

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
NOVEMBER 9, 2015**

**CALL TO ORDER & PLEDGE TO THE FLAG:** The November 9, 2015 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 Bob Foltz, Earle Black, Barry Cockley, Pete Socks, Tom Danner, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker.

**PUBLIC COMMENTS (AGENDA ITEMS):** Bea Haskins state she attended training regarding the Office of Open Records and the Sunshine Law, and asked Charles Brown, who was the chief counsel and did the training on the Sunshine Law, about addresses being posted on the township's website. You can ask for names and addresses to verify residency, but you cannot publish it was stated and reaffirmed by Ms. Haskins, as well; she stated that she asked the question twice. Supervisor Danner wanted to know if he indicated that they couldn't be posted in the minutes. Ms. Haskins stated she is not sure if she asked him that specifically. **Supervisor Cockley made a motion to have Tim Shultis get clarification on this issue, seconded by Supervisor Danner. Motion carried.**

**CONSENT AGENDA:** Supervisor Danner made a motion to approve the minutes of October 9, 2015 and October 12, 2015, bill lists, unpaid bill lists and balance sheets dated November 6, 2015, and Roadmaster's report for October 2015, seconded by Supervisor Cockley. Questions regarding bills for Comcast and Control 21 were answered. **Roll Call – Black – yes, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes. Motion carried.**

**RESPONSE TO PUBLIC COMMENT:** Supervisor Socks stated going back to Ms. Haskins comments, I did a quick search, and other townships post the names and addresses in the minutes.

**CORRESPONDENCE:** None.

**UNFINISHED BUSINESS:**

- 1) **Weight Limit Restriction on Roads** – There was discussion on whether or not Abbottstown has weight restrictions on Kinneman Road. Supervisor Black wanted to know who was going to enforce the ordinance. Supervisor Danner stated a camera could be used to find out how many trucks are using it. Tim Knoebel stated we need to show them a copy of the ordinance to get voluntary cooperation. Supervisor Danner made a motion to authorize Tim Shultis to send letters to Abbottstown Borough and Penn Township regarding the weight limit restrictions, and get feedback on signage placement and other concerns, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.**

November 9, 2015

- 2) **Electronic Recycling** – Supervisor Socks stated that Affordable Computers is on board. We should wait until after Christmas to hold the recycling event. Supervisor Socks made a motion to schedule the electronic recycling event on January 9, 2016 from 8:00 a.m. to 12:00 p.m. The event will be posted on the website. Acceptable items will include anything with a cord, but no Freon, seconded by Supervisor Danner. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) **Auditor Vacancies (2)** – There were two write in candidates that won in the general election to fill the auditor vacancies. Supervisor Cockley made a motion to appoint Emmanuel Apostolakis to serve out the term of Randy Reichart, which is a 4 year term, and Clair Cook to serve out the term of Jeremy Reichart, which is a 6 year term, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Foltz abstained. Motion carried.**
- 4) **Sewer Project Discussion and Updates** – Supervisor Socks stated there is another possibility on this issue, we could contact a third party that has no bias opinion, before creating a committee. Tim Knoebel suggested they review our current situation on the sewer system feasibility, and advise the Board on its own, or if we go forward with a subcommittee. It would be in our best interest. The firm’s name is Hazen & Sawyer from State College. Supervisor Danner made a motion to get a proposal from them by the next meeting, seconded by Supervisor Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Tim Knoebel will send the letter requesting the proposal. Foltz abstained. Motion carried.**
- 5) **Beaver Creek Road Pipe** – Supervisor Black wanted to know if any more blacktop was going to be put in the road surface. Supervisor Foltz stated we’re going to try to get to it this week.

**NEW BUSINESS:**

- 1) **2016 Budget Adoption** – Supervisor Socks made a motion to adopt the 2016 Budget, seconded by Supervisor Foltz. **Roll Call: Black – no, based on line items #405.400 and #360.010, Cockley – yes, Foltz – yes, Socks – yes, Danner – yes, which includes a reduction in the millage rate from .40 to .30. Motion carried.**
- 2) **Ordinance #2015-04 – Winter Precipitation Adoption** –

**AN ORDINANCE AMENDING ORDINANCE NO. 80 REGULATING THE PARKING OF VEHICLES DURING PERIODS OF WINTER PRECIPITATION; PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW, ICE OR SLUSH ONTO THE PUBLIC ROADS OF THE TOWNSHIP OF BERWICK; AND PRESCRIBING PENALTIES FOR VIOLATION.**

November 9, 2015

Supervisor Cockley made a motion to adopt Ordinance #2015-04, seconded by Supervisor Danner. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.**

- 3) **S.E.K. Audit Quote** – S.E.K. gave a one year quote and a three year quote. The Board would like to know what the yearly fee would be if they don't sign up for the three year quote, and what if the township takes the three year quote and decides after a year they don't want to continue the appointment. The Board cannot appoint an audit firm in perpetuity, as they serve at the pleasure of the Board and are appointed annually.
- 4) **Earle Black Second Installment of Insurance Reimbursement to Township** – This was a reminder to Mr. Black.
- 5) **Letter from York Water Company** – The York Water Company is requesting approval from Berwick Township to install a fire hydrant at the southeast corner of Ledger Drive and Green Springs Road, which is to be installed during main extension to the property on the NW corner of the proposed Hanover Volkswagen site at 1850 Carlisle Road. Supervisor Danner made a motion for the secretary to send a letter to them stating the Board is not interested at this time, and would like to wait until the Cambrian Hills Development is built, seconded by Supervisor Foltz. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

#### **APPEARANCES:**

- 1) **Michael Lishing Lu – Building Permit Extension – 2469 Carlisle Pike** – Mr. Lishing Lu was told to discuss and resolve this issue with the Zoning Officer.

#### **NEW BUSINESS CONT'D:**

- 6) **Website Hosting** – Supervisor Socks stated the website hosting with Bravenet expires December 20, 2015. If we renew for 3 years, the cost would be \$297.00. Supervisor Danner made a motion to renew for 3 years, seconded by Supervisor Cockley. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.**

#### **STATE POLICE REPORT:**

22 calls in October 2015.

Supervisor Danner mentioned that the Board attended United Hook & Ladder's annual dinner. The residents should be cognizant of what they do and the money they are saving on the medic services. It has been very effective.

November 9, 2015

**CODE ENFORCEMENT/PERMIT REPORT:**

Supervisor Danner asked the Board if they read the Code Enforcement Officer's report prior to the meeting. Supervisors Foltz, Socks, Danner and Cockley affirmed yes, Supervisor Black stated sometimes.

Mr. Hartman submitted and reviewed permits issued in October 2015, and discussed code violations.

**ENGINEER'S REPORT:**

- 1) WWTP Operation Report – October 2015.
- 2) Pending Plans Report – No action items at this time.

**SOLICITOR'S REPORT:**

- 1) O'Brien's Writ of Scire Facias is moving along.
- 2) A personnel matter will need to be discussed in executive session.

**PUBLIC COMMENT (GENERAL):**

- 1) Linda Siegle stated Earle Black's insurance reimbursement was only put on the agenda to humiliate him, and asked who put it on the agenda?
- 2) Bea Haskins stated she will ask her questions at the next meeting.
- 3) Bob Foltz asked Ms. Haskins how long she has been running a business out of her home. Mr. Foltz stated the Citizen's group made a big issue of Lori Foltz, when we sent her for training, which was State mandated. I have copies of each time this Board approved training for others. I find it very offensive to be claiming that I am in this thing with the sewer plant for my own gain. I had plow shoes made by a friend that saved the taxpayers \$600.00, and I saved \$5,500.00 in 2013 when I got a chipper truck from a friend. I saved a lot of money at the sewer plant by taking hours of my time to fill out forms for land applications. I didn't see one time, when Mr. Black voted to approve over \$13,000.00 out there in that garage with Board approval, and we paid for a third of his curbing on his property. Nothing was said about that. Mr. Black, you were still president of that company when you got money from the police department to work on vehicles.

Earle Black stated Bob Foltz is a G\_\_D\_\_ liar. I have nothing to do with that business.

Bob Foltz stated when you were picking up oil over there at Meadowbrook, you were charging \$20.00 to pick it up and take it over to the police station.

Earle Black stated he was asked to do that. Attorney Wolfe okayed it.

**November 9, 2015**

Linda Siegle asked Mr. Foltz how much he was costing the township by not being a licensed wastewater operator, and we have to bring in an engineer.

Bob Foltz stated Tom Beamer's salary is \$1,800.00 per week for New Oxford Borough. There are operators at \$20.00 - \$36.00 per hour.

Linda Siegle stated they are all licensed.

Bob Foltz stated no they're not. Mr. Beamer misled you. He told his Board he is going to make money off of Berwick and Hamilton Township.

4) Jim Wright congratulated Mr. Socks on his election win.

**EXECUTIVE SESSION:**

The Board went into executive session at 7:40 p.m. to discuss a personnel matter. Prior to the Board going into executive session, Earle Black excused himself from the meeting. The Board came out of executive session at 8:05 p.m. and reconvened the regular meeting.

A motion was made by Barry Cockley to engage Samuel Wiser of Salzmann Hughes as special counsel to represent an employee of the Township in an employment related matter. The motion was seconded by Tom Danner. **The motion passed 3-0 in favor. Pete Socks abstained. Earle Black was absent.**

A motion was made by Barry Cockley to adjourn the meeting at 8:13 p.m., seconded by Pete Socks. **The motion passed 4-0 in favor. Earle Black was absent.**

**The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on December 14, 2015, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331.**

Respectfully submitted,

Jean A. Hawbaker, Secretary  
**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS**