

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES OCTOBER 10, 2022**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, October 10, 2022 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, Zoning Officer Andrew Myers, Secretary Jean Hawbaker. Roadmaster Bill Scott was not in attendance.

PUBLIC COMMENT (AGENDA ITEMS) – None.

APPROVE CONSENT AGENDA

Earle Black made a motion to approve the consent agenda, which consists of the minutes of September 12 and September 20, 2022, bill lists, unpaid bill lists and balance sheets dated October 7, 2022, and Police/Fire/AREMS Reports for September 2022, 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) Roadmaster’s Report
- 2) **EMC** – Will discuss at the workshop.

CODE ENFORCEMENT/PERMITS – SEPTEMBER

- 1) 16 permits, 3 violations
- 2) There were 2 homes removed from the vacant report, 410 Hershey Heights Road, which was demolished, and 795 Abbottstown Pike is now occupied.
- 3) Legacy Communities is requesting an amendment to the zoning ordinance to the setback for accessory structures.
- 4) We have ongoing issues with conditional U&O’s, stormwater and as built plans. Can we require more documentation to alleviate problems at the end of the project. We could require top of foundation certifications, lot topography and development stormwater with approved land development. Temporary U&O’s could be added to the zoning ordinance with an application and fee. Changes are being made to the site during construction not approved by the township engineer.
- 5) The conditional U&O for 135 Lobell Road expired due to drainage problems, which still has not been fixed. Tom Danner made a motion stipulating that the builder will need to request a 90-day extension in writing, and submit a plan within 30 days to show how it will be resolved, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

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Tom Danner made a motion authorizing Tim Shultis, Andrew Myers and himself to discuss this and work out details, and will bring it back to the Board, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 6) Someone is living out of an RV while they are rehabbing their house. Mr. Myers will check with the SEO and UCC to find out what may be required.
- 7) Received a complaint on a parking issue on Lobell Road. Told them this is currently a private road.

UNFINISHED BUSINESS

1) **2022 Donations**

Barry Cockley made a motion to approve a \$10,000 donation to the H.A.R.T Center out of the ARPA funds, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – abstained, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to approve a \$10,000 donation to each of the following out of the ARPA funds: Adams County Historical Society, Adams County Office of Aging, Adams County SPCA, Adams County Transit Authority and New Hope Ministries, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 2) **Cutting Trees** – Will be discussed at the workshop.

NEW BUSINESS

- 1) **Resolution #22-09 – Emergency Management Plan & Promulgation** – Tom Danner made a motion to adopt Resolution #22-09, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 2) **Insurance renewals – Health, dental and vision** – Barry Cockley made a motion to retain Highmark for medical and vision, and United Concordia for dental, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

ENGINEER'S REPORT/PLANS

- 1) **Sewer Plant Storage Expansion** – Is in process.
- 2) **Kinneman Road South** – We are still holding retainage for this project.
- 3) **Stanley Avenue Project** – This project has been substantially completed, and they are making some minor repairs. H&H General Excavating is requesting payment no. 2. We recommend that \$128,667.40

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be paid, and we will retain approximately \$33,000.00. Tom Danner made a motion to authorize payment to H&H General Excavating based on the terms of the invoice in the amount of \$128,667.40, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Chris Adler and John Rudisill had concerns with the weight restrictions that will be placed on Stanley Drive. Tom Danner made a motion to meet with concerned residents to discuss the proposed weight restrictions, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 4) **Grant opportunities for infrastructure projects** – Tim Knoebel explained these grants are related to sewer and water. One of them is through DCED for projects over \$500,000.00, the other grant through DCED is for projects less than \$500,000.00. Another grant is through Adams Response & Recovery Fund (ARRF), and can be used for water and sewer.

Pete Socks made a motion authorizing KPI Technology to pursue the grant through DCED for projects over \$500,000.00, and the grant through Adams Response & Recovery Fund, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 5) **Cambrian Hills Phase 2 – Final Land Development Plan – Request for an extension until 1/10/23** – Tom Danner made a motion to grant Cambrian Hills Phase 2 an extension until 1/10/23, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**
- 6) **Cambrian Hills/Green Springs Road, Lot 32** – This is the only lot that fronts onto Green Springs Road. They submitted a site grading plan for putting their house in, and taking the water from the house and diverting it around the back, which would eventually get to the swale. They didn't do this, and someone is living in the house. We met with the engineers and developers, and it is still not resolved. There is a phone call scheduled for tomorrow to discuss this issue.

Tom Danner made a motion to authorize Tim Shultis to proceed with legal action or enforcement to get them to complete this work on lot 32, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

SOLICITOR'S REPORT

- 1) **Fireworks Ordinance Amendment (Act 74)** – Tim Shultis stated we should revise the current firework ordinance, since our current ordinance needs to be updated. This amendment includes requirements to regulate consumer fireworks and display fireworks. This was tabled until next month's meeting.
- 2) **Local Tax Collection Waiver Ordinance (Act 57)** – This amendment allows the township tax collector to grant waivers for items such as interest, fees, penalties or charges in excess of the face amount of the real estate tax under certain conditions. This can also be done by resolution instead of by ordinance.

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Pete Socks made a motion to authorize Tim Shultis to proceed with the resolution for the tax collection waiver amendment, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks spoke to Shelby Jenkins and she took a new job and will include collecting taxes on a Saturday, one day per month, along with her evening hours during the week.

- 3) **Bar-Mar Equities, LLC Development Agreement** – Tom Danner made a motion to approve the Development Agreement for Bar-Mar Equities, LLC, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PUBLIC COMMENT (GENERAL)

- 1) Bob Massaroni of 60 Fawn Hill Road was present to voice his disappointment with the tar and chip done in the Summit Ridge Development instead of a top base. What were the factors moving forward with tar and chip in our neighborhood. There are 75 homes there, which has a pretty strong tax base. There are also damaged curbs, overspray and several stormwater manholes that do not have a good transition. The H.O.A. will contact a power wash service at its expense to clean up the curbs and make it look nicer. Mr. Massaroni also mentioned the noise at Lincoln Speedway.

Pete Socks explained as far as costs go, a hot mix top coat is very expensive and not economically feasible. This job should last at least 10 years. The membrane that we are starting to use now, is approved by the State and extends the longevity of that job by 10 years. The large portion of your tax bill is going to the County and not the township. The total we received in property taxes last year was \$35,597.00. Our taxes are so low, it is almost zero. Mr. Massaroni gave a flash drive to the Board with pictures of the roads in their development.

Tom Danner stated the noise at the speedway is a tough one. They have been here since 1953 and they have done some things to curb running late. We have a very good working relationship with them.

EXECUTIVE SESSION

The Board went into Executive Session at 7:52 p.m. to discuss issues that may result in legal matters.

The Board came out of Executive Session at 8:45 p.m.

AGENDA ADDITION

- 1) **Summerfield and attendance of onsite meeting on 10-12-22**

Pete Socks made a motion to add Summerfield and attendance of onsite meeting on 10-12-22, seconded by Scott Kennedy. This was opened to public comment, no one was in attendance. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried**

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Earle Black made a motion to send Pete Socks and Tim Knoebel to the 10-12-22 onsite Summerfield meeting, seconded by Tom Danner. This was opened to public comment, no one was in attendance. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tim Knoebel will be attending the Summerfield meeting pro bono.

Barry Cockley made a motion to adjourn at 8:50 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 14, 2022, 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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