

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES NOVEMBER 9, 2020**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, November 9, 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, Zoning Officer Andrew Myers, Roadmaster Bill Scott and Secretary Jean Hawbaker.

PUBLIC COMMENT (AGENDA ITEMS) – None.

APPROVE CONSENT AGENDA

Barry Cockley made a motion to approve the consent agenda which consists of the minutes of October 12, 2020, bill lists, unpaid bill lists and balance sheets dated November 6, 2020, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

ROADMASTER’S REPORT/EMC UPDATE – OCTOBER

- 1) Replaced some signs.
- 2) Have been collecting leaves.
- 3) The O’Brien property should be mowed at least once a year.
- 4) Nothing to report on EMC at this time.

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

CODE ENFORCEMENT/PERMITS - OCTOBER

- 1) 21 permits issued/2 violations
- 2) Started construction in Cambrian Hills. Issued 6 permits.
- 3) Have not received a construction start date for 51 Progress Avenue.
- 4) Continue to scan files.
- 5) Nothing to report on vacancy report.
- 6) Have been documenting all existing signs with photos and location.

NEW BUSINESS

- 1) **2021 Budget Adoption** – Pete Socks made a motion to adopt the 2021 Budget, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

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- 2) **Quality Eicholtz Kyocera/KIM-1650 Copier Contract** – The Board agreed to discontinue the contract with Quality Eicholtz due to the lack of use of the copier.
- 3) Recon will be contacting Ronald Ruth regarding his cars that were covered with tar when they blacktopped Kinneman Road, and will reimburse him for his time.
- 4) The Secretary was instructed to invite Tom Starr to the next meeting.

STATE POLICE REPORT

72 calls in October

AREMS REPORT

No report received

UNITED HOOK & LADDER REPORT

No report received

ENGINEER'S REPORT

- 1) **Kinneman Road to Route 30** – Will be putting out for bid for the widening and drainage. Bob Sharrah will get plans to us soon.
- 2) **Development to Route 30** – H&H General Excavating is requesting payment in the amount of \$93,211.00 for work completed. Due to inlets and water valve not sealed, \$4,661.00 (5%) will be withheld. Tom Danner made a motion to approve the payment request in the amount of \$88,550.00 subject to receiving the maintenance bond, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 3) **Portion with the Bridges** – The reclamation is finished. The manholes will need to be adjusted. Will follow up with them.
- 4) **Todd and Amy Kennedy** – Final Subdivision Plan/Non-Building Waiver – (301 Summit Drive) – **Must act by 12/1/20**

Tom Danner made a motion to approve the Kennedy Final Subdivision Plan subject to addressing all comments on KPI Technologies letter dated September 1, 2020, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

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Scott Kennedy made a motion to approve the Kennedy Non-Building Waiver subject to the SEO signing it, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 5) **Harvest Chapel** – Final Land Development Plan – (6947 York Road) – Must act by 12/1/20 – **Request for an extension until 3/9/21**

Pete Socks made a motion to grant an extension until 3/9/21, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PennDOT is requiring that the proposed storm sewer be removed from the HOP application and filed as a separate application in the name of the township. An O&M Agreement will be needed to put the responsibility on the property owner to maintain the new storm sewer that is part of the HOP.

Tom Danner made a motion to approve the township's willingness on the execution of the PennDOT application for the storm drainage subject to having a recorded executed O&M Agreement in perpetuity, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 6) **Hershey Heights Road (Rick Weaver)** – Will be installing the culvert and widening tomorrow.

An agreement has been prepared with Gene Latta granting the township an easement for that 5-foot piece. The township will be responsible for maintaining that swale that will be installed. Tom Danner made a motion to authorize the execution of agreements with Michael Ming Hei-Law and SKL Real Estate, LLC, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 7) **Cambrian Hills Plan** – Gene Latta is interested in hooking into the public sewer. They will need to go through DEP to get approval, and they will need an agreement. The flow rate will need to be figured out.

Earle Black wanted to know if the township was going to get the signage that is on the property with the pump station as discussed years ago. Tim Knoebel stated this should be brought up when they request dedication of the pump station.

Pete Socks stated he received a call from Jerry Parrish about hooking Lincoln Speedway into the public sewer system. He would also like to replace a section of bleachers.

SOLICITOR'S REPORT

- 1) The property we talked about last month on Abbottstown Pike was discussed with the zoning review committee and should be ready by December.

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- 2) The grouping of text amendments that the zoning review committee came up with, will be compiled into an adoption ordinance by Rob Thaeler of the Adams County Office of Planning & Development. Should be ready for adoption in January.
- 3) A subpoena served on the township will be discussed in executive session.

Mr. Danner stated the Board should consider codification after the ordinance amendments are completed.

The Board went into executive session pursuant to Section 708 (a)(5) at 7:15 p.m.

The regular meeting of the Board of Supervisors was reconvened at 7:25 p.m. A motion was made by Pete Socks, seconded by Barry Cockley to retain Michael Crotty, of Siena Law as special counsel for the purpose of representing the Township with respect to a subpoena received in the matter of Brian Platt v. James Graham, et al., Civil Action 1:19-CV-01829. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tim Shultis announced that the Zoning Committee has met and discussed the proposed text amendment in the Highway Commercial Zoning District and is in a position to make a recommendation to the Board of Supervisors at its December 14, 2020 meeting.

A motion was made by Pete Socks, seconded by Scott Kennedy to consider the proposed text amendment proposed in the Highway Commercial Zoning District at its regular meeting on December 14, 2020. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PUBLIC COMMENT (GENERAL) – None.

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 December 14, 2020, 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

Jean A. Hawbaker
Secretary/Treasurer
**BERWICK TOWNSHIP
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