

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING AUGUST 13, 2018**

**CALL TO ORDER AND PLEDGE TO THE FLAG** – The August 13, 2018 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, Tom Danner, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Road Foreman Tom Stylc, and Secretary Jean Hawbaker. Barry Cockley was not in attendance.

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

**CONSENT AGENDA**

Tom Danner made a motion to approve the consent agenda, which includes the minutes of July 9 and July 23, 2018, bill lists, unpaid bill lists, balance sheets dated August 10, 2018, and Road Foreman's report for July 2018, seconded by Scott Kennedy. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**

**CORRESPONDENCE**

- 1) Donna Mikula – Firework Ordinance

The Board acknowledged.

**APPEARANCES**

- 1) **Dwayne Shultz** – Mr. Shultz wanted to know what was being done to Calvary Christian Assembly since they did not submit a land development plan and in the minutes of June 25, 2012 the Board instructed the Solicitor to start legal action. Tim Shultis stated he didn't recall and will research further.

**UNFINISHED BUSINESS**

- 1) **Kelly Road No Parking** – The Board tabled until the next meeting to allow time to find out who owns the right-of-way on Kelly Road to the sewer plant.
- 2) **Schedule Workshop** – Tom Danner made a motion to schedule a workshop and authorized advertisement on August 28<sup>th</sup> at 8:30 a.m. to discuss capital improvements and any other business which may come before the Board, seconded by Pete Socks. Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.
- 3) **Update on Heaters for Sewer Pump Stations** – Will discuss at the August 28<sup>th</sup> workshop.
- 4) **Top Notch Quote for Tree Cutting/Removal at Pump Station on Race Track Road** – Tom Danner made a motion to accept the quote from Top Notch in the amount of \$1,000 to

August 13, 2018

cut and remove the trees at the pump station on Race Track Road. Tim Shultis will research what type of trees should be planted, and the Secretary will notify Steve Basom to inform him of the tree cutting, removal and replacement, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**

## **NEW BUSINESS**

- 1) **O'Brien right-of-way ballast** - Tim Knoebel stated he received comments from DEP for ongoing maintenance and will report back to the Board.
- 2) **Municipal – (2) Tool Boxes** – Tom Danner made a motion to sell the tool boxes on Municipal with no reserve, seconded by Scott Kennedy. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 3) **Craftsman Pressure Washer/Push Mower** – Tom Danner made a motion to scrap these items since they are inoperable, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 4) **Omnisite Alarm Dialers** – Will be discussed at the August 28<sup>th</sup> workshop.
- 5) **Resolution #2018-08 – Opposition to Statewide Earned Income Tax Collection** – Tom Danner made a motion to adopt Resolution #2018-08, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 6) **Front Door Quotes** – Pete Socks made a motion to accept a portion of the quote from Channell's Locksmith for hinge replacement - \$445.00 and closer replacement – \$281.50, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 7) **Bottled Water** – Tom Danner made a motion to discontinue water service and rental of machine through Ready Refresh by Nestle and purchase bottled water, seconded by Scott Kennedy. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 8) **Road Salt (Costars)** – Tom Stylc stated by going through Costars we will save \$600 per ton for salt. The Board would like to see a copy of the Costars contract and will discuss at the August 28<sup>th</sup> workshop.

## **STATE POLICE**

48 calls in July

August 13, 2018

**ADAMS REGIONAL EMERGENCY MEDICAL SERVICES (AREMS)**

20 calls in July

**UNITED HOOK & LADDER**

8 calls in July

**CODE ENFORCEMENT/PERMITS**

9 permits and 18 violations in July

Enforcement issues will be discussed in executive session.

**ENGINEER'S REPORT/PLANS**

- 1) Pending Plans Report
- 2) **Cistone Sewage Planning Exemption** – The Zoning Hearing Board approved a “granny flat” for the Cistone’s and a sewage planning exemption is required to proceed. Pete Socks made a motion for the Secretary to sign the sewage planning exemption and send to DEP, seconded by Tom Danner. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 3) **Interstate Paving (Lot 5 Bermudian Keys) – Letter of Credit expires 8/25/18** – Tim Knoebel stated all work has been completed and the Letter of Credit in the amount of \$68,904 can be released. Tom Danner made a motion to release the Letter of Credit, seconded by Scott Kennedy. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 4) **Robert, Lydia & Linda O’Brien – Prel/Final Subdivision/Land Development Plan & Sewage Planning Exemption (Race Track Road) – Must act by 8/13/18**

