

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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- Conference Room Facilities • Legal Assistance
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www.lycolaw.org

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

6/25/2018 – Executive Committee Meeting: *Regular meeting of the LLA Executive Committee.* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

6/26/2018 – Criminal Law Committee Meeting: *Criminal Law Committee meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** Courtroom #1

The Lycoming Law Association office conference room is available for rental by both members and non-members. The office has a large conference table and additional area for chairs. Coffee and food services are available.

The space is ideal for depositions or small presentations. Equipment, including a projector and screen, DVD and VHS players and television, is available for use.

The cost for non-LLA members is \$100 per day. Members may use the conference room at no cost.

Scheduling arrangements may be made with Michele Frey, (570) 323-8287 or mfrey@lycolaw.org.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 5/24/2018 – The Basics and Nuances of Disciplining Public Employees:** *Eat & Earn CLE. Presented by: Ryan Tira, Esq. CLE credits:* 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/7/2018 – Powers of Appointment: A Useful Estate Planning Tool:** *PBI Video Replay. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:00 PM. **Location:** Lycoming Law Association Office
- 6/12/2018 – Post Conviction Relief Act Practice and Procedural Tips:** *Eat and Earn CLE. Presented by: Donald F. Martino, Esq. CLE credits:* 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/14/2018 – Dealing With Financial Institutions in Estates & Elder Law:** *PBI Video Replay. CLE credits:* 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/18/2018 – Sheriff’s Sales in PA:** *PBI Video Replay. CLE credits:* 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/28/2018 – Social Security Disability: The Basics:** *PBI Video Replay. CLE credits:* 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/31/2018 – Private Eyes Are Watching You: Privacy in the Workplace:** *PBI Groupcast. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office

*PBI Seminar. For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.

**LLA Seminar. For tuition, registration, location, and all other information, please contact Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@lycolaw.org, or online at www.lycolaw.org.

The full text of the following Lycoming County Court opinions is reported at www.lycolaw.org/cases/search.asp

- **Commonwealth vs. Long** (05/15/2018)—Judge Marc F. Lovecchio
Criminal: Reconsideration motion regarding rejection of plea agreement; DUI second offense; acceptance of ARD as prior offense; plea agreement binding the court; obligation of the court to follow the law and impose mandatory sentence even though no party objects to a lower sentence. (Long051518L)
- **Commonwealth vs. Shaffer** (05/15/2018)—Judge Marc F. Lovecchio
Criminal: Post-sentence motion; sexual offenses involving a child; sentencing factors including nature and circumstances of offenses, defendant's history and characteristics, the court's observations, pre-sentence report, guidelines and other relevant information; lack of interest in rehabilitation; risk of re-offense; sentencing discretion; use of witness to authenticate statement made to another party; business record; use of unacknowledged statement for cross-examination; evidence of reputation around children. (Shaffer051518L)

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LYCOMING LAW ASSOCIATION FOUNDATION

The Lycoming Law Association Foundation expresses its great appreciation for the following contributions to the Charlie Caffrey Memorial Fund:

Contribution by McNerney Page Vanderlin & Hall

Contribution by Herbert Rieders Foundation
Recovery of Objects Judaica

Contribution by the Lycoming Law Association

These contributions assist the LLA Foundation in furthering its purpose of providing access to justice for civil legal services needed by low-income people in Lycoming County and supporting law-related community events.

The LLA Foundation is funded entirely through the support of the LLA Members. Thank you.

—The Lycoming Law Association Foundation

May 18

**IN THE COURT OF COMMON PLEAS OF
LYCOMING COUNTY, PENNSYLVANIA**

In Re: APPOINTMENT OF A :
 COMMITTEE TO DRAFT : NO. 18-000006
 RESOLUTIONS IN THE :
 DEATH OF CHARLES A. :
 CAFFREY, ESQUIRE :

RESOLUTIONS OF COMMITTEE

TO THE HONORABLE JUDGES OF SAID COURT:

The Committee appointed by your Honorable Court to prepare Resolutions concerning the death of Charles A. Caffrey, Esquire, reports as follows:

Charles Augustine Caffrey was born on August 15, 1930 in Plains Township, Pennsylvania. He was the son of Anthony Michael and Josephine (Brady) Caffrey. Charles was known to most as Charlie.

Charlie grew up near the anthracite coal mines, and the colliery where his father worked as a young boy. His home and the neighborhood playground on Helen Street stood in the shadow of the colliery and a culm bank. He cherished his mother, his father, his brother, and his three sisters, all of whom were towering figures in his life. He was proud of his Irish heritage, but was a consummate American.

