

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES OCTOBER 11, 2021**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, October 11, 2021 at 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover. Present were Supervisors Pete Socks, Tom Danner, Barry Cockley, Earle Black, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Roadmaster Bill Scott, Zoning Officer Andrew Myers. Secretary Jean Hawbaker.

PUBLIC COMMENT (AGENDA ITEMS) – None.

APPROVE CONSENT AGENDA

Tom Danner made a motion to approve the consent agenda, which consists of the minutes of September 13, 2021 and October 5, 2021, bill lists, unpaid bill lists and balance sheets dated October 8, 2021, and Police/Fire/AREMS Reports for September 2021, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

ROADMASTER’S REPORT/EMC UPDATE – SEPTEMBER

- 1) Someone has been pulling our signs out and laying them down at Beaver Creek off Maple, Country Club off Maple, Bair and Race Track.
- 2) Have been working on the computer for EMC.
- 3) Have been working on cleaning out gutter lines.
- 4) Stanley Drive stormwater needs to be addressed. Scott Kennedy made a motion authorizing KPI, Bill Scott and Scott Kennedy to meet on site to discuss this issue, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 5) It will cost \$1,200 for the pipe on the Kinneman Road drainage improvement in front of Beard’s property. KPI will take a look at it, and an agreement will be needed with the property owner.
- 6) The line painting has been completed on Race Track Road.
- 7) We picked up the backhoe bucket.
- 8) I have a list of contractors for this winter, if needed for plowing.

CODE ENFORCEMENT/PERMITS – SEPTEMBER

- 1) 14 permits and 9 violations issued in September.
- 2) The open road violation on Kinneman Road by Columbia Gas has been given to Tim Shultis for filing with the Magistrate for enforcement action. Tom Danner asked when they will be repairing it, since they will be running out of good weather. Mr. Myers will find out.

Mr. Danner would like to receive a year-to-date permit report each month.

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Pete Socks asked when we are sending notification to the homeowner at 890 Race Track Road to get the stones cleaned up off of the road. The road crew cleaned it up twice already. We have 2 guys out of 3 driving around with their eyes closed, and nothing is getting done about it. We need to get a little more aggressive. The homeowner needs to address this and clean up the stones. I expect it to be resolved before the November meeting.

UNFINISHED BUSINESS

- 1) **Hanover Auto Group Sewer Service Request** – Mr. Shultis spoke to Doug Stambaugh regarding the property owners agreement to pay the township's cost of evaluating. I asked Mr. Stambaugh to have the owner send the township a letter committing to paying the township's cost. We have not received anything at this time.

APPEARANCES

- 1) **Andrew Dalton** – Adams County Historical Society was present requesting a commitment of 5% of the American Rescue Plan Act (ARPA) funds to go towards their project of building a new Museum, Archives and Education Center in Cumberland Township.

Tim Shultis explained the final rule on the use of ARPA funds has not been given yet, so it is too early to make a determination. It may come back as more restrictive.

NEW BUSINESS

- 1) **Ordinance No. 21-05 – Fence Setbacks** – Tom Danner made a motion authorizing Tim Shultis to advertise for a public hearing, and intention to adopt, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kenned – yes. Motion carried.**
- 2) **Authorize Advertisement of Intent to Adopt 2022 Budget** – Pete Socks stated the 2022 Budget includes no tax increase. It includes a reduction in the quarterly sewer rate from \$140.00 to \$125.00, and reserve capacity from \$70.00 to \$62.50. Barry Cockley made a motion to waive the remaining balance of Adams Regional Emergency Management Services loan, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to authorize advertisement of the 2022 Budget and intent to adopt the draft budget that includes AREMS loan taken out, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 3) **2021 Donations** – Tom Danner made a motion to approve the 2021 Donations as follows: H.A.R.T. Center – \$1,000; Adams County Transit Authority – \$250; Adams Rescue Mission – \$500; Adams County SPCA – \$500, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

If ARPA funds can be used to pay outside of the regular donations, and the entity is capable of managing ARPA funds, the Board could give them more.

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- 4) **Consider ARPA Fund distribution to New Hope Ministries** – Pete Socks made a motion to use ARPA funds to distribute \$50,000 to New Hope Ministries towards their Capital Campaign for the new building they put in at J&W Caulking, which will result in a dollar-for-dollar match. If it is determined ARPA funds cannot be used for this, it will be paid out of the General Fund, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks stated New Hope Ministries has 2 EDU's. We discussed at the budget meeting on waiving their fees since they are a non-profit. Tim Shultis stated he doesn't know how you do that without creating disparity with others. Pete Socks made a motion to add New Hope Ministries to the annual donation list in the amount of \$500, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

The signage for New Hope Ministries will be discussed later, and the waiver of the permit fee.

