory law and case law, and as set forth above in this Trial Court's accompanying Findings of Fact and Conclusions of Law, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

- 1) Appellant McKean Township Supervisors Ronald T. Bole and Brian Cooper's compensation as Roadmasters is hereby set at \$26.17/hour;
- 2) Appellant McKean Township Supervisor Janice Dennis' compensation as Secretary is hereby set at \$21.75/hour;
- 3) Appellant Supervisors' benefits packages shall be reinstated, and Appellant Supervisors' inclusion in said township benefits shall not require Appellee Auditors' approval, as statutorily indicated in 53 P.S. §65606(c)(1);
- 4) Appellant Supervisors' overtime compensation shall be reinstated; and
- 5) McKean Township shall be responsible for Appellant Supervisors' reasonable attorney fees as this Trial Court's Findings of Fact and Conclusions of Law are "more favorable to [Appellant Supervisors] than that awarded by the Board of Auditors." *See 53 P.S. §65915(1)*. In the event the parties cannot agree upon an amount appropriately considered as reasonable attorney's fees, this Trial Court will schedule a hearing, at the request of either party, in order to determine the appropriate amount of reasonable attorney's fees for Appellant Supervisors' counsel.

BY THE COURT

/s/ Stephanie Domitrovich, Judge

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ACTION TO QUIET TITLE
GARY M. WADE AND BRENDA
M. WADE, Plaintiffs
Vs.

THOMAS FRANCIS ARTHRELL
AND DOROTHY J. ARTHRELL
THEIR HEIRS, SUCCESSORS
AND ASSIGNS, Defendants.
NO: 13270-2016 (Erie County,
Pennsylvania)

Please take notice that Gary M. Wade and Brenda M. Wade have filed an Action to Quiet Title in the Court of Common Pleas in Erie, Pennsylvania at Docket No. 13270-2016 against Thomas Francis Arthrell and Dorothy J. Arthrell, their heirs, successors and assigns. Plaintiff is the owner of property located in the Townships of Springfield and Conneaut, County of Erie, and Commonwealth of Pennsylvania, bearing Erie County Tax Index Number 39021089000100 and being more commonly known as 11613 Old Albion Road, Girard, Pennsylvania 16441. The Defendants may have some interest in the above-described property. Plaintiffs have filed this Action to Quiet Title to the property and seek to bar the defendants from ever asserting any right, title, interest, lien or claim against the property.

NOTICE:

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED. BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF.

YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYERS REFERRAL SERVICE
302 WEST NINTH STREET
ERIE, PA 16502
(814) 459-4411

IF YOU CANNOT AFFORD A LAWYER THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

David R. Devine, Esq.
201 Erie Street
Edinboro, Pennsylvania 16412
Attorney for Plaintiffs Gary M. Wade and Brenda M. Wade

Oct. 6

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 12676-17 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Siarhei Ulasavets to Sergey Ulasavets.

The Court has fixed the 20th day of November, 2017 at 10:00 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Oct. 6

FICTITIOUS NAME NOTICE

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business

under an Assumed or Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

1. Fictitious Name: Great Lakes Custom Bunk Beds.
2. Address of principal place of business, including street and number: 13007 Ridge Road, West Springfield, PA 16443.
3. The real names and addresses, including street and number, of the persons who are parties to the registration: David J. Whitcomb, 13007 Ridge Road, West Springfield, PA 16443
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on August 27, 2017.

Ronald J. Susmarski, Esq.
4030 West Lake Road
Erie, PA 16505

Oct. 6

INCORPORATION NOTICE

Notice is hereby given that Andrew Hellmann Enterprises, LLC has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

Andrew J. Hellmann
2314 Harrison Street
Erie, Pennsylvania 16510

Oct. 6

INCORPORATION NOTICE

Notice is hereby given that Idea Fund has been incorporated under the provision of the Pennsylvania Non-profit Corporation Law of 1988.

Anthony Angelone, Esquire
Erie Management Group, LLC
1540 East Lake Road, Suite 300
Erie, PA 16511

Oct. 6

LEGAL NOTICE

ATTENTION: CHRISTOPHER JAMES KUTZ
INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD C.J.K., JR. DOB: 04/22/2008
BORN TO: CATHERINE ELIZABETH PAUL
65 IN ADOPTION, 2017
If you could be the parent of the

above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Shad Connelly, Courtroom No. B-208, City of Erie on November 2, 2017 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Family/Orphan's Court Administrator
Room 204 - 205

Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S. §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/ or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court.

The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Oct. 6

LEGAL NOTICE

ATTENTION: CATHERINE ELIZABETH PAUL INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD C.J.K., JR. DOB: 04/22/2008

65 IN ADOPTION, 2017

If you could be the parent of the above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Shad Connelly, Courtroom No. B-208, City of Erie on November 2, 2017 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

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Oct. 6

LEGAL NOTICE

2004 Chevy Trailblazer VIN# 1GNLT13S342288044. Motion for involuntary transfer of ownership through court order filed in the Erie County Court House. Court proceedings to be held 10/24/17 10:30AM Courtroom 222-G in the Erie County Courthouse.

