

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
JANUARY 27, 2014**

**CALL TO ORDER & PLEDGE TO THE FLAG**

The January 27, 2014 regular meeting of the Berwick Township Board of Supervisors, Adams County, was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Robert Foltz called the meeting to order at 6:00 pm. Present were Supervisors Robert Foltz, Earle Black, Pete Socks, and Barry Cockley. Solicitor Tim Shultis, Township Engineer Tim Knoebel, and Township Secretary Karen Eakin were also present. Supervisor Tom Danner was not in attendance. Bob Foltz asked all to stand for the Pledge of Allegiance to the Flag.

**CITIZENS COMMENTS**

APPOINTMENT OF CHAIRMAN – Supervisor Black inquired whether the vote to appoint the Chairman should be retaken since there were only 2 years. Supervisor Foltz was allowed to vote for himself and the vote was retaken. Pete Socks made the **motion** to appoint Bob Foltz as Chairman, Barry Cockley seconded. The motion was passed with 3 years, Earle Black voted nay.

INFORMATION IN EXECUTIVE SESSIONS – Supervisor Foltz inquired whether it is legal for items discussed in Executive Session to be discussed outside of the Board meetings. Solicitor Shultis stated that it is not illegal but that the information is confidential and should not be disclosed to outside parties.

**APPROVE CONSENT AGENDA**

MINUTES for 01/13/14 – Barry Cockley made the **motion** to approve the Minutes, Pete Socks seconded. The motion was passed with 4 years.

**CORRESPONDENCE**

EARP PENSION MEETING – A letter was received regarding the pension for EARP. Bob Foltz made a **motion** for Solicitor Shultis to attend the meeting, Barry Cockley seconded. Supervisors Foltz and Supervisor Socks will also attend the meeting. Solicitor Shultis stated that if there is a quorum, the meeting would need to be rescheduled so as not to violate the Sunshine Act. The Solicitor will be the representative and any Supervisor who attends will be allowed to listen only. The motion was passed with 4 years.

HILLTOP COMMUNITY ASSOCIATION LETTER – Supervisor Foltz inquired whether the association could be subject to paying the fees and bills related to association business.

**UNFINISHED BUSINESS**

BOARDROOM TELEVISION – Bob Foltz made the **motion** to use the money approved for the television towards the security system that is being installed, Barry Cockley seconded. The motion was passed with 4 years.

LETTER REQUESTING PAYMENTS – \$50 per month will be acceptable as long as the amount is paid in full by the end of the quarter.

INSITE DEVELOPMENT – Supervisor Foltz inquired if the Engineers would be allowed to verify the compliance of the punch list items in the Eagle View development. Mr. Irwin would like to meet in the Solicitor's office on February 5 at 2:00 p.m. to discuss legal matters. Supervisors Cockley and Black will attend the meeting. The Engineer will wait until after the meeting to make arrangements for the verification of the punch list.

## **NEW BUSINESS**

ROADMASTER'S WAGE RECOMMENDATION – Supervisor Socks requested that the following statement be entered into the Minutes: He calls into question the fact that former Supervisor Nugent attended the meeting of 1/7/14 to the extent that he was engaging the auditors throughout the meeting outside of public comment periods. While the auditors were discussing the amount of the Roadmaster's annual increase, Mr. Nugent can be heard stating "it's my opinion" and "I can't argue with that". Mr. Nugent misrepresented the truth regarding Supervisor Foltz' ability to receive sewer operator training. He did not mention that the State no longer funds this program; therefore, there is no training available from the State. The Board listened while Mr. Nugent berated Thomas Danner on when he could talk and what he could say during Supervisor's meetings. Supervisor Socks states that he finds Mr. Nugent's actions during the auditor's meeting to be disingenuous.

There was a discussion of the fees which were paid to KPI by the Township to use their sewer license.

LETTER FROM SUPERVISOR DANNER – A letter was received by Tom Danner informing the Board of his reasons for not being able to attend Board meetings. The Township Solicitor stated that he can listen to the meetings by phone but did not know whether he would be able to vote.

## **ENGINEER'S REPORT**

### **ENGINEERING**

1. WWTP Monthly Operations Report for December 2013 – The Engineer commented that the flows were up during December. There will be changes in the reporting and new mandates. There was a discussion of the increased flow rate. The issues of inspecting the sewer lines with cameras and the Chapter 94 reporting from Hamilton Township were discussed.

### **SUBDIVISION & LAND DEVELOPMENT**

1. Monthly Pending Plans Report for January 2014 – There are no plans requiring action through February.

## **EXECUTIVE SESSION**

There was an Executive Session from 6:41-6:55 p.m. to discuss the Secretary's hours.

## **SOLICITOR'S REPORT**

HAMILTON TOWNSHIP – They are requesting the Chain of Custody Report from LABS and a written statement regarding an Industrial Pre-treatment Program. There was a discussion of the letter that would be sent to Hamilton to respond to their request. Another letter would be sent regarding Berwick Township's concerns and requirements. Bob Foltz made the **motion** to send the letters, Pete Socks seconded. The motion was passed with 4 yeas.

SHERIFF'S SALE – The Solicitor and Supervisor Cockley attended the sale. Our costs for delinquent sewer were bid and we will recover the funds owed to the Township. There is another sale due in March for another property with delinquent sewer.

## **CITIZENS COMMENTS**

BEA HASKINS – She commented that the TV was intended for citizens attending the meetings to be able to see what the Supervisors are talking about and that it is disappointing that the Board decided not to install it.

EAGLE VIEW – Insite has not renewed their NPDES permit.

COMMUNITY PARK – Supervisor Foltz inquired what the interest in the park was. He suggested that a referendum regarding the park be put on the ballot. Bea Haskins stated that the Regional Advisor from DCNR attended the last Park Committee meeting and is advising the Committee. The Committee would like to be able to present their findings and information to the Board before a decision is made on a referendum. Supervisor Foltz stated that he had a concern regarding ACT 21. [Corrected to Agenda 21 in February 10 Board meeting.]

COMP TIME – There was a discussion of the comp time policy in the Township Personnel Manual and how the employees must work 40 hours in a week in order to get comp time (as an alternative to overtime). There was also a discussion of the overtime policy and how it is paid if an employee works over 40 hours during the week, not including Holidays.

### **QUESTIONS FROM THE PRESS**

### **ADJOURNMENT**

Pete Socks made the **motion** to adjourn at 7:30 p.m., Barry Cockley seconded. The motion was carried.

Respectfully submitted:

Karen Eakin  
Township Secretary