- 5) **Ambulance Club Coverage** – Pete Socks explained we discussed at the budget meeting about covering the residents with ambulance club memberships if we waive the \$24,000 loan with AREMS. Kevin Moul and I discussed this and he was on Board with it. He will give us a bulk price to cover everyone in the township with an ambulance club membership for a year, with the understanding if someone contracts COVID and needs a ride to the hospital, they will have it covered for free out of the ARPA Funds.
- 6) **Comcast Service Agreement Renewal** – Tom Danner made a motion to renew the service agreement with Comcast, which includes 600 mbsp speed tier in the amount of \$362.76 per month, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 7) **Online Sewer Bill payment option through El Dorado** – The quote for online capabilities and payments through El Dorado was a total of \$928.36, which includes a \$39.95 monthly fee. There is also a \$2.95 charge for the use of credit cards and ACH eChecks. The Board decided not to proceed at this time.

ENGINEER'S REPORT/PLANS

- 1) **Apple Automotive, Inc.** – Prel/Final Land Development Plan – (Route 94/Green Springs Road) – Must act by 10/23/21 – **Request for a time extension until 3/31/22**

Barry Cockley made a motion to grant an extension for Apple Automotive, Inc. until March 31, 2022, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Bob Sharrah stated the NPDES was sent to DEP, and we are waiting on a meeting with PennDOT. I would like to move forward with the sewage planning exemption.

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- 2) **Sutton Run Estates** – Prel. Subdivision Plan – (Sutton Road) – Must act by 11/2/21 – **Request for a time extension until April 11, 2022**

Tom Danner made a motion to grant an extension for Sutton Run Estates until April 11, 2022, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion.**

- 3) **SKL Real Estate, LLC** – Final Land Development Plan/Form B Waiver – (1565 Carlisle Pike) – Must act by 10/19/21 – **Request for a time extension until 1/10/22**

Pete Socks made a motion to grant an extension for SKL Real Estate, LLC until January 10, 2022, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 4) **Alex Cistone** – Prel/Final Land Development Plan – (Bermudian Keys, Lot 11) - **Request for time extension of 60 days**

Scott Kennedy made a motion to grant a 60-day extension, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 5) **Kinneman Road South Widening (New Enterprise Stone & Lime Co., Inc.)** - Payment request #1& #2/Time extension request

Scott Kennedy made a motion to approve payment request No. 1 for New Enterprise Stone & Lime Co., Inc. in the amount of \$68,430.69, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to approve payment request No. 2 for New Enterprise Stone & Lime Co., Inc. in the amount of \$72,745.92 subject to receiving a change order and corrected invoice, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tom Danner made a motion to approve and authorize a change order to New Enterprise Stone & Lime Co., Inc. for a no-cost adjustment time extension through May 27, 2022, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 6) **Kinneman Road North Phase 2 (H&H General Excavating)** – Payment request #3

Barry Cockley made a motion to approve payment request No. 3 for H&H General Excavating in the amount of \$41,627.75, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 7) **Influent Pump Station** – The purpose of a third pump is to rotate it, so two of them aren't constantly running and extend the life of the pumps. Tim Knoebel stated you are not increasing capacity, but you are making substantial modifications to that station, so you may need a permit. Mr. Knoebel will follow-up on this.

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Tom Danner made a motion to authorize Tim Knoebel to proceed with design work after updating him on the items that were previously discussed, seconded by Scott Kennedy.
Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes.
Motion carried.

- 8) **Dave Martin Property – Preliminary Public Sewer Design** – Mr. Martin owner of 90F Municipal Road would like to hook up to the public sewer. Mr. Knoebel state he submitted a plan and profile. Will take some time to look at, and we will need some escrow money from them.

SOLICITOR'S REPORT

- 1) Mr. Shultis handed out the proposed draft agreement with Berwick Township and Abbottstown. Abbottstown has requested interim assistance from Berwick Township to perform emergency road work on Borough streets. Mr. Shultis also gave a conflict letter, since he represents both township's.
- 2) Received an email from Sharon Donovan who is representing the township in the Cross Keys litigation.
- 3) Sent a letter to PennDOT regarding the Oxford Township sewer issue. Did not yet receive a response.

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 November 8, 2021, 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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