Oct. 6, 13, 20

LEGAL NOTICE

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

In the matter of John R. Falcone
a/k/a John Richard Falcone,
Deceased

(Attorney Registration No. 6522)
CIVIL DIVISION
No. 12610 of 2017

NOTICE

All funds, if any, held in the IOLTA account of Attorney Falcone will be paid over to the Pennsylvania Lawyer's Fund for Client Security, located at Pennsylvania Judicial Center, 601 Commonwealth Avenue, P.O. Box 62585, Harrisburg, PA 17106,

(717) 231-9510, www.palawfund.com, within one week from the final date of the publication of this notice. If you are a former client, please call the Quinn Law Firm at (814) 833-2222 to retrieve your files. All unclaimed files will be destroyed within thirty (30) days of the final date of this Notice, in accordance with Rule 322 of the Pennsylvania Rules of Disciplinary Enforcement. If you are in need of substitute counsel, you can contact the Erie County Bar Association Lawyer Referral and Information Service at (814) 459-4411, 302 West 9th Street, Erie, PA 16502.
Colleen R. Stumpf, Esq.
Attorney for the Estate
of John R. Falcone a/k/a
John Richard Falcone, Deceased
2222 West Grandview Blvd.
Erie, PA 16506
(814) 833-2222

Sept. 29 and Oct. 6, 13

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Bayfront Convention Center

11:45 - 12:15 p.m. - Registration/Lunch

12:15 p.m. - 1:15 p.m. - Seminar

\$ 47 (ECBA member/non-attorney staff)

\$60 (nonmember)

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- ✓ EMPOWER the female investor
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- ✓ Take control of your finances during transitions, such as divorce or death of a spouse/partner.
- ✓ Plan for future generations

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MARY K. FIORENZO

Born, raised and educated in Erie, PA, Mary is the President and CEO of Legacy Financial Consulting Services. She started her career in finance with PaineWebber in 1991, which later became UBS Financial Services. In 2003, Mary opened her own independent financial services firm, Legacy Financial Consulting Services, Inc., which is an independent office of LPL Financial, the largest independent broker dealer in the country. In a male-dominated industry, Mary has managed to grow her independent firm to six advisors, managing over \$200 million in assets. Mary holds her Series 7 Securities License, as well as her Series 24, Office of Supervisory Jurisdiction.



Reservations due to the ECBA office by Thursday, Oct. 12.

Cancellation Policy for ECBA Events/Seminars:

Cancellations received on or before the last reservation deadline will be fully refunded. Cancellations received after the deadline or non-attendance will not be refunded. If you register for an event without payment in advance and don't attend, it will be necessary for the ECBA to send you an invoice for the event.

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SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

OCTOBER 20, 2017

at 10:00 A.M.

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they **MUST** possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

John T. Loomis

Sheriff of Erie County

Sept. 29 and Oct. 6, 13

SALE NO. 1

Ex. #11419 of 2016

**NORTHWEST BANK f/k/a
NORTHWEST SAVINGS
BANK, Plaintiff**

v.

**HEATHER KLOSS BROWN,
KAIDEN BROWN, MADDOX
BROWN, GRACE BROWN and
CODY TOWELL, Sole heirs
of NATHANIEL J. BROWN,
Deceased, Defendants**

DESCRIPTION

By virtue of a Writ of Execution filed at No. 2016-11419, Northwest Bank vs. Heather Kloss Brown, Kaiden Brown, Maddox Brown, Grace Brown and Cody Towell, owners of property situate in the Township of North East, Erie County,

Pennsylvania being: 10829 West Law Road, North East, Pennsylvania.
0.5990 Acres
Assessment Map Number: (37) 22-101-9.04
Assessed Value Figure: \$140,600.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder & Schaaf, LLP
300 State Street, Suite 300
Erie, Pennsylvania 16507
(814) 456-5301

Sept. 29 and Oct. 6, 13

SALE NO. 2

Ex. #11632 of 2017

**ERIE FEDERAL CREDIT
UNION, Plaintiff**

v.

**MICHAEL J. ROBSON and
STACI M. ROBSON, Defendants**

DESCRIPTION

By virtue of Writ of Execution filed at No. 11632-2017, Erie Federal Credit Union v. Michael J. Robson and Staci M. Robson, owner of the following property identified below:

1) Situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania at 621 West 22nd Street, Erie, Pennsylvania 16502:
Assessment Map No.: 19-060-018.0-110.00

Assessed Value Figure: \$59,410.00
Improvement Thereon: Two Family Dwelling

Michael S. Jan Janin, Esquire

Pa. ID. No. 38880

The Quinn Law Firm

2222 West Grandview Boulevard

Erie, PA 16506

(814) 833-2222

Sept. 29 and Oct. 6, 13

SALE NO. 3

Ex. #11110 of 2017

**Greater Erie Area Habitat
for Humanity, Incorporated,
Plaintiff**

v.

Tammy J. Tate, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed at Civil Action - Law No. 2017-11110, Greater Erie Area Habitat for Humanity, Incorporated vs. Tammy J. Tate, owners of property situated in the City of Erie, Erie County,

Pennsylvania being: 2243 East 18th Street, Erie, Pennsylvania 16510.
Assessment Map Number: (15) 2132-308
Assessed Value Figure: \$53,390.00 (LERTA \$6,523.00)
Improvements thereon: Cape Cod style, single family dwelling
Grant M. Yochim, Esq.
Attorney for Plaintiff
24 Main Street East
Girard, PA 16417
(814) 774-2628

Sept. 29 and Oct. 6, 13

SALE NO. 4

Ex. #13429 of 2016

**ANDOVER BANK, Successor
by Merger of COMMUNITY
NATIONAL BANK OF
NORTHWESTERN
PENNSYLVANIA, Plaintiff**

v.

**THOMAS C. MCWILLIAMS
and MELISSA S.**

**MCWILLIAMS, husband and
wife, And UNITED STATES OF
AMERICA, Defendants**

DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEING Lot No. 6 of MANCHESTER FARMS SUBDIVISION as recorded in the office of the Recorder of Deeds of Erie County, Pennsylvania at Map Book 37 at Page 26 on September 26, 1990 to which reference is herein made for a more detailed description thereof, bearing Erie County Tax Index No. (21) 23-11-182.07 and commonly known as 6686 Manchester Farms Road, Fairview, PA.

William L. Walker, Esquire

Attorney for Plaintiff The Andover Bank

Thomas, Spadafore & Walker, LLP

935 Market Street

Meadville, PA 16335

(814) 332-6000

Sept. 29 and Oct. 6, 13

SALE NO. 5

Ex. #11677 of 2014

HAROLD MOORE, Plaintiff

v.