Charlie and the former Mary Alice Goobic started dating in 1950 on the day the Korean War broke out. Charlie and Mary Alice were married on July 2, 1953 and together they celebrated sixty-four (64) years of marriage. In spite of leaving his beloved Plains in the early 1950s, Charlie never lost his affection for the place, its history or its people. Charlie was the valedictorian of the 1948 graduating class of Sacred Heart High School in Plains Township (Wilkes-Barre, Pennsylvania). Charlie attended Wilkes University and graduated in 1952 with a BA in political science, becoming the first in his family to earn a four (4) year degree. While attending Wilkes, Charlie played on the college's hockey team.

After graduating from college, Charlie was drafted into the U.S. Army where he served in Army Intelligence until being honorably discharged in 1956. After his service in the military, he went

to work for the National Security Agency as an analyst during the height of the Cold War with the former Soviet Union. Charlie never spoke of what he did with the NSA other than to say he learned the Russian language.

While working at the NSA, Charlie enrolled in law school, attending George Washington University at night and graduating in three and one-half (3-1/2) years. As a law student, Charlie was on Law Review and passed the bar exam before earning his degree.

After graduating from law school in 1959, Charlie went to work for the National Labor Relations Board in Washington, D.C. It was at the NLRB that his love of labor and employment law blossomed. While at the NLRB, Charlie became the first President of the Union representing NLRB attorneys. Also during his time at the NLRB, Charlie spent two and one-half (2-1/2) years earning his LLM from Georgetown University in Washington, D.C., graduating in 1962.

In 1967, Charlie accepted a position at Stroehmann Brothers Baking in Williamsport, Pennsylvania. At that time, Stroehmann Brothers Baking was the country's largest independently owned wholesale baking firm. Charlie moved his family to Williamsport in 1967 and never considered leaving the area. He spent twenty-two (22) years with Stroehmann Brothers Baking, rising to the position of Vice President and General Counsel, negotiating many labor contracts, dealing with numerous strikes and labor stoppages, as well as many Union-organizing campaigns. Professionally, Charlie loved nothing more than negotiating contracts with the Teamsters and Bakery and Confectionary Workers Unions. Throughout his life, Charlie maintained close relationships with Union representatives, the foundation of which was the mutual respect built during marathon, good faith bargaining sessions. Charlie retired from Stroehmann as Senior Vice President and General Counsel in 1989 and entered private law practice where he spent the last eighteen (18) years of his working career. He took great pride in being a knowledgeable, experienced, and expert practitioner of his craft: labor and employment law.

Charlie was a fifty (50) year member of St. Boniface Catholic Church, was active in the West Branch Manufacturing Association and served on many labor management boards and committees. Charlie was an avid reader of all genres, especially historical and biographical works, as well as the classics. He also enjoyed hiking,

mountain climbing, running and traveling, especially to Nantucket and Hawaii and, later in life, he enjoyed long walking tours in Europe.

Charlie passionately loved music, especially jazz, and especially loved playing his baby grand piano. He was also an avid, even legendary walker.

Charlie died January 12, 2018 at age 87.

Charlie's family has lost a beloved father and grandfather. Society has lost a contributing and exemplary member. The Lycoming Law Association has lost an excellent practitioner.

Your Committee recommends the adoption of the following Resolutions:

NOW THEREFORE, BE IT RESOLVED, that we, the undersigned, joined by the Lycoming County Bar, do recognize the passing of Charles A. Caffrey, Esquire, and recommend adopting the following resolutions.

BE IT RESOLVED, that in the passing of Charles A. Caffrey there has been a loss to the Bar of Lycoming County of an able and conscientious member who upheld and exemplified the highest tradition of the legal profession, a loss to the community of a valued participant, a loss to his family of a devoted, kind and loving father and grandfather, and a loss to his friends and acquaintances of a sincere and caring man.

BE IT FURTHER RESOLVED, that this Court and this Bar do hereby extend to Charlie's sons, Brian and his wife Angelique, Michael and his wife Tamara, and his grandchildren, Alayna, Anthony and Patrick, a deep and heartfelt expression of sympathy.

BE IT FURTHER RESOLVED, that this Resolution be spread at length upon the Minutes of the Court of Common Pleas of Lycoming County and that copies of the same be sent to Charlie's sons and grandchildren.

