

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING JUNE 12, 2017**

CALL TO ORDER AND PLEDGE TO THE FLAG – The June 12, 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, Tom Danner, Earle Black, Bob Foltz, 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 May 8 and May 22, 2017, bill lists, unpaid bill lists, balance sheets dated June 9, 2017, and Roadmaster’s report for May 2017, seconded by Pete Socks. **Roll Call: Black – yes, Foltz – yes on May 8, 2017 minutes, bill lists, unpaid bill lists, balance sheets dated June 9, 2017, and Roadmaster’s report for May 2017, and no on May 22, 2017 minutes, Socks – yes, Danner – yes. Motion carried.**

CORRESPONDENCE –

- 1) **Dan Myers (Crabbs Tropical Treat) – Reducing Sewer Bill** – Mr. Myers is requesting a reduction in their sewer bill during the winter months (October – February) when their business is closed. Their current quarterly bill is \$1,540.00 for 11 Edu’s. Barry Cockley made a motion to reduce the quarterly bill in half, seconded by Tom Danner. Tim Shultis stated we have not honored this request in the past because they can operate all year. Pete Socks stated every time someone goes on vacation, they will be asking us for this. Tim Knoebel stated you may need to modify the ordinance. Earl Black stated they should pay for the amendment. Tim Knoebel stated the township would prepare the amendment and Mr. Myer’s would reimburse the costs. The total the township would lose is \$2,200 per year. Pete Socks asked if the Edu’s were based off of usage, and if the winter months were already taken into account. Tim Shultis stated no, it was based on the number of seats in accordance with Ordinance #56. We assessed them as a drive-in restaurant. We have to keep the plant running 24/7, 365 days a year. We’re not telling them they can’t operate all year. Barry withdrew his motion and Tom his second. Pete Socks made a motion to send Dan Myers a letter stating that we would be willing to enter into discussions about this if he is willing to cover the costs of amending the ordinance, which will be limited to Commercial/Seasonal only, seconded by Barry Cockley. **Roll Call: Danner – yes, Socks – yes, Foltz – no, Cockley – yes, Black – yes. Motion carried.**

- 2) **PA One Call Safety Day June 22, 2017** – Pete Socks made a motion authorizing Bob Foltz and Brian Ernst to attend, seconded by Tom Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – abstained. Motion carried.**
- 3) **Federal Surplus Property Program Participation** – Bob Foltz stated we dropped out of this year's ago.

June 12, 2017

- 4) **Universal Waste Solutions – Electronic Recycling** – Pete Socks stated this could be posted on the website as an option. The Board may revisit this but would like to see how the Adams County Council of Governments electronic recycling event works out.

UNITED HOOK & LADDER

Assistant Chief, Nick Shaffer stated there were 47 calls in May, 4 of which were in Berwick. We handled a fire on High Rock Road. Our new website will be launching soon. The carnival will be held July 11-15, 2017. Tom Danner asked how they were doing on donations. Mr. Shaffer stated they are up from last year already.

UNFINISHED BUSINESS

- 1) **MDIA Unfinished Permits** – Tim Shultis stated MDIA is still working on it. Tom Danner made a motion to authorize the Secretary to send letters to verify those that say final inspection and ask if they could provide us with documentation so we can close out our files, seconded by Earle Black. Bob Foltz asked if 2469 Carlisle Pike is the house that burnt. Tom Danner stated yes, we have that paperwork. They have an agreement with us. Bob Foltz asked about the Fawn Hill property. Tim Shultis stated that one failed the inspection. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 2) **Eagle Scout Project** – Pete Socks stated Stephen and his crew started working on the front of the building and will be progressing in the next few weeks.
- 3) **Revised Permit Fee Schedule** – Tom Danner stated he sent an email to the Board relative to how much a permit cost the township. I sent you a list of things that need to happen to clear up confusion. One of them was to fix the building ordinance conflict fee schedule and determine if we are going to a fixed fee or a graduated fee. The other thing is to work with Tim Shultis to change the township building ordinance to coincide with the UCC requirements and permitting. Another thing was should we change the township building code ordinance to land use ordinance? We did consider permitting all of the projects not covered by UCC, which is something that is still on the table. The most pressing thing is to get a fee schedule adopted that makes sense and that we can follow, and fix the conflict between the UCC permitting and the townships building ordinance. Right now, by ordinance someone needs a zoning permit, a building permit

based on the graduated fee schedule, and if it's over 1,000 square feet, they need a UCC permit. In my mind if it's less than 1,000 square feet, and it doesn't infringe on the stormwater management process, all you should be required is a zoning permit. Pete Socks stated you are going to raise the fees by \$10.00 to recoup \$2,000 per year. You're never going to net zero on permits. This is where we need to focus. We lose time on interpretation. Barry Cockley stated under 1,000 square feet we should just have a zoning permit. Earle Black stated what we collect for a building permit would cover the Secretary's time and effort. Tom Danner stated it takes two trips on each permit. We now have a dedicated person for code enforcement and permitting. Pete Socks stated we should leave the fees alone and

June 12, 2017

keep the graduated fee schedule. Tom Danner stated just so he understands, there will be no increase in the zoning fee, and we should keep the graduated fee long schedule and eliminate the short schedule.