**TAWANNA JOHNSON and
SOLOMON SIMON, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2014-11677 Harold Moore vs. Tawanna Johnson and Solomon Simon, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1014 West 22nd Street, Erie, Pennsylvania 16502. Dimensions of Parcel: 62x135; Square footage: 1,104; Acres: .0918. Assessment Map Number: (19) 6030-135 Assessed Value Figure: \$43,600.00 Improvements thereon: Single family dwelling
Jay R. Stranahan, Esq.
Attorney I.D. #92658
Attorney for Harold Moore
254 West Sixth Street
Erie, Pa. 16507-1398
(814) 453-5004

Sept. 29 and Oct. 6, 13

SALE NO. 7

**Ex. #11424 of 2017
CITIZENS BANK OF
PENNSYLVANIA, Plaintiff
v.**

**Irene K. Drzazdzewski,
Defendant**

DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the 5th Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania. BEING KNOWN AS: 1240 East 31st Street, Erie, PA 16504
PARCEL #18-051-006.0-323.00
Improvements: Residential Dwelling.
Gregory Javardian, Esquire
Id. No. 55669
Attorneys for Plaintiff
1310 Industrial Boulevard
1st Floor, Suite 101
Southampton, PA 18966
(215) 942-9690

Sept. 29 and Oct. 6, 13

SALE NO. 8

**Ex. #10688 of 2017
U.S. Bank National Association,
et al, Plaintiff
v.**

**Gordon P. Geer and Betty L.
Miles, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10688-17, U.S. Bank National Association, et al vs. Gordon P. Geer and Betty L. Miles, owner(s) of property situated in Township of Venango, Erie County, Pennsylvania being 11317 Phillipsville Road, Wattsburg, PA 16442
.5142 acres; 1440 square feet
Assessment Map number: 44017022000201
Assessed Value figure: 62,700
Improvement thereon: Residential Dwelling
Stephen M. Hladik, Esq.
298 Wissahickon Avenue
North Wales, PA 19454
215.855.9521

Sept. 29 and Oct. 6, 13

SALE NO. 9

**Ex. #10906 of 2015
Deutsche Bank National Trust
Company, et al, Plaintiff
v.**

**David M. Mattison, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2015-10906, Deutsche Bank National Trust Company, et al vs. David M. Mattison, owner(s) of property situated in Washington Township, Erie County, Pennsylvania being 10880 Oliver Road
2530 Square Feet; 4.48 acres
Assessment Map number: 45001004001401
Assessed Value figure: 325,640
Improvement thereon: Residential Dwelling
Stephen M. Hladik, Esq.
298 Wissahickon Avenue
North Wales, PA 19454
215.855.9521

Sept. 29 and Oct. 6, 13

SALE NO. 11

**Ex. #11384 of 2017
MIDFIRST BANK, Plaintiff
v.**

**KARL J. GUNTHER and
PATRICIA M. GUNTHER,**

**Defendants
DESCRIPTION**

By virtue of a Writ of Execution No. 11384-17, MIDFIRST BANK, Plaintiff vs. KARL J. GUNTHER and PATRICIA M. GUNTHER, Defendants

Real Estate: 6003 GLADE DRIVE, ERIE, PA 16509
Municipality: Township of Millcreek
Erie County, Pennsylvania
See Deed Book 419, Page 210
Tax I.D. (33) 189-593-25
Assessment: \$18,800. (Land)
\$60,500. (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Sept. 29 and Oct. 6, 13

SALE NO. 13

**Ex. #10398 of 2016
MIDFIRST BANK, Plaintiff
v.**

**MYRON L. VAN TASSEL,
Defendant
DESCRIPTION**

By virtue of a Writ of Execution No. 10398-16, MIDFIRST BANK, Plaintiff vs. MYRON L. VAN TASSEL, Defendant
Real Estate: 149 EAST THIRD STREET, WATERFORD, PA 16441
Municipality: Borough of Waterford
Erie County, Pennsylvania
Dimensions: 155 ft. x 41 1/4 ft.
See Deed Book 569, Page 510
Tax I.D. (46) 9-44-7
Assessment: \$25,500. (Land)
\$67,100. (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Sept. 29 and Oct. 6, 13

SALE NO. 14

**Ex. #10285 of 2017
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.**

**DALE C. YOUNG,
ADMINISTRATOR OF THE
ESTATE OF SHIRLEY A.
YOUNG A/K/A SHIRLEY
ANN YOUNG, DECEASED,
DEFENDANT
DESCRIPTION**

By virtue of a Writ of Execution No.

10285-2017, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. DALE C. YOUNG, ADMINISTRATOR OF THE ESTATE OF SHIRLEY A. YOUNG A/K/A SHIRLEY ANN YOUNG, DECEASED, DEFENDANT
Real Estate: 824 PENNSYLVANIA AVENUE, ERIE, PA 16503
Municipality: City of Erie
Erie County, Pennsylvania
Dimensions: 29 x 72
See Deed Book 593, Page 1710
Tax I.D. (15) 2045-203
Assessment: \$5,100. (Land)
\$23,600. (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Sept. 29 and Oct. 6, 13

SALE NO. 15

Ex. #11538 of 2016
U.S. Bank National Association
as Indenture Trustee for CIM
Trust 2015-3AG Mortgage-
Backed Notes, Series 2015-3AG,
Plaintiff
v.

Christine Anderson,
administratrix of the estate
of Dennis F. Hazeltine AKA
Dennis Hazeltine; The United
States of America - Department
of Treasury, Internal Revenue
Service, Defendant

DESCRIPTION

By virtue of a Writ of Execution file to No. 2016-11538, U.S. Bank National Association as Indenture Trustee for CIM Trust 2015-3AG Mortgage-Backed Notes, Series 2015-3AG vs. Christine Anderson, administratrix of the estate of Dennis F. Hazeltine AKA Dennis Hazeltine; The United States of America - Department of Treasury, Internal Revenue Service, owner(s) of property situated in The Township of Springfield, County of Erie, Commonwealth of Pennsylvania being 13060 Biscoff Road, Albion, PA 16401
10.1060 Acres
Assessed Value figure: \$127,150.00

Improvement thereon: Single Family Dwelling
Meredith H. Wooters, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Sept. 29 and Oct. 6, 13

SALE NO. 16

Ex. #11212 of 2017
The Huntington National Bank,
Plaintiff
v.

