

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
SPECIAL MEETING MINUTES FEBRUARY 28, 2023**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held a Special Meeting on Tuesday, February 28, 2023 at 8:30 a.m. in the Municipal Building, 85 Municipal Road, Hanover. The purpose of the meeting was to discuss the drainage easement along Route 94, and any other business which may come before the Board. Present were Supervisors Pete Socks, Tom Danner, Barry Cockley (arrived at 8:37 a.m.), Earle Black, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker.

PUBLIC COMMENT (AGENDA ITEMS) – None.

AGENDA ADDITION

Pete Socks made a motion to add Conewago Valley School District update on proposed building renovations and additions, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

BUSINESS

1) **Discussion on the drainage easement along Route 94**

Tim Shultis summarized where we are. Essentially, we have 5 parties, Cambrian Hills, Commercial lots, Vulcan, PennDOT and Berwick Township. The issues that relate to this project, what are the costs of the long term operation and maintenance of the system, and its reserves for Capital Improvements and replacements down the road, how to allocate the costs among the parties, and methodology of assessment of those costs among the parties. One of the big issues is no one really has control over the quality of stormwater that makes its way into the pit, and as a result, we have some significant environmental issues, liability and indemnification issues with Vulcan, and the potential of insuring all of that through an insurance policy. Are there any BMP's we can come up with to avoid the possibility of contamination to the pit, in addition to what Bob Sharrah has put together. Development of a pollution prevention plan in case there is a spill so we know what to do and who is to do it.

Jason Boyles (J.A. Myers Homes) stated all of the basins in Cambrian Hills will be turned over to the Homeowners Association (H.O.A.). We are looking for Hanover Holding's to take over the basin on the lower side of Ledger.

Harry McKean explained the only reason there would be an agreement with the H.O.A is because we would not have any controls over anything coming into the sand filter, but it will be the responsibility of Hanover Holdings. This project is complex, and ultimately if it does not happen, Route 94 still goes through, with the same traffic issues will continue to exist. As we go through this entire design process, let us not lose sight of the fact of the difference in safety we are going to have at this intersection with less accidents.

Tom Danner stated we need to make sure we can discharge to the quarry without a liability. If Hanover Holdings owns that pit, and the H.O.A. is the contributor how do we fix the issue.

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Tim Weston (Vulcan Attorney) explained It depends on what the substance is and how does it propagate. Our concern is if it gets to our end and DEP says you have to build a treatment plant to handle this stuff, that's an expense that Vulcan shareholders didn't buy into. Patrick McGrath (Vulcan) stated we have to do extensive water testing every 5 years to see if there is anything additional we need to test for. We recognize with normal stormwater there are things there, our issue is if something serious happens and we get shut down, unable to operate or have to build a treatment system that was not our problem. The first line of defense, is there a way to intercept something and do you have an avoidance program.

Harry McKean and Bob Sharrah will talk to United Hook & Ladder on emergency contaminations. We need to get everyone in the room and walk through the scenario's and find out if United Hook & Ladder has the equipment to contain it.

Tim Knoebel stated Cambrian Hills Phase 2 will need to revise their plans to reflect the additions of Hanover Retail Holding's plan.

Tim Weston stated we are making progress. We need to figure out how the mechanics are going to work and that everyone is bound by the promises that they make and by future owners since this will need to run with the land.

2) Water Quality Management permit application

Barry Cockley made a motion to approve and authorize signature on the Water Quality Management permit application and the \$500.00 application fee subject to meeting with Ryan Swope, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

3) Approval for electrical sub-panel for garage

Quotes were received from Michael W. Eisenhour to install an electrical sub-panel for the garage in the amount of \$1,401.80, and a quote from Randy's Electric in the amount of \$2,100.00 aluminum and \$2,500.00 for copper. Tom Danner made a motion to accept the quote from Michael W. Eisenhour in the amount of \$1,401.80, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

4) Cambrian Hills Phase 2 – Final Land Development Plan – (Route 94/Green Springs Rd.) – Must act by 4/11/23

Tabled since Cambrian Hills will be revising their plans to dovetail the 2 projects, and they are waiting for DEP approval.

5) Conewago Valley School District update

Pete Socks attended the last 2 workshops at Conewago Valley School District. In January we were not allowed to make public comment. Last night they allowed public comment and review of their plans. We are facing \$74-\$112 million project in Conewago Valley School District with additions to the schools, possible abandonment of CTE in McSherrystown and an entire new building built on campus. Plan 1 comes out to

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\$231.86 per \$100,000 value of your home, and plan 2 would \$146.77 per \$100,000 value of your home. I made a recommendation that we form an Eastern Adams Council of Government only comprising of Conewago Valley School District shareholders, because there seems to be lack of communication between the school district and municipalities. I challenged them that they did not include us on their grossly inflated population numbers. York Hospital is adding on to their surgical unit and not their birthing unit, because they are projecting the birth rates to drop in the next 10 years. The school district is saying they are going to see numbers go up for enrollment in the schools. The school district said they sent a spreadsheet to fill out on what developments are going in in the townships. They sent it to the Zoning Officer, and not the Secretary. I told them it needs to go to the Secretary to be distributed to the Board.

PUBLIC COMMENT (GENERAL) – None.

ADJOURNMENT

Barry Cockley made a motion to adjourn at 10:30 a.m., seconded by Scott Kennedy. Motion carried.

Respectfully submitted,

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