

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
SEPTEMBER 14, 2015**

**CALL TO ORDER & PLEDGE TO THE FLAG:** The September 14, 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, Pete Socks, Tom Danner, Solicitor Tim Shultis, Engineer Tim Knoebel and Secretary Jean Hawbaker. Barry Cockley could not attend this meeting. Mr. Foltz asked all to stand for the Pledge of Allegiance to the Flag.

The Board held a moment of silence for the victims of 9/11.

**PUBLIC COMMENTS (AGENDA ITEMS):** None.

**CONSENT AGENDA:** Supervisor Danner moved to approve the minutes of August 10, 2015, bill list, unpaid bill list and balance sheets dated September 14, 2015, and Roadmaster's report for August 2015, seconded by Supervisor Foltz. Supervisor Black stated as per Tom Danner's motion at the last meeting, Alan Carey was not office manager. Mr. Black stated that he (Black) started getting insurance in December 2008, before he was office manager, and the bill list got changed from Pete Socks to Officer Manager Phone. Mr. Black objected to Mr. Danner's comments. Mr. Black also stated at the NOMA meeting, his comments were not listed in the minutes, and KPI's bill paid in August 2015 did not show up on the bill list. Mr. Black asked if check numbers could be added to the General Fund Bill List. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Black – yes including comments as stated. Motion carried.**

**CORRESPONDENCE:**

- 1) Adams County Department of Emergency Services – Radio System Testing/Training – For those that are interested in attending will notify the Township Secretary.
- 2) DEP – MS4 Coverage – Tim Knoebel explained the MS4 Coverage. DEP added a number of municipalities to this, which would have to get a National Pollutant Discharge Elimination System (NPDES) permit. Townships will be held to a certain level of responsibility. DEP is informing you that this is coming. There will be an annual fee and monitoring to be done. Berwick's current stormwater ordinance should be in compliance.

**TOM DANNER APOLOGY:** Supervisor Danner stated he would like to apologize to Barb Shorb, Linda Siegle and Bea Haskins if he offended anyone at the last meeting.

**CORRESPONDENCE CONT'D:**

- 3) Barb Shorb Letter – Supervisor's disrespectful actions at last meeting.

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- 4) Linda Siegle Letter – N.O.M.A. correspondence and special meeting with N.O.M.A.
- 5) Bea Haskins Letter's– Supervisor's disrespectful actions at the last meeting, abuse of the second public comment portion of the meeting, and invoices on automatic bill payment list.

### **UNFINISHED BUSINESS:**

- 1) Recycling Trailer Monthly Schedule – The rotating schedule to unlock/lock the trailer on the 4<sup>th</sup> Saturday of the month from 9:00 a.m. to 12:00 p.m. was set as follows:

Socks – September  
Foltz – October  
Black – November  
Danner – December  
Cockley – January

Supervisor Danner made a motion to continue glass recycling with Neiderer's Sanitation for \$40.00 per month until the end of 2015, seconded by Supervisor Black. **Roll Call: Black – yes, Danner – yes, Socks – yes, Foltz – yes. Motion carried.**

- 2) Weight Limit Restrictions on Roads – Supervisor Black stated the big trucks can't make the right turn off Kinneman Road. Supervisor Danner made a motion for Tim Shultis to send a letter to Lincoln Speedway stating Kinneman Road should be used as the local access, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Foltz – yes, Black – yes. Motion carried.**
- 3) Invoice/Billing Process Flow – Supervisor Socks created a flowchart, which was made available to the public to show how invoices are handled. Mr. Socks explained that the auditing firm has never had any issues with this process, and no findings or compliance issues.

### **NEW BUSINESS:**

- 1) Schedule Budget Workshop Meeting and Authorize Advertisement – Supervisor Socks made a motion to schedule Budget Workshop Meetings on October 9, 2015 and (October 16, 2015, if needed) at 12:30 p.m., and authorized advertisement, seconded by Supervisor Danner. **Roll Call: Foltz – yes, Black – yes, Danner – yes, Socks – yes. Motion carried.**
- 2) Eagle Scouts Community Project – Steven Morris was present regarding a possible project he could work on at the township. Supervisor Black suggested possibly working on the flowerbed in front of the office. The Board will let him know.

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- 3) Fines for Parking during Winter Weather – Mr. Hartman stated the first offense is \$50.00 according to the Ordinance. The township needs a rate schedule in place to go to the Magistrate. Supervisor Danner made a motion for Tim Shultis to research setting up a rate schedule, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Black – yes, Foltz – yes. Motion carried.**
- 4) 2016 Minimum Municipal Obligation (MMO) for Non-Uniform Pension Plan – Supervisor Danner made a motion to approve the 2016 MMO, seconded by Supervisor Socks. **Roll Call: Black – yes, Danner – yes, Socks – yes. Bob Foltz abstained due to being an employee. Motion carried.**

Hamilton Township Sewer System Transfer to N.O.M.A. – Supervisor Black stated that with all of the headaches with the sewer, is it worth keeping? Tom Beamer stated this decision is in Berwick's court to allow Hamilton Township to disconnect from Berwick and go with N.O.M.A. Mr. Beamer stated N.O.M.A. has been discussing this issue with Hamilton Township for approximately 8 months. There have been no formal discussions with DEP or PennVest. Supervisor Foltz made a motion to form a committee, which will include resident's and supervisor's to look at the whole picture relevant to releasing Hamilton from Berwick's sewer system, and the option of selling Berwick's sewer system to N.O.M.A., seconded by Supervisor Socks. **Roll Call: Foltz – yes, Socks – yes, Black – yes, Danner – yes. Motion carried.** Supervisor Danner made a motion to put this on the website to get residents to serve on the committee and have responses by our next meeting, seconded by Supervisor Black. **Roll Call: Black – yes, Danner – yes, Foltz – yes, Socks – yes. Motion carried.** Supervisor Danner made a motion to work with the Secretary to create a newsletter to inform all of the residents, seconded by Supervisor Socks. **Roll Call: Foltz – yes, Socks – yes, Danner – yes, Black – yes. Motion carried.** Supervisor Danner made a motion for Tim Shultis to send a letter to N.O.M.A. and Hamilton Township to let them know of Berwick's intentions, seconded by Supervisor Foltz. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Black – yes. Motion carried.**

**APPEARANCES:** None.

### **CODE ENFORCEMENT/PERMIT REPORT:**

Supervisor Danner stated he and Mr. Hartman were talking about two different properties from the last meeting regarding violations along Abbottstown Pike. Mr. Danner apologized to Mr. Hartman for being wrong.

- 1) Mr. Hartman submitted and reviewed permits issued in August 2015, and discussed code violations. Supervisor Foltz made a motion to move forward with legal proceedings for 310 Green Springs Road, seconded by Supervisor Black. **Roll Call: Foltz – yes, Black – yes, Socks – yes, Danner – yes. Motion carried.**

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**ENGINEER'S REPORT:**

- 1) WWTP Operations Report – August 2015.
- 2) Sewer Maintenance Contract Update/Payment Request – Mr. Knoebel stated work order #3 is completed pending payment request in the amount of \$11,600. Supervisor Foltz moved to approve payment for work order #3 in the amount of \$11,600, seconded by Supervisor Socks subject to receipt and review of payment request. **Roll Call: Foltz – yes, Socks – yes, Black – yes, Danner – yes. Motion carried.**
- 3) Pending Plans Report – No action items at this time.

**SOLICITOR'S REPORT:**

- 1) The judge granted our motion for summary judgment to deal with the O'Brien right-of-way. They have 30 days to appeal. A right-of-way inspection was performed on the property.
- 2) Mr. Shultis stated he would like to discuss a bankruptcy issue with the Board in executive session on how to handle it.

Supervisor Danner wanted to know the status of the title searches that were done. Mr. Shultis stated they are done. The Green Springs Road is a R.D. address and is tax exempt. The building code official is attempting to enter the Hershey Heights property for inspection.

**PUBLIC COMMENT (GENERAL):**

Barb Shorb wanted to know if the township could get a crime report for the township. Supervisor Danner stated he will have an answer by the next meeting.

Linda Siegle stated the property across from Eagle View appears to be abandoned. The address appears to be 720 Green Springs Road. Ms. Siegle stated there are actually two houses on this property and would like to know if anything has been done to the home that is in total disrepair. Mr. Hartman stated he has been in contact with them and is working on it. This property has a pre-existing non-conforming use.

Ms. Siegle thanked the Board for acknowledging her letter under correspondence, which dealt with N.O.M.A. and the purchase of Berwick and Hamilton sewer system. Ms. Siegle expressed interest in serving on the committee and will send a letter of interest to the Board.

Bea Haskins wanted to know what the qualifications were to serve on the committee. Supervisor Danner stated he didn't know and will look into it at the next meeting. Ms. Haskins asked Mr. Shultis about the status of Ordinance #20, which was suppose to be a resolution. Mr. Shultis stated he hasn't gotten to it yet. Ms. Haskins stated in regards to the Eagle Scout Project, there is

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a non-profit organization (Little Free Library), where you buy a kit that comes with some starter books. The Saturday after Christmas would be a good time to have the electronic recycling. Supervisor Socks stated the reason we are canceling it is because the Adams Rescue Mission does not take it anymore. Ms. Haskins asked if the agenda on the website could be put on as a pdf. document, because it cannot be printed out. Mr. Socks stated he will put the agenda on as a pdf. Ms. Haskins stated there is a tendency to put a lot of acronyms on the agenda, and it would be helpful if we knew what they stood for.

**EXECUTIVE SESSION:**

The Board went into executive session at 7:58 p.m. to discuss litigation and strategy with the Solicitor regarding a bankruptcy case.

The Board came out of executive session at 8:10 p.m. Supervisor Danner made a motion for Tim Shultis to engage special counsel for the bankruptcy issue, seconded by Supervisor Foltz. Motion carried.

**ADJOURNMENT:**

Adjournment was at 8:10 p.m. on motion of Supervisor Socks, seconded by Supervisor Danner.

**The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on October 12, 2015, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331.**

Respectfully submitted,

Jean A. Hawbaker, Secretary  
**BERWICK TOWNSHIP  
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