

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES MAY 11, 2020**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, May 11, 2020 at 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover. The meeting was called to order at 6:00 p.m. 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.

PUBLIC COMMENT (AGENDA ITEMS) – None.

UNITED HOOK & LADDER

Steve Rabine, Fire Chief of United Hook & Ladder was present to drop off box card alarm changes to be signed by the Board, which includes new apparatus and double pooling the departments due to manpower issues. Mr. Rabine reported that everyone is healthy at the fire department, no COVID-19 issues. We had to postpone one of our fundraisers from March, which was held this past Saturday. This month, we need to make a decision on the carnival in July on whether or not it will be held. Call volume is down since people have been staying home. There were 31 calls in April, 4 were in Berwick. We were up on the hill for the 7-acre little mountain fire. When you put a newsletter out or on your website to reiterate address signs.

Pete Socks stated if they ever need an operations center, they could use the township building.

APPROVE CONSENT AGENDA

Earle Black made a motion to approve the consent agenda which consists of the minutes of April 13, 2020, bill lists, unpaid bill lists and balance sheets dated May 8, 2020, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes.**
Motion carried.

ROADMASTER'S REPORT - April

- 1) Have been marking roads where maintenance is needed.
- 2) Waiting for prices from vendors on sealant products.
- 3) We are still not on the schedule yet for Beaver Creek Road. After patchwork on High Rock Road, we would like to tar and chip this road, which comes in at approximately \$24,000 and will be putting out to bid.
- 4) We are 2-3 weeks out for delivery of the new truck.
- 5) Spoke to Tammy from Adams County regarding the EMC training. When things calm down, she will let me know when there is a training.

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UNFINISHED BUSINESS

- 1) **Floodplain Management Ordinance** – Tim Shultis is waiting to hear back from Leslie Rhoads on dates that would suit her in June or July to meet with the Board. She will meet via Zoom.

NEW BUSINESS

- 1) **PEMA Disaster Relief for COVID-19 – Designation of Agent**

The Secretary will apply for reimbursement from PEMA if and when we reach the \$3,300.00 threshold on monies spent due to the COVID-19. Per PEMA, a Resolution is not needed.

Pete Socks stated as far as businesses in our township and the brouhaha made by our dictator in Harrisburg that occurred today, we as a township are not telling a business they can open or remain closed due to the COVID-19, and we're not going to pay them a visit regardless of what they choose to do. They are adults and can make decisions on their own. I don't need to be a babysitter, and I'll be damned if I'm paying an employee to be a babysitter for this Governor. The Board concurred with Mr. Socks.

STATE POLICE REPORT

56 calls in April

UNITED HOOK & LADDER

5 calls in March

4 calls in April

AREMS

15 calls in February

17 calls in March

19 calls in April

CODE ENFORCEMENT/PERMITS

- 5 permits issued in April
- 51 Progress Avenue violation has until May 15, 2020 to comply
- Continue to scan files
- Received the sound card for my computer

Earle Black informed Mr. Myers he may want to tell Turkey Hill they need to mow their grass.

ENGINEER'S REPORT

- 1) **Parking Lot Project** – We received the performance and payment bonds from JVI Group. The Board would need to authorize execution of the agreement and authorize notice to proceed. A pre-construction meeting will be held and they will be given a window to start,

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which would be after the June 2nd Primary Election. Pete Socks made a motion to authorize execution of the agreement and authorized notice to proceed, seconded by Scott Kennedy.

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

Motion carried.

