

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting Minutes

August 27, 2024 @ 6:00 pm

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

Executive Session was held Monday, August 19th at 1 pm to discuss personnel issues related to the accident on Friday, August 16th.

Executive Session was held tonight at 5:30 pm to discuss personnel issues regarding police, highway, and sewer as well as ongoing litigation.

Attendance

Chairman, Rob Harkins
Vice-Chairman, Diane Shellenhamer
Supervisor, Dave Kirkpatrick
Supervisor, Aaron Schwartz
Township Manager, Tony Miller
Engineer, Bill Rudy
Public Works Director, Scott Getgen
Sewer, Brent Zeiders
Police Chief, Steve Lutz
Codes and Zoning, Jeremy Eutzy

PUBLIC COMMENT

Matthew Castillo from the Believers in Christ Church – Said a prayer asking blessings for the township board, residents and servicemen and women that all can flourish in together. The Pastor read a passage from Matthew 28 verses 18-20.

Rob Lane – Chairperson for the Newberrytown Neighborhood Alliance. – A group of Newberry Township citizens who want to encourage safe development. Mr. Lane stated he is speaking against a 120-unit apartment complex on Church Road. His concern is the proposed road widening may damage a historical 150-year-old brownstone church. The road widening will come within feet of a historic cemetery. Mr. Lane also voiced his concern regarding increased traffic in the area. Mr. Lane asked if the new Ordinance for speed limit would affect Church Road. Chairman Harkins stated that Church Road is not listed on the Ordinance. Mr. Lane then asked what the speed limit is on Church Road. Supervisor Kirkpatrick stated it should be 35 mph in a residential area and the distance between the homes. He stated that the information is in Title 75 of the Vehicle Code.

APPROVAL OF MINUTES

MOTION By Supervisor Kirkpatrick to approve the minutes from July 23, 2024, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

LAND DEVELOPMENT/ SUBDIVISION PLAN REVIEW

None

REPORTS

Public Safety – Chief Lutz

Chief Lutz thanked everyone that attended the National Night Out. York Haven Fire Department has an ongoing gun raffle that. Newberrytown Fire has bingo on August 30th, September 13th and September 27th. They also have a chicken barbeque on September 21st. Chief Lutz spoke about the tragic loss of a fire police officer, Brian Peek, from the Goldsboro Fire Department who was fatally struck on August 16th at approximately 2:20 pm. Chief Lutz stated on behalf of the Newberry Township Department of Public Safety and the Board of Supervisors deepest gratitude is extended to Brian Peek for his dedicated service to the community. Our hearts go out to the officer's family, loved ones and the other first responders during this difficult time. There was a moment of silence to remember Mr. Peek.

Police Department – Chief Lutz

The Police Department handled 915 calls for the month of July.

Solicitor – James Sanders

James Sanders submitted a report to the board.

Engineering –Pennoni Associates

Bill Rudy submitted a report to the board.

Highway –Scott Getgen

Scott Getgen submitted a report to the board.

Zoning – Jeremy Eutzy

Jeremy Eutzy submitted a report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a report to the board.

Township Manager – Tony Miller

Manager Miller stated information has come back from the Office of Budget for the RACP Grant of 2 million dollars. They have sent back the agreement and now it is under special conditions, which is part of the grant process. A meeting will be set up with a state consultant to have a construction monitoring meeting and a facilitation meeting by the Office of Budget. Additional information that is needed will be discussed. The reimbursement process will take place at that time.

Treasurer –Jane Deamer

Jane Deamer submitted a report to the board.