Respectively Submitted,

Thomas C. Marshall, Esquire, Chairman

Brian C. Caffrey, Esquire

Michael H. Collins, Esquire

Henry P. Perciballi, Esquire

Andrée P. Phillips

ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION**Anderson, James A.,** dec'd.

Late of Jersey Shore.
 Executrices: Shirlene A. Anderson, 101 Prospect Avenue, Jersey Shore, PA 17740 and Kimberly J. Hile, 157 Mountain View Road, Linden, PA 17744.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Butters, Joshua Patrick, dec'd.

Late of South Williamsport.
 Administrator: Timothy Butters, 454 Pine Street, Williamsport, PA 17701.
 Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Heffner, Audrey F., dec'd.

Late of Williamsport.
 Administratrix: Sandra Cillo, 1601 Faxon Parkway, Williamsport, PA 17701.
 Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Moore, Elizabeth C., dec'd.

Late of 15 Roundtop Road, Williamsport.
 Executor: Charles J. Haas.
 Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

Moore, Perry W., dec'd.

Late of Yorktown, VA.
 Administrator: John F. Moore, 105 Club Way, Seaford, VA 23696.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Smith, Garrett B., dec'd.

Late of Lycoming County.
 Executrix: Constance L. Wilson-Smith, 228 Devils End Road, Trout Run, PA 17771.
 Attorneys: Benjamin Apfelbaum, Esquire, Jeffrey Apfelbaum, Esquire, Attorneys at Law, 124 North Fourth Street, Sunbury, PA 17801.

SECOND PUBLICATION**Bastian, William C., Jr.,** dec'd.

Late of Fairfield Township.
 Executor: Stephen S. Bastian c/o Christopher H. Kenyon, Esquire, 835 West Fourth Street, Williamsport, PA 17701.
 Attorney: Christopher H. Kenyon, Esquire, 835 West Fourth Street, Williamsport, PA 17701.

DeSanto, Antoinette L., dec'd.

Late of Williamsport.
 The Antoinette L. DeSanto Supplemental Needs Trust, dated August 25, 2014.
 Settlor: Ronald R. DeSanto.
 Co-Executors/Co-Trustees: Kimberly D. McGee and Ronald A. DeSanto.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Peer, Wayne C., dec'd.

Late of Jersey Shore.

Executrix: Ann M. Peer c/o D'Amico Law Offices, LLC, 310 Grant Street, Suite 825, Pittsburgh, PA 15219.

Attorneys: Michael J. D'Amico, Esquire, D'Amico Law Offices, LLC, 310 Grant Street, Suite 825, Pittsburgh, PA 15219.

Plocinski, Dorothy, dec'd.

Late of the Borough of Montoursville.

Executrix: Geraldine Mertes, 376 Keller Loop, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Whitmoyer, Myron Edgar a/k/a M. Edgar Whitmoyer, dec'd.

Late of Shrewsbury Township.

Administrator: Edgar H. Whitmoyer, 12243 Route 220 Highway, Hughesville, PA 17737.

Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Wurster, Larry R., dec'd.

Late of Williamsport.

Executrix: Candis A. Wurster, 2140 Linwood Avenue, Williamsport, PA 17701.

Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

THIRD PUBLICATION

Carson, Ann L., dec'd.

Late of Williamsport.

Executor: William S. Carson c/o Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Attorney: Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Cooney, Margaret J., dec'd.

Late of Williamsport.

Executrix: Linda Cooney Wasser, 24 Roosevelt Street, Corning, NY 14830.

Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

Dixon, Steven J., dec'd.

Late of Williamsport.

Administratrix: Denise C. Dixon.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Gleyze, Ronald David, dec'd.

Late of 2658 Hass Lane, Montoursville.

Executors: Robert D. Gleyze et al., 5002 Willow Creek Court, Gibsonia, PA 15044.

Attorney: Rosalie P. Wisotzki, Esquire, 310 Grant Street, Suite 1109, Pittsburgh, PA 15219, (412) 697-4499.

Harrow, Lawrence E., dec'd.

Late of Jersey Shore.

Executrix: Betty J. Harrow, 256 Hidden Springs Circle, Kissimmee, FL 34743.

Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Meckley, Judith A. a/k/a Judith Anne Kolb, dec'd.

Late of the Township of Loyalsock. Administrator c.t.a.: Thad S. Meckley, 817 Baldwin Street, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire,
1700 Four Mile Drive, Williamsport,
PA 17701.

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court are presented to the Orphans' Court of Lycoming County for Confirmation Absolute June 5, 2018 unless exceptions are filed before 5:00 P.M. on that date.

