

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
OCTOBER 10, 2016**

**CALL TO ORDER AND PLEDGE TO THE FLAG:** The October 10, 2016 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Socks called the meeting to order at 6:00 p.m. Present were Supervisors Pete Socks, Barry Cockley, Tom Danner, Bob Foltz, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker. Earle Black did not attend this meeting. Chairman Socks asked all to stand for the Pledge of Allegiance to the Flag.

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

**CONSENT AGENDA:** Barry Cockley made a motion to approve the consent agenda, which includes the minutes of September 12, 2016, bill lists, unpaid bill lists, balance sheets dated October 7, 2016, and Roadmaster's report for September 2016, seconded by Bob Foltz. **Roll Call: Cockley – yes, Socks – yes, abstaining from account #405.400 on the bill list, Danner – yes, Foltz – yes. Motion carried.**

**CORRESPONDENCE:**

- 1) **Notice of 2017 Estimated Allocation Municipal Liquid Fuels** – Acknowledged.

**UNFINISHED BUSINESS:**

- 1) **741 Beaver Creek Road – Driveway Issue** – Tim Shultis stated if the township changed the grade, the township is responsible, and if this is not fixed, it will continue to disintegrate. We need to coordinate this with the property owners. Quotes were received from Parichuk Paving - \$1,200; and J.W. Paving - \$1,000. Bob Foltz made a motion to accept the quote from J.W. Paving in the amount of \$1,000, seconded by Pete Socks. Tim Shultis will contact the property owner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

**NEW BUSINESS:**

- 1) **2016 Donations** – Tim Shultis disclosed that he is on the Board of Directors at the H.A.R.T. Center. Pete Socks stated at the Budget Workshop it was discussed about giving a donation to United Hook & Ladder. I spoke to Chief Rabine to find out what their needs were. He said the fire company side of it is okay. Where they have startup issues, is the ambulance side. He mentioned a project where they are taking a 2007 ambulance and they are going to retrofit it. It will cost between \$110,000 and \$130,000. When they first started the ambulance service, Mt. Pleasant Township extended to them, an

interest free loan, that they are currently working on paying off. Pete Socks made a motion to donate \$10,000 to United Hook & Ladder to be earmarked for the

### October 10, 2016

ambulance retrofit, and extend a no interest loan to them to pay the balance off if they cannot get donations from other townships, seconded by Tom Danner to extend a preliminary offer to them. **Roll Call: Cockley – Yes, Socks – yes, Danner – yes, Foltz – no. Motion carried.**

Tom Danner made a motion to donate \$1,000 to the H.A.R.T. Center, \$250 to the Adams Rescue Mission and \$250 to the Adams County Transit Authority, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

- 2) **Ordinance #16-03 – Driveway and Street Excavation** – Bob Foltz stated the Ordinance has no provision if someone wants to stone their driveway, instead of paving it. The Ordinance also says additional paving may be required by the permit in accordance with PennDOT Chapter 459. Tom Danner made a motion to adopt Ordinance #16-03, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – no. Motion carried.**
- 3) **Resolution #16-09 – Updated Right-to-Know Law Fee Schedule** – Pete Socks made a motion to adopt Resolution #16-09, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 4) **Authorize Advertisement of Intent to Adopt the 2017 Budget** – Pete Socks stated account number 438.110 was adjusted for labor wages and 400.700 capital purchases since the budget workshop. Pete Socks made a motion to authorize advertisement, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 5) **Resolution #16-10 – Specifications and Technical Standards for Driveway and Street Excavation** - Barry Cockley made a motion to adopt Resolution #16-10, seconded by Tom Danner. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 6) **42 Race Track Road** – Bob Foltz stated the house was removed from this property and the owner should not be charged the \$140.00. They do not know when another house will be moved in and the owner would like to keep the capacity. Tim Knoebel stated there needs to be a policy for this type of situation. Tim Shultis stated we need to check the ordinance for this issue. Pete Socks made a motion to authorize the reserve capacity rental rate pending the Solicitor’s review of the Ordinance, seconded by Bob Foltz. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

- 7) **Cambrian Hills** – Bob Foltz stated since there is no final plan on J.A. Myers development, out here there is a 10 inch line, and they figured a certain number of homes to handle that load on that pipe. If they start filling in with town homes, is the line going to handle all of that. Tim Knoebel stated not necessarily. They would have to upgrade the pump station and resubmit a preliminary plan.

**APPEARANCES:** None.

**October 10, 2016**

**STATE POLICE:**

48 calls in September 2016

**UNITED HOOK & LADDER:**

3 calls in September 2016

**ADAMS REGIONAL EMERGENCY MEDICAL SERVICES:**

31 calls in September 2016

**CODE ENFORCEMENT/PERMITS:**

9 permits issued in September 2016

Tom Danner stated the Zoning Officer will have a better breakdown on the Code Enforcement next month. Mr. Danner will have a Resolution prepared for the next meeting on revised permit fees.

**ENGINEER'S REPORT:**

- 1) WWTP Operations Report – September 2016.
- 2) Pending Plans Report – No Action Items.
- 3) Bermudian Keys – Draft Punch List – Will be meeting with the applicant to go over this list.
- 4) Cambrian Hills received their PennDOT permit regarding extending the sewer line.
- 5) The township sewer maintenance contract that we have with the company that did the televising back in 2014 was good for one year with the ability to extend it. We extended it through the following year. At the end of this month it will expire. Bob Foltz made a

motion to have KPI ask for a contract extension, seconded by Pete Socks. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

6) We are still waiting for the DEP permit for Beaver Creek Road to fix the bank.

7) MS4 Program – Working on the application for a potential waiver.

**BUDGET WORKSHOP ACTION:** The Board informed the Solicitor that they rescinded the motion to table removal of “no parking” signs along Abbottstown Pike at their Budget Workshop.

**October 10, 2016**

**SOLICITOR’S REPORT:**

- 1) The oral argument for O’Brien went well. They were receptive to the townships position.
- 2) I received a call from an attorney regarding 1521 Carlisle Pike (formerly the Fitzpatrick property), across from Gene Latta Ford. The owners approached the previous Zoning Officer for residential renovation to the out building and was told “no”, under the theory that the protection of the pre-existing non-conforming use expired because the use had been abandoned for over a year pursuant to the Zoning Ordinance. It is his position that the mere passage of time does not equate to an abandonment, there must be evidence of the intention to abandon. We need to develop facts regarding the actual use of the property over the years. Bob Foltz made a motion to refer this to the Zoning Officer for investigation, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

**SUPERVISOR’S COMMENTS:**

Bob Foltz – None  
Tom Danner – None  
Pete Socks – None  
Barry Cockley – None

**PUBLIC COMMENT (GENERAL):**

- 1) Jim Wright introduced Nick Foltz as the Deputy Constable for the township.
- 2) A resident from Hamilton Township wanted to know when Berwick was going to get back to Hamilton regarding the potential sale of their sewer system. Tim Shultis stated we are still reviewing the agreement.

The Board went into executive session at 7:30 p.m. to discuss issues relative to attorney client privileged matters.

The Board came out of executive session at 7:43 p.m. Tom Danner made a motion authorizing legal action against Insite Development, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Pete Socks made a motion designating October 31<sup>st</sup> as Trick or Treat night in Berwick, seconded by Barry Cockley. **Roll Call: Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Bob Foltz made a motion to adjourn at 7:47 p.m., seconded by Barry Cockley.

**The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on November 14, 2016, 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover, PA 17331.**

Respectfully submitted,

Jean A. Hawbaker  
Secretary/Treasurer  
**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS**