

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
NOVEMBER 10, 2014**

CALL TO ORDER & PLEDGE TO THE FLAG: The November 10, 2014 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Foltz called the meeting to order at 6:00 p.m. Present were Supervisors Robert Foltz, Earle Black, Barry Cockley, Pete Socks, Tom Danner, Solicitor Tim Shultis, Township Engineer Tim Knoebel and Township Secretary Jean Hawbaker. Mr. Foltz asked all to stand for the Pledge of Allegiance to the Flag.

CITIZEN COMMENTS:

- Bea Haskins spoke in regards to why she felt the park was stopped.
- Andy Mussleman – Pine Court Drive inquired about obtaining salary and expense records from the last two to three years. Tim Shultis stated a right-to-know request needs to be submitted to the Township.

CONSENT AGENDA: Supervisor Cockley moved to approve the minutes of October 13, 2014, bill list, unpaid bill list and balance sheet dated November 10, 2014 and Roadmaster's report for October 2014, seconded by Supervisor Danner. Supervisor Sock's statement regarding the park in the minutes should have been put under citizen comments. Supervisor Foltz stated the invoice from Shane Hockensmith was reimbursed by the insurance company. The motion carried with 5 yeas.

CORRESPONDENCE:

- Hanover Borough/Penn Township Joint Comprehensive Plan Draft – Supervisor Danner stated it was consistent with Berwick Township's Plan.

UNFINISHED BUSINESS:

- 1) **FORMATION OF BERWICK/HAMILTON AUTHORITY** – The Board received no minutes from the joint meeting and heard no response from Hamilton's attorney regarding the study.
- 2) **LINCOLN SPEEDWAY – TAX REMITTANCE ISSUES** – The Township has heard no response regarding the letter that was sent to them.
- 3) **HR MANUAL/REVISED VACATION ACCRUAL POLICY** – Tim Shultis reviewed and commented on the proposed manual. Mr. Shultis stated he could not find any prohibition on the multiplier rate of two and half times. The other issue is how vacation is accrued for new employees. Vacation for current employees is earned on their anniversary date. The revised manual should be finalized by the next meeting.

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4) **HEALTH/VISION/DENTAL INSURANCE RENEWAL** – Supervisor Cockley moved to accept Health America Platinum PPO \$20/\$40 plan for medical effective 12/1/14, seconded by Supervisor Socks. The motion carried with 4 yeas. Supervisor Foltz abstained. Supervisor Cockley moved to accept Fashion Advantage Gold – Option V plan for vision effective 12/1/14, seconded by Supervisor Danner. The motion carried with 4 yeas. Supervisor Foltz abstained. Supervisor Cockley moved to accept Humana for dental effective 12/1/14, seconded by Supervisor Socks. The motion carried with 4 yeas. Supervisor Foltz abstained.

NEW BUSINESS:

1) **CONSIDER ADOPTING 2015 BUDGET** – Supervisor Foltz moved to adopt the 2015 Budget, seconded by Supervisor Cockley. The Budget contains a .20 millage decrease and a \$10.00 decrease on the quarterly sewer rate. The motion carried with 5 yeas.

2) **WELL PERMITS** – Supervisor Foltz stated he has seen houses being built by J.A. Myers before the wells are drilled. Tim Knoebel stated to make it a plan requirement, the township would need to put it in the Subdivision and Land Development Ordinance. Tom Danner requested the Code Enforcement Officer to review the final plans for Summit Ridge to see if a condition of approval was stipulated that wells needed to be drilled and approved before beginning any building.

3) **RYAN MECHALSKE – 20 OAK HILL DRIVE** - Property is being sold and is seeking a waiver of the 100 foot isolation distance between the septic system and well. Supervisor Foltz moved to authorize Tim Shultis to prepare the indemnification/waiver agreement, seconded by Supervisor Cockley. Mr. Mechalske will be responsible for the cost of preparation and recording. The motion carried with 5 yeas.