Supervisor's Report

Vice Chairman Shellenhamer stated a Newberrytown Special Events Committee has been created. The main purpose is to promote and bring a sense of community to the township. No taxpayer's money is being used, it is all through volunteers and the efforts of the committee. September 30th an evergreen tree has been purchase and ordered. The tree has been gifted to the township from Red Mill Farm, Nevin and Lisa Shank. October 1st a 7 ft. Norway Spruce will arrive and be planted by Cody Culley. Cody is gifting the township the service of planting it. October 1st through the 14th 300 bricks are to arrive which have been gifted to the township by James Danner VFW. October 15th bricks will be installed as a walkway to the tree. Installation is being gifted to the township by Norm Unique Landscaping. On October 20th a plaque will be placed at the front of the memorial tree gifted to the township by James Danner VFW. There will be a dedication on Veterans Day, November 11th at noon. A spokesperson from the VFW will be dedicating the tree and the plaque. History speakers will be attending as well as taps will be played by the local boy scouts. A gun salute will be performed by the 87th Pennsylvania Civil War Reenactors. There will be food trucks on site. News media will be on site. For those attending it is recommended to bring a chair for your seating. The dedication will last approximately 1 hour. On November 27th there will be a Christmas holiday event held when the tree will be strung with lights. The event will take place between 5 and 8 p.m. The lights for the tree have been gifted by Walmart. Santa will be present. A tent will be selling food. The Fire Department has agreed to sell chicken corn soup and hot dogs as a fundraiser. Hot chocolate has been gifted by Members 1st. Donut holes have been gifted by Maple Donuts. An igloo will be on site to congregate and enjoy music and food. The igloo has been gifted by Jason Seymore. The music will be played by the West Shore School Band. The Newberrytown Special Events Committee will have a table where bricks can be purchased. Vice Chairman Shellenhamer thanked Dominish Miller, Sue Ostrander, Jen Mohn, Norm Seats, Cody Culley, Tony Miller, Jason Seymore, Lt. Ditty, Chief Lutz and Scott Getgen.

OLD BUSINESS

None

NEW BUSINESS

Report on Dangerous Structure Requesting a Special Hearing to Demolish 761 2nd Avenue, Manchester, PA 17345

MOTION By Supervisor Kirkpatrick to hold a special hearing for the demolition of structure at 761 2nd Avenue to be held prior to September 24th meeting, Manchester, seconded Supervisor Schwartz, carried unanimously.

DISCUSSION Jeremy Eutzy, Codes and Zoning Officer, spoke about dangerous structure at 761 2nd Avenue, Manchester. He requested a special hearing be held to vote on having the structure demolished. Manager Miller explained the process that takes place for the demolition to take place.

Approve Agreement with Tactical Data Group for Grant Writing Services. Engagement with Penn Strategies has been Terminated \$4,800 Monthly

MOTION By Chairman Harkins to approve agreement with Tactical Data Group for Grant Writing Services, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Manager Miller explained the termination with Penn Strategies. Most of the grant administrators that the township was working with had left Penn Strategies and are now working for Tactical Data Group. By switching to Tactical Date Group, the township will be working with the same grant administrators as before. They have provided a discounted rate.

Resolution 2024-28 to Move \$1.5 MM from Members 1st Credit Union Sewer Fund to M&T Bank Treasury Ladder for Higher Interest Yield

MOTION By Supervisor Kirkpatrick to approve Resolution 2024-28 to move \$1.5 mm from Members 1st Credit Union sewer fund to M&T Bank treasury ladder for higher interest yield, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Manager Miller explained that moving the money will yield a higher interest rate.

Resolution 2024-29 to Move the Balance of the M&T Bank Sewer Money Market Fund to an M&T Bank IntraFi Secure Sweep Account for Higher Interest Rate

MOTION By Supervisor Schwartz to approve Resolution 2024-29 to move the balance of the M&T Bank sewer money market fund to an M&T Bank IntraFi secure sweep account for higher interest rate, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Manager Miller explained this is not a ladder account it is a sweeper account. Treasurer, Jane Deamer explained that the IntraFi allows the township to invest money at different financial institutions for higher interest rates.

Adopt Ordinance No 426 Amending the Zoning Hearing Organization Set Forth in Section 72 of Chapter 380 of the Newberry Township Code

MOTION By Vice Chairman Shellehamer to adopt Ordinance No 426 amending the Zoning Hearing Organization set forth in Section 72 of Chapter 380 of the Newberry Township Code, seconded by Chairman Harkins, carried unanimously.

DISCUSSION None

Adopt Ordinance No 427 Regulating the Speed Limit on Robin Hood Drive to 25 mph

MOTION By Supervisor Schwartz to adopt Ordinance No 427 regulating the speed limit on Robin Hood Drive to 25 mph, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Approve to Advertise Ordinance No 428 that Amends Chapter 367 Section 11 Restricting Speed Limits on Certain Township Streets

MOTION By Supervisor Kirkpatrick to approve to advertise Ordinance No 428 that amends Chapter 367 Section 11 restricting speed limits on certain township streets, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Manager Miller stated that it was discovered that some township roads are posted at 25 mph, and some are not posted. They were never ordained by an ordinance to have a speed limit, which is required. Streets that are clearly residential streets are not required to have a traffic study. Any street that is unclear what the speed limit is will be required to have a traffