

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING NOVEMBER 13, 2017**

CALL TO ORDER AND PLEDGE TO THE FLAG – The November 13, 2017 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, Earle Black, Tom Danner, Solicitor Tim Shultis, Engineer Tim Knoebel and Secretary Jean Hawbaker. Supervisor Bob Foltz was not in attendance.

PUBLIC COMMENT (AGENDA ITEMS) – None.

CONSENT AGENDA – Barry Cockley made a motion to approve the consent agenda, which includes the minutes of October 9, 2017, bill lists, unpaid bill lists, balance sheets dated November 10, 2017, and Road master’s report for October 2017, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Danner – yes, Socks – yes. Motion carried unanimously.**

CORRESPONDENCE – None.

APPEARANCES

- 1) **Dwayne Shultz – 410 Abbottstown Pike** – Mr. Shultz explained that DC Distributing previously ran their business on this property and had signage. Now JPS Granite would like to run their business, however; several zoning officers in Berwick had issues. We went to the Zoning Hearing Board to appeal the decision of the Zoning Officer regarding outdoor storage of product. The current Zoning Officer wants us to go before the Zoning Hearing Board again for our signage. Tom Danner stated the previous business had pre-existing nonconforming signs, and the sign is located on a separate parcel. You can’t compare it to that. A new sign would have to comply with the current zoning ordinance. Mr. Danner will be meeting with PA Municipal Code Appliance and will get clarity on the sign issue. Jeremy Moe asked what the issue was with the sign. Mr. Danner stated it’s in the Zoning Ordinance on what is permitted. We can’t go against that. When they filed the appeal, they should have included the signage. Earle Black stated that customers can’t find JPS, and they need to go before the Zoning Hearing Board for a variance on signage. Mr. Shultz mentioned back in 2012, Cavalry Christian Church made several upgrades with no permits and needed a land development plan, and then a lawsuit was filed, and everything went away. I would like to know if a land development plan was ever done. Mr. Shultis stated he didn’t know and would have to find out. Lonnie from JPS Granite stated she discussed the parking with the Zoning Officer, and moved granite to comply. A follow-up on the parking issue will be conducted by Tom Danner and Zoning Officer and will give Mr. Shultz a determination on the findings.

UNFINISHED BUSINESS

- 1) **Sewer Truck Paint Quotes** – Tabled since Bob Foltz was not in attendance.
- 2) **Audit Quotes** – The Board agreed to contact Smith, Elliott, Kearns to find out if they will match the quotes received from another firm.

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- 3) **ATV Ordinance** – Tom Danner commented on the setback requirements, hours of operation, definitions, proof of registration, access limitation, possible zoning amendment, hunting limitation, enforcement, fines and ADA provision. Earle Black commented on someone using an ATV for livestock. Mr. Danner stated that is already in the ordinance. Tom Danner made a motion to authorize the Solicitor to incorporate the recommendations and prepare a draft ordinance for review, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**
- 4) **Unenclosed Storage Section for Zoning Ordinance** – Tim Shultis stated that Section 603.C(b)(1) should say the temporary storage in the front yard, can occur for no more than two (2) weeks cumulatively from January to December each year. Tom Danner made a motion authorizing Tim Shultis to revise the above section and send it to Adams County Planning to review, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**

NEW BUSINESS

- 1) **Adopt 2018 Budget** – Earle Black made a motion to adopt the 2018 Budget, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**
- 2) **Well Permits** – Tom Danner stated we need to address the fees since KPI reviews the well permits. We currently charge \$35.00. Mr. Knoebel stated it takes approximately 2 hours to complete each permit at a cost of \$140.00. Mr. Danner will incorporate this into the fee schedule.
- 3) **Removal of Office Manager Cell Phone from Recurring Bill List** – Barry Cockley made a motion to remove the office manager cell phone from the recurring bill list, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Danner – yes, Socks – abstained. Motion carried.**
- 4) **Race Track Road Resurfacing** – Earle Black stated this road needs to be widened and it needs white lines along the edges. This issue will be discussed at the next meeting.
- 5) **Consider Loan to AREMS** – Barry Cockley explained he spoke to Kevin Moul of AREMS asking for a loan. About a year ago, Pete Socks spoke to Chief Rabine and we voted to

consider it, but they never took advantage of that project. AREMS is asking for a loan of \$85,000 at 2.5% for 5 years. They currently have their 2007 Ford ambulance at an ambulance conversion facility getting the patient box moved over to a new chassis. When ordering, GMC made a mistake and shipped a second chassis to the dealer. They purchased a used 2008 ambulance they would like to convert to a new chassis due to the discount presented by GMC. Mr. Cockley will find out how much the discount is, the value of the ambulance they are putting up for collateral and when do they need the loan.

