

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 12, 2016**

CALL TO ORDER AND PLEDGE TO THE FLAG: The September 12, 2016 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, Earle Black, Barry Cockley, Tom Danner, Bob Foltz, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker. 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 August 8, 2016, bill lists, unpaid bill lists, balance sheets dated September 9, 2016, and Roadmaster's report for August 2016, seconded by Tom Danner. **Roll Call: Black – yes, with the exception of the bill list, Cockley – yes, Socks – yes, abstaining from account #405.400 on the bill list, Danner – yes, Foltz – yes. Motion carried.**

CORRESPONDENCE:

- 1) **Verizon Wireless – Obsolete Flip Phones** – The current flip phones, which are obsolete, will be upgraded to the new Kyocera Dura xv+ before the end of the year.
- 2) **Adams County – Electronics Recycling Program** – Washington Township is opening the Electronics Recycling Program to include residents from outside of Washington Township. The rate is \$0.45 per pound with a \$25.00 minimum per trip. The amount of electronics per trip is not limited. All units will be weighed for cost and can be taken to the transfer station on Tuesdays and Wednesdays from 8:00 a.m. until 4:00 p.m.
- 3) **Court of Common Pleas – Deputy Constable** – Acknowledged.

UNFINISHED BUSINESS:

- 1) **Road Occupancy/Driveway Permits – Review of Draft Ordinance –**

AN ORDINANCE OF BERWICK TOWNSHIP, ADAMS COUNTY, COMMONWEALTH OF PENNSYLVANIA REQUIRING ALL PERSONS TO OBTAIN PERMITS PRIOR TO CONNECTING OR PAVING DRIVEWAYS TO PUBLIC ROADS OR PERFORMING EXCAVATING OR OTHER WORK IN PUBLIC ROADS; REQUIRING THE SUBMISSION OF PLANS IN COMPLIANCE WITH PENNDOT AND TOWNSHIP DESIGN REQUIREMENTS PRIOR TO THE ISSUANCE OF PERMITS; PROVIDING FOR THE DISAPPROVAL OF PLANS WHERE CONNECTION OR WORK WOULD RESULT IN IMPROPER DRAINAGE OR NONCOMPLIANCE WITH PENNDOT AND

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TOWNSHIP DESIGN AND CONSTRUCTION REQUIREMENTS; PROVIDING FOR THE PAYMENT OF PERMIT FEES; AND PROVIDING PENALTIES FOR VIOLATIONS.

Pete Socks made a motion to authorize advertisement, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

2) Sewer Truck Bed Quotes – Quotes received resulted in the following:

Wherley Trailer, Inc. – \$516.00
Riley Welding & Fab, LLC – \$915.00

Tom Danner made a motion to award the work to Riley Welding & Fab, LLC in the amount of \$865.00 (deducted \$50.00, since the township is tax exempt), seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

UNITED HOOK & LADDER (UHL): Assistant Chief, Nick Shaffer stated there were a total of 61 calls, 7 of which were in Berwick. He mentioned the gas leak on Route 94, burning in barrels, mini pumper now in service, station remodeling almost completed and the new radios are working good.

Bob Foltz stated the fire department is doing an outstanding job.

NEW BUSINESS:

- 1) Schedule Budget Workshop and Authorize Advertisement – Pete Socks made a motion to schedule the Budget Workshop on October 7, 2016 at 1:00 p.m. and authorized advertisement, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.****
- 2) 741 Beaver Creek Road – Driveway Issue – John Parichuk Paving quoted \$1,200.00 to repair the end of the driveway and road at 741 Beaver Creek Road. Tom Danner wanted to know how it is determined that this is our problem, and when does it become our responsibility. Barry Cockley stated we don't want to set a precedence. Tom Danner made a motion for Tim Shultis to research the township's responsibility on this issue, and discuss at the next meeting, seconded by Pete Socks. Earle Black stated Bob Frock could do the work for \$800.00, once we know who is responsible for it. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.****
- 3) 2017 Minimum Municipal Obligation (MMO) for Non-Uniform Pension Plan – Tom Danner made a motion to approved the 2017 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$24,297.00, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – abstained since he is an employee. Motion carried.****

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APPEARANCES: None.

STATE POLICE:

August 2016 – 48 calls

AREMS:

July 2016 – 36 calls

August 2016 – 49 calls

CODE ENFORCEMENT/PERMITS:

- 1) **Overview of Code Enforcement/Permit Reports – August 2016** – Tom Danner stated he will be meeting with Land and Sea on Friday, September 16th to go over any questions, and discuss the fee schedules. Tim Knoebel stated we need to make sure they are checking stormwater. Tom Danner stated Jean Hawbaker relabeled all the files by parcel number. There were 2 permits issued in August. Barry Cockley stated the Zoning Officer should list the addresses for each violation and if it is ongoing or resolved. Bob Foltz wanted to know if a plan received final approval and it was built per plan, and now they want to change the use. Is that a violation? Tim Shultis stated the Zoning Officer needs to determine if there is zoning violation.

ENGINEER’S REPORT:

- 1) **WWTP Operations Report** – August 2016.
- 2) **Pending Plans Report** – No Action Items.
- 3) **Bermudian Keys – Draft Punch List** – Tim Knoebel was instructed to send the punch list to Art Smith.
- 4) **MS4 Program** – Tim Knoebel stated we don’t need to turn in the MS4 application until September 17, 2017. There is the potential for a waiver from meeting the NPDES permit requirements. DEP requires advanced waiver approval, and the deadline for this application is December 31, 2016. Mr. Knoebel stated their cost would be approximately \$1,500.00. Bob Foltz made a motion for Mr. Knoebel to proceed with filing the application for a potential waiver, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 5) **Cambrian Hills - PennDOT H.O.P. for Sanitary Sewer Force Main Installation** – Tom Danner made a motion for the Chairman to sign the H.O.P. application, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – no. Motion carried.**
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- 6) **Available Grant for Sewer and Water Projects** – Mr. Knoebel stated there is a 20 million dollar grant available for sewer and water projects. It pays for 85% of the costs. It has to be a new project. Bob Foltz stated we could possibly look at manholes that need to be replaced. Mr. Knoebel stated it could be done as a maintenance contract.

SOLICITOR’S REPORT:

- 1) Mr. Shultis presented a draft developer’s agreement for Cambrian Hills and stated this will give us the ability to know what they are doing and gives us the ability to inspect it.

- 2) The O'Brien oral argument is scheduled September 15th. The televising of the interceptor was previously approved, and maybe this could be lumped into a maintenance contract for the grant.

SUPERVISOR'S COMMENTS:

Bob Foltz – None

Tom Danner – The Secretary should send a letter to Lincoln Speedway regarding the event they are holding on September 24th on what security measures will be in place for illegal parking.

Earle Black – None

Pete Socks – None

Barry Cockley – None

PUBLIC COMMENT (GENERAL): None.

The Board went into executive session at 7:26 p.m. to discuss the draft review letter regarding the Hamilton/Berwick sewer situation, and review agency business, which if conducted in public would violate a lawful privilege and attorney client privilege.

The Board came out of executive session at 8:13 p.m. Tom Danner made a motion to appoint special counsel to file appropriate pleadings in bankruptcy court regarding Insite's failure to make payment, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Pete Socks made a motion to adjourn at 8:15 p.m., seconded by Barry Cockley.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on October 10, 2016, 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**