- 2) **Bermudian Keys** – Conewago Enterprises provided a revised bond extending it until April 2021 in order to complete the list of things that still need to be done.
- 3) **Kinneman Road** – We had a meeting with H&H and we were told they should be able to get to the reclamation and final paving by the end of summer. Mr. Knoebel presented a plan of the north end of Kinneman Road between the Bridges project and Route 30. It makes sense for us to do our underground work before the reclamation and paving. To put this in motion we did ask Brian Moore from H&H to put together what he thought would be a budget number for putting this storm drain in, which would be about \$65,000. Tom Danner stated there is a culvert that needs to be replaced, which is deteriorating. The inlet is on the Borough's side and this has a temporary inlet based on the outfall grading that can't be met and in order for it to work, which is why I asked Dennis Posey from Abbottstown Borough Council to attend tonight. Tim Knoebel stated there wouldn't be enough time to do the rest of it, which we can bid at the end of the year to get a good price. The paving needs to be completed and the reclamation needs to have the surface put on it pretty quickly. There is a need to obtain an easement. Mr. Knoebel presented the following project schedule:

Berwick Township - Abbottstown Borough

Kinneman Road Improvements

(Phase 1 - Storm Drainage)

Project Schedule

<u>Milestone</u>	<u>Completion Date</u>
Authorize Bidding	May 11/21, 2020
Advertise for Bids	May 22/27, 2020
Pre-bid Meeting	June 3, 2020
Open Bids	June 17, 2020

(Review Bids and Prepare proportion costs to each Municipality)

Award Bid	June 18, 2020 *
Issue Notice to Proceed	July 3, 2020 (Est)
Substantial Completion	August 21, 2020 **

* Abbottstown Borough Meeting (Special Berwick Twp. Meeting)

** 7-Week Period

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Tom Danner made a motion to authorize advertisement of Phase 1 - Storm Drainage portion of Kinneman Road, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tom Danner made a motion to authorize advertising a joint meeting with Berwick Township and Abbottstown Borough to a date to be selected, depending on the outcome of Abbottstown Borough's meeting on May 21, 2020, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

SOLICITOR'S REPORT

- 1) **Kenneth Jones Agreement (grinder pump)** – Scott Kennedy made a motion to execute the right-of-way agreement and deed of dedication with regard to Kenneth Jones, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **Resolution #20-10 Correction** – Barry Cockley made a motion to adopt Resolution #20-10 correcting the Tax Collector penalty, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 3) **Proposed Ordinances** – a) an Ordinance regulating the use of the Berwick Township Recycling Center, and b) an Ordinance to waive the 2020 Amusement Tax.

Pete Socks made a motion to authorize advertisement for the Recycling Center Ordinance, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tom Danner made a motion to authorize advertisement for the Ordinance to waive the 2020 Amusement Tax, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 4) **Resolution #20-13** - Waiving the sewer rental late fee for the second quarter of 2020.

Barry Cockley made a motion to adopt Resolution #20-13, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 5) **Right-of-way issue regarding the Doug Smith Subdivision Plan** – Tim Shultis explained there is an existing, but unrecorded easement agreement that goes back to 2003. Ruth Laughman who owned a majority of the property granted a right-of-way exclusive to Ronald Laughman, Bill and Clair Hornberger and Jerry Laughman to transverse her property to get to High Rock Road. While it is exclusive to the grantees, it is also binding on the party's successors and assigns, which means it is not exclusive to them individually, but rather

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exclusive to them and their successors. Doug and Rebecca Smith are the successors and assigns to Ruth Laughman. Jerry Laughman's property that touches High Rock Road, the right-of-way goes through Ruth Laughman's property and then through Jerry Laughman's property to get to High Rock Road.

Tim Knoebel stated that issue was raised back in the subdivision plan, and conditioned in that approval was that the agreement was to be recorded. This created the lot where Ruth Laughman was going to live.

Tim Shultis will look at the notes that were on the recorded plan. Mr. Shultis felt he didn't see this as exclusive to them because it applies to their successors and assigns, including Ruth Laughman, which is now Doug Smith. The right-of-way issue is a private matter between property owners, and we are addressing the issue in the land development plan and the developer's agreement.

PUBLIC COMMENT (GENERAL)

- 1) Dennis Posey thanked the Board for inviting him and clarifying the Kinneman Road project.

ADJOURNMENT

Barry Cockley made a motion to adjourn at 6:51 p.m., seconded by Scott Kennedy. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on June 8, 2020, 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