4) **ROAD SALT/BLOCKS** - Supervisor Foltz stated we need to get two loads of salt and blocks to contain it. Supervisor Danner moved to get two truckloads of salt and necessary blocks. The blocks are not to exceed \$800, seconded by Supervisor Cockley. The motion carried with 5 yeas.

5) **DRAIN TILE PIPES** - Supervisor Foltz mentioned that there are drain tile pipes in the weeds along the township property. Mr. Foltz wanted to know if the Board wanted to sell two of them. Tim Shultis will look into whether there is a resolution already adopted for township property sold for less than \$1,000.

CODE ENFORCEMENT/PERMIT REPORT:

- Villa Vista Sight Distance Update – Mr. Hartman gave a report to the Board regarding the Villa Vista Sight Distance. PennDOT recommended two things: 1) putting a line at the end of Villa Vista Avenue for a consistent stopping point, and 2) any shrubbery in the States right-of-way causing a safety concern, should be removed. Mr. Hartman will ask the homeowner if he would be willing to trim the shrubbery and ask for a timeline.

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- Mr. Hartman submitted and reviewed the Township permits issued in October 2014 and a list of code violations and their status.

Supervisor Foltz stated the Township parking lot will be seal coated in the spring. He also spoke to Abbottstown regarding which sections of Country Club Road are in Berwick.

Supervisor Danner stated he received complaints regarding a lot of truck traffic on Hershey Heights Road and that this road is not built to withstand the weights for these large trucks. Tim Knoebel stated a traffic study would need to be done for the weight limit. Supervisor Foltz moved to have KPI prepare a traffic study, seconded by Supervisor Danner. Supervisor Foltz will talk to Penn Township to ask for their cooperation, since it will affect them too. The motion carried with 5 yeas.

ENGINEER'S REPORT:

- WWTP Monthly Operations Report – October 2014
- Pending Plans Report
- The maintenance work on the sewer lines around Cross Keys will hopefully happen next week.

Supervisor Danner stated that since William's and Columbia Gas are going under roads in the township do they need to post bonding. Mr. Knoebel stated they typically do not post bonds. They normally comply with your ordinances.

Supervisor Black asked about the status of Kinneman Holding's finishing their improvements. Mr. Hartman stated there is a freeze on their permits since their NPDES permit has expired.

SOLICITOR'S REPORT:

- Received an email from an attorney who represents Hamilton Township regarding their litigation with Cross Keys. They asked questions about whether our wastewater treatment plant required a pretreatment program by EPA or DEP. Now they need us to designate an agent from Berwick Township to participate in a deposition on this issue. Supervisor Foltz moved to authorize KPI as the designated agent, seconded by Supervisor Danner. The motion carried with 5 yeas.
- The Board instructed Mr. Shultis to send the proposed letter he prepared to Insite Development on motion of Supervisor Danner, seconded by Supervisor Socks. The motion carried with 4 yeas. Supervisor Foltz was opposed.
- Prepared an agreement for Earle Black regarding his health insurance payments to the township. Mr. Black will review the agreement.
- Local government is exempt from the requirement to supply a medical certificate.

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- The O'Brien litigation requested an extension for a pretrial conference. Have received discovery requests.

CITIZEN COMMENTS: Fred Nugent wanted to know what the new information was that would open up the investigation regarding information supplied to Mr. Sock's place of employment. Supervisor Danner stated that since it is an ongoing investigation we will not have an update until next month due to new information and cannot release it at this meeting.

Mike Hartman stated he received a permit application for a video board sign. It is not addressed in the zoning and can't be approved because of setbacks and dimensions.

Bea Haskins wanted to know if there was an update on Insite Development. The Solicitor responded not at this time.

The meeting adjourned at 7:45 p.m. by motion of Supervisor Socks, seconded by Supervisor Foltz. The motion was carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on December 8, 2014, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

Jean A. Hawbaker
Secretary