

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

CALL TO ORDER & PLEDGE TO THE FLAG: The October 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 Bob Foltz, Earle Black, Barry Cockley, Pete Socks, Tom Danner, Solicitor Tim Shultis, Craig Zack from KPI and Secretary Jean Hawbaker.

PUBLIC COMMENTS (AGENDA ITEMS): None.

CONSENT AGENDA: Supervisor Danner made a motion to approve the minutes of September 14, 2015, bill list, unpaid bill list and balance sheets dated October 12, 2015, and Roadmaster's report for September 2015, seconded by Supervisor Black. It was noted that Mr. Danner and Mr. Socks reviewed the bills from Tim Shultis and KPI. **Roll Call: Black – yes, Danner – yes, Socks – yes, Foltz – yes. Mr. Cockley abstained since he was not present at the last meeting. Motion carried.**

CORRESPONDENCE:

- 1) Adams County Treasurer – Hotel Tax – Supervisor Socks made a motion to refund the hotel tax that the County inadvertently sent to us for the months of October, November and December 2014 in the amount of \$525.99, seconded by Supervisor Cockley. **Roll Call: Foltz – yes, Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried.**
- 2) DEP – Neiderer Sanitation LLC Transfer Station Application – Supervisor Danner stated he would like to attend the meeting. Supervisor Foltz made a motion for those interested in attending the meeting, could do so, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) PA One Call Training – Supervisor Socks made a motion to authorize Bob Foltz and Brian Ernst to attend this training on November 11, 2015, seconded by Supervisor Danner. Bob Foltz abstained. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried.**
- 4) United Hook & Ladder – Annual Dinner October 26, 2015 – All Board members will be attending the dinner.
- 5) Cohen Law Group – Free Assessment regarding Cable Franchise/Wireless Matters – Mr. Shultis stated this law firm has experience with this issue and are very effective in dealing with cable companies. Supervisor Danner made a motion to have the Cohen Law Group proceed with the assessment, seconded by Supervisor Cockley.

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**Roll Call: Danner – yes, Black – yes, Cockley – yes, Foltz – yes, Socks – yes.
Motion carried.**

- 6) PennDOT – Notice of Estimated Liquid Fuels – The 2016 estimated amount of Liquid Fuels is \$79,764.98.
- 7) Letters of Interest to Serve on Sewer Exploratory Advisory Committee – The Board acknowledged.
- 8) Bea Haskins – Invoice Process Flow Chart – The Board acknowledged.
- 9) Jeremy Reichart/Randy Reichart – Auditor Resignations – Supervisor Danner made a motion to accept the resignations effective October 12, 2015, seconded by Supervisor Black. Supervisor Foltz abstained. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

UNFINISHED BUSINESS:

- 1) Weight Limit Restriction on Roads – Tim Shultis stated we should have a response from Lincoln Speedway by the next meeting.
- 2) Police Report – Follow-Up – Supervisor Danner stated we get a total number of incidences and what type from the State Police. This item will listed on future agendas.
- 3) Kinneman Holdings – Supervisor Black stated Kinneman Holdings has not completed all of their improvements. Supervisor Foltz made a motion to have KPI looked into this issue, seconded by Supervisor Black. **Roll Call: Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**

NEW BUSINESS:

- 1) Electronic Recycling – Supervisor Socks stated that Affordable Computers will supply a pickup with two Gaylord's for electronic recycling. A date will be set at the next meeting.
- 2) 2015 Donations – Supervisor Black made a motion approve the 2015 donations for Adams Rescue Mission - \$250.00, Adams County Transit Authority - \$250.00 and H.A.R.T. Center - \$1,000.00, seconded by Supervisor Socks. **Roll Call: Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**
- 3) Authorize Advertisement of Intent to Adopt 2016 Budget – Supervisor Socks made a motion to authorize advertisement of the 2016 Budget, which includes a tax reduction in the millage from .40 to .30, seconded by Supervisor Danner. **Roll Call: Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**

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APPEARANCES:

- 1) Michael Lishing Lu – Building Permit Extension – 2469 Carlisle Pike – Mr. Lu stated he would like to use the building for storage. His township permit expired in April 2015, and Adams County reissued their permit. Mr. Hartman stated Ed Strevig condemned this property. If Mr. Lu did repairs on the property, he could use it for storage. Mr. Lu was instructed to get a cost factor and timeframe by the next meeting.

CODE ENFORCEMENT/PERMIT REPORT:

Mr. Hartman submitted and reviewed permits issued in September 2015, and discussed code violations. There has been no additional progress at 474E Hershey Heights Road. We need to get inside of the house. An administrative warrant is needed to open the lock and inspect inside. Supervisor Foltz made a motion for Tim Shultis to assist Ed Strevig with the warrant, seconded by Supervisor Cockley. **Roll Call: Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**

Supervisor Danner asked Mr. Hartman if transients were charged for a permit, and what fees are charged for driveway permits. Mr. Hartman stated not if they are selling meat or dairy products, and there is not a permit for driveway repairs.

ENGINEER'S REPORT:

- 1) WWTP Operations Report – September 2015 – Having issues with basin #1.
- 2) Pending Plans Report – No actions items as this time.

SOLICITOR'S REPORT:

- 1) The Board has 30 days to fill the auditor vacancies. If not filled, the Board would have to meet with the Vacancy Board. This will be discussed at the next meeting.
- 2) The O'Brien's filed notice of appeal.
- 3) Filed proof of claim in bankruptcy case for Mr. Schmidt.
- 4) Mr. Shultis stated he will need an advance in initial costs for the Siliezar case to file a Writ of Scire Facias. Supervisor Danner made a motion to give advances as needed, seconded by Supervisor Socks. **Roll Call: Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**
- 5) Mr. Shultis presented a draft Winter Precipitation Ordinance regulating the parking of vehicles during periods of winter precipitation; prohibiting the dumping, shoveling, pushing or placement of any snow, ice or slush onto the public roads of the township; and

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prescribing penalties. The Board would like the ordinance revised to state they can delegate from time to time such officers or agents of the township to make the initial determination of violation and to serve notice. Supervisor Foltz made a motion to authorize advertisement of the Ordinance with revisions as discussed, seconded by Supervisor Socks. **Roll Call: Foltz – yes, Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

PUBLIC COMMENT (GENERAL): None.

EXECUTIVE SESSION:

The Board went into executive session at 7:17 p.m. to discuss a litigation matter regarding Insite Development.

The Board came out of executive session at 7:40 p.m.

Supervisor Socks made a motion to accept the renewal rates for health, dental and vision plans, seconded by Supervisor Danner. **Roll Call: Socks – yes, Danner – yes, Black – yes. Supervisors Cockley and Foltz abstained. Motion carried.**

Supervisor Socks mentioned that due to Courthouse IT Department issues, we were not able to get the mailing labels for the newsletters until October 9, 2015. Supervisor Danner made a motion to extend the due date on the website for the sewer committee letters until October 30, 2015, seconded by Supervisor Cockley. Motion carried.

Adjournment was at 7:49 p.m. by motion of Supervisor Socks, seconded by Supervisor Cockley.

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

Respectfully submitted,

Jean A. Hawbaker, Secretary
**BERWICK TOWNSHIP
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