

**BERWICK TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
FEBRUARY 8, 2016**

**CALL TO ORDER & PLEDGE TO THE FLAG:** The February 8, 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, Earle Black, Barry Cockley, Tom Danner, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker. Supervisor Foltz could not attend this meeting. Chairman Socks asked all to stand for the Pledge of Allegiance to the Flag.

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

**CONSENT AGENDA:** Supervisor Cockley made a motion to approve the minutes of January 11, 2016, bill lists, unpaid bill lists and balance sheets dated February 5, 2016, and Roadmaster's report for January 2016, seconded by Supervisor Danner. Supervisor Black had questions on John Parichuk's bill for snow removal, and repair bills for Pump Station 2. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

**CORRESPONDENCE:**

- 1) Linda Siegle's letters received January 28 and February 2, 2016
- 2) Theresa Kellison letter received January 28, 2016
- 3) Douglas Appler letter received February 3, 2016
- 4) Robert Reese, Jr. letter received February 8, 2016

**UNFINISHED BUSINESS:**

- 1) **Weight Limit Restrictions on Roads** – Supervisor Danner stated Penn Township will send their response shortly and Abbottstown Borough has two new Board members. Their past Board ignored this request. They appointed members to discuss roads and they won't meet until March. Mr. Danner will try to attend this meeting. This year there will be two bridges replaced at the same time, one on Country Club Road and one on Beaver Creek Road.
- 2) **Update of the NOMA Sewer Transition** – Supervisor Socks made a motion to approve the proposal received from AUS Consultants not to exceed \$4,500.00, which does not include meeting attendance, seconded by Supervisor Cockley. The proposal is to perform a limited review rate analysis for the Berwick Township Sewer Operations. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) **Zoning Hearing Board Vacancy – Resolution #16-01 – 3 year term** - Supervisor Socks made a motion to appoint Douglas Appler (Res. #16-01) to the Zoning Hearing Board, seconded by

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Supervisor Danner. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

- 4) **Vacancy Board – Open Seat** – Supervisor Socks made a motion to appoint Robert Reese, Jr. to the Vacancy Board, seconded by Supervisor Cockley. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 5) **Adams County Rescue Mission Recycling Program Budget Item Request** – Supervisor Cockley made a motion to donate \$500.00 towards the Adams County Rescue Mission Recycling Program, seconded by Supervisor Black. The Board opted not to include a line item in the budget. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 6) **Energy Distribution Company Quotes for Rates and Terms** – Supervisor Danner made a motion to accept the quote from Direct Energy for all township electric accounts at a price of \$0.06090/kWh, with a savings of approximately \$700.00 per month, and conditioned on Tim Shultis reviewing the contract, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 7) **Update on Building Inspection/Code Enforcement RFP’s** – Proposals were received from PA Municipal Code Alliance and Land and Sea Services. Commonwealth Code Inspection Service sent a price sheet and will need to submit a quote. The Secretary will be handling the administrative duties in the office until a Zoning/Code Enforcement Officer is hired.

**NEW BUSINESS:**

- 1) **Sheetz Project (Cross Keys)** – Meeting at Oxford Township on February 10, 2016 at 11:30 a.m. Supervisor Cockley, Black, Danner will be attending, and possibly Foltz.
- 2) **Potential Use of Social Media for Public Alerts and Announcements** – The Board agreed to setting up a facebook page to get alerts and announcements out to the residents.

**STATE POLICE REPORT:**

28 calls in Berwick for January 2016

**UNITED HOOK & LADDER (UH&L):**

56 incidents – 8 calls in Berwick for January 2016

**ADAMS REGIONAL EMERGENCY MEDICAL SERVICES (AREMS):**

437 incidents – 24 calls in Berwick for January 2016  
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**CODE ENFORCEMENT/PERMIT REPORT:**

3 permits for January 2016

Mike Hartman resigned from his position effective February 5, 2016. Supervisor Danner will follow up with any outstanding issues. Supervisor Black thanked Mr. Hartman for the work he accomplished.

**ENGINEER'S REPORT:**

- 1) WWTP Operations Report – January 2016
- 2) Pending Plans Report – No action items

**SOLICITOR'S REPORT:**

- 1) Travis Lippy – Lot 2 Green Springs Road - Mr. Shultis explained Mr. Lippy is looking to attach the lot where the house is located and not be separated. Back in 1997, the township was controlled by County zoning; the density was higher and required this to be coupled. Under our current zoning, the density is not that high, and the acreage of this parcel is over 2 acres. The township doesn't have a zoning objection. This needs to be done as part of a plan. A Subdivision plan is needed to decouple these lots as part of that process. Supervisor Black stated this should be at the applicant's expense. Tim Knoebel stated it will be paid by the applicant when plans are submitted to go through the review process. Mr. Shultis stated we would want the input of neighboring property owners to see if there are any objections. Supervisor Cockley made a motion indicating approval of the process and to consider review of any submitted plan, seconded by Supervisor Socks. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 2) Mr. Shultis presented a draft ordinance for the Board to review, which repeals portions of an ordinance which provide for the authority of the Eastern Adams Regional Police Department as the police force with the township.
- 3) Mr. Shultis state Mr. Liu has executed his agreement. We need to keep track of the time lines, and make sure things are done when they are suppose to be done. Supervisor Danner will track the time lines.
- 4) The O'Brien matter is ongoing. There is an appeal to the Superior Court. The Township's brief is to be filed by this Wednesday.
- 5) There are a number of things to discuss in executive session, which involves ongoing legal action, and items that may need my advice.

