

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS
Monthly Meeting Minutes
July 25, 2023, 6:00 p.m.

Call to order by Chairman Rob Harkins at 6:00 p.m.

An executive session was held July 25 at 5:30 p.m. to discuss personnel matters.

MOTION Chairman Harkins made a motion to amend the agenda in order add a vote to fill a vacancy in the highway department under new business. Supervisor Kirkpatrick seconded the motion. Motion carried unanimously.

DISCUSSION Solicitor James Sanders informed the board that they must allow for public comment regarding this matter before the board may vote. There were no public comments made at this time.

Attendance

Chairman Rob Harkins
Vice-Chairman, Diane Shellenhamer
Supervisor, Clair Wintermyer
Supervisor, Dave Kirkpatrick
Supervisor, Maxine Kauffman
Township Manager, Tony Miller
Solicitor, James Sanders
Engineer, Bill Rudy
Public Works Director, Scott Getgen
Sewer, Brent Zeiders
Police Chief, Steve Lutz
Codes and Zoning, Jeremy Eutzy

PUBLIC COMMENT

Julie Dibble, Newberrytown Church of God – Not in attendance

Connie Flasher, 395 Eden Dr – Asked about the payment made to PFM for the request for proposal (RFP) regarding the sewer sale exploration. She wanted to know how much money was paid out in total. Chairman Harkins and stated that only the initial \$7,500 for phase 1 of the exploration because the sale did not go through. Connie Flasher then asked what CS Davison is, and why the township uses it. Manager Miller explained that Newberry Township’s zoning and highway departments use this company’s software for managing permits, MS4 information, and other documents.

Tom Adams, 1610 Valley Rd – Asked that the supervisors consider accepting recyclables at the township building to transport them to a recycling facility in York. Stated that he was very glad that the CEO of York Water Company came to speak to the residents at the town hall meeting.

PUBLIC COMMENT CONTINUED

Roger Brunner, 701 Cassel Rd, Lot 121 – Asked if Newberry Township has authority to have dangerous trees removed at Newberry Farms mobile home park. The supervisors asked the Zoning department to research the issue.

Amber Devore, Cragmoor Rd – Asked about the process of getting a “Hearing Impaired Child” sign put on Cragmoor Rd. Supervisors informed her that she may make a request to Newberry Township, who will then send the request to PennDOT, as Cragmoor is a state road.

Jane Harman, 205 Hemlock Ln – Announced candidacy for Newberry Township Board of Supervisors. She will be on the ballot as a write-in during the November election.

Chris Caba, YCPC – Presented 2025 Transportation Improvement Program information from the York County Planning Commission.

Steven Toomey, 160 Cragmoor Rd – Requested that Newberry Township further investigate a problem which he is having with his neighbor.

APPROVAL OF MINUTES

MOTION By Supervisor Kirkpatrick to approve the minutes from June 26, 2023, seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

MOTION By Supervisor Kauffman to approve the minutes from June 27, 2023, seconded by Chairman Harkins, carried unanimously.

DISCUSSION None

MOTION By Supervisor Kirkpatrick to approve the minutes from July 18, 2023, seconded by Chairman Harkins, carried unanimously.

DISCUSSION None

LAND DEVELOPMENT/ SUBDIVISION PLAN REVIEW

Extension requested to October 1, 2023, for Preliminary Land Development plan for Pines Rd Greenhouses

MOTION By Supervisor Kauffman to approve the request for an extension for the preliminary land development plan to October 1, 2023. Seconded by Vice-Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Extension requested to October 1, 2023, for The Woods Extended Development plan.

MOTION By Supervisor Kirkpatrick to approve the request for an extension for The Woods extended development plan to October 1, 2023. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

REPORTS

Public Safety – Chief Lutz

York Haven Fire Department is still selling tickets for their chainsaw and leaf blower raffle. Newberry Township Fire Department is having Bingo on July 28, August 11, August 25, as well as a chicken BBQ on August 19th. Local fire departments conducted an advanced technical rescue drill at the sewer plant.

Police Department – Chief Lutz

Chef Lutz thanked all of the first responders who were at the World of Outlaws race at BAPS Motor Speedway in anticipation of a very large crowd. National Night Out will be on August 1st at BAPS Motor Speedway starting at 6:00 p.m. The second annual Taser Memorial Golf Tournament will be held on September 1, 2023. All proceeds benefit the Police Department's Non-Profit organization. Newberry Township Police Department became one of 30 Departments in the state of Pennsylvania to hold Premier Agency Status with the Pennsylvania Law Enforcement Accreditation Commission.

Solicitor – James Sanders

Solicitor James Sanders submitted a report to the board.

Engineering – Pennoni Associates

Bill Rudy submitted a report to the board. He will be working with Brent Zeiders at the sewer plant to begin talking with vendors regarding the UV light upgrade, which was in the capitol plan. They will be working together to come up with preliminary cost estimates for this project.

Highway- Scott Getgen

Scott Getgen submitted a report to the board.

Zoning Officer- Jeremy Eutz

Jeremy Eutz submitted a report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a report to the board.

Township Manager's Report – Tony Miller

Tony Miller submitted a written report.

Treasurer's Report – Jane Deamer

Jane Deamer submitted a report to the board.

Supervisor's Report

Supervisor Kirkpatrick noted that 7 towing agencies met in order to put billing information together. They are hopeful to finalize the Towing Ordinance by the end of September.

