

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
AUGUST 10, 2015**

CALL TO ORDER & PLEDGE TO THE FLAG: The August 10, 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 and Secretary Jean Hawbaker. Mr. Foltz asked all to stand for the Pledge of Allegiance to the Flag.

PUBLIC COMMENT (AGENDA ITEMS): None.

CONSENT AGENDA: Supervisor Danner moved to approve the minutes of July 13, 2015, bill list, unpaid bill list and balance sheet dated August 10, 2015, and Roadmaster's report for July 2015, seconded by Supervisor Socks. Roll Call: Danner – yes, Socks – yes, Black – yes, Cockley – yes, Foltz – yes. Motion carried.

CORRESPONDENCE:

- 1) **New Oxford Municipal Authority** – NOMA is requesting a meeting with Berwick Township to discuss the possible purchase of Hamilton Township's sewer system. Supervisor Danner made a motion for Tim Shultis to contact NOMA on scheduling a meeting to include the board members and solicitors for both entities, stipulate the meeting will be held at the Berwick Township Municipal Building, and notify Hamilton Township that a meeting is scheduled, seconded by Supervisor Cockley. Roll Call: Danner – yes, Cockley – yes, Black – yes, Socks – yes, Foltz – yes. Motion carried.
- 2) **Southwestern Regional Police Department for Police Services** – The Board took under advisement.
- 3) **ACVESA Training** – The Board took under advisement.

UNFINISHED BUSINESS:

- 1) **Municipal Bid Acceptance (chains)** – Supervisor Foltz made a motion to award the bid to Tom Danner who was the next highest bidder in the amount of \$25.00 due to a bidding restriction placed on the initial highest bidder, seconded by Supervisor Cockley. Roll Call: Foltz – yes, Cockley – Yes, Socks – Yes, Black – yes. Mr. Danner abstained. Motion carried.

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NEW BUSINESS:

- 1) **Office Computer Hard Drive** – Supervisor Socks made a motion to purchase an external HDD as quoted by CMTech in the amount of \$119.99 and technical support, seconded by Supervisor Danner. The Board will discuss additional ram at the next meeting. Roll Call: Socks – yes, Danner – yes, Foltz – yes, Black – yes. Cockley abstained due to being related. Motion carried.
- 2) **Hamilton Township Grease Traps** – Supervisor Danner made a motion to instruct Tim Shultis to send a letter to Hamilton regarding pumping and grease trap reports that Berwick has not been receiving, and if they indicate no grease trap, we need validation, seconded by Supervisor Socks. Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.
- 3) **Dead Trees Along Racetrack Road** – Supervisor Foltz made a motion to notify the homeowners to remove the dead trees due to the liability issue, seconded by Supervisor Socks. Roll Call: Foltz – yes, Socks – yes, Danner – yes, Cockley – yes, Black – yes. Motion carried.
- 4) **Eagle View Sewer Accounts (Vacant Lots)** – Tim Shultis stated if the house has been removed and capped, they should not get a bill. Tim Shultis will follow up in writing.

LAND DEVELOPMENT:

- 1) **Bermudian Keys Lot 5 – Interstate Paving – Final Land Development Plan – (Enterprise Drive) – Must act by 9/1/15** – Supervisor Socks made a motion to approve the Land Development Plan, which includes the waiver requirement to submit a preliminary plan, and subject to the conditions in the KPI comment letter dated July 13, 2015, seconded by Supervisor Black. Roll Call: Socks – yes, Black – yes, Danner – yes, Foltz – yes, Cockley – yes. Motion carried.

Supervisor Danner wanted to know if Mr. Hartman investigated the issue of the area not paved. Mr. Hartman stated the County said it will be addressed on the NPDES Permit.

CODE ENFORCEMENT/PERMIT REPORT:

- 1) Mr. Hartman submitted and reviewed permits issued in July 2015 and discussed code violations.

Supervisor Cockley made a motion to instruct Ed Strevig to inspect 2465 Carlisle Pike for possible condemnation, seconded by Supervisor Danner. Roll Call: Cockley – yes, Danner – yes, Foltz – yes, Socks – yes, Black – yes. Motion carried. Supervisor Danner made a motion to instruct Ed Strevig to inspect 474E Hershey Heights Road for possible

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condemnation, seconded by Supervisor Socks. Roll Call: Danner – yes, Socks – yes, Foltz – yes, Cockley – yes, Black – yes. Motion carried.

Supervisor Danner wanted to know what was to be removed from 1446 Abbottstown Pike. Mr. Hartman stated there were 3 campers removed. Mr. Danner stated there is now a popup on the property and a camper along the side of the building.

