

BERWICK TOWNSHIP, ADAMS COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING
August 23, 2010

CALL TO ORDER

The August 23, 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, and Pete Socks, Alan Carey was absent. Solicitor Tim Shultis, Engineer Tim Knoebel and Janny Graham, Township Secretary were present. Bob Foltz asked all to stand for the Pledge of Allegiance to the Flag.

CITIZEN COMMENTS

None

CONSENT AGENDA

MINUTES FOR 8/9/10 – Fred Nugent made the **motion** to approve consent agenda, Bob Foltz seconded the motion. Motion was carried with 4 yeas.

CORRESPONDENCE

BENECON INSURANCE – Fred Nugent made the **motion** to approve Mount Joy Township and Highland Township to join Benecon Health Insurance through EARP, Pete Socks seconded. Motion carried with 4 yeas.

ADAMS COUNTY CONSERVATION DISTRICT – Email to Loss-Stair Engineers from Rusty Ryan regarding Kuhn Brothers project. Board reviewed.

UNFINISHED BUSINESS

RESOLUTION NO 10-041 – Fred Nugent made the **motion** to approve Resolution for the Bank Depository of the Township Funds & CD's, Earle Black seconded. Motion carried with 4 yeas.

AMUSEMENT TAX – Fred Nugent made the **motion** to have the solicitor send a letter to Sel-Wil Lincoln Speedway to require they pay a 5% Amusement Tax on their admission fees which includes spectators and pit crews starting August 1, 2010. The 5% Amusement Tax is set in the Berwick Township Amusement Tax Ordinance. Pete Socks seconded and discussion was opened. Motion carried with 3 yeas and Earle Black voted nay.

NEW BUSINESS

PLAQUE FOR GREG HERTZ – Bob Foltz made a motion to purchase a Bronze Plaque for service provided by Greg Hertz for the Waste Water Sewer Plant and to be displayed at the Township office, Fred Nugent seconded. Motion carried 4 yeas.

ENGINEER'S REPORT

ENGINEERING

1. INSITE DEVELOPMENT/EAGLE VIEW MHP – Have not received any response from the letter regarding inspection and license renewal. Engineer needs to get in the water building and hydrants need testing.
2. ROUTE 30 SEWER LINE RELOCATION – PennDot Agreement has not been signed and

received to date.

3. BERMUDIAN KEYS – Dedication of Street will not be done this year because of time issues. Engineer sent letter to Smith.
4. WWTP July Report – Reviewed

SUBDIVISION & LAND DEVELOPMENT

1. SUTTON RUN ESTATES – Fred Nugent made the **motion** to approve Extension Letter Request until November 24, 2010, Socks seconded. Motion carried with 4 years.
2. LINCOLN SPEEDWAY – They have received Permit from DEP. Board of Supervisors need to sign final plans present in meeting in Sept. Send letter to them requesting plans 10 days before the Sept. meeting (4th Monday)
3. BRIAN EISENHART – Woods Road project has outstanding invoice. Bob Foltz made the **motion** to have solicitor send letter requesting payment, Earle Black seconded. Motion carried with 4 years.
4. CAMBRIAN HILLS PHASE 1 – Renewal notice for permit will be reviewed by Engineer.
5. SALD FEES – Fred Nugent made the **motion** to have Engineer Tim Knoebel draft a set of updated fees for reviewing, Bob Foltz seconded. Motion carried with 4 years.

SOLICITOR'S REPORT

KINNEMAN HOLDINGS OUTSTANDING INVOICE – Solicitor sent letter for payment and will send a second past due notice.

LINGG/DESTINY ESTATES – Solicitor to send letter requesting payment on outstanding invoices.

SPRINKLER SYSTEMS – Discussed the need to amend Well Ordinance for sprinkler systems.

CALVARY CHRISTIAN CENTER LAW SUIT – Received letter from Robert McQuaide, Attorney at Law for approval for special counsel. Earle Black made the **motion** to approve Attorney McQuaide for counsel, Bob Foltz seconded. Motion carried with 4 years.

EAGLE VIEW MHP – Bob Foltz made the motion to approve the Partial Assignment and Assumption of Lease Agreements with Insite Development for the billing of sewer accounts. Earle Black seconded and the motion carried with 4 years.

SILIEZAR – Fred Nugent made the **motion** to have a process server or constable serve letter written by solicitor to Siliezar asking for reimbursement of funds for permits, Pete Socks seconded. The motion carried with 4 years.

PERMIT/ZONING REPORT

Code Enforcement Report - None

OLD BUSINESS

YORK WATER COMPANY HYDRANT REMOVAL – York Water has informed the township that the two hydrants located in the north east section of Berwick Township will be removed from service because

Abbottstown Borough will no longer pay for their use.

EXECUTIVE SESSION

Earle Black called for an Executive Session at 7:30 pm.

Reconvened at 7:58 pm from Executive Session which discussed possible litigation.

Fred Nugent made the **motion** to have solicitor coordinate with special counsel to investigate and take appropriate action regarding the Calvary Christian Center Property. Pete Socks seconded and the motion carried with 4 yeas.

CITIZEN COMMENTS

None

QUESTIONS FROM THE PRESS

None

ADJOURNMENT

Pete Socks made the motion to adjourn at 8:02 pm, Bob Foltz seconded and motion carried.

Respectfully Submitted:

Janny Graham, Township Secretary