Bob Foltz made a motion to eliminate the building permit fee under 1,000 square feet, and take whatever steps are necessary to accomplish this, seconded by Barry Cockley. **Roll Call: Black – yes, Cockley – yes- Socks – yes, Danner – no, Foltz – yes. Motion carried.**

- 4) **Weatherly Issue on Bair Road** – Will discuss in executive session.

NEW BUSINESS

- 1) **Darrell Wolf – 51 Progress Avenue – Temporary Storage Shed** – Mr. Wolf purchased a lot on Progress Avenue, Lot 12 and intends to eventually build a structure there to house his business. He would like to put a temporary storage shed on the lot to keep mowers, trimmers, etc. so he can maintain the lot until he gets a building permit. The Zoning Officer could not approve a permit for an accessory structure until there is a principal structure. Tom Danner made a motion authorizing Tim Shultis to prepare an agreement stating this is a temporary structure until he submits a land development plan. Details to be worked out regarding the driveway and other issues relative to this property when the larger structure is built, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – no. Motion carried.**

STATE POLICE

14 Calls in May

ADAMS REGIONAL EMERGENCY MEDICAL SERVICES

22 Calls in May

CODE ENFORCEMENT/PERMITS

7 permits issued in May

Bob Foltz stated a couple of properties that weren't mowed have been taken care of.

ENGINEER'S REPORT

- 1) WWTP Operations Report
- 2) Pending Plans Report

June 12, 2017

- 3) **Bermudian Keys Update** – Tim Knoebel stated they did have a meeting at the request of Art Smith. They are going to start working out here within next two weeks. They will start by replacing a number of inlets and some storm drain pipes. We did camera the storm drain pipe, and there was a fair amount of problems with it. Will be doing some curb work. We got a report from them on the paving. It's a little bit incomplete. Bob Foltz asked Mr. Knoebel if he noticed the road busted open down there where the manhole was broken off that they never fixed. Mr. Knoebel stated this is something that will be discussed. The Secretary was instructed to find out what the liquid fuels cutoff date is that this road needs to be dedicated this year.
- 4) **MS4 Update** – Mr. Knoebel stated we received advance waiver notification, so when the application gets submitted in September, we will be requesting a waiver because we were told we could get it.

SUBDIVISION/LAND DEVELOPMENT PLANS

- 1) **Michael Miller – Final Subdivision Plan/Non-Building Waiver – (Race Track Road) – Must act by 8/1/17** – The proposal is to subdivide one 27.38-acre lot into two (2) lots of approximately 17 and 10 acres in the Rural Conservation Zoning District. The larger of the two lots, will contain the existing home, while the smaller lot will contain the pond and is proposed as an Agricultural lot. Both lots will contain road frontage on Race Track Road. Tom Danner made a motion to approve the Non-Building Waiver, seconded by Pete Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.** Tom Danner made a motion to approve the Final Subdivision Plan subject to KPI's letter of conditions dated 6-8-17, seconded by Bob Foltz. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

SOLICITOR'S REPORT

- 1) **Eagle View** – Will discuss the response received in executive session.

- 2) **Weatherly – Bair Road** – Will discuss this issue in executive session.
- 3) **Keystone Diner** – Mr. Kopanis provided us with a signed agreement for the Keystone Diner, but he didn't fill out the agreement information. I emailed him telling him that he needs to finish completing the agreement. Tom Danner wanted to know if we have authority to enforce clean up and give him a timeline. Tim Shultis stated ultimately, if he doesn't do it.
- 4) **O'Brien's** – Trying to arrange a meeting with Tri-State to determine what they need us to clear and how much. Bob Foltz stated it shouldn't be determined what they need cleared. We need that whole thing opened. If we have a manhole backup down there and we don't have that cleared, we aren't getting in to take care of it.

SUPERVISOR'S COMMENTS – None.

June 12, 2017

PUBLIC COMMENT (GENERAL) – None.

The Board went into executive session at 8:05 p.m. to discuss Eagle View and the Weatherly issue.

The Board came out of executive session at 8:21 p.m.

Pete Socks made a motion to approve payment of Site Specific Design invoices conditioned on the Weatherly's agreeing to enter into an agreement with the township in regards to the right-of-way and deed of dedication. Solicitor to contact Site Specific Design to provide an update, seconded by Bob Foltz. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Bob Foltz made a motion to adjourn, seconded by Barry Cockley.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on July 10, 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**

