

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS
Monthly Meeting
November 23, 2021 6:00 p.m.

Call to Order by Chairman Mario Eckert

Vice-chair Kauffman called the Regular Meeting to order at 6:00 p.m. Proof of publication was available for public inspection.

Attendance

Vice-Chairman, Maxine Kauffman
Supervisor, Clair Wintermyer
Supervisor, Dave Kirkpatrick
Supervisor, Brandt Cook
Township Manager, Tony Miller
Engineer, Bill Rudy
Solicitor, James Sanders

Wastewater Services Coordinator, Brent Zeiders
Township Comptroller, Jane Deamer
Fire Chief, Gary Hatterer
Zoning Officer, Marcus Brandt
Police Chief, Steve Lutz

PUBLIC COMMENTS

Jen Washburn, Red Land Senior Center: Jen went over the demographics of the Senior Center. She explained the changes they made during COVID and how they still served and kept in contact with the community. She thanked the Township for the contribution the Senior Center each year.

Mike Haugh, 355 River Rd: Mike asked why there are many Right-to-Know denials. He said he received some recently. He also asked about his citation of his driveway and wants to know what he needs to do. Supervisor Kirkpatrick said he would have to go in front of the Zoning Hearing Board for a variance. Vice-chair and Supervisor Wintermyer said they need to review the situation. Mike asked if Save-Rite is in compliance yet.

Red Land Community Library: Township Manager Tony Miller read a letter from the library. They thank the Township for the contribution they received.

Northeastern Community Senior Center: Tony Miller read a letter from the senior center that thanked the Township for the contribution.

Minute Approval

MOTION by Supervisor Kirkpatrick to approve the October 26 monthly meeting minutes. The motion, seconded by Supervisor Cook, carried with 4 ayes.

MOTION by Supervisor Kirkpatrick to approve the November 9 BOS Workshop meeting minutes. The motion, seconded by Supervisor Cook, carried with 4 ayes.

LAND DEVELOPMENT/SUBDIVISION REVIEW

Red Mill Crossing

Tony Miller said Red Mill Crossing withdrew coming to the meeting because they wanted to finish up some of the conditions.

105 Newberry Parkway

Tony said the plans have already been approved. The developer missed the deadline, and the plans just need signed.

REPORTS

Police Department – Chief Lutz

Chief Lutz reviewed the report he submitted to the board. Chief said trick-or-treat went very well. Sgt Keith Farren received the Public Service award. Chief discussed “No Shave November” that the officers are participating in. Chief Lutz discussed a current trail that Newberry was involved in and the person received a guilty charge.

Fire Departments – Chiefs Mark Sanders, Gary Hatterer, Rudy Huggins

Chief Hatterer read a report he created for the month of October.

EMS- Mark Knaub

Mark Knaub submitted a written report.

Solicitor – James Sanders

Solicitor James Sanders submitted a report to the board.

Engineering – Pennoni Associates

A report was submitted to the board. Greg from Pennoni discussed the permitting updates for the Police Building.

Highway- Scott Getgen

Scott Getgen submitted a written report to the board.

Zoning Officer- Marcus Brandt

Marcus Brandt submitted a written report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a written report.

REPORTS cont.

Township Manager's Report – Tony Miller

Manager Tony Miller submitted a written report. Tony wished all the hunters in the Township good luck.

Treasurer's Report – Jane Deamer

Jane Deamer submitted a written report to the board.

Supervisor's Report

OLD BUSINESS

2022 Draft Budget/discussion/vote to advertise

MOTION by Supervisor Kirkpatrick to authorize the Manager to advertise the 2022 Newberry Township budget. The motion, seconded by Supervisor Wintermyer, carried with 4 ayes.

NEW BUSINESS

Penn Waste 2022 Rate Increase

Tony Miller said Penn Waste notified the Township in 2022 that the rates will be increasing by \$.72 per quarter to \$81.78 per quarter effective January 1st.

Revised Minimum Municipal Obligation for 2022 Pension

MOTION by Supervisor Cook to revise the Minimum Municipal Obligation for the 2022 pension in the amount of \$516,670. The motion, seconded by Supervisor Kirkpatrick, carried with 4 ayes.

2022 Police Agreements/Goldsboro/York Haven

Tony Miller said York Haven and Goldsboro signed the Police Agreements. The agreements show a 2.5% increase.

MOTION by Supervisor Kirkpatrick to accept the signed agreements. The motion, seconded by Supervisor Cook, carried with 4 ayes.

Performance Bond Release, 105 Newberry Parkway

Tony Miller said Bill Rudy recommends releasing the performance bond for 105 Newberry Parkway.

MOTION by Supervisor Wintermyer to release the bond for 105 Newberry Parkway. The motion, seconded by Supervisor Kirkpatrick, carried with 4 ayes.

Bond Reduction, Lexington Estates Phase II

Tony Miller said Bill Rudy requested to reduce the bond for Lexington Estates Phase II to \$11,193.60.

MOTION by Supervisor Kirkpatrick to reduce the bond for Lexington Estates. The motion, seconded by Supervisor Wintermyer, carried with 4 ayes.

NEW BUSINESS cont.

Bond Reduction, Lexington Estates Phase III

Tony Miller said Bill Rudy requested to reduce the bond for Lexington Estates Phase III to \$28,589.00

MOTION by Supervisor Kirkpatrick to reduce the bond for Lexington Estates Phase III. The motion, seconded by Supervisor Cook, carried with 4 ayes.

