

**BERWICK TOWNSHIP, ADAMS COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING
JUNE 23, 2014**

CALL TO ORDER & PLEDGE TO THE FLAG: The June 23, 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 p.m. Present were Supervisors Robert Foltz, Earle Black, Barry Cockley, Pete Socks. Tom Danner was present via Skype (his ability to vote is permitted by PSATS), Solicitor Tim Shultis, Township Engineer Tim Knoebel and Township Secretary Jean Hawbaker. Bob Foltz asked all to stand for the Pledge of Allegiance to the Flag.

CITIZENS COMMENTS: Kathy Nugent read a letter from Mike and Bonnie Fuhrman located at 973 Abbottstown Pike. Kathy Nugent asked the Board to reconsider keeping the signs up on Route 194.

Supervisor Socks explained that the State Police will ticket violators along Route 194.

Supervisor Danner stated he is willing to compromise on this issue.

Fred Nugent addressed the board and stated that during Mr. Danner's campaign he stated he would publish the bill list and agenda correspondence on the website. Mr. Danner's request to be included in the insurance is not clear and is poorly written and the Board did not taken action on the request. Also, by removing the "no parking" signs on Route 194 is a vendetta.

Solicitor Shultis explained that according to the minutes from the last meeting, the Board determined in executive session that Danner's insurance will be at his own expense. Mr. Danner will conform to the Policies of the Township regarding the insurance.

Supervisor Danner asked Mr. Nugent for clarification regarding his complaints and submit a copy of his concerns to the township so he could review and respond to Mr. Nugent's concerns if needed.

Supervisor Socks stated that there were issues with insurance costs in the past when the township paid for Mr. Blacks insurance 100% and Mr. Danner's request was not an issue as he would be paying for his out of his pocket.

Bea Haskin's asked the Board to publicly explain what they will discuss in executive sessions and the results of those sessions. Why is Supervisor Danner facing Supervisor Socks via Skype and not the public. Mr. Danner stated that PSATs only requires him to hear and be heard.

Supervisor Foltz stated the reason the bills weren't put online before was because Mr. Nugent didn't want them published because the township paid for Mr. Black's insurance. The webmaster was told not to put in online. In 2009 when there was a gentleman running for the Board against Bob Myers, Fred Nugent took the candidate in that back room and gave out pertinent information

Item No. 8 – Segovia Court
Item No. 9 – El Greco Street
Item No. 10 – All Roads

Description of work: Single Seal Coat to be completed in accordance with PennDOT Publication 408, as most recently amended, AASHTO No. 8 coarse aggregate to be used for application. All work to be completed in place. Application of Polymerized Fog Seal, such as Grip Tight or approved equal. Fog Seal shall be applied in accordance with manufacturer specifications. Contract shall be responsible for providing calibration certification for spreader.

Supervisor Foltz made a motion to accept the bid from Hammaker East in the amount of \$74,116.66 subject to receiving the required bonding and insurance, seconded by Supervisor Cockley. The motion carried with 5 years.

Supervisor Foltz stated a portable shed 12' x 14' is needed at the sewer plant to store equipment. The Board agreed that prices should be obtained.

Villa Vista Project Update:

Supervisor Foltz stated we have one pipe in at Villa Vista. Need to cut and sleeve it. Will finish other one tomorrow.

ENGINEER'S REPORT:

1) Pending Plans Report

2) Destiny Estates – Time Extension/Action – Supervisor Foltz moved to grant a 120 day extension, seconded by Supervisor Black. A requirement will be attached that they will have to justify the need for another extension. The motion carried with 5 years.

3) WWTB Operations Report

4) Sewer Maintenance Update

Mr. Knoebel explained we currently use Smith's Septic to haul the biosolids to Springettsbury. We would like to look at getting testing done so it can be put to beneficial use and land apply it to reduce cost. Supervisor Foltz moved to authorize Mr. Knoebel to proceed with the testing, seconded by Supervisor Socks. The motion carried with 5 years.

Supervisor Cockley moved to authorize Mr. Knoebel to proceed with advertising bids for inspecting sewer lines, repairs and smoke testing, seconded by Supervisor Socks subject to Supervisor Foltz's review. Bid opening will be in August 2014. The motion carried with 5 years.

Supervisor Socks moved to authorize prices be obtained to rent a sweeper and skid loader for Orchard Acres, seconded by Supervisor Cockley. The motion carried with 5 years.

SOLICITOR'S REPORT:

- 1) We now have an agreement with Sel-Wil, Inc. (Lincoln Speedway). Supervisor Socks moved to sign the Sel-Wil, Inc. agreement, seconded by Supervisor Danner. The motion carried with 5 yeas.
- 2) The township approved Vulcan's tax appeal. We will have to refund \$2,700.
- 3) O'Brien's Sewer-right-of-way litigation filed their answer under new matter.
- 4) Will advertise the revised Supervisor meeting date schedule and will have it posted on front door of township office.
- 5) The township secretary and a representative from Eagle View met to discuss ongoing issues. The meeting was very productive and receptive.

Supervisor Danner asked Solicitor Shultis if he recalled there ever being a motion, resolution, ordinance, or any other document known as the Danner/Coleman Pension Fund. Solicitor Shultis did not recall it nor was aware that it existed.

CITIZENS COMMENTS: Residents had concerns with Eagle View regarding the roads falling apart. Since the development is not build out, Mr. Irwin is not required to put the top on yet. Solicitor Shultis stated that the township is limited on what it can do and the residents should forward their complaints to Mr. Irwin.

Fred Nugent state he was surprised the Board didn't resolve the "no parking" sign issue. Supervisor Foltz stated the State Police have to enforce it.

Supervisor Danner moved to suspend ongoing actions on repealing the Ordinance and removing the signs on Route 194 until further authorized, seconded by Supervisor Cockley. The motion carried with 5 yeas.

Fred Nugent stated the Board needs to rethink putting the bill list on the website. Supervisor Danner stated that because you are asking, I'll never ask to put it on the website. And started to explain that in 2013 when he asked for this to happen Mr. Nugent was the first one to tell Mr. Danner that it was not needed and Mr. Nugent then interrupted Supervisor Danner before he was finished.

Supervisor Foltz inquired if Mr. Appler was ever approached by anyone regarding selling or leasing his adjoining land to the proposed park to the township. Mr. Appler stated that yes there was discussion on this.

The Board went into Executive Session at 8:24 p.m. – 9:15 p.m.

Supervisor Cockley moved to deny Insite Development, Don Irwin's offer, seconded by Supervisor Black. The motion carried with 5 yeas.

Questions from the press were addressed.

Supervisor Socks made a motion to adjourn, seconded by Supervisor Cockley.

The next regularly scheduled meeting of the Berwick Township Board of Supervisor's will be held on July 14, 2014, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331

Respectfully submitted,

Jean A. Hawbaker
Secretary