

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 12, 2015**

CALL TO ORDER & PLEDGE TO THE FLAG: The January 12, 2015 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Foltz called the meeting to order at 6:00 p.m. Present were Supervisors Robert Foltz, Earle Black, Barry Cockley, Pete Socks, Tom Danner, Solicitor Tim Shultis, Township Engineer Tim Knoebel and Township Secretary Jean Hawbaker. Mr. Foltz asked all to stand for the Pledge of Allegiance to the Flag.

CITIZENS COMMENTS: None.

CONSENT AGENDA: Supervisor Danner moved to approve the minutes of December 8, 2014 with the correction that gift cards would be given to the Employees, Planning Commission and Zoning Hearing Board and not the Auditors, bill list, unpaid bill list and balance sheet dated January 12, 2015, and Roadmaster's report for December 2014, seconded by Supervisor Cockley. The motion carried with 5 yeas.

UNFINISHED BUSINESS:

- 1) **HR Manual Adoption** - The Board tabled the HR Manual Adoption.
- 2) **Formation of Joint Berwick/Hamilton Authority** - Supervisor Danner moved to authorize Tim Shultis to send a letter to Hamilton Township stating the Township does not agree with doing a joint study, seconded by Supervisor Cockley. The motion carried with 5 yeas.
- 3) **Lincoln Speedway – Tax Remittance Issues** – Supervisor Danner explained that he met with Lincoln Speedway and discussed several issues that needed to be explained, such as season passes, bulk tickets, reserve seats, admission price, ticket number sequence, (World of Outlaws) ticket numbers, adult, student and child admissions and free ticket redemption. Supervisor Danner moved to have Tim Shultis send Lincoln Speedway a letter so they can address the issues that have not been resolved, seconded by Supervisor Cockley. The motion carried with 5 yeas.

NEW BUSINESS:

- 1) **PSATS Trust Ordinances** – Supervisor Cockley adopted Ordinance #2015-01 (Health Insurance Trust), Ordinance #2015-02 (Pension Trust), and Ordinance #2015-03 (U.C. Group Trust), seconded by Supervisor Socks. The motion carried with 5 yeas.
- 2) **Adams County Hazard Mitigation Plan** - Mr. Hartman was instructed to obtain a copy of Adams County's Hazard Mitigation Plan so the Board can review it.
- 3) **Industrial Hemp Cultivation** – The Board tabled this item until their next meeting to allow time to review material.

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- 4) **Zoning Hearing Board – Year-End Report** – Supervisor Foltz moved to accept the report, seconded by Supervisor Socks. The motion carried with 5 yeas.
- 5) **Planning Commission – Year-End Report** – Supervisor Black stated their report is not completed.
- 6) **Sewer Account Payment Arrangement Requests** – Supervisor Socks moved to approve the payment arrangement for sewer account #2073. Payment will made by February 5, 2015, seconded by Supervisor Black. The motion carried with 4 yeas. Bob Foltz was opposed. Tim Shultis was instructed to send a letter to sewer Account #2041 and #2044 due to non-payment on motion of Supervisor Danner, seconded by Supervisor Foltz. The motion carried with 5 yeas.
- 7) **Letter from Solicitor to Zoning Hearing Board /Memo to all Boards or Commissions regarding Township Employees** - Supervisor Socks stated that the Township Secretary is being used by the Zoning Hearing Board as Secretary. There was discussion regarding zoning regulations. The Township needs to be careful to make sure it doesn't violate anything. Tom Starr stated that the bylaws allow them to use the Township Secretary as a recording Secretary. If there is an appeal, a stenographic record can be ordered. The Zoning Officer is also used at the hearings by giving testimony. Supervisor Danner stated the Township will have to look at this. There needs to be a separation between the employees and the Boards. Tom Starr stated at the last hearing, the Zoning Hearing Board approved a digital billboard. The Zoning Hearing Board inadvertently asked the Zoning Officer to review the Zoning Ordinance for possible changes, however; it should originate with the Planning Commission. The Zoning Hearing Board is requesting that the Planning Commission review the Zoning Ordinance for possible changes. Mr. Starr will give a list of items that he feels needs to be revised.
- 8) **Well Ordinance Review** – The Board discussed that wells should go in first before any houses are built. The Solicitor and Engineer will discuss this issue.
- 9) **Traffic Study – Bair Road and Lobell Road** – Tractor trailers are using these roads as shortcuts and are damaging the roads. KPI will have someone look into it.

CODE ENFORCEMENT/PERMIT REPORT:

- Mr. Hartman submitted and reviewed the Township permits issued in December 2014 and a list of code violations and their status.

EMA Manual Updates and Review – Mr. Hartman stated the emergency operation plan needs a major overhaul. It was last updated in 1998. Mr. Hartman stated he had participated in training and workshops. An evacuation plan should be devised for Lincoln Speedway, which they are willing to participate in. Mr. Hartman will be discussing this issue with Todd Dunlap.

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ENGINEER'S REPORT:

- WWTP Monthly Operations Report – December 2014.
- Pending Plans Report – Next month John Lingg's extension will expire. Mr. Knoebel wanted to know if the Board wanted Mr. Lingg to appear at the next meeting. The Board agreed that Mr. Lingg should appear at the next meeting to discuss his intentions.
- The Township is still waiting to receive escrow funds for Kinneman Court.

SOLICITOR'S REPORT:

- The indemnification/Waiver agreement for the 100 foot isolation distance between the septic system and well has been completed for Ryan Mechalske. He will be responsible for all fees.
- Update on the O'Brien case.

WAGE SET FOR EMPLOYEE/SUPERVISOR ROBERT FOLTZ BY TOWNSHIP AUDITORS:

Supervisor Socks moved to accept the wage set by the Township Auditors for Employee/Supervisor, Bob Foltz, seconded by Supervisor Cockley. The motion carried with 4 yeas. Bob Foltz abstained.

CITIZENS COMMENTS:

Tom Starr stated that parties to a Zoning Hearing are established at the hearing. Anyone wishing to be a party to a hearing must fill out a form to do so. Supervisor Danner thanked Mr. Starr for his service.

Supervisor Danner apologized to Supervisor Black. Supervisor Danner found his note on the time and a half for holidays. It was a part of the original policy and Mr. Danner didn't think it was.

Supervisor Danner asked Supervisor Black what the status was on signing the agreement regarding paying back the health insurance to the Township. Supervisor Black stated he needs an original to sign. The Secretary will make sure he gets an original.

Supervisor Black stated the overtime has still not been addressed in the personnel manual. Supervisor Danner stated he will make sure it is in there.

QUESTIONS FROM THE PRESS: None.

Adjournment was at 7:33 p.m. by motion of Supervisor Socks, seconded by Supervisor Cockley. The motion carried.

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The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on February 9, 2015, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

Jean A. Hawbaker, Secretary
BERWICK TOWNSHIP
BOARD OF SUPERVISORS