

BERWICK TOWNSHIP, ADAMS COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING
July 26, 2010

CALL TO ORDER

The July 26, 2010 regular meeting of the Berwick Township Board of Supervisors, Adams County, was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Robert Foltz called the meeting to order at 6:00 pm. Present were Supervisors Fred Nugent, Earle Black, Alan Carey, and Peter Socks along with Solicitor Tim Shultis, KPI Engineers Tim Knoebel and Craig Zack and Township Secretary Janny Graham. Alan Carey was absent. All stood for the Pledge of Allegiance to the Flag.

CITIZEN COMMENTS

None

PNC BANK PRESENTATION – Representing PNC Bank was Patricia Ormond and Jasa Dickson and they gave printed material with information of services and fees that the bank offers.

CONSENT AGENDA

MINUTES for July 12, 2010 – Fred Nugent made a **motion** to approve minutes and Earle Black seconded. Discussion opened under unfinished business needed to correct the motion to add “or at another bank with a higher interest rate”. Motion was carried with correction by 4 years.

EARP REPORT

Fred Nugent gave a report on the arbitration and at present nothing new to report. Township Contract with EARP will end January 2012 and if Township does not want to renew contract then we must give a year notice so the decision would need to be by the end of 2010. Suggestion to the Board is to put out a newsletter with information of the new police contract and ask residents to give their opinion.

Bob Foltz reported the issue with cars being parked on the wrong side of the road at Summitt Ridge and is EARP patrolling the area. The question will be addressed with EARP.

CORRESPONDENCE

EAST BERLIN BOROUGH – Fred Nugent made the **motion** to approve East Berlin Borough joining the Health Insurance through EARP, Pete Socks seconded. The motion carried with 4 years.

UNFINISHED BUSINESS

SPAC/STORMWATER COMMITTEE REPRESENTATIVE – Primary Representative is Dean Hempfing, Zoning/Permit Officer and Earle Black will call Kelly Duty to ask if she would be alternate.

LINCOLN SPEEDWAY – Received DEP Permit Application Notification – Reviewed.

CRAZYHORSE – Dean will contact Susquehanna Bank to get area cleaned.

CLEANING PERSON FOR OFFICE – Earle Black will meet with a person from a temporary service regarding working for 4 hours on Friday mornings.

SUBDIVISION AND LAND DEVELOPMENT FEES – Suggestion by Knoebel is to meet 15 minutes before the Supervisor’s meeting and he will work with a group to adjust fees that would be able to submit to the board.

NEW BUSINESS

ATLAS TREE SERVICE – Received billing from resident John Leese by Atlas Tree Service for cutting tree down in the amount of \$1000. Fred Nugent made the **motion** to pay half of bill, Pete seconded. Vote was taken with 2 yeas, Earle Black nay, Bob Foltz abstained. Motion failed.

CITIZENS COMMENT

Bertha Kuhn – Complaint of neighbor and burning of trash. Earle will talk with Dean for updated information and discuss further action.

ENGINEER'S REPORT

ENGINEERING

1. Route 30 Sewer Line Relocation by PennDot – Approval is needed from Board for work to begin.

MOTIONS – Earle Black made the **motion** to approve Request Assistant letter, Pete Socks seconded and the motion carried with 4 yeas. Earle Black made the **motion** to approve Cost Sharing Request letter, Pete Socks seconded and the motion carried with 4 yeas. Fred Nugent made the **motion** to approve Resolution 10-40, Robert Foltz seconded and the motion carried with 4 yeas. Robert Foltz made the **motion** to approve Affidavit, Pete Socks seconded and the motion carried with 4 yeas. Earle Black made the **motion** to have KPI execute the proposal to perform the engineering services associated with the sanitary sewer relocation project, Fred Nugent seconded. Discussion opened regarding procedure of payments for expenses. Motion carried with 4 yeas. Pete Socks made the **motion** to approve the Relocation Permit application, Fred Nugent seconded and the motion carried with 4 yeas. Robert Foltz made the **motion** to have KPI assemble the package to be submitted to PennDot for Berwick Township, Earle Black seconded and the motion carried with 4 yeas.

2. Bermudian Keys – Request for Street Dedication

Recommendation by Engineer Knoebel is to contact Conewago Developer by letter and inform them that they have been told everything they needed to do and that they can contact KPI if they have any questions. However, based on the timing of their request and the time it’s going to take them to do all that needs done, we don’t think it’s practical that they are going to get this done in time for the township to consider this in 2010. Pete Socks made the **motion** to have KPI send a letter to Bermudian Keys to let them know where the township stands at this point regarding the street dedication, Earle Black seconded and the motion carried with 4 yeas.

3. Insite Development – Eagle View Mobile Home Park Inspection

Report on Eagle View inspection for Mobile Home Park Renewal application was discussed and list of items that will need to be addressed. Inspection of the well house and testing fire hydrants is still needed. Robert Foltz made the **motion** to have the Inspection Memo sent to the Insite Development’s attorney by Solicitor Shultis, Fred Nugent seconded. Discussion opened with the question, what happens if things do not get repaired? Solicitor would contact the bank holding the property loan and proceed with legal actions. Motion carried with 4 yeas.

4. WWTP June – Craig Zack
Reviewed report.

SUBDIVISION & LAND DEVELOPMENT

1. Cambrian Hills Phase 1 Final Plan – Fred Nugent made the **motion** to approve the time extension request with expiration date of 10/26/10, Pete Socks seconded and the motion carried with 4 Yeas.
2. The Bridges – Fred Nugent made the **motion** to approve the time extension request with expiration date of 10/26/10, Robert Foltz seconded and the motion carried with 4 yeas.
3. Destiny Estates Preliminary Plan – Fred Nugent made the **motion** to approve a 90 day time extension if the township receives a letter of request by the end of business day on 7/29/10, Pete Socks seconded and the motion carried with 4 yeas.

SOLICITOR'S REPORT

EAGLE VIEW MOBILE HOME PARK – Received agreement for changing the sewer payments to the township for collection with an effective date of July 1, 2010. Solicitor will respond to the agreement by next Monday.

CLASS ACTION SUIT ON SEWER FORD TRUCK – Pete Socks made the **motion** to find out if the truck has a "BA Pedal" and if so join the class action law suit, Earle Black seconded and the motion carried with 4 yeas.

BERMUDIAN KEYS – Solicitor reviewed deed of dedication and is responding with a letter to Bermudian Keys.

SILIEZAR – Received Filing Notice regarding Siliezar and reviewed. Check for permit was returned to township because of NSF. Earle Black made the **motion** to have Solicitor send a letter giving them 10 days to bring funds in for permit then after 10 days if funds haven't been replaced, Dean Hempfing will send letter revoking permit for pool. Fred Nugent seconded and the motion carried with 4 yeas.

PERMIT/ZONING REPORT

CODE ENFORCEMENT REPORT Reviewed

EXECUTIVE SESSION – Session was called at 8:00 pm.
RECONVENED AT 8:36 – Session was call to discuss litigation.

RTK REQUEST – Fred Nugent made a **motion** to respond to Abbottstown Right-To-Know request for minutes of past meeting, Pete Socks seconded and motion carried with 4 yeas.

CITIZEN COMMENTS

None

QUESTIONS FROM THE PRESS

None

ADJOURNMENT

Fred Nugent motioned to adjourn at 8:40, Pete Socks seconded and the motion carried.

Respectfully submitted by

Janny Graham, Township Secretary

