

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES APRIL 13, 2020**

**CALL TO ORDER** – The Berwick Township Board of Supervisors held their regular meeting on Monday, April 13, 2020 at 6:00 p.m. using the platform FreeConference.com – Dial-in number (US): (425)436-6328 – Access code: 194186# or join the online meeting at <https://join.freeconferencecall.com/petesocks9>. The meeting was called to order at 6:00 p.m. Roll Call was taken and present were Supervisors Pete Socks, Tom Danner, Earle Black, Scott Kennedy, Barry Cockley, Solicitor Tim Shultis, Engineer Tim Knoebel, Roadmaster Bill Scott, Zoning Officer Andrew Myers and Secretary Jean Hawbaker. No one was present from the public.

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

**APPROVE CONSENT AGENDA**

Tom Danner made a motion to approve the consent agenda which consists of the minutes of March 4, March 9, and March 26, 2020, bill lists, unpaid bill lists and balance sheets dated April 10, 2020, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, except for March 4 and March 26 since he was not present at these meetings, Socks – yes, Danner – yes, Kennedy – yes.** Motion carried.

**ROADMASTER’S REPORT**

- 1) Many vendors have not been working, but I am still looking into other methods to maintain roads.
- 2) The new truck assembly is at a standstill due to the COVID-19.

Tom Danner made a motion to approve the Roadmaster’s report for March, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes.** Motion carried.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS**

- 1) **Tax Collector Policy Resolution No. 20-10** – Tom Danner made a motion to adopt Resolution No. 20-10 extending the deadline for filing federal taxes until July 15, 2020, and extending the dates for making tax payments by June 30, 2020 to receive a two percent (2%) discount, by October 31, 2020 to receive no penalty, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes.** Motion carried.
- 2) **Section 125 Plan Resolution No. 20-11** – Pete Socks made a motion to adopt Resolution No. 20-11 establishing a Section 125 Plan retroactive to January 1, 2020, seconded by Barry

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Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

3) **Award Parking Lot Bid** – Bids received resulted in the following:

JVI Group – \$192,965.00

Kinsley Construction – \$216,818.17

H&H General Excavation – \$207,449.00

Barry Cockley made a motion to accept the bid from JVI Group in the amount of \$192,965.00 subject to receiving bonds and insurance. Notice to proceed may be delayed depending on outcome of stay-at-home order, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

4) **Waiver of sewer late charges for second quarter of 2020** – Earle Black made a motion to waive the sewer late charges for the second quarter of 2020, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

5) **Waiver of Amusement tax for the remainder of 2020** – Pete Socks proposed waiving the 2020 Amusement Tax due to the impact of the governor’s decision to close non-essential businesses. Tom Danner made a motion to waive the Amusement Tax for the remainder of 2020 for the Bridges Golf Course and Lincoln Speedway, and authorizing Tim Shultis to prepare an ordinance wherein it will not affect future Amusement Tax. Pete Socks will contact the Bridges and Lincoln Speedway to make them aware, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

### **STATE POLICE REPORT**

23 calls in March

### **UNITED HOOK & LADDER**

9 calls in January

2 calls in February

### **AREMS**

No report.

Pete Socks stated last Thursday a tree fell over, pulled down a telephone line and sparked a fire and burnt about 7 acres in the area of Pigeon Hills between Race Track Road and Green Springs Road. No property loss. They called several people to assist. We told them they can use our building as an operation center. If the need ever arises, they will take advantage of it.

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## CODE ENFORCEMENT/PERMIT REPORTS - MARCH

7 permits issued in March

- 410 Abbottstown Pike – Recorded O&M Agreement and received Zoning Permit
- 51 Progress Avenue – They were given 30 days to submit a permit application
- 881 Abbottstown Pike – Zoning Hearing Board granted a Variance for the operation of a landscape/truck business
- 166 Race Track Road – Zoning Hearing Board granted a Variance to rear set-back
- Continue to scan documents. New computer is installed. Waiting on new sound card and a new license to install Microsoft Outlook
- 23 Christine Lane – This address has been changed to 88 Smith Lane
- Received information on the Floodplain Ordinance to be reviewed
- Revised Driveway/Road Occupancy Permit Applications

Tom Danner stated we need to look at how applications are addressed in the Driveway Ordinance. If it's a part of the Ordinance, we may need to revise the Ordinance. We need to see what was revised.

Mr. Danner stated we need the reports for permits and warnings that were issued.

Tom Danner stated Andrew is coming up for his 6-month evaluation to see where we're at. I would like the other Board members to send questions or concerns on Zoning/Code Enforcement. I want clarification from the Board on the protocol out in the township for violations. Does he go face-to-face or send a letter first.

Andrew Myers stated he can inform them face-to-face or by letter, even though we shouldn't be face-to-face right now.

Pete Socks stated you can be face-to-face as long as you are social distancing. There is no moratorium on Code Enforcement.

Earle Black stated the costs need to be included with the permit report.

