

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
MAY 8, 2017**

**CALL TO ORDER AND PLEDGE TO THE FLAG** The May 8, 2017 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Socks called the meeting to order at 6:00 p.m. Present were Supervisors Pete Socks, Barry Cockley, Tom Danner, Bob Foltz, Solicitor, Tim Shultis, Engineer, Tim Knoebel, Secretary, Jean Hawbaker. Earle Black was not in attendance. Chairman Socks asked all to stand for the Pledge of Allegiance to the Flag.

**PUBLIC COMMENT (AGENDA ITEMS)** None.

**CONSENT AGENDA** Barry Cockley made a motion to approve the consent agenda, which includes the minutes of April 10, 2017, bill lists, unpaid bill lists, balance sheets dated May 5, 2017, and Roadmaster's report for April 2017, seconded by Tom Danner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes for the bill lists, unpaid bill lists, balance sheets and Roadmaster's report, and no on the minutes. Motion carried.**

**CORRESPONDENCE**

- 1) **Sheetz – TE-160 Form and Resolution (Received 4-27-17)** – Tom Danner made a motion to accept and sign the TE-160 Form and adopt Resolution #17-07 for modification of the traffic signals for the proposed Sheetz, seconded by Barry Cockley. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes. Motion carried.**

**UNFINISHED BUSINESS**

- 1) **MDIA Unfinished Permits** – Tim Shultis stated MDIA located 10 of the 13 unfinished permits. They are still looking for the other three. Tom Danner made a motion to request the paperwork, seconded by Pete Socks, giving them until the next meeting to respond. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 2) **Eagle Scout Landscaping Project** – Stephen Moores presented a budget for the landscaping project at the township building. An overview included fixing the wall, installing a bed on the left side, planting flowers, which will be donated, mulching and edging around the flag pole, placing a bench, painting the door and letters, and installing shutters. The approximate cost is \$786.72. Bob Foltz made a motion to allocate up to \$1,000 for this project, seconded by Pete Socks. Bob Foltz left the meeting at 6:15 p.m. to take care of an issue. Tom Danner asked if there was a liability issue for them to do this work. It was noted this is covered under the Association. **Roll Call: Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

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- 3) **Revised Permit Fee Schedule** – Tom Danner made a motion to schedule a workshop on May 22, 2017 at 2:00 p.m. at the township building, and authorized advertisement to discuss finalizing the revised permit fee schedule, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

**NEW BUSINESS:**

- 1) **Zoning Hearing Sign Quotes** –

The quotes resulted in the following:

	<u>Each</u>	<u>Total</u>
Len Dicks Signs	57.00	342.00
DGI Creative	75.00	450.00
Strickler Signs	100.00	600.00
Pioneer Signs	85.00	510.00

Pete Socks made a motion to accept the quote from Len Dick Signs for six (6) 18” x 24” double-sided metal signs with iron frames in the amount of \$342.00, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

- 2) **Seal Coat Bids** – The only bid received was from Hammaker East resulting in the following:

Item No.	Qty.	Unit	Description	Unit Price	Total
1	8,756	s.y.	Single Seal Coat Hershey Heights Road	1.41	12,345.96
2	3,600	s.y.	Single Seal Coat Huff Road	1.41	5,076.00
3	4,800	s.y.	Single Seal Coat Municipal Road	1.41	6,768.00
4	1,046	s.y.	Single Seal Coat Woods Road	1.41	1,474.86
5	1,946	s.y.	Single Seal Coat Mill Race Road	1.41	2,743.86
6	20,148	s.y.	Polymerized Fog Seal	0.44	8,865.12
			<b>TOTAL</b>		<b>37,273.80</b>

Tom Danner made a motion to award the bid to Hammaker East in the amount of \$37,273.80, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes.**  
**Motion carried.**

- 3) **Oxford, Berwick, Hamilton Township Rt. 94 Survey** – Tom Danner stated he and Mario Iocco from Oxford Township attended the Adams County Traffic Committee meeting, and submitted a booklet with information relative to Rt. 94, starting at Hershey Heights Road up to Cross Keys. Based on the information that we had, the real concern was the impact of how many

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traffic lights and where they would be located along Rt. 94. The Brethren Home asked for a light at Village Drive and Enterprise Drive. They are changing their thinking now because they have land that comes out onto Brickyard Road, so they can direct traffic there. Their proposal will not be through traffic, it will be gated. Joe Myers purchased the Shank Farm and would like to move on this and wants to put in a light. Down further at Appler Road and the Cambrian Hills Development was also considered. Rt. 94 is considered a Federal highway due to the amount of traffic, so there may be Federal monies available.

