

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING DECEMBER 9, 2019**

CALL TO ORDER AND PLEDGE TO THE FLAG – The December 9, 2019 regular meeting of the Berwick Township Board of Supervisors was held in the Oxford Township Municipal Building, 780 Hanover Street, New Oxford, PA. The meeting was called to order at 6:00 p.m. Present were Supervisors Pete Socks, Tom Danner, Barry Cockley, Scott Kennedy, Solicitor Tim Shultis, KPI Technology Tim Knoebel, Roadmaster Bill Scott, Secretary Jean Hawbaker. Earle Black was not in attendance.

PUBLIC COMMENT (AGENDA ITEMS) – None.

CONSENT AGENDA

Barry Cockley made a motion to approve the consent agenda, which includes the minutes of November 12, 2019, bill lists, unpaid bill lists, and balance sheets dated December 6, 2019, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

ROADMASTER’S REPORT

- 1) As of the first week of February, the new truck and chassis will be complete. Should have the truck totally completed by mid-March.
- 2) Received the Ditcherhead.
- 3) Leaf collection is going well. Will eventually have a schedule.
- 4) Our trucks are ready and we have material for the winter season.
- 5) Speed Sign Quotes – Tabled.

SUBDIVISION/LAND DEVELOPMENT PLANS

- 1) Douglas & Rebecca Smith – Final Subdivision Plan (64 High Rock Road West) – **Must act by 12/24/19 – Request for an extension until 3/24/20**

The revised plan proposes to subdivide/create 4 new building lots (a fifth lot will contain the existing home) from the original parent tract of 100 acres and 2 other existing lots owned by the Smith’s. Access for 4 of the 5 lots is via an existing farm lane proposed to be improved to 16 feet wide for the first 800 feet and contained in a proposed 25-foot access easement from Beaver Creek Road. Lot 4 will be accessed via an existing 50-foot right-of-way from High Rock Road.

There were two waivers that were previously approved, Section 303 – requirement to submit a separate Preliminary Plan, and Section 407.B.1 – requirement to have lots front upon a dedicated public street or upon a private street constructed to the Township’s Specifications. There are two

December 9, 2019

lots that will not front on a public road. The waiver request should be discussed again. A Shared Use and Maintenance Agreement for the proposed driveway is required, and Stormwater Management Operations and Maintenance Agreement is required. Sewage planning or exemption approval from DEP is required. The improvements associated with the proposed shared driveway must be installed and verified useable prior to recording of the plan.

Barry Cockley made a motion to approve the Sewage Planning Exemption, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to grant a waiver to Section 303 to the requirement to submit a separate Preliminary Plan, seconded by Scott Kenneth. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to grant a waiver to Section 407.B.1 to the requirement to have lots front upon a dedicated public street or upon a private street constructed to the Township's specifications, make a revision to the current plan and detail the existing driveway and place notes on it, which says the existing driveway from Beaver Creek Road will be utilized for an interim period of time under the Shared Use and Maintenance Agreement for a period of one year, and at the end of the one year period, the new driveway as shown on the plan will be constructed, seconded by Barry Cockley. No further subdivision will be permitted without public or private access and built to township specifications. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tom Danner made a motion to grant an extension until March 24, 2020, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

2) Cambrian Hills – Final Subdivision Plan (Rt. 94/Green Springs Road) – **Must act by 1/16/20 – Request for an extension until 4/16/20**

The plan consists of 61 residential lots and 4 non-residential lots proposed along with the construction of related streets, stormwater management facilities and other utilities. Ted Decker stated the preliminary plan approval date has been added to the plan.

Tim Knoebel explained General Note 35 states that a right-of-way is retained to allow the Township to extend Piedmont Way to Green Springs Road if the Township chooses to do so. Section 904.B(2)(e) establishes that variances "expire" if the applicant fails to obtain a building permit within one (1) year from the date of authorization. Did the Zoning Hearing Board specify some other time limit? A copy of the transcript will be obtained to verify the time limit. Section 513 establishes recreation land/fee for residential projects. Mr. Knoebel stated when this was put in place, it was anticipated that the township was going to develop a recreation plan. Since that didn't happen, we haven't enforced the payment of recreation fees. The H.O.A. will need to maintain recreation areas, and individual lot stormwater if owner does not maintain. The developer should maintain the roads until after Phase II is complete. An extended maintenance bond should be required for a period after 18 months. May need a separate security for the repair of sink holes. Should consider the sinkhole disclosure process as part of the plan review and approval process.

December 9, 2019

Tom Danner stated we need to discuss the traffic signal that is needed at Route 94 and Green Springs Road. A representative for the developer stated \$40,000 will be placed in escrow to go towards the light. Harry McKean stated he is one of the contract purchasers for the commercial lots and the additional funds for the traffic light will fall on us since we would be installing the light.

Pete Socks stated we want to work with you. The statement made by a Planning Commission member was out of line. That individual was told he was out of line and he resigned.

Pete Socks made a motion to schedule a Workshop on December 30, 2019 at 8:30 a.m. and authorized advertisement to discuss only the Cambrian Hills development. The Workshop will be held at the Oxford Township building – 780 Hanover Street, New Oxford, seconded by Tom Danner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tom Danner made a motion to grant Cambrian Hills an extension until April 16, 2020, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

UNFINISHED BUSINESS

- 1) **Sewer Plant Control Upgrades/Schaedler Yesco Referrals** – Scott Kennedy made a motion to accept the proposal (Costars), seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **NIMS Compliance/Emergency Management Plan** – Tabled.
- 3) **Building Improvement Project** – Tom Danner stated there have been some change orders that came in. Will need to discuss the camera system and hooking up to York Water. Tom Danner made a motion to accept the camera system quote as long as it comes in under \$11,100 from Keystone Alarm, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

York Water will hook up for nothing as long as they don't run into rock. We will dig the trench.

- 4) **Altercation on Bridges Property** - Tom Danner stated at a previous meeting there was a reference made to an altercation that took place on the Bridges property between the contractor and a resident. They have settled their dispute and apologized to each other. The individuals that were involved were not the parties that informed us that it had happened.

NEW BUSINESS

- 1) **Cross Keys Traffic Light – PERC Maintenance Rates for 3-year contract** – Pete Socks made a motion to approve PERC for the Maintenance of the Cross Keys Traffic Light.

December 9, 2019

Emergency contacts will need to be updated, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks stated we need to set up a meeting between Berwick, Oxford and Hamilton to discuss the current structure of the agreement for the Cross Keys Traffic Light. We are currently charged a third. We need to relook at how that structure is laid out. Pete Socks made a motion authorizing the Secretary to set up a meeting with the three townships to discuss this issue, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 3) **Set Re-Organizational meeting and Authorize Advertisement for the Board of Supervisors and Township Auditors, and January Planning Commission meeting.**
Barry Cockley made a motion to set the Re-Organization meeting on January 6, 2020 at 8:30 a.m. in the portable trailer, Auditors Re-Organization meeting on January 7, 2020 at 6:00 p.m. in the portable trailer, and the Planning Commission meeting January 8, 2020 at 6:00 p.m. in the Oxford Township building, seconded by Tom Danner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 4) **Franchise Fee Changes** – Tabled.
- 5) **LABS Proposal for Analytical Services for 2020** – Barry Cockley made a motion to accept the proposal, seconded by Tom Danner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 6) **General Fund CD** – Pete Socks made a motion to approve putting the CD in Adams County National Bank for 24 months at an interest rate of 2.30%, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 7) **National Flood Insurance Program** – Tabled.
- 8) **Snow Plowing** – The Road master has drivers lined up if needed.
- 9) **Gift Cards** – Scott Kennedy made a motion to give \$50.00 Walmart gift cards to the Planning Commission and Zoning Hearing Board, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – abstained, Kennedy – yes. Motion carried.** Tom Danner made a motion to give the employees \$100.00 Walmart gift cards, seconded by Scott Kennedy. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 10) **Cell Phones** – Scott Kennedy made a motion to upgrade the cell phones to smartphones through Verizon for \$50.00 more per month, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

December 9, 2019

UNITED HOOK & LADDER

No report

STATE POLICE

39 calls in November

ADAMS REGIONAL EMERGENCY MEDICAL SERVICES

No report

CODE ENFORCEMENT/PERMITS

- 8 permits and 10 violations in November
- Have been working with 310 Green Springs Road on the garbage and junk.
- JPS Granite will be submitting an Operation and Maintenance Agreement for Stormwater.
- Issued violation letters to 51 Progress Avenue. He will be submitting a Land Development Plan.
- There is a lot located in the RC District that has a principal use and would like to expand some other uses. I need to know how to proceed from the Solicitor. Tom Danner made a motion authorizing the Zoning Officer to discuss this with the Solicitor, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- Should parking tickets be given out instead of just warnings? The ordinance says the fine is up to \$50.00. Tim Shultis will review the ordinance.

Pete Socks stated he observed EARP sitting on Progress Avenue and he appeared to be running speed on Route 94. How do we handle that? Why are they in our jurisdiction, and if they run speed, do we get a portion of that? The Solicitor didn't see a problem with it.

ENGINEER'S REPORT

- 1) **Parking Lot Plans** – Will look at what needs to be done to proceed.
- 2) **Cross Keys Signal Cable** - Swam Electric has what they need to do the work at the traffic light. They can't fit us into their schedule until January.
- 3) **Residence at the Bridges** – Received a plan showing 16 new structures. Need to review it.

December 9, 2019

Pete Socks stated he received calls regarding Sutton Road. This is an Abbottstown Borough issue. Burkentine was dropping off trusses and got the road muddy. Tim Knoebel stated the Conservation District should be notified.

- 4) Race Track Road Survey – Will prepare.

SOLICITOR'S REPORT

- 1) Mondorff ROW (corner of Beaver Creek and High Rock) – Pending the drawing.
- 2) Jones ROW (Grinder Pump) – Pending the drawing.

PUBLIC COMMENT (GENERAL) – None.

Barry Cockley made a motion to adjourn at 9:00 p.m., seconded by Scott Kennedy. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on January 13, 2020 at 6:00 p.m. at the Oxford Township Building, 780 Hanover Street, New Oxford, PA 17350.

Respectfully submitted,

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