

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
DECEMBER 12, 2016**

CALL TO ORDER AND PLEDGE TO THE FLAG: The December 12, 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, Earle Black, Solicitor, Tim Shultis, Engineer, Tim Knoebel, Secretary, Jean Hawbaker. 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 November 14, 2016, bill lists, unpaid bill lists, balance sheets dated December 9, 2016, and Roadmaster's report for November 2016, seconded by Tom Danner.

Roll Call: Foltz – yes, Black – yes, abstaining from the minutes, and no on the bill list from December , Socks – yes, abstaining from account #405.400 on the bill list, Danner – yes, Cockley – yes. Motion carried.

CORRESPONDENCE:

- 1) **Harvest Chapel – Signage** – The Board will discuss this issue later in the meeting.
- 2) **Bridgerview LLC – Letter of Credit** – Tom Danner made a motion that Tim Knoebel discuss with them about increasing the amount of their Letter of Credit due to inflation, since this development was started so long ago, seconded by Barry Cockley. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) **Kinneman Holdings – Letter of Credit** – Tom Danner made a motion that this Letter of Credit also be increased, seconded by Pete Socks. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 4) **Deb Becker – Tax Collector Compensation** – Ms. Becker stated the salary for the Tax Collector can only go up when it's an election year. It must be done prior to the 15th day of February of the year of the municipal election. If I get better and quicker, it may not interfere with my real estate business. You may also want to increase tax certifications, which is currently \$10.00. I think you have a better understanding on what the tax collector actually does. Ms. Becker presented information to the Board regarding tax collector compensation and supplies purchased. Your relationship with People's Bank made it easy to deal with them and I don't have extra costs. According to the figures in the 2017 budget which includes a reduction in millage, my compensation would be \$4,919.95. In 2016 I made \$6,286.67. Tom Danner asked what Ms. Becker thought was

fair, and does the Board's decision make her decision on whether to run for tax collector. Ms. Becker stated yes it does. Mr. Danner stated there are other options to compensate

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besides on percentages. Before you jumped in, you should have known what the expectations were. Bob Foltz stated his relative was doing that job and Mr. Nugent made a big issue about buying her a roll of stamps. Ms. Becker stated it's been a learning curve for everyone. You are being fair to the residents by lowering the taxes, and it's hard to ask you for more money. Mr. Foltz wanted to know if she has to collect the school tax. Ms. Becker stated yes. Ms. Becker stated she would like to make at least what she made this year for next year. Tim Shultis stated \$10.00 is low for tax certifications. Ms. Becker stated she went to the County and School District regarding the compensation, the County hasn't responded and the school said we would be getting something. Tim Shultis stated if we are looking forward to change the compensation rate in February for the next tax collector, that's one issue. We would need to raise the compensation level to what it would have been before the millage was decreased for 2017. Ms. Becker stated that is something she would be satisfied with. Mr. Shultis stated the next issue is whether you change what you are charging for tax certifications, bad checks and duplicate tax bills. Mr. Foltz wanted to know if she wanted to be reimbursed for training. Ms. Becker stated no. The Board tabled this issue to allow Tim Shultis time to do some research by the next meeting.

UNFINISHED BUSINESS:

- 1) **\$5.00 Vehicle Registration User Fee** – The County decided not to do this now, and did not receive favorable responses.
- 2) **Gift Cards for Election Board** – Tim Shultis stated we cannot give them gift cards. There can be no influence.

NEW BUSINESS:

- 1) **General Fund CD** – Pete Socks made a motion to take \$300,000.00 out of the General Fund checking and \$300,000.00 out of the General Fund Money Market and put into a People's Bank 36-month step-it-up CD, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 2) **Ordinance No. 16-04 Repealing Ordinance No. 76 Adoption** – Bob Foltz made a motion to adopt Ordinance No. 16-04, seconded by Tom Danner. **Roll Call: Black – no, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

- 3) **Smith Elliott Kearns & Co. Audit Quote** – Tom Danner made a motion to approve the quote from Smith Elliott Kearns in the amount not to exceed \$7,200, seconded by Bob Foltz. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 4) **Set Re-Organizational Meeting for Board of Supervisor’s 1/3/17 and Township Auditor’s Meeting on 1/4/17, and Authorize Advertisement** – Tom Danner made a motion to set the

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Supervisors Re-Organizational meeting for 1/3/17 at 6:00 p.m., and the Auditor’s Re-Organizational meeting for 1/4/17 at 6:00 p.m., seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes for the Supervisor’s meeting, abstained for the Auditor’s meeting since he is an employee. Motion carried.**

- 5) **Dead Trees along Roads** – Bob Foltz stated this is a safety issue. If they fall on the road and we have to remove them, the resident will be billed since one resident had to because it wasn’t in the right-of-way and he was aware it was a dead tree. A letter needs to be sent to those residents affected, and a response requested. If the township removes them, the resident is responsible for reimbursing the township. Pete Socks made a motion to send letters, seconded by Tom Danner. The Roadmaster will give the Secretary a list of addresses. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 6) **Fawn Hill Drive** - Bob Foltz asked that Barry Cockley contact the residents along Fawn Hill Drive in regards to cutting their limbs.
- 7) **Rate Approvals for Contracted Winter Help** – Bob Foltz stated we received 4 proposals. Tom Danner wanted to know exactly what all of the trucks would be used for, and what we are being billed for. Bob Foltz stated this is for emergency situations. Tom Danner made a motion to use Jeremy Moe at a rate of \$25.00 per hour using the township truck to plow snow, and if he uses his snow blower for the pump stations the rate is \$60.00 per hour, and using his loader is \$120.00 per hour, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.** Barry Cockley made a motion to accept John Parachuk’s quote as a backup, seconded by Bob Foltz. Tom Danner stated we need to know how many people, and which equipment they will be using. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

