

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES NOVEMBER 13, 2023**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, November 13, 2023 at 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover. Present were Supervisors Pete Socks, Tom Danner, Earle Black, Barry Cockley, Scott Kennedy, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker. Bill Scott was not in attendance.

PUBLIC COMMENT (AGENDA ITEMS)

- 1) **Candy Becker – 762 Hershey Heights Road** - Thanked the Zoning Review Committee for their efforts with the Large Animal Ordinance. The language in Section 5, number 1 says that pastures are not permitted in the front yard, and Section 6D has the same language in the LMU District. That language seems to be a little obscure and subjective, which could make it unenforceable. It seems to make more sense to have a pasture along the road instead of a building or shed. May also need to look at fence height.

Judy Coldren – 640 Abbottstown Pike – The location of the house will be dependent upon where the well and septic are located.

Tom Danner made a motion to revisit this with the Zoning Review Committee, seconded by Barry Cockley.
Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.

APPROVE CONSENT AGENDA

Tom Danner made a motion to approve the consent agenda, which consists of the minutes of October 9, 17 and 24, 2023, bill lists, unpaid bill lists and balance sheets dated November 10, 2023, and Police/Fire/AREMS Reports for October 2023, seconded by Earle Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

APPEARANCE

- 1) **Ron Brown – Cambrian Hills** – York Water Letter

York Water Company is requesting signed plans before they can do their part on water design, but since there were still some outstanding comments, a signed plan is not possible. The township could send a letter to York Water Company noting the plans were conditionally approved and listing the outstanding comments.

Pete Socks made a motion authorizing Tim Knoebel to write the letter to York Water, 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) Backhoe should be returned on 11/17/23.
- 2) Started leaf collection.

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- 3) Installed second School Bus Stop Ahead sign on Maple Grove Road
- 4) Will be contacting Hector on the remaining trees to take down.

CODE ENFORCEMENT/PERMITS – OCTOBER

- 1) 7 permits issued.

UNFINISHED BUSINESS

- 1) **EZPC Recycling Event – November 18th**

The Electronic Recycling Event will be held on November 18th from 8:00 a.m. to 12:00 p.m.

- 1) **Large Animal Ordinance discussion**

This was already discussed earlier in the meeting.

NEW BUSINESS

- 1) **Comcast Business Package – Phone & Internet**

Pete Socks made a motion to accept the Comcast Business Package Contract for 2 years for 750 mbps speed tier at a monthly price of \$359.79, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 2) **S.E.K. Audit**

The audit will start sometime in December.

- 3) **Delinquent Sewer Accounts**

The Board will discuss this in executive session.

- 4) **Septic pumping waiver – 474B Hershey Heights Road**

Tom Danner stated there is no water or sewer hooked up to this property. I am currently renovating the house, and requesting a waiver to the septic pumping until it is rented or sold.

Barry Cockley made a motion to grant a one-time waiver of the septic pumping requirements for 474B Hershey Heights Road, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – abstained, Kennedy – yes. Motion carried.**

ENGINEER'S REPORT/PLANS

- 1) **Sewer Plant Updates**

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There should be no further delays with the grant funding. Will look at options on financing.

2) Salt shed

Doug Appler was present to give his opinion on the location of the proposed new salt shed.

3) Cambrian Hills lot 32 drainage issues

LGI Homes is addressing the stormwater. Tom Danner will check on the status.

4) Bar-Mar Equities (Ream Roofing) – requesting release of financial security

KPI Technology performed a site inspection on November 8th. Until such time that an as-built plan is submitted and we can verify all items have been completed, we would not recommend a reduction in security.

Tom Danner made a motion to decline the request to release financial security for Bar-Mar Equities (Ream Roofing), until KPI Technology is satisfied everything has been completed, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

5) Ruhlman Concrete – Final Subdivision/Land Development Plan (Route 94) – Must act by 11/25/23
– Requesting a 90-day extension

Barry Cockley made a motion to grant a 90-day extension to Ruhlman Concrete, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

6) Calvary Christian Center – Final Subdivision Plan & Non-Building Waiver – (340 Abbottstown Pike)
– Must act by 1/29/24

The Zoning Hearing Board granted a variance regarding the lot width of the panhandle, but the Zoning Hearing Board did not address relief from Section 602.C. The property is in the R-2 District, which does not allow panhandle lots.

Tom Danner made a motion recommending that Calvary Christian Center should go back to the Zoning Hearing Board for relief from Section 602.C., and tabled action on the plan pending the Zoning Hearing Board decision, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Tim Knoebel mentioned The York Water Company feedback on Municipal Road Cut Permit payment methods. The Board will discuss at another meeting.

SOLICITOR'S REPORT

1) Vulcan/Berwick proposed easement agreement

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Pete Socks made a motion authorizing Tim Shultis to send the final comments on the Vulcan/Berwick proposed easement agreement to Vulcan and Hanover Retail Holdings, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PUBLIC COMMENT

- 1) **Shirl Rhodes – Green Springs Road** - Wanted an update on the water issue and stormwater at Eagle View Mobile Home Park.

Tim Knoebel explained the township is still reviewing the stormwater plan, and DEP is working with them on the water issue.

- 2) **Brady Hartlaub – 239 Bair Road** – My property is zoned Employment Center, and I would like to build a granny flat for my parents, however; it is not allowed in my zoning district. Should I have the zoning changed, or should I go before the Zoning Hearing Board for a variance?

The Board instructed Mr. Hartlaub to discuss this issue with his attorney.

EXECUTIVE SESSION

The Board went into Executive Session at 7:16 p.m. to discuss personnel, and to consult with the Solicitor on attorney client privilege matters.

The Board came out of Executive Session at 8:20 p.m.

Earle Black made a motion to authorize the Solicitor to pursue legal action against Eagle View Mobile Home Park, seconded by Scott Kennedy. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Barry Cockley made a motion to adjourn at 8:21 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 11, 2023, 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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