

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES MAY 13, 2024**

CALL TO ORDER AND PLEDGE TO THE FLAG – The Berwick Township Board of Supervisors held their regular meeting on Monday, May 13, 2024 at 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover. Present were Supervisors Pete Socks, Tom Danner, Earle Black, Scott Kennedy, Bill Green, Solicitor Tim Shultis, Engineer Tim Knoebel, Zoning Officer/Roadmaster Brian Racine, Secretary Jean Hawbaker.

PUBLIC COMMENT (AGENDA ITEMS)

- 1) **Candi Becker – 762 Hershey Heights Road** appreciated all the efforts with the proposed large animal ordinance, however; felt it should be 1 acre per horse or cattle instead of 2 acres for the first horse or cattle, and the setback should be 50' instead of the proposed 100' for buildings.
- 2) **Chris Adler – 59 Kelly Road** felt the proposed ordinance would diminish the value of property.

APPROVE CONSENT AGENDA

Earle Black made a motion to approve the consent agenda, which consists of the minutes of April 8 & 30, 2024, bill lists, unpaid bill lists and balance sheets dated May 10, 2024, Police/Fire/AREMS Reports for April 2024, and permits issued in April 2024, seconded by Bill Green. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

APPEARANCE

- 1) **David Bolton, Abbottstown Borough Manager** – Presented a proposal to the Board concerning certain properties along our municipal borders and potential for the redesignation of these borders, which included Beaver Creek Village – 40 units conveyed to Berwick, Sutton Run – 16 units conveyed to Abbottstown, David Smith property – 2 acres conveyed to Abbottstown, and Affordable Pet Supply – 8 acres conveyed to Abbottstown. The Board would like to see a cost analysis for revenue. Do not want it to impact the taxes we currently receive. Mr. Bolton will get numbers to the Board.

Tim Shultis stated he may have a conflict at some level. Special Counsel will be needed for both the Township and Borough.

- 2) **Christina Rosensteel, President of the Guthrie Memorial Library** was present to introduce herself and to mention some of the programs they offer, which would be educational for the residents.

ROADMASTER'S REPORT/EMC UPDATE – APRIL

- 1) Did swale work on Race Track Road and Bair Road.
- 2) Painted speed lines for Abbottstown Borough. Will be installing their no parking signs this week.
- 3) Tree removal has begun.
- 4) Mar-Bar installed new steer tires on the New Holland tractor.
- 5) J&D Paving will begin Villa Vista work on May 20th.
- 6) Removed 1 tree behind township building. Have 1 more to cut down.

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7) Will be looking at drainage on Beaver Creek Road.

UNFINISHED BUSINESS

1) **Ordinance Codification**

General Code sent the township a table of contents to look over, and had some things they had questions on.

2) **Comprehensive Plan update**

We are waiting for a meeting with Adams County.

NEW BUSINESS

1) **Generator Service Agreement**

Earle Black made a motion to approve the Generator Service Agreement with Winter Engine-Generator Service, seconded by Scott Kennedy. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

2) **LGI – Stormwater Review Refunds**

Tom Danner made a motion to approve the refunds to LGI Homes in the amount of \$11, 850.87, seconded by Earle Black. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

3) **Consider authorizing advertisement for road bids (Villa Vista)**

Pete Socks made a motion to authorize advertisement to be put out for the Villa Vista Maintenance Project, seconded by Scott Kennedy. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

4) **Superior Homes – 314 Tallahassee Blvd. – Permit fee refund request**

Pete Socks made a motion to return the entire amount of \$190.00, and let the County know the permit has been revoked, seconded by Scott Kennedy. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – no, Kennedy – yes. Motion carried.**

5) **EZPC Recycling (availability June 1, 15, 22, & 29, 2024)**

Pete Socks made a motion to schedule the electronic recycling event on June 29, 2024, 8:00 a.m. to 12:00 p.m., seconded by Tom Danner. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

6) **Ordinance No. 2024-03 Hearing (Large Animals & Zoning Amendments)**

Candi Becker spoke regarding the acreage and the setback requirements.

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Margie Eldridge made a couple of comments regarding agriculture, and that we are taking a step in a direction that cannot be reversed.

Tim Shultis stated we put these regulations in place because some people do not want to live next to it, and we have spent numerous hours on this. We must balance the interests. The intent is to promote more animal uses in these zoning districts, and balance the negative effect of those uses for the public.

The Hearing closed at 7:11 p.m.

