

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING JUNE 10, 2019**

CALL TO ORDER AND PLEDGE TO THE FLAG – The June 10, 2019 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. The meeting was called to order at 6:00 p.m. Present were Supervisors Pete Socks, Tom Danner, Barry Cockley, Earle Black, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Roadmaster Bill Scott, Secretary Jean Hawbaker.

PUBLIC COMMENT (AGENDA ITEMS) – None.

CONSENT AGENDA

Earle Black made a motion to approve the consent agenda, which includes the minutes of May 13 & 29 and June 5, 2019, bill lists, unpaid bill lists, balance sheets dated June 7, 2019, and Road Masters Report for May 2019, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Black – yes, Danner – yes, Socks – yes, Kennedy – yes. Motion carried.**

UNFINISHED BUSINESS

1) **Race Track Road Maintenance Quotes:**

John Parichuk Paving, LLC - \$18,500.00 (includes milling)
Ault Paving and Sealing, LLC - \$15,075.00 (does not include milling)
C.E. Williams Sons, Inc. – \$21,500.00 (includes milling)
Olinger’s Paving - \$23,000.00 (includes milling)

Pete Socks made a motion to approve the quote from John Parichuk Paving, LLC in the amount of \$18,500.00, which includes milling, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

2) **Ultra-Tow Hydraulic Pickup Truck Crane w/Winch & pricing to modify the truck** – Scott Kennedy made a motion to purchase a 2,000 lb. capacity crane from Northern Tool & Equipment in the amount of \$264.99, and accepted the quote from Riley Welding & Fabrication to modify the truck in the amount of \$400.00, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

3) **Road Employee** – Tom Danner made a motion to authorize advertising for a full-time and seasonal part-time road employee, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

June 10, 2019

NEW BUSINESS

- 1) **Comcast Agreement (2year)** – The new agreement will save approximately \$50.00 per month. Tom Danner made a motion to approve, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **Delinquent Sewer Bills** – Will discuss in executive session.

STATE POLICE

35 calls in May

ADAMS REGIONAL EMERGENCY MEDICAL SERVICES

9 calls in May

UNITED HOOK & LADDER

No report received

CODE ENFORCEMENT/PERMITS

16 permits and 10 violations in May

ENGINEER'S REPORT

- 1) **Pending Plans Report** – There are 2 plans requesting extensions.
- 2) **Douglas & Rebecca Smith – Final Subdivision Plan – Request for a 90-day Extension**
- Pete Socks made a motion to grant a 90-day extension from June 5, 2019, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 3) **Meadowbrook RV & Boat Storage** – Pre. Land Development Plan – Request for a 90-day Extension – Barry Cockley made a motion to grant a 90-day extension from June 5, 2019, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 4) **Cambrian Hills** – Tim Knoebel will follow-up with them since their time will be running out soon.
- 5) **Residence at the Bridges** – They are doing work on the stormwater detention ponds. They submitted a revised detour plan. The signs have been posted and Kinneman Road will be closed starting June 24th during the day.

June 10, 2019

- 6) **Cross Keys Traffic Signal Cable** – The notice of award was sent to Swam Electric. We are waiting for their performance bonds.
- 7) **Township Building Project** – We were contacted by your architect and will be in touch with them.
- 8) **Bermudian Keys Traffic Study** – There is a draft of the study finished. The initial observation is going to be that no parking will be allowed. Scott Kennedy made a motion authorizing Tim Shultis to prepare the Ordinance, seconded by Pete Socks. Mr. Shultis will also include Kelly Road and Summit Ridge. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

SOLICITOR'S REPORT

- 1) **Residence at the Bridges executed agreements** – Lobell Road vacation agreement and development agreement.
- 2) I have a draft letter to Med-Ed about closing Race Track Road, and another letter I will share with Tom Danner.

Tom Danner made a motion authorizing KPI Technology to make recommendations on the drainage in the front of the Race Track, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

UNFINISHED BUSINESS CON'T

- 4) **Sewer Plant** – Pete Socks stated the transfer switch will be put in tomorrow. I received a phone call this morning that the AC/heating unit is burnt out. Allison's Heating will schedule to repair.

PUBLIC COMMENT (GENERAL)

- 1) **Ken Kershaw – 36 Stanley Drive** – The area at the stop sign at the end of Kelly needs the weeds cut. My neighbor at 38 Stanley Drive has grass growing up around certain areas on their property.