REPORTS CONTINUED

Supervisor's Report Continued

Chairman Harkins noted that he wants to begin moving towards putting walking trails on the property that Newberry Township owns on York Haven Road. Supervisor Wintermyer is concerned that the "lower end" of the township has several parks already, while the "upper end" has very few. Options for mitigating this issue were briefly discussed, and it was concluded that the Supervisors would explore this situation further.

OLD BUSINESS

Nothing to be discussed.

NEW BUSINESS

Contract renewal for Penn Strategies/ grant writer. Jason Fitzgerald

MOTION By Supervisor Kirkpatrick to renew the one-year contract with Penn Strategies on the condition of a 30 day out clause. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION Mr. Fitzgerald spoke briefly about the status of the current grants that he is working on. These include the Pennsylvania Commission on Crime and Delinquency grant (\$151,750), State LSA Grant (\$250,277), a secondary State LSA grant for the Newberry Township Police Department (slightly over \$99,000), FEMA Safer Grant for the Fire Department (\$306,000), EDCDI Grant for the Multi-Purpose building (slightly over \$100,000), and continuing work on the COVID ARPA funds. Four grants are currently pending approval. These are the Greenway Trails and Recreation Program Grant, the FEMA AFG Grant, the PennDOT multimodal for Pleasant Drive Bridge replacement, and the second round of the Small Water and Sewer Grant. Upcoming grant opportunities include the York County LSA Grant, the Statewide LSA Grant for culverts, and the Department of Justice JAG Grant for tasers.

During the motion the Supervisors asked for clarification regarding the 30 day out clause. It was discussed that this means that the Board of Supervisors may dismiss the grant writer at any time within a 30-day period of renewal.

Approval of 2022 Audit/ Financial Statement

MOTION By Supervisor Kirkpatrick to approve the advertisement of the 2022 Audit/ Financial statement presented by Stephen Rock, Zelenkofske Axelrod LLC. Seconded by Vice-Chairman Shellenhamer, carried unanimously.

DISCUSSION Mr. Johnson and Mr. Rock of Zelenkofske Axelrod LLC. presented a brief statement regarding the audit which was conducted. No problems were found during the audit, and it was noted that the staff was very open and easy to work with during this process. It was concluded that Newberry Township is in good financial standing.

NEW BUSINESS CONTINUED

Approval to pay Lobar Invoice of \$1,049,730.46

MOTION By Supervisor Kauffman to pay the Lobar invoice of \$1,049,730.46, seconded by Vice-Chairman Shellenhamer. Carried 4-1, with Supervisor Wintermyer opposing.

DISCUSSION Chairman Harkins noted that the drywall is in place, interior painting has begun, the siding, curbing and brick work has been started.

Steven Toomey, 160 Cragmoor Rd – Asked about the status of the building, and what percentage of the work has been completed. Chairman Harkins estimated that the building is 60-65% completed.

Engineer Bill Rudy noted that the sewer project for the building is about three weeks away from initiation, pending arrival of materials. The project is expected to take 3 weeks for the gravity sewer and an additional week to drill the low-pressure system.

Resolution 2023-19 Plan revision for New Land Development Nick Nichols, Bamberger Rd.

MOTION By Supervisor Kirkpatrick to approve resolution 2023-19 Plan revision for New Land Development Nick Nichols, Bamberger Rd. Seconded by Vice-Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Approve purchase of CODY Pathfinder system for \$10,500, this is to be 100% reimbursed by the PCCD Grant.

MOTION By Supervisor Kirkpatrick to purchase the CODY Pathfinder System. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION Supervisor Wintermyer clarified that this purchase would be 100% reimbursed by the PCCD Grant.

Approve purchase of 3 Motorola in-car cameras for \$20,260, this is to be 100% reimbursed by the PCCD grant.

MOTION By Supervisor Kirkpatrick to approve the purchase of 3 Motorola in-car cameras for \$20,260. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

Approve purchase of NDIRS License Plate Reader System for \$67,500. Lowest responsive bidder. This is to be 100% reimbursed by the PCCD Grant.

MOTION By Supervisor Kirkpatrick to approve the purchase of the NDIRS License Plate Reader System for \$67,500. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

NEW BUSINESS CONTINUED

Approve purchase of Apex Virtual Reality Training System for \$67,500. Lowest responsive bidder. This is to be 100% reimbursed by the LSA Grant.

MOTION By Supervisor Kirkpatrick to approve the purchase of the Apex Virtual Reality Training System for \$67,500. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

Amended Agenda Item – Approve the hiring of a new employee to fill a vacancy in the highway department.

MOTION By Supervisor Kirkpatrick to approve the hiring of a new employee to fill a vacancy at the highway department. There was no second on this motion. Motion carried unanimously.

DISCUSSION It was noted that a new employee is needed to fill the vacancy of another employee who is no longer with Newberry Township. Bob Conley, Old Trail Rd, wanted to know why the position wasn't publicly advertised prior to hiring. Solicitor James Sanders clarified that the Township Manager has discretion to make decisions regarding hiring.

Bob Conley, Rock-it Pizza – Announced that Rock-it Pizza would be donating 100 pizzas for National Night Out.

PAYMENT OF BILLS

MOTION By Supervisor Kauffman to pay the bills as listed. Seconded by Chairman Harkins, carried unanimously.

DISCUSSION None

ADJOURNMENT

MOTION By Supervisor Kirkpatrick to adjourn the meeting. Seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION None

Respectfully Submitted,



Tony Miller, Secretary