- 8) **Berwick/Hamilton Intermunicipal Agreement Regarding Sale of Hamilton Sewer System** – Tim Shultis stated he got a response from PennVest. They are in agreement with Berwick moving forward with the agreement, except they want a reserve account in the amount of \$200,000.00, or you pay the loan off. Pete Socks made a motion to set up a reserve fund in the amount of \$200,000.00 to protect payment of the loan as requested by PennVest, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – abstained. Motion carried.** Pete Socks made a motion to execute the agreement with Hamilton subject to satisfactory reserve agreement with PennVest, and having a satisfactory answer to the issue about the grant and assuming we can get both of these things satisfied between now and the next meeting, and authorize the Chairman to sign the agreement, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – abstained. Motion carried.**

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- 9) **Codification Proposals** – Information and proposals were given to the Board about codification. Tom Danner stated it makes it easier for the residents and Code Enforcement Officer by codifying.
By the next meeting, I will have things that will need to be addressed. I have been working with Land and Sea on correcting our fee schedule. There hasn't been anything major done to our ordinances since 1999. This will be a big task, but will benefit the township in the long run. We need to fix some things first, before we codify.

Bob Foltz wanted to know how we enforce the overweight vehicles on Hershey Heights Road. We notified State Police and they wanted to know how we knew they were overweight. Tom Danner stated this has been a huge deterrent, the traffic has minimized and if we get the firms name and license plate numbers, we can send them a letter and tell them they are violating our ordinance.

APPEARANCES: None.

STATE POLICE:

40 calls in November 2016

ADAMS REGIONAL EMERGENCY MEDICAL SERVICES:

27 calls for Berwick in November 2016 and 398 total calls

UNITED HOOK & LADDER:

Did not receive their report.

Tom Danner stated he wanted to applaud United Hook & Ladder and A.R.E.M.S. for the work they are doing.

Pete Socks stated we had to void the ambulance retrofit check and write a new one because it needed to be written out to A.R.E.M.S. and not United Hook & Ladder.

CODE ENFORCEMENT/PERMITS:

3 permits issued in November 2016

Tom Danner stated he sat down with Jamie Harbaugh to go over some things that needed to be clarified. I will have a meeting with Land & Sea in January to go over things. There needs to be clarification on the zoning permits. They are charging \$20.00 to sign each one, in addition to being charged \$40.00 per hour. Wilbur Slothour agreed to refund the \$20.00 permit fees for this year, but would like to renegotiate

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that price for next year. We also need to set driveway fees. The Secretary was instructed to call another township and get their fees. Mr. Danner stated stormwater review fees need to be reviewed.

Tom Danner stated a letter should be sent to Harvest Chapel since the sign ordinance is going to take some time to revise. They may want go before the Zoning Hearing Board seeking a Variance. Tom Danner made a motion to send them a letter stating we recognize we need to amend our ordinance, but with no time frame, they may want to go before the Zoning Hearing Board, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Bob Foltz questioned stormwater on a property. He stated he wants to make sure everyone is being treated fairly.

ENGINEER'S REPORT:

- 1) WWTP Operations Report – November 2016
- 2) Pending Plans Report
- 3) We received information from Cambrian Hills regarding their NPDES permit, which we will review.

- 4) Met with Art Smith and gave him direction regarding the Bermudian Keys development.
- 5) We are still working on the MS4 waiver.

SOLICITOR'S REPORT:

- 1) We received an application from Eagle View for their mobile home park renewal. Will make a recommendation.
- 2) Tom Danner and I are going to meet with Mr. Erwin on December 20th to go over some issues.
- 3) Mr. Shultis was told that the pipe has been installed at 781 Race Track Road. Bob Foltz will verify.
- 4) The Commonwealth Court denied the O'Brien application for re-argument. They have 30 days to file an appeal to the PA Supreme Court. Tim Knoebel and I will try to figure out how to get the work done. What areas need to be cleared, will have to contract with someone to clear it and maintain it.

Tim Shultis stated he received a letter from the property across from Gene Latta. They gave us a copy of the deed and the advertisement for the property when it was sold, which I gave to Jamie Harbaugh. Tom Danner wanted to know what do we need to do at this point. Mr. Shultis stated nothing. Mr. Danner stated there's not enough information to piece it together. There is a rental unit on the property and the utilities are on. Mr. Shultis stated they have a zoning approval for a personal care facility. Mr. Danner stated we should tell the Zoning Officer not to waste any more time on this.

SUPERVISOR'S COMMENTS:

Earle Black – None

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Barry Cockley – None

Pete Socks – None

Tom Danner – Wished everyone a Merry Christmas and Happy New Year

Bob Foltz – None

PUBLIC COMMENT (GENERAL):

Jeremy Moe wanted to know if there was something he could download with all of the rules and regulations. Pete Socks stated we have ordinances he could review. Tom Danner stated he may want to talk to the Zoning Officer.

Adjournment was at 8:19 p.m. on motion of Pete Socks, seconded by Barry Cockley.

The Re-Organizational meeting of the Berwick Township Board of Supervisors will be held on January 3, 2017, 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