Alfred L. Kiser, AKA Alfred
Kiser, AKA Alfred Loring Kiser;
Kathy A. Kiser, AKA Kathy
Kiser, AKA Kathy Ann Kiser,
Defendants

DESCRIPTION

By virtue of a Writ of Execution file to No. 2017-11212, The Huntington National Bank vs. Alfred L. Kiser, AKA Alfred Kiser, AKA Alfred Loring Kiser; Kathy A. Kiser, AKA Kathy Kiser, AKA Kathy Ann Kiser, owner(s) of property situated in The Township of Union City, County of Erie, Commonwealth of Pennsylvania being 8230 Shreve Road, Union City, PA 16438
5 Acres
Assessed Value figure: \$48,500.00
Improvement thereon: Single Family Dwelling
Meredith H. Wooters, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Sept. 29 and Oct. 6, 13

SALE NO. 17

Ex. #11780 of 2016
Federal National Mortgage
Association ("Fannie Mae"),
Plaintiff
v.

Arlene Perry-Seifried, in her
Capacity as Heir at Law of Fern
B. Elliot, Deceased, Allen Perry,
in his Capacity as Heir at Law of
Fern B. Elliot, Deceased, Bonnie
Perry, in her Capacity as Heir at
Law of Fern B. Elliot, Deceased,
John Perry, Jr., in his Capacity
as Heir at Law Of Fern B. Elliot,
Deceased and Unknown Heirs,
Successors, Assigns and All

Persons, Firms or Associations
Claiming Right, Title Or Interest
From Or Under Fern B. Elliott,
Deceased, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2016-11780, Federal National Mortgage Association ("Fannie Mae") v. Arlene Perry-Seifried, in her Capacity as Heir at Law of Fern B. Elliot, Deceased, Allen Perry, in his Capacity as Heir at Law of Fern B. Elliot, Deceased, Bonnie Perry, in her Capacity as Heir at Law of Fern B. Elliot, Deceased, John Perry, Jr., in his Capacity as Heir at Law Of Fern B. Elliot, Deceased and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title Or Interest From Or Under Fern B. Elliott, Deceased, Owner(s) of property situated in Township of Springfield, Erie County, Pennsylvania, being 7204 Huntley Road, West Springfield, PA 16443

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the Township of Springfield, County of Erie, Commonwealth of Pennsylvania bounded and described as follows, to-wit:

BEGINNING at a stone on the highway running from E. Armstrongs to Shermans and Porters Mills: thence running South 53 degrees East, 36 rods, five links along said highway on the North line of Samuel Rea; thence West 30 perches to a stone on said line; thence North 102 perches and 12 links to the place of beginning.

The above piece or parcel of land contains an area of seventeen and one tenth (17.1) acres, more or less. Being Parcel 4, Block 80 in Erie County Assessor's Map 25.

This deed is being re-recorded to eradicate the 'Legal Affidavit' filed by First Party against Second Party recorded at Erie County Recorder of Deeds Book 782, page 958 on June 11, 2001; therefore there is no transfer tax with regard to this deed
Assessment Map number: 39-025-080.0-004.00

Assessed Value figure: \$139,490.00
Improvement thereon: Residential

Dwelling
 MARTHA E. VON ROSENSTIEL, PC.
 Martha E. Von Rosenstiel, Esq / No
 52634
 Heather Riloff, Esq / No 309906
 Tyler J. Wilk, Esq / No 322247
 649 South Ave, Ste 7
 Secane, PA 19018
 (610) 328-2887
 Attorneys for Plaintiff
 Sept. 29 and Oct. 6, 13

SALE NO. 18

Ex. #11511 of 2017

**Federal National Mortgage
 Association ("Fannie Mae"),
 Plaintiff
 v.**

**Carol L. Smith, Defendant
 DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11511-17, Federal National Mortgage Association ("Fannie Mae") v. Carol L. Smith, Owner(s) of property situated in City of Erie, Erie County, Pennsylvania, being 2621 Raspberry Street, Erie, PA 16508
 all that certain piece or parcel of land situate in the City of Erie, County of Erie, and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the East line of Raspberry Street, Two Hundred Three and One-Fourth (203 1/4) feet Southwardly from the point of intersection of the South line of Twenty-Sixth Street with the East line of Raspberry Street; thence Eastwardly parallel with Twenty-Sixth Street, One Hundred Seven and Sixty-Five Hundredths (107.65) feet to a point; thence Southwardly, parallel with Raspberry Street, Thirty-Three (33) feet to a point; thence Westwardly, parallel with Twenty-Sixth Street, One Hundred Seven and Twenty-Eight Hundredths (107.28) feet to the East line of Raspberry Street; thence Northwardly along the East line of Raspberry Street, Thirty-Three (33) feet to the place of beginning.
 Said premises are commonly known as 2621 Raspberry Street, Erie, Pennsylvania, and are further identified by Erie County Assessment Index No. (19) 6037-323.

Being the same premises conveyed to the Parties of the First Part by deed dated May 26, 1983, and recorded May 27, 1983, in Erie County Deed Book 1496 at page 37. Subject to a driveway agreement which is covenant running with the land, entered into by Workingman's Building and Loan Association, et al. January 6, 1939, and recorded January 17, 1939, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Contract Book 18, Page 791, which driveway is between properties known as 2619 Raspberry Street and 2621 Raspberry Street (the property herein described), and which is Eight (8) feet in width and extends from the East line of Raspberry Street Eastwardly Eighty (80) feet, more or less.
 Assessment Map number: 19-060-037-.0-323.00
 Assessed Value figure: \$87,180.00
 Improvement thereon: Residential Dwelling
 MARTHA E. VON ROSENSTIEL, PC.
 Martha E. Von Rosenstiel, Esq / No 52634
 Heather Riloff, Esq / No 309906
 Tyler J. Wilk, Esq / No 322247
 649 South Ave, Ste 7
 Secane, PA 19018
 (610) 328-2887
 Attorneys for Plaintiff
 Sept. 29 and Oct. 6, 13

SALE NO. 19

Ex. #10174 of 2017

**WELLS FARGO BANK, N.A.,
 Plaintiff**

v.