Bob Foltz returned to the meeting at 6:30 p.m.

- 4) **Adams County Update for Electronic Recycling** – Tom Danner attended a Council of Government (COG) meeting. The COG and County Commissioners are going together to have an electronic recycling event in the Fall with a company out of Baltimore. There will be a fee to get rid of old TV's and CRT's. This company may be willing to work with the townships collectively.
- 5) **Two Points for the Newsletter – a. Current review and update of Ordinances/Permits, b. Electronic Recycling** – Tom Danner stated after our workshop we may want to put something in the newsletter regarding current review and update of ordinances and electronic recycling. Pete Socks stated he and Jean Hawbaker went through sample newsletters and pulled out articles that can be used for content in our newsletter. Steve Rabine is going to come up with something for United Hook and Ladder, and he's also going to forward it to the Adams Regional Emergency Medical Services to get them to put something in as well.
- 6) **Long Range Transportation Plan Public Comment Period** – Tom Danner stated this Plan is available to be reviewed. There is an opportunity to comment to the committee. I will review this plan and will compare it to the information in the traffic study and will give the Board an update.
- 7) **Medical Marijuana Update** – Tom Danner stated he has a concern that if the township does not update its ordinances for medical marijuana, they would be able to do

whatever they wanted. Tim Shultis stated our ordinance does not list dispensing operation or the growing/producing operation. We need to control where it is in the township, and putting together reasonable regulations. Tom Danner made a motion for the Secretary to contact the Adams County Planning Office to prepare an amendment to the Zoning Ordinance for Medical Marijuana, seconded by Barry Cockley. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes. Motion carried.**

- 8) **Grinder Pump Invoice for 359 Bair Road** – Tim Shultis stated we have a right-of-way agreement for this property, but no deed of dedication. In 2000, this was a vacant piece of property, so we obtained only a right-of-way, no deed of dedication. Since 2000 a house has been put on the property and a grinder pump has been installed. We did not install the grinder pump. Bob Foltz stated there were laterals put in at each lot, because it was a pressured line. If the pump was not put in and paid for by the township, the township should not maintain it. There is one up on Green

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Springs Road that has a grinder pump, which the owner paid for and maintains. Barry Cockley wanted to know if we are legally or morally obligated? Tim Knoebel stated when the system was planned, we knew of those lots, so where a house existed, they got a grinder pump, and where it did not, they got a pressure lateral to the right-of-way. A pump was not put in here since there was no house. Tom Danner made a motion for Tim Shultis to research the ordinance to see if the township has an obligation to pay this invoice, and if not, the property owner should be notified, seconded by Pete Socks. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes. Motion carried.**

#### **UNITED HOOK & LADDER**

4 calls in April

#### **STATE POLICE**

26 calls in April

#### **ADAMS REGIONAL EMERGENCY MEDICAL SERVICES**

21 calls in April

#### **CODE ENFORCEMENT/PERMITS**

9 permits issued in April

Wilbur Slothour, Jamie Harbaugh and Tim McCauslin from Land and Sea Services were present as requested. Tom Danner stated he asked them to come in to discuss Code Enforcement. Wilbur Slothour stated we felt we were not getting the work done with the time that was