1. Young, Margaret V., Estate—Daniel R. Young, Sr., Executor.

2. Kirkner, Donna G., Estate—Garreth W. Kirkner, Executor.

Kathy Rinehart
Register of Wills

M-4, 11, 18, 25

SERVICE BY PUBLICATION

Court of Common Pleas
Lycoming County
Civil Action—Law

No. 18-0267

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

Nationstar HECM Acquisition Trust
2017-1, Wilmington Savings Fund
Society, FSB, not Individually, but
Solely as Trustee

Plaintiff

vs.

The Unknown Heirs of Viola M.
Thomke, Deceased, Mortgagor
and Real Owner

Defendant(s)

To: The Unknown Heirs of Viola M. Thomke, Deceased, Mortgagors and Real Owners, Defendant(s), whose last known address is 281 Union Avenue, Williamsport, PA 17701

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Nationstar HECM Acquisition Trust 2017-1, Wilmington Savings Fund Society, FSB, not Individually, but Solely as Trustee, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Lycoming County, PA, docketed to No. 18-0267, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 281 Union Avenue, Williamsport, PA 17701, whereupon your property will be sold by the Sheriff of Lycoming County. 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 the 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 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. This office can provide you with

information about hiring a lawyer. If you cannot afford to hire 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.

North Penn Legal Services
Penn Tower Bldg.
25 W. Third St.
Ste. 400
Williamsport, PA 17701
(570) 323-8741

- or -

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Lawyer Referral Service
100 South St.
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375
MICHAEL T. McKEEVER, ESQUIRE
KML LAW GROUP, P.C.
Attys. for Plaintiff
Mellon Independence Center
701 Market St.
Ste. 5000
Philadelphia, PA 19106
(215) 627-1322

M-18

**Do you know what your
*LYCOMING LAW ASSOCIATION
FOUNDATION***

has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

Assigned over \$75,700.00 in Arbitration Fees to North Penn Legal Services to promote and facilitate the delivery of legal services to indigent persons in Lycoming County over the last nine years

Granted \$500.00 to the Changing Lives Through Literature Program to assist in the purchase of books

Granted \$3,000.00 to West Branch School to assist in funding a trip for students to travel to Washington, DC and visit the Supreme Court and the Houses of Congress

Granted \$6,000.00 to North Penn Legal Services to assist in funding an AmeriCorp position

Granted \$2,000.00 to CASA to assist in developing the CCAP curriculum and train program staff and volunteers

Granted \$1,245.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Fair Debt Collection Act Boot Camp Seminar in San Francisco

Granted \$1,489.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Consumer Rights Litigation Conference in Philadelphia

Granted \$2,952.00 to the Law Library at the JV Brown Library for the initial digitization of its current collection of 140 local ordinances

Granted \$1,000.00 to the Curtin PTO toward their Ben Carson Reading Room Project

Granted \$2,945.00 to CASA of Lycoming County, so that the CASA Director and the CASA Coordinator of Early Education could attend at a three day national conference on Children and the Law held at Harvard Law School

Granted \$2,625.00 to North Penn Legal Services to fund the costs of a law student's employment at NPLS for ten weeks during a summer

Granted \$250.00 to Susquehanna Home Care & Hospice for the Nurse Family Partnership to purchase reference books for nurses to use with low income families

Granted \$1,250.00 to CASA for the purchase of a computer system and necessary software

Granted \$2,200.00 to North Penn Legal Services for the development of a customized Lycoming County Child Custody Video

Granted \$1,500.00 to Wise Options (on behalf of the Domestic Violence Task Force) for the preparation, printing and distribution of a county protocol for domestic violence calls

Granted \$1,000.00 to North Penn Legal Services to assist in funding a Medicare Part D Provider Education Training

Granted \$9,000.00 to the Lycoming County Historical Society for the interpretation, archiving and digitalization of historical legal documents owned by the Taber Museum

Granted \$2,750.00 to Lycoming County for training necessary to establish a Domestic Fatality Review Team

Granted \$2,500.00 to the Montoursville Area Mock Trial Team for their attendance at Harvard University's high school mock trial workshop

Granted \$600.00 to Lycoming County's Wills for Heroes 2018 event

Established a Pro Bono Litigation Costs Reimbursement Fund

Request for Grant Funding should be directed to the LLA Community Activities and Outreach and Committee. Information is available on the LLA website at <http://www.lycolaw.org/Committees/LLAfoundation.htm>

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation. Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, May 21, 2018**