Supervisor Danner stated he contacted the Solicitor's office regarding the personnel manual. We will have all the legalities that were missing, and will be ready for the next meeting.

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- 6) The Township was contacted by Mohn's Lumber. They are planning to "select cut timber" on a Race Track Road property. It is the Township's policy to acquire bonding of roadway access to ensure that any damages to the township roads, which are determined to be caused by the actions of the applicant, will be paid by the applicant. Mr. Shultis provided an access maintenance agreement to Mohn's, which needs to be tailored to their circumstance. Mr. Shultis stated he will need authority to move forward with this. Supervisor Socks made a motion to proceed working with the applicant on the access maintenance agreement and authorized signature of the agreement pending the

Solicitor's review, seconded by Supervisor Danner. **Roll Call: Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

**NEW BUSINESS CON'T:**

- 3) **Tax Collector Resignation** – Supervisor Socks stated the township has two options, appoint a Berwick resident or go to a multi municipal tax collector. Deb Becker, a resident of Berwick expressed her interest. The Board will conduct an interview with Ms. Becker in executive session. The County needs an answer now, because they are getting ready to print tax bills.

**PUBLIC COMMENT (GENERAL):**

- 1) **Pat Kirby – 335 Orchard Drive** – a.) The tax collector is an elected position, so if you fill the position, it would be in the interim until the next municipal election. b.) Contractors started working on the development on Green Springs Road and Carlisle Pike. Does our pump station and infrastructure sufficiently handle that size of development? Tim Knoebel stated it is, and they need to build their own pump station that will tie into it at their cost. c.) Orchard Drive was barely wide enough for one vehicle from the snowstorm. It was relayed to me that the township did the bare minimum for emergency vehicles. Minimum is not good enough. Supervisor Danner stated we could make it one way until we can get equipment back there. This was an historic storm. The Board took Mr. Kirby's concerns under advisement.
- 2) **Larry Oakes – 124 Stanley Drive** – We have issues with the property next door to us. The house is still in a deceased man's name and they owe back taxes. The lady living there was designated as the executrix. The courthouse says it is the township's responsibility. What can be done? The ground is contaminated. The Code Enforcement Officer said if we have contaminated wells, they will put in water mains. I was told this property had a 50 foot right-of-way into it. Fred Day is listed as the property owner. I went to Moul and Tallman, and it always come back to the township. Tim Shultis stated he met with Mike Hartman regarding this initial complaint at the beginning of 2013. The levels in the soil weren't high enough for the State to get involved. The township is limited on what it can do. The County administers back taxes. Mr. Shultis will bring this issue up in executive session.
- 3) **Linda Siegle – 193 Orchard Drive** – Ms. Siegel stated her road was plowed very well. Also, you acknowledged my letters of interests for the Zoning Hearing Board and Vacancy Board. What criteria do you use to determine to fulfill these vacancies so that the decision is made in the best

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interest of the township. Supervisor Danner stated he will get an answer to her by the next meeting.

- 4) **Douglas Appler – 25 Pine Court Drive** – Asked the Board if they needed any feedback regarding building inspection/code enforcement proposals. Supervisor Cockley stated not at this time.

The Board went into executive session at 7:38 p.m. to discuss two personnel matters, status of a litigation matter regarding Berwick Township vs. Siliazar, and to discuss matters upon which an identifiable complaint may be filed, and to discuss matters that are otherwise privileged.

The Board came out of executive session at 8:37 p.m.

Supervisor Socks made a motion to appoint Deborah Becker as tax collector to fulfill the remainder of the current tax collector's term, thereby; accepting the resignation of Lori Foltz. This appointment is subject to Ms. Becker's ability to be bonded, clear a background check and fulfill the requirements as presented by the Adams County Tax Collection office, seconded by Supervisor Danner. Motion carried.

Supervisor Socks made a motion to have Tim Shultis send a nuisance violation letter, and contact DEP in regards to further testing at 136 Stanley Drive, seconded by Supervisor Black. Motion carried.

Adjournment was at 8:38 p.m.

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

Respectfully submitted,

Jean A. Hawbaker, Secretary  
**BERWICK TOWNSHIP  
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