- 2) **Signs for Pickup Truck** – The Board tabled.

ENGINEER’S REPORT:

- 1) **WWTP Operations Report** - July 2015.
- 2) **Maintenance Contract** – Tristate will be back out on August 31, 2015.
- 3) **Pending Plans Report** – August 2015.

SOLICITOR’S REPORT:

- 1) The O’Brien trial is scheduled on September 1, 2015.

PUBLIC COMMENT (GENERAL):

Bea Haskins – 58 Blue Heron Drive stated the recycling trailer was locked on July 25, 2015. Ms. Haskins wanted to know if someone was looking at the bills prior to being paid. Ms. Haskins stated at the last meeting, the Chairman said the sewer plant is not for sale and never will be. This statement should not have been made since it was not the opinion of the entire Board. Mr. Foltz stated he was speaking for himself. Ms. Haskins stated that earlier in the meeting she found Mr. Danner to be disrespectful on his comment made about moving everyone out of Eagle View so we wouldn’t have to deal with it. Mr. Danner apologized, stating he didn’t mean it that way.

PAYMENT OF OFFICE MANAGER’S CELL PHONE – Supervisor Danner read the following statement: Even though it has been the long-standing policy of the Township to provide the Office Manager with a cell phone at the Township’s expense, in order to memorialize what was previously authorized, **I make a motion authorizing payment of the Office Manager’s monthly cell phone bill retroactive to January 2011, when the current Office Manager, Pete Socks assumed the position.** This motion is based upon the following facts:

- 1) There was discussion held in executive session in December, 2010 regarding then Office Manager, Earle Black and concerns with his management styles with employees. As a result of that executive session, Mr. Black stepped down as Office Manager and Mr. Socks was designated as Office Manager. Also at that time, a discussion was held regarding Mr. Socks getting a cell phone to be paid for by the township so office

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business could be conducted more efficiently in accordance with the long standing township policy. The Board directed Mr. Socks to proceed with the purchase of a cell phone and to submit the cell phones bills for approval each month.

- 2) It has been a long-standing policy of Berwick Township that cell phones used in the capacity to conduct any township business are paid for by the township. This pre-dates the cell phone Mr. Socks uses and includes those used by Supervisors Bob Coleman in his capacity as Office Manager, Supervisor Alan Cary in his capacity as Office Manager, Supervisor Bob Foltz in his capacity as Road Master, Bob Frock, Brian Ernst and Marvin Hughes in their position as road crew. Mr. Black was offered a cell phone when he assumed the Office Manager duties, but refused it, instead choosing to receive health insurance coverage provided and paid for by the township.
- 3) Mr. Socks has submitted bills to be paid since January 2011 after the Board agreed to and requested he purchase a cell phone as noted in #1 above. Each of these bills were included on the monthly bill list and voted upon monthly by the Board. This has occurred 55 times with each of these bills being approved for payment without objection from any of the Board members.
- 4) In May 2013 Supervisor Nugent made a motion, seconded by Mr. Black to “discontinue paying for the Office Manager’s cell phone bill”. This in effect, proves knowledge that the bill was being paid and agreed to. The motion was rescinded after finding out Mr. Socks was in mid-contract.
- 5) The yearly auditor’s reports since 2011 have had no discrepancies with both the billing and the payments of the Office Manager’s cell phone bills. Also, each year the auditor’s pursue information from the Supervisor’s requesting any possible or knowingly suspicious activity in the operations of the Township. No reported issues were ever raised regarding the Office Manager’s phone billing and usage.
- 6) Whereas all budgets since 2011 were proposed and passed with the inclusion of the Office Manager’s cell phone as a Township expense, voted on and passed without objections until the discussion as noted in item #4.

The motion was seconded by Supervisor Cockley. Roll Call: Danner – yes, Cockley – yes, Foltz – yes, Black – no. Socks abstained, and stated he believes anyone serving in the capacity of Berwick Township Office Manager should have a cell phone in order to conduct business more efficiently. Black stated he was not offered a cell phone. Motion carried.

The Board went into Executive Session at 7:38 p.m. to discuss Lincoln Speedway issues.

The Board came out of Executive Session at 8:35 p.m. with it being noted that Mr. Black left the building at 8:00 p.m.

Supervisor Socks moved to adjourn at 8:35 p.m., seconded by Supervisor Cockley.

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

Respectfully submitted,

Jean A. Hawbaker, Secretary
**BERWICK TOWNSHIP
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