## ENGINEER'S REPORT

- 1) **Cambrian Hills** – Phase 1 Final Subdivision Plan (Route 94/Green Springs Rd.) – **Must act by 4/13/20 – Request for an extension until 7/16/20**

Scott Kennedy granted Cambrian Hills – Phase 1 Final Subdivision Plan an extension until 7/16/20, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 2) **Bermudian Keys Letter of Credit** – Expires 4/30/20

Tim Knoebel explained that he, Bill Scott and Ryan Picarelli were out to inspect the site and we have a punch list which we should have out in a day or so on items they need to repair. The Secretary and or Chairman should be authorized to call the maintenance letter of credit for Bermudian Keys should the developer not provide an extension, which will allow them to

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complete that work. Barry Cockley made a motion authorizing the Secretary and or Chairman to call the letter of credit for Bermudian Keys should the developer not provide an extension before the expiration date, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

3) **Kinneman Road North end with Abbottstown**

Bid documents have been prepared. We have not advertised it yet depending on the direction the Board would like to go. The South end which is the portion from the Bridges development to Race Track Road. We worked on putting some numbers together. The South portion along Lincoln Speedway reclamation, drainage and shoulder work would be in the range of \$110,000.000. If we were to expand that to include the remainder of the road from where the Bridges is going to end their work all the way to Race Track Road would be in the range of \$160,000.00.

Tom Danner stated based on his conversation with Dennis Posey from Abbottstown regarding Kinneman Road to Route 30, whichever direction we take, they will follow our lead. We may want to push this out to Spring to give us the opportunity to get things squared away with Lincoln, and maybe join these projects together.

Tom Danner made a motion to push the bid process back for the Kinneman Road to Route 30 (contingent on Abbottstown Borough's approval), and Kinneman Road and Race Track Road projects until Spring based on the decision from the State regarding the virus situation, and Tom Danner will inform Abbottstown Borough, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

**SOLICITOR'S REPORT**

1) **Kinneman Road Project with Abbottstown Borough**

Regarding the Kinneman Road Project and the approval of the joint meeting minutes of March 4, 2020. I did prepare an intermunicipal agreement, which I did share with Pete Socks and Tom Danner and with Dennis Posey from Abbottstown. I wanted to make a correction about the methodology of financing this project. We are unable to loan money to another Municipality. We are shifting from a loan to cost sharing approach. This is a joint project where it will benefit both Berwick and Abbottstown. The work done in Abbottstown will independently benefit Berwick and the work done in Berwick will independently benefit Abbottstown. Because of that, Berwick Township is going to fund the project, in large part, and Abbottstown is going to pay its share of the project over time, so instead of a loan, it would be a delayed payment from Abbottstown. Because Berwick is taking the lead on this project, I built in a management fee in the amount of \$4,500.00 to offset Berwick's additional costs by taking the lead.

2) **Floodplain Management Ordinance**

When FEMA did the new floodplain map, Berwick Township was not included in this map. We will not be out of compliance if we do nothing by July. There are some things in our

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existing Floodplain Ordinance that are not compliant. Talking to Leslie Rhoads from PA Municipal League, this is her expertise. She has reviewed our Ordinance and found a number of issues that are noncompliant with current standards, and because her services are free it makes perfect sense to make use of that now. The Board was interested but weren't sure when it can be scheduled at this point.

3) **Richard and Rebecca Mondorff**

I have prepared the deed of dedication for property at the corner of High Rock Road and Beaver Creek Road. In my draft, I put the maintenance on them, but they want the township to maintain it. Bill Scott had no issue with this. Mr. Shultis will revise the agreement which will state the township will maintain it.

4) **Draft Agreement of Cross Keys Signal** – Table until the next meeting.

5) **Cambrian Hills Developer's Agreement**

Tim Knoebel and I had a discussion with Jody Evans, McMahon and Associates regarding the traffic impact study. We came up with an outline on how we are going to deal with it and how the traffic light was going to be paid for. Because Myers plan said that the level of service is going to drop at an unacceptable level at future buildout, Myers will have to conduct a traffic signal warrant assessment at different stages of the buildout. If a traffic signal is warranted, the developer will need to install it at their expense. Myers has agreed to give us \$40,000 towards the traffic signal. We can apply it to Myers responsibility to the traffic light or another developer. Once the traffic signal is installed, the township will need to maintain it, so we are going to require Myers to pay the township escrow to pay for the electric and maintenance costs for 10 years, which amounts to about \$25,000.

**PUBLIC COMMENT (GENERAL)** – None.

**SUPERVISOR'S COMMENTS**

Earle Black – None

Scott Kennedy – None

Barry Cockley – None

Pete Socks - None

Tom Danner asked Tim Knoebel if he had a chance to check the RV development with sinkholes. Mr. Knoebel stated he did check and there is a small opening on the site closer to the inlet of the pond. This is the developer's responsibility.

Barry Cockley made a motion to adjourn at 7:30 p.m., seconded by Scott Kennedy. Motion carried.

**The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on May 11, 2020, 6:00 p.m.**

Respectfully submitted,

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