**Christopher A. Andrzejewski
 and Heather B. Spitulski a/k/a
 Heather B. Biggie, Defendants**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10174-17, WELLS FARGO BANK, N.A. vs. Christopher A. Andrzejewski and Heather B. Spitulski a/k/a Heather B. Biggie, owners of property situated in Erie City, Erie County, Pennsylvania being 3320 Charlotte Street, Erie, PA 16508
 Square Feet: 1,040 Acreage: 0.1510
 Assessment Map number: 19061047020100

Assessed Value figure: 86,110.00
 Improvement thereon: Residential Dwelling
 Roger Fay, Esquire
 1 E. Stow Road
 Marlton, NJ 08053
 (856) 482-1400
 Sept. 29 and Oct. 6, 13

SALE NO. 20

Ex. #10971 of 2017

**PHH Mortgage Corporation,
 f/k/a Instamortgage.com,
 Plaintiff**

v.

**David Getz a/k/a David B. Getz,
 Defendant(s)
 DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10971-17, PHH Mortgage Corporation, f/k/a Instamortgage.com vs. David Getz a/k/a David B. Getz
 Amount Due: \$67,505.05
 David Getz a/k/a David B. Getz, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 1229 West 10th Street, a/k/a 1229 - 1231 West 10th Street, Erie, PA 16502
 Dimensions: 41.25 X 165
 Assessment Map number: 16030058011200
 Assessed Value: \$77,225.00
 Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000
 Sept. 29 and Oct. 6, 13

SALE NO. 21

Ex. #12626 of 2016

**CitiMortgage, Inc., Plaintiff
 v.**

**Gary M. Graham, Defendant(s)
 DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12626-16, CitiMortgage, Inc. vs. Gary M. Graham
 Amount Due: \$82,288.09
 Gary M. Graham, owner(s) of property situated in UNION CITY BOROUGH, 1ST, Erie County, Pennsylvania being 15 Prospect ST, Union City, PA 16438-1130
 Dimensions: .1768 Acres

Assessment Map number: 41-005-010.0-011.00
Assessed Value: \$64,900.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Sept. 29 and Oct. 6, 13

SALE NO. 22

Ex. #10064 of 2017

**Wells Fargo Bank, N.A. as
Trustee for Bear Stearns Asset
Backed Securities I Trust 2004-
Bo1, Plaintiff**

v.

**Karen Hofius, in Her Capacity
as Heir of James E. Griffith a/k/a
James Edward Griffith, Deceased
Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest From or Under
James E. Griffith a/k/a James
Edward Griffith, Deceased,
Defendant(s)**

DESCRIPTION

By virtue of a Writ of Execution
filed to No. 10064-17, Wells Fargo
Bank, N.A. as Trustee for Bear
Stearns Asset Backed Securities I
Trust 2004-Bo1 vs. Karen Hofius,
in Her Capacity as Heir of James
E. Griffith a/k/a James Edward
Griffith, Deceased, Unknown
Heirs, Successors, Assigns, and All
Persons, Firms, or Associations
Claiming Right, Title or Interest
From or Under James E. Griffith
a/k/a James Edward Griffith,
Deceased

Amount Due: \$52,714.99

Karen Hofius, in Her Capacity
as Heir of James E. Griffith a/k/a
James Edward Griffith, Deceased,
Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right, Title
or Interest From or Under James
E. Griffith a/k/a James Edward
Griffith, Deceased, owner(s) of
property situated in ERIE CITY,
Erie County, Pennsylvania being
824 East 29th Street, Erie, PA
16504-1260

Dimensions: 34 X 125

Assessment Map number:
18050057022900
Assessed Value: \$62,660.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Sept. 29 and Oct. 6, 13

SALE NO. 23

Ex. #10707 of 2017

**Ditech Financial LLC, Plaintiff
v.**

**Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest From or Under
Jack G. Koon a/k/a Jack Gaylord
Koon, Sr. a/k/a Jack Sr. Koon,
Deceased, Defendant(s)**

DESCRIPTION

By virtue of a Writ of Execution
filed to No. 10707-17, Ditech
Financial LLC vs. Unknown
Heirs, Successors, Assigns, and All
Persons, Firms, or Associations
Claiming Right, Title or Interest
From or Under Jack G. Koon a/k/a
Jack Gaylord Koon, Sr. a/k/a Jack
Sr. Koon, Deceased

Amount Due: \$57,082.16

Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right, Title
or Interest From or Under Jack G.
Koon a/k/a Jack Gaylord Koon,
Sr. a/k/a Jack Sr. Koon, Deceased,
owner(s) of property situated in
WASHINGTON TOWNSHIP, Erie
County, Pennsylvania being 12801
Sharp Road, a/k/a 12801 Route 86,
Waterford, PA 16441

Dimensions: 156.75 X 128.38

Acreage: 0.4620

Assessment Map number:
45010017000900

Assessed Value: \$71,400.00

Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Sept. 29 and Oct. 6, 13

SALE NO. 24

Ex. #11230 of 2017

**Mb Financial Bank, National
Association, Plaintiff**

v.

John A. Miller, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed
to No. 11230-2017, Mb Financial
Bank, National Association vs. John
A. Miller

Amount Due: \$101,110.31

John A. Miller, owner(s) of property
situated in ERIE CITY, Erie County,
Pennsylvania being 2714 East 44th
Street, Erie, PA 16510-3970

Dimensions: 60 X 125

Assessment Map number:
18052059022200

Assessed Value: \$82,380.00

Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Sept. 29 and Oct. 6, 13

SALE NO. 25

Ex. #11360 of 2015

Ditech Financial LLC, Plaintiff

v.