The Board went into executive session at 6:50 p.m. to discuss a personnel matter, and delinquent sewer accounts.

The Board came out of executive session at 7:03 p.m.

A public hearing was held on the potential vacation of Lobell Road.

Testimony of Supervisor Tom Danner on the Vacation of Lobell Road (T-507)

June 10, 2019

Lobell Road (T-507) is a Township Road, located in Berwick Township, Adams County, Pennsylvania. Lobell Road is approximately .77 miles long, running generally West-East and joins Bair Road on the Western end and Kinneman Road on the Eastern end in Berwick Township. Both Bair Road and Kinneman Road intersect with U.S. Route 30 and Race Track Road.

The right of way of Lobell Road (T-507) is presumptively 33 feet in width. The cartway is 17 feet in width.

There are 3 property owners whose property adjoin Lobell Road, Michael D. and Nancy J. Bross, York Water Company, and Residence at the Bridges, LLC (which recently purchased approximately 33 acres from Michael D. and Nancy J. Bross). In large part, Lobell Road bisects the Bridges Golf Course, which is owned by the Bross'. Golfers who play at the Bridges cross Lobell Road on foot or on golf carts. There are no residential properties which adjoin Lobell Road. The York Water Company property contains a pump station. The Residence at the Bridges, LLC has an executed contract to purchase the York Water Company lot. The Bross' property, aside from the Bridges Golf Course, is undeveloped.

Adams Electric and CenturyLink have easements along Lobell Road for utility services. Century Link has indicated that it is abandoning its service.

Those who may use Lobell Road as a "short-cut" between Bair Road and Kinneman Road are able to use U.S. Route 30 or Race Track Road to access either Bair Road or Kinneman Road, since Bair Road and Kinneman Road intersect with both U.S. Route 30 and Race Track Road.

Berwick Township receives approximately \$2,642.00 in Liquid Fuels moneys each year for Lobell Road. Berwick Township spends approximately \$1,500.00 in annual maintenance costs. In 2016, Lobell Road was 'seal coated" at a cost of approximately \$22,473.00. In terms of future maintenance, 4 pipes need to be replaced at an approximate cost of \$3,000.00 and "seal coating" will need to be done in the next 1-2 years.

In addition, since the road is otherwise isolated from residential property owners, Lobell Road is a popular dumping area for large trash items such as old tires, couches, etc. The Township spends man-hours picking up the trash that is dumped along Lobell Road.

The Residence at the Bridges subdivision plan has recently been approved, proposing a 38 lot subdivision along Kinneman Road. According to the plan, 18 lots are proposed to front the eastern end (that is, the Kinneman Road end) of Lobell Road, which will be improved to Berwick Township standards, and, if vacated, will be dedicated to Berwick Township. Bross, as the potential developer, may also make use of Lobell Road on the Western End (the Bair Road end) in future development. Lobell, if vacated however, will cease to be a "through road". As a result, both "ends" of Lobell may be become public roads.

Both Bross and Residences at the Bridges, LLC support the vacation of Lobell. Both

June 10, 2019

Bross and Residences at the Bridges, LLC have, or have agreed to, provide easements to the existing utilities, Adams Electric and CenturyLink to maintain those utilities. Both Bross and the Residences at the Bridges, LLC have entered into a Vacation Agreement with the Township. The York Water Company has received notice of the Hearing and copy of the proposed ordinance and has not responded.

Based on the forgoing, Lobell Road does not serve any public interest other than a “through road”. Those using Lobell Road as a “through road” can use Bair Road or Kinneman Road, U.S. Route 30, or Race Track Road.

The cost of maintaining Lobell Road is more than what the Township receives in Liquid Fuels moneys, both in long term maintenance (seal coating, drainage piping, etc.) and short-term maintenance (snow plowing, repairs, trash removal).

As a result, the Township is of the opinion that Lobell is either useless, inconvenient, or burdensome as a public road and should be vacated.

No one from the public was present for the vacation of Lobell Road, so therefore; the hearing was closed.

Ordinance #2019-01 – Vacation of Lobell Road – Tom Danner made a motion to adopt Ordinance #2019-01 vacating Lobell Road, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Scott Kennedy made a motion to adjourn at 7:07 p.m., seconded by Barry Cockley. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on July 8, 2019 at 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

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