7) **Consider adopting Ordinance No. 2024-03**

Scott Kennedy made a motion to table action on Ordinance No. 2024-03 to allow the Zoning Review Committee to review the comments raised at this hearing, seconded by Bill Green. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

ENGINEER'S REPORT/PLANS

- 1) **Sewer Plant updates & PennVest Loan** – The electrical and structural work are underway. We are targeting October 30, 2024 for submission to PennVest, and out to bid in January 2025. We have a small permit that we must submit for based on the location and proximity to wetlands.

Pete Socks made a motion to authorize the Chairman to sign the application for the permit, seconded by Scott Kennedy. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 2) **Salt Shed** – Received information from Keystone Purchasing and have not had a chance to review yet.
- 3) **Bridgeview road dedication**- Had a meeting with the developer and went through the items that were needed to complete the work and dedicating the road.
- 4) **80 Bridgeview Drive** – Drainage issues on this property. The developer is going to extend the storm drain, install a catch basin in the street and stub off that with a 6-inch pipe and put a yard drain at the right-of-way line that will be available for the builder/property owner to tie their drainage into it. U&O will be withheld until this work has been completed.
- 5) **Legacy Eagle View Discussion – License Renewal** – Just received a revised stormwater plan. Need to review it yet.
- 6) **Residence at the Bridges Proposed Easements** – The Plan is showing the cul-de-sac as temporary. It will need to be permanent for the township to receive Liquid Fuels. Tom Danner will contact Todd Grim in this regard, and to see what they are proposing.
- 7) **Residence at the Bridges** – Final Land Subdivision Plan (Lot H-1) – **Must act by 5/13/24**

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They want to take out 1/8 acre from the Bridges common open space and add it to the Jackson property.

Pete Socks made a motion to approve the Final Subdivision Plan for the Residence at the Bridges subject to addressing KPI Technology's comments dated January 3, 2024, and the Bridge's Homeowner's Association must be a party to the subdivision plan, seconded by Bill Green. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 8) **Douglas J. & Ann M. Small** – Final Land Development Plan – (105 Kelly Road) – **Must act by 6/20/24**

The is for Doug's Lawn Care and they are putting a driveway in off Kelly Road and it will be used as a garden and building and contractor's supplies. The materials must be stored inside the structure. They will have (3) 30 x 30 structure pads that are placed on top of the asphalt area. At the last Planning Commission meeting they did not have a quorum, however; the members present agreed with recommending this plan to the Board of Supervisors.

Tom Danner made a motion to waive the requirement to subject a separate Preliminary Plan (303), seconded by Scott Kennedy. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

Pete Socks made a motion to approve the Final Land Development Plan for Douglas J. & Ann M. Small subject to addressing KPI Technology's comment letter dated April 30, 2024, seconded by Tom Danner. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

SOLICITOR'S REPORT

- 1) **294 & 312 Race Track Road Conditional U&O Escrow Funds**

This work has been completed, but we do not have as built plans.

Tom Danner made a motion to grant Burkentine Builders a 30-day extension to submit their as built plans, seconded by Earle Black. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

- 2) **Cambrian Hills, LP (Phase 2)** – Action on Erosion and Sediment Control Indemnification Agreement

Pete Socks made a motion to approve the Cambrian Hills, LP Erosion, and sediment Control Indemnification Agreement, and they will need to have a pre-construction meeting prior to starting work, seconded by Tom Danner. **Roll Call: Black – yes, Green – yes, Socks – yes, Danner – yes, Kennedy – yes. Motion carried.**

PUBLIC COMMENTS (GENERAL)

- 1) **Brady Hartlaub – 239 Bair Road** – The previous Zoning Officer told me that there was something in the works with changing the zoning on Bair Road. Tom Danner stated this will fall under our Comprehensive Plan update.

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2) Apple Automotive - Wanted to know if we needed a meeting to discuss the proposed Agreements.

Tim Shultis stated he does not need another meeting to deal with this. I have my own schedule and so do you. We have been very responsive. It makes no sense to comment on the agreements when all those comments are directly related to the Vulcan Agreement.

KPI Technology has not seen the traffic signal plan, and the agreements will need to be reviewed.

EXECUTIVE SESSION

The Board went into executive session at 8:09 p.m. to discuss personnel.

The Board came out of executive session at 8:40 p.m.

Scott Kennedy made a motion to adjourn at 8:40 p.m., seconded by Bill Green. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on June 10, 2024, 6:00 p.m. in the Municipal Building, 85 Municipal Road, Hanover, PA 17331.

Respectfully submitted,

Jean A. Hawbaker
Secretary/Treasurer
BERWICK TOWNSHIP
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