**Brian A. Ogradowczyk,
Defendant(s)**

DESCRIPTION

By virtue of a Writ of Execution filed
to No. 11360-15, Ditech Financial
LLC vs. Brian A. Ogradowczyk

Amount Due: \$94,261.04

Brian A. Ogradowczyk, owner(s) of
property situated in MILLCREEK
TOWNSHIP, Erie County,
Pennsylvania being 1014 Potomac
Avenue, a/k/a 1014 Potomac Ave
Ave, Erie, PA 16505

Assessment Map number:
33027086001300

Assessed Value: \$104,000.00

Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Sept. 29 and Oct. 6, 13

SALE NO. 26

Ex. #11178 of 2017

**PENNYMAC LOAN SERVICES,
LLC, Plaintiff**

v.

**TERRY L. BARRETT, JR.,
ERICA L. KOVACH, Defendants
DESCRIPTION**

ALL THAT CERTAIN PIECE OR
PARCEL OF LAND SITUATE IN
THE CITY OF ERIE, COUNTY OF
ERIE AND COMMONWEALTH
OF PENNSYLVANIA.

BEING KNOWN AS: 1642 42ND
STREET, ERIE, PA 16510

PARCEL # (18) 5252-203

Improvements: Residential
Dwelling.

POWERS KIRN & ASSOCIATES, LLC
Amanda L. Rauer, Esquire
Id. No. 307028

Attorneys for Plaintiff
Eight Neshaminy Interplex
Suite 215

Trevose, PA 19053

(215) 942-2090

Sept. 29 and Oct. 6, 13

SALE NO. 27

Ex. #11058 of 2017

**Wells Fargo Bank, N.A., as
Trustee for Carrington Mortgage
Loan Trust, Series 2006-FRE2
Asset-Backed Pass-Through
Certificates, Plaintiff**

v.

**Joseph P. DiBello, Defendant
DESCRIPTION**

By virtue of a Writ of Execution
filed to No. 2017-11058, Wells
Fargo Bank. N.A. as Trustee for
Carrington Mortgage Loan Trust,
Series 2006-FRE2 Asset-Backed
Pass-Through Certificates vs.
Joseph P. DiBello, owner(s) of
property situated in City of Erie,
Erie County, Pennsylvania being
1357 West 24th Street, Erie, PA
16502

0.1058

Assessment Map number:
19062004021300

Assessed Value figure: \$66,600.00
Improvement thereon: a residential
dwelling

Samantha Gable, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150

King of Prussia, PA 19406

(610) 278-6800

Sept. 29 and Oct. 6, 13

SALE NO. 28

Ex. #11549 of 2017

**PHH Mortgage Corporation
a/k/a PHH Mortgage Services,
Plaintiff
v.**

**Matthew L. Harris, Sr. and
Melanie R. Harris, Defendant
DESCRIPTION**

By virtue of a Writ of Execution
filed to No. 2017-11549, PHH
Mortgage Corporation a/k/a PHH
Mortgage Services vs. Matthew L.
Harris, Sr. and Melanie R. Harris,
owner(s) of property situated
in Township of Millcreek, Erie
County, Pennsylvania being 4710
Kaylin Court, Erie, PA 16506

0.3374

Assessment Map number:
33092376512300

Assessed Value figure: \$227,070.00

Improvement thereon: a residential
dwelling

Samantha Gable, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King of Prussia, PA 19406
(610) 278-6800

Sept. 29 and Oct. 6, 13

SALE NO. 29

Ex. #10784 of 2017

**M&T Bank, Plaintiff
v.**

**Angela J. Rekitt, Defendant
DESCRIPTION**

PARCEL NO.: (18) 5138-201

ALL THAT CERTAIN piece
or parcel of land situate in the
City of Erie, County of Erie and
Commonwealth of Pennsylvania,
being Lot No. 21 of the
Homeowner's Subdivision, a plot of
said subdivision being recorded in
Erie County Map Book 8, Page 20.
HAVING erected thereon a frame
dwelling house commonly known
and municipally numbered as
2358 Woodlawn Avenue, Erie, PA
16510 and bearing Erie County Tax
Assessment No. (18) 5138-201.

Fee Simple Title Vested in Angela J.
Rekitt by deed from, CitiMortgage,

Inc., s/b/m with Citifinancial
Mortgage Company, Inc., dated
7/24/2006, recorded 8/10/2006, in
the Erie County Recorder of deeds
in Deed Book 1351, Page 1121, as
Instrument No. 2006-025146.

PROPERTY ADDRESS: 2358
Woodlawn Avenue, Erie, PA 16510
PARCEL ID # 18051038020100

Edward J. McKee, Esquire
Stern & Eisenberg, PC

1581 Main Street, Suite 200
The Shops at Valley Square

Warrington, PA 18976

(215) 572-8111

Sept. 29 and Oct. 6, 13

SALE NO. 30

Ex. #10940 of 2017

**LSF9 Master Participation Trust,
Plaintiff
v.**

**Harry J. Krahnke, Defendant
DESCRIPTION**

By virtue of a Writ of Execution
filed to No. 10940-17, LSF9
Master Participation Trust v. Harry
J. Krahnke, owners of property
situated in the Township of City
of Erie, Erie County, Pennsylvania
being 1319 West 30th Street, Erie,
Pennsylvania 16508.

Tax I.D. No. 19062023030700

Assessment: \$56,499.73

Improvements: Residential
Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

Sept. 29 and Oct. 6, 13

SALE NO. 31

Ex. #12007 of 2011

**Ditech Financial LLC f/k/a Green
Tree Servicing LLC, Plaintiff
v.**

Mary Pat Shallenbarger a/k/a

Mary Pat Ritenour, Known

Surviving Heir of Edward J.