Tim Knoebel stated this property is in ag preservation and they can sell so many lots per year. Mr. Mort stated they would like to reserve capacity instead of paying for tapping fees for the sewer. It was noted Rob Thaeler would like to review the deeds. Tom Danner made a motion to waive the requirement (Section 303) of submitting a preliminary plan, seconded by Scott Kennedy. **Roll Call: Black – yes, Socks – abstained, Danner – yes, Kennedy – yes. Motion carried unanimously.**

Tom Danner granted a 90-day extension so the applicant can resolve the reservation of capacity and/or sewer agreement and any outstanding issues as listed in KPI Technology’s comment letter dated August 13, 2018 seconded by Scott Kennedy. **Roll Call: Black – yes, Danner – yes, Kennedy – yes, Socks – abstained. (Note: Mr. Socks had previously**

August 13, 2018

submitted a letter stating due to family relations with the O'Brien's he would be abstaining from all votes).

5) **Residence at the Bridges – Pre. Subdivision/Land Development Plan (Lobell & Kinneman Roads) – Must act by 10/31/18**

Tim Knoebel stated the Planning Commission recommended a reduction in street width on Lobell Road to 28' or less as recommended by the township engineer. They also recommended approval of the plan subject to the developer addressing the conditions outlined in our letter dated August 1, 2018, addressing the road width, adding additional turnaround on each lot, and completion of developer's agreement.

Tom Danner stated we need to determine who owns the other end of Kinneman Road. On Berwick's side we have no parking. Pete Socks made a motion authorizing Tom Danner to attend Abbottstown Borough's meeting on August 16, 2018 to discuss Kinneman Road, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**

Tom Danner made a motion concurring with the reduction in street width on Lobell Road to 28' pending receipt of a waiver request, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**

Jean Hawbaker was instructed to contact Abbottstown Borough to get Tom Danner on their agenda to discuss Kinneman Road.

Tim Shultis is reviewing the developer's agreement and needs more information on the following:

- Vacation of Lobell Road
  - Rededication of portions of Lobell Road
  - May 11, 2017 Zoning Hearing Board decision and how that interfaces with this development
  - Allocation of the sanitary sewer service and improvements to pump station
  - Improvements to Kinneman Road
- 6) **PennDOT Route 194/94 Paving Project** – Tim Knoebel stated PennDOT will be overlaying Route 94. The township has five manholes that will be affected and will need to purchase riser rings. We will pull the manholes and the township will purchase the rings and provide them to PennDOT's engineer to put on. Tom Danner made a motion authorizing the engineer to provide the appropriate paperwork for PennDOT to coordinate the activity, seconded by Pete Socks. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 7) **Cambrian Hills – Update** - They are scheduling a preconstruction meeting with the Conservation District on August 16<sup>th</sup> at 10:00 a.m. A meeting will be held on August 22<sup>nd</sup> at 10:00 a.m. to include the township.

August 13, 2018

**SOLICITOR'S REPORT**

- 1) **Fireworks Law** – There are four things that we need to decide on before the ordinance is finalized. Who is going to inspect, which we found out will be PMCA and the Code Enforcement Officer, whether or not the township wants to set up any additional regulations for agricultural use, amount of bonding, consumer fireworks regulations.
- 2) **Bermudian Keys** – Mr. Shultis stated he has the proposed deed of dedication, but needs to review it. Tom Danner made a motion authorizing Tim Knoebel and Tom Stylc to go out and verify all work has been completed, seconded by Earle Black. **Roll Call: Black – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried unanimously.**
- 3) **Upset Sale Auctioneer List** – Mr. Shultz wanted to know if anyone on the upset sale list had public sewer. Jean Hawbaker stated only one of them has public sewer. Will wait to see if they pay the two quarters they owe.
- 4) **Capital Expense** – Mr. Shultis stated for a new heating system, enlarging meeting room, electrical changes, I see them as connected to one another and should be bid out as one project. Tom Danner stated he will work on an RFP and will try to have ready for the August 28<sup>th</sup> workshop.

**PUBLIC COMMENT (GENERAL)** – None.

The Board went into executive session at 8:47 p.m. to discuss issues relative to attorney-client privileged matters. Earle Black excused himself at 9:02 p.m.

The Board came out of executive session at 9:07 p.m.

Meeting adjourned.

Respectfully submitted,

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