Bond Reduction, Lexington Estates Phase IV

Tony Miller said Bill Rudy requested to reduce the bond for Lexington Estates Phase IV to \$421,939.10

MOTION by Supervisor Kirkpatrick to reduce the bond for Lexington Estates Phase IV. The motion, seconded by Supervisor Cook, carried with 4 ayes.

Plowing Contract Bids

Tony said the bids were opened on November 19th and the Township received one bid from Firewood Extractors.

MOTION by Supervisor Cook to except the snowplow bid from Firewood Extractors. The motion, seconded by Supervisor Wintermyer, carried with 4 ayes.

Advertise Intent to contract with CPA firm as auditors

The Township is looking to advertise their intent to contract with a CPA firm as the auditors.

MOTION by Supervisor Kirkpatrick to authorize the Township Manager to advertise their intent to use a CPA Firm. The motion, seconded by Supervisor Cook, carried with 4 ayes.

Repeal Hydrant Tax Discussion

Supervisor Kirkpatrick explained the fire hydrant tax and how much is currently in the hydrant fund. This money can only be used on fire hydrants. Supervisor Kirkpatrick said there that the Township can stop collecting this tax for a few years. Tony Miller said the tax can be repealed and once it's needed again can be reinstated. Suez is continuing over the next three years to update the water system in their area within the Township.

MOTION by Supervisor Kirkpatrick to have the Solicitor draft a Resolution to repeal the fire hydrant tax. The motion, seconded by Supervisor Cook, carried with 4 ayes.

Fire Tax discussion

Supervisor Kirkpatrick discussed the fire tax. The money could only be used by Fire Departments for equipment, training, etc. The tax would be \$20 per \$100,000.00 property assessment. Chairman Eckert called in to discuss the fire tax and he suggested to table the discussion. Supervisor Kirkpatrick said he believes they should act on this because it would be another year until they can implement the tax to help the local Fire Departments. Resident Dave Parsons said he is in favor of the tax so the Fire Departments can get extra help. Resident and Zoning Officer Marcus Brandt discussed the cost to run a Fire Department (cost of trucks, training, etc.). Resident Jane Harman from 205 Hemlock Lane said she

NEW BUSINESS cont.

supports the Fire Tax. She said the Township would have to be careful if they used the money to pay a fire fighter since all the volunteers have been doing it for many years with no pay. Gary Hatterer says he would pay extra money as a resident to put that towards the Fire Departments. Rudy Huggins spoke about the soup sale they had. They raised \$500 after the cost of buying the supplies. He said the Boroughs are only looking for percentage of that amount since they are contracted with the Township. Vice-Chair Kauffman asked why the Newberry residents should be the only one that pays the tax. Mark Sanders explained that York Haven Borough has a Fire Tax. Mark Spoke about the fundraising and donations the Department receives. Jane Harman asked why they would tax on the assessment of the house. The Solicitor said the code is written based off milage not flat. The Solicitor went over what the money can be used for. Rob Harkins said he does not like paying taxes but as an incoming Supervisor he supports the Fire Tax.

MOTION by Supervisor Kirkpatrick to have the Solicitor draft a Resolution to implement a fire tax. The motion, seconded by Supervisor Wintermyer, carried by 4 ayes.

Per Capita Tax discussion

Supervisor Wintermyer asked who the tax effects. Deb Popp the Tax Collector spoke about the Per Capita Tax. She said the Township had it before and eliminated it. Deb said when the Township eliminated the tax, the data was lost. She said gathering all the information for the homeowners, rents, etc. would be a lot of work. She does not recommend brining it back. The Supervisors decided to end the conversation regarding the Per Capita Tax. The Solicitor asked the Supervisors to make a motion to have the Solicitor draft a one resolution with all the tax information in it.

MOTION by Supervisor Kirkpatrick to have the Solicitor draft one resolution for the 2022 Tax. The motion, seconded by Supervisor Wintermyer, carried by 4 ayes.

Gordian Job Order Contract

Tony Miller discussed the Gordian contracts with Lobar that breaks down the total cost of the Police building. Total amount is \$5,199,633.50. Tony said the Supervisors can sign the contracts, but do not have to start work on the project. Jane Harman asked how much the grant amount would be. Supervisor Kirkpatrick said around 50% of the cost of the building. She asked why the cost went up from \$4.3. Supervisor Wintermyer said there were costs like land fill that were not added in the beginning. Jane said she wanted to make sure that they cost was not going to keep up and there was a cap.

MOTION by Supervisor Kirkpatrick to sign the Gordian Job Contacts, pending receipt of the Grants. The motion, seconded by Supervisor Wintermyer, carried with 4 ayes.

Wireless Telecommunications facilities and the adverse health effects of 5G presentation

Laura Bosso is a member of Zero 5G and she spoke on the health effects that 5G creates when added to neighborhoods. She said a revised ordinance could help protect the residents from the 5G pulses. The Zoom presentation from Health Experts was unable to be done due to wireless connectivity. They will reschedule another day they can come in.

PAYMENT OF BILLS

MOTION by Supervisor Cook to pay the bills. The motion, seconded by Supervisor Kirkpatrick, carried with 4 ayes.

EXECUTIVE SESSION

The Board went into Executive Session at 7:48pm and returned at 8:14pm. Vice-chair Kauffman announced the board discussed personnel matters.

Adjournment

MOTION by Supervisor Kirkpatrick, seconded by Supervisor Wintermyer. Meeting adjourned at 8:15PM.

Respectfully Submitted,

Tony Miller, Secretary