Shallenbarger a/k/a Edward

James Shallenbarger, Deceased

Mortgagor and Real Owner,

Trisha M. Shallenbarger, Known

Surviving Heir of Edward J.

Shallenbarger a/k/a Edward

James Shallenbarger, Deceased

Mortgagor and Real Owner and

Unknown Surviving Heirs of

**Edward J. Shallenbarger a/k/a
Edward James Shallenbarger,
Deceased Mortgagor and Real
Owner, Defendant**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12007-2011, Ditech Financial LLC f/k/a Green Tree Servicing LLC v. Mary Pat Shallenbarger a/k/a Mary Pat Ritenour, Known Surviving Heir of Edward J. Shallenbarger a/k/a Edward James Shallenbarger, Deceased Mortgagor and Real Owner, Trisha M. Shallenbarger, Known Surviving Heir of Edward J. Shallenbarger a/k/a Edward James Shallenbarger, Deceased Mortgagor and Real Owner and Unknown Surviving Heirs of Edward J. Shallenbarger a/k/a Edward James Shallenbarger, Deceased Mortgagor and Real Owner, owners of property situated in the Township of Township of Millcreek, Erie County, Pennsylvania being 2432 Crescent Drive, Erie, Pennsylvania 16506.

Tax I.D. No. 33050300001800

Assessment: \$59,035.21

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109

215-790-1010

Sept. 29 and Oct. 6, 13

SALE NO. 32

Ex. #10110 of 2017

**The Huntington National Bank,
Plaintiff**

v.

**Christopher R. Thomas,
Defendant**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10110-17, The Huntington National Bank v. Christopher R. Thomas, owners of property situated in the Township of Township of Millcreek, Erie County, Pennsylvania being 3444 Anne Marie Drive, Erie, Pennsylvania 16506.

Tax I.D. No. 33-125-555.1-210.00

Assessment: \$35,548.22

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

Sept. 29 and Oct. 6, 13

SALE NO. 33

Ex. #10573 of 2017

**PNC BANK, NATIONAL
ASSOCIATION, Plaintiff**

v.

**MICHAEL A. FINCHIO
A/K/A MICHEL FINCHIO
AND RENEE A. FINCHIO,**

Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10573-2017, PNC BANK, NATIONAL ASSOCIATION vs. MICHAEL A. FINCHIO A/K/A MICHEL FINCHIO AND RENEE A. FINCHIO, owner(s) of property situated in TOWNSHIP OF WATERFORD, Erie County, Pennsylvania being 12607 Donation Road, Waterford, PA 16441

5.0000 Acres

Assessment Map number: 47-019-044.0-022.00

Assessed Value figure: \$93,200.00

Improvement thereon: one-family, one-story frame dwelling

Brett A. Solomon, Esquire

Michael C. Mazack, Esquire

Tucker Arensberg, P.C.

1500 One PPG Place

Pittsburgh, PA 15222

(412) 566-1212

Sept. 29 and Oct. 6, 13

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same and all persons indebted to said estates are requested to make payment without delay to the executors or their attorneys named below.

FIRST PUBLICATION

**BROWN, EVELYN B.,
deceased**

Late of the City of Erie, Greene Township, County of Erie and Commonwealth of Pennsylvania
Executor: Billy Joe Brown, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**KUBEJA, SUZANNE R., a/k/a
SUZANNE KUBEJA,
deceased**

Late of Township of Fairview, Erie County, Commonwealth of Pennsylvania
Executor: J. Mark Kubeja, c/o 120 W. 10th Street, Erie, PA 16501
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**MROCZKOWSKI, CHARLES
DAVID,
deceased**

Late of the Borough of Edinboro, County of Erie and Commonwealth of Pennsylvania
Administratrix: Donna M. Mroczkowski, 3762 Harbor Ridge Trail, Erie, PA 16510-5956
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**ROBEY, IRENE M.,
deceased**

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Executor: James E. Robey, 10783 Chicory Trail, Mattawan, MI 49071
Attorney: Thomas Dana Watson, POB 5174, 13848 Conneaut Lake Rd., Conneaut Lake, PA 16316-5174

**SCHUBERT, ANDREW JAMES,
deceased**

Late of City of Erie
Administratrix: Shannon Paul, 3227 West 22nd St., Erie, PA 16506
Attorney: None

SECOND PUBLICATION

**ANDRZEJCZAK, ELSIE M.,
a/k/a ELSIE MARIE SHAFER
ANDRZEJCZAK, a/k/a ELSIE
MARIE ANDRZEJCZAK, a/k/a
ELSIE ANDRZEJCZAK,
deceased**

Late of the Township of Girard, County of Erie, State of Pennsylvania
Co-Executrices: Kathleen A. Chaffee, 10955 Cross Station Road, Girard, PA 16417 and Tammy Andrzejczak, 10933 Cross Station Road, Girard, PA 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**ASH, JERLENE J., a/k/a
JERLENE ASH,
deceased**

Late of the Township of Conneaut, County of Erie, State of Pennsylvania
Co-Executors: Sherry D. Frame, 11355 Route 18, Albion, Pennsylvania 16401 and Garrett Frame, 11355 Route 18, Albion, Pennsylvania 16401
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**BOWE, WILLIAM E.,
deceased**

Late of City of Erie, County of Erie, and Commonwealth of Pennsylvania
Administratrix: Eileen P. Bowe, 2910 Greengarden Blvd., Erie, PA 16508
Attorney: Gary K. Schonthaler, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**FLAHERTY, FREDERICK F.,
deceased**

Late of City of Erie, Erie County, Erie, Pennsylvania
Executor: Dennis E. Flaherty, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428

**GORNALL, MARY ANN,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Lisa Marie DeMarco, 320 Nevada Drive, Erie, PA 16505-2130
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**HAUS, DAVID ALLEN, a/k/a
DAVE HAUS,
deceased**