allotted to do it in. So, we thought Tim McCauslin could do Code Enforcement and Jamie Harbaugh could continue with the zoning. Tom Danner wanted to know how we would differentiate between zoning issues and code enforcement. Wilbur Slothour stated whenever a complaint comes in, there needs to be communication between the zoning officer and code enforcement officer. Barry Cockley stated most violations occur after 5:00 p.m. and on weekends. Wilbur Slothour stated our effort is to help people work towards compliance and it takes a little bit of work to do that. We get people to a point to start calling us to see if they need a permit, then we know we are starting to cultivate this thing for compliance. If there is a particular issue that is a problem, we will go out in the evenings and occasionally on the weekends, but we do not make it a policy. Tom Danner stated the burning ordinance, nuisance ordinance, and parking violations in the summer are usually after hours. That is when the violations take place. For me to tell you there is a certain violation is not going to fly. I do not want you to leave here with a misunderstanding. Permits are working fine and I do not want code enforcement to be a detriment to the program. Wilbur Slothour stated they do drive-arounds, but you do not catch everything. A lot of information comes from the Supervisors or the township

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office and that triggers the beginning of the investigation. Tom Danner stated we need to fill out a complaint form and send it to you, nothing verbal. Barry Cockley would like to see a random check once or twice a month after hours and on weekends. Bob Foltz stated he appreciated Wilbur Slothour being honest with things. I think Jamie Harbaugh is doing a good job with permitting. My concern is that we have habitual people that do not want to mow their yard. If a Supervisor comes in with a complaint, Jean Hawbaker could send out a violation letter, which would cut your time back. Wilbur Slothour stated we have a real challenge with the District Justices. When you go through all the time that you spend on an issue, and you walk into court and it is a \$25.00 fine. Then they are in violation again and you file another citation. That is why we try to work towards compliance with people. Bob Foltz asked if 2 of his employees cross over with zoning and code enforcement for the same property do we get charged twice. Wilbur Slothour stated Jamie Harbaugh gets paid for what he does in Berwick, anything Janelle or I do with him we do not charge you. When the Zoning Officer and Code Enforcement Officer are working for the township, they get paid when they leave their home until they return to their home. Pete Socks asked if they would piggyback their efforts when they are working in Abbottstown. Wilbur Slothour stated yes. An authorized complaint needs to go through the township office and forwarded to Land and Sea. Pete Socks stated we need to give it a try. Tom Danner stated we may need to look at seasonal issues. Summer is busy and we have parking issues at Lincoln Speedway. Wilbur Slothour stated if it's not working, let us know and we can change it. Bob Foltz stated the Supervisors can write tickets for parking. Pete Socks made a motion to authorize Code Enforcement up to 10 hours per week, which includes random checks after hours and on weekends. The Township will give dates when the speedway has races to check for parking violations, seconded by Tom Danner. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes. Motion carried.**

## **ENGINEER'S REPORT**

- 1) WWTP Operations Report
- 2) Pending Plans Report
- 3) **Doug Smith Subdivision Plan** – Tim Knoebel stated the Planning Commission granted a 90-day extension for the Doug Smith Subdivision Plan. Bob Foltz made a motion to grant a 90-day extension for the Smith Subdivision Plan, seconded by Pete Socks. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes. Motion carried.**
- 4) We are getting more information for Bermudian Keys. We received inspection reports including televised inspection reports for the storm drains. There are a number of storm drains that will need to be replaced.

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## **SOLICITOR'S REPORT**

- 1) Siliezar filed bankruptcy. We filed for relief from the automatic stay in bankruptcy court to put pressure on to make payments. They signed a stipulation that they will make their regular payments moving forward and their bankruptcy plan provides that we get paid in full. The administration costs get paid first, so our first payment will probably be in November or December of this year. In the event they default, we can go back to court.
- 2) Have not heard anything from Don Erwin regarding the mobile home park license.
- 3) O'Brien issue is in the Supreme Court waiting for them to take action.

**PUBLIC COMMENT (GENERAL)** None.

## **SUPERVISOR'S COMMENTS**

Bob Foltz – None  
Tom Danner - None  
Pete Socks – None  
Barry Cockley – None

Pete Socks made a motion to adjourn at 7:45 p.m., seconded by Bob Foltz.

**The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on June 12, 2017, 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover, PA 17331**

Respectfully submitted,

Jean A. Hawbaker  
Secretary/Treasurer  
**BERWICK TOWNSHIP**  
**BOARD OF SUPERVISORS**