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- 6) **Road Master Position** – Pete Socks stated the Road Master is retiring on December 16th. In lieu of this information, I had talked to Amy Perry and John to go up to the plant so they could offer us a proposal. If they don't want to do it, they have people that they can suggest. Bob Foltz should have an answer to me this week to get with Josh from Top Notch to help with our snow plowing, so we can take a slower approach replacing the road master. Earle Black stated Bob Frock knows the roads better than anybody, and has his CDL's for the big truck. Pete Socks made a motion to schedule a workshop and authorized advertisement on November 28, 2017 at 9:00 a.m. to discuss the road master's position, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**

- 7) **Act 42 of 2017 – Mini-Casino Resolution** – The Board tabled until the next meeting.

STATE POLICE

50 calls in October

AREMS

14 calls in October

UNITED HOOK & LADDER

6 calls in October

UNFINISHED BUSINESS CONT'D

- 5) **Permit Fee Schedule** – Tom Danner stated we need to clarify a motion back in June of this year to eliminate getting a building permit for projects under 1,000 square feet. Tim Shultis stated you should not require a building permit if they need a UCC permit. Mr. Danner stated a proposal to fix this is to collect a Certificate of Administration Compliance fee in place of the township building permit fee to justify and offset the Township's administrative cost. It would be a \$10.00 minimum fee up to \$5,000 in project value and

\$2.00 per \$1,000 after that. We need to combine our fees into one resolution. Barry Cockley questioned the administration fee. We are operating in the black, so why do we need to collect it at all. Mr. Danner stated, so we are not subsidizing the permits.

Pete Socks made a motion to repeal or amend a portion of Ordinance #15 and 58 regarding the building code, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**

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Tom Danner made a motion authorizing the Solicitor to prepare an ordinance for Certificate of Administration Compliance, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – no, Socks – yes, Danner – yes. Motion carried.**

Tom Danner made a motion authorizing the Solicitor to create a master fee schedule resolution, seconded by Earle Black. **Roll Call: Black – yes, Cockley – no, Socks – yes, Danner – yes. Motion carried.**

Tom Danner made a motion to repeal or amend fee schedules contained in any other ordinances, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – no, Socks – yes, Danner – yes. Motion carried.**

CODE ENFORCEMENT/PERMITS

4 permits issued in October

Barry Cockley stated PMCA are very professional, but would like to see the ongoing violation report. Tom Danner is meeting with them to go over a couple of issues, and will discuss the need for this report in the future, but the cost may outweigh the benefit.

ENGINEER'S REPORT

- 1) WWTP Report for October
- 2) Pending Plans Report
- 3) **Bermudian Keys** – Project is moving along.
- 4) **Spicer Court** – The detention ponds will need to be inspected.

- 5) Douglas & Rebecca Smith – Final Subdivision Plan/Planning Module (High Rock Road) – Must act by 11-3-17 – Pete Socks made a motion to approve the Planning Modules, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.** Pete Socks made a motion to grant a 90-day extension to allow the applicant time to address all comments from KPI Technology dated 10-30-17, subject to receiving the extension request prior to 11-22-17, otherwise the plan will be denied for failure to address outstanding comments, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**

SOLICITOR’S REPORT

- 1) **O’Brien’s** – Outstanding right-of-way issues are moving in the right direction. Tim Knoebel stated a permit will be needed for right-of-way to get the machine into wet areas to do the televising.

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Pete Socks made motion to authorize Wright Environmental and Land Services not to exceed \$1,600 to locate wetlands and prepare a wetland delineation report, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Motion carried unanimously.**

- 2) **PennVest** – Approval of the loan modification has been completed.

PUBLIC COMMENT (GENERAL) –

- 1) Jeremy Moe (Municipal Road) – Asked is there is a rifle/gun ordinance. The response was no. Also wanted to know if there was a public bulletin board so that things can be posted such as yard sales, etc. for the public. Tom Danner stated we don’t want to post a possible liability. Mr. Moe also mentioned the building permit fee under 1,000 square feet. Mr. Danner stated there will be a zoning permit fee and an administrative fee, and no building permit fee.

SUPERVISORS COMMENTS

Earle Black – Junk is piling up that we bring back here and it should be hauled out to Irishtown. Tom Danner asked Mr. Black to get a price before the workshop.

Barry Cockley – None.

Pete Socks – None.

Tom Danner – The Secretary was instructed to find out when Hometown Press will be preparing the next newsletter. The contract stated 2 newsletters per year.

Pete Socks made a motion to adjourn at 9:04 p.m., seconded by Barry Cockley. Motion carried unanimously.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on December 11, 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