Late of the Lake City, County of Erie and Commonwealth of Pennsylvania
Executrix: Julie Hassing
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**HOYT, MARGARET A.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: Kathleen L. Stearns
Attorney: The McDonald Group, L.L.P., Thomas J. Buseck, Esquire, 456 West Sixth Street, Erie, PA 16507-1216

**LEONE, PRISCILLA,
deceased**

Late of the County of Erie,
Commonwealth of Pennsylvania
Executor: Leonard J. Leone, 5819
Southland Drive, Erie, PA 16510
Attorney: Robert M. Barbato, Jr.,
Esquire, 1314 Griswold Plaza,
Erie, PA 16501

**MESSENGER, CHARLES E.,
a/k/a CHARLES MESSENGER,
deceased**

Late of the City of Erie,
Commonwealth of Pennsylvania
Executrix: Carol F. Messenger, c/o
Vendetti & Vendetti, 3820 Liberty
Street, Erie, Pennsylvania 16509
Attorney: James J. Bruno, Esquire,
Vendetti & Vendetti, 3820 Liberty
Street, Erie, PA 16509

**MORFORD, MARJORIE R.,
deceased**

Late of Edinboro
Executor: Elaine R. Carver, 250
Whetherburn Drive, Wexford,
PA 15090
Attorney: John M. Hartzell, Jr.,
Esquire, Houston Harbaugh,
PC, Three Gateway Center, 401
Liberty Avenue, 22nd Floor,
Pittsburgh, PA 15222-1005

**SCHAPER, ELOISE R., a/k/a
ELOISE SCHAPER, a/k/a
ELOISE A. SCHAPER,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Co-Executors: Mary Laver and
Bonnie Crisman, c/o William J.
Schaaf, Esq., Suite 300, 300 State
Street, Erie, PA 16507
Attorney: William J. Schaaf, Esq.,
Suite 300, 300 State Street, Erie,
PA 16507

TRUST NOTICES

Notice is hereby given of the
administration of the Trust set forth
below. All persons having claims
or demands against the decedent
are requested to make known the
same and all persons indebted to
said decedent are required to make
payment without delay to the trustees
or attorneys named below:

**HAAS, JOSEPH F.,
deceased**

Late of the Township of Millcreek,
County of Erie, Commonwealth of
Pennsylvania
Trustee: Francis W. Haas, 3303
39th Place West, Bradenton, FL
34205
Attorneys: MacDonald, Illig, Jones
& Britton, LLP, 100 State Street,
Suite 700, Erie, Pennsylvania
16507-1459

THIRD PUBLICATION

**BAUR, BEVERLY P., a/k/a
BEVERLY BAUR, a/k/a
BEVERLY PEYTON BAUR,
deceased**

Late of the City of Erie, Erie
County, Pennsylvania
Co-Executors: B. Douglas Baur
and Suzanne Plummer Baur, c/o
Nadia A. Havard, Esq., Knox
McLaughlin Gornall & Sennett,
P.C., 120 West Tenth Street, Erie,
PA 16501
Attorney: Nadia A. Havard, Esq.,
Knox McLaughlin Gornall &
Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**BEMER, RUTH M.,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: John J. Ciurzynski, 5665
Southwestern Blvd., Unit 30B,
Hamburg, NY 14075-3667
Attorneys: MacDonald, Illig, Jones
& Britton LLP, 100 State Street,
Suite 700, Erie, Pennsylvania
16507-1459

**CEBE, CHARMAINE,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Administratrix: Yvonne J. Cebe,
c/o 504 State Street, Suite 300,
Erie, PA 16501
Attorney: Alan Natalie, Esquire,
504 State Street, Suite 300, Erie,
PA 16501

**DITRICH, SUSAN M.,
deceased**

Late of the Township of Millcreek,
County of Erie and Commonwealth
of Pennsylvania
Executor: Vincent H. Ditrich
Attorney: David J. Rhodes,
Esquire, ELDERKIN LAW FIRM,
150 East 8th Street, Erie, PA 16501

**GARIEPY, PEGGY L., a/k/a
PEGGY GARIEPY,
deceased**

Late of the Borough of Lake
City, County of Erie, State of
Pennsylvania
Administratrix: Susan Suscheck,
13875 Ridge Road, West
Springfield, PA 16443
Attorney: Grant M. Yochim, Esq.,
24 Main St. E., P.O. Box 87,
Girard, PA 16417

**GODDARD, JOHN H.,
deceased**

Late of the Township of
Harborcreek, County of Erie,
Commonwealth of Pennsylvania
Administrator: Richard D.
Goddard, 6027 Pebble Creek
Drive, Fairview, PA 16415
Attorneys: MacDonald, Illig, Jones
& Britton LLP, 100 State Street,
Suite 700, Erie, Pennsylvania
16507-1459

**KLIE, THOMAS A.,
deceased**

Late of the City of Erie, County
of Erie
Executor: Melissa Klie
Attorney: Barbara J. Welton,
Esquire, 2530 Village Common
Dr., Suite B, Erie, PA 16505

**MANNARINO, SILVIO J.,
deceased**

Late of the Township of Millcreek,
County of Erie and Commonwealth
of Pennsylvania
Executrix: Michelle A. Fischer,
1404 West 54th Street, Erie, PA
16509-2432
Attorneys: MacDonald, Illig, Jones
& Britton LLP, 100 State Street,
Suite 700, Erie, Pennsylvania
16507-1459

**RUTKOWSKI, MARJORIE A.,
deceased**

Late of the City of Erie
Administrator: Paul McLaughlin
Attorney: John Mizner, 311 West
Sixth Street, Erie, PA 16507

**SCHUBECK, JANET,
deceased**

Late of Harborcreek Township,
Erie County, Pennsylvania
Executor: Andrea F. McKenna,
1525 North Front Street, Unit 103,
Harrisburg, PA 17102
Attorney: Andrea F. McKenna,
Esq., 1525 North Front Street, Unit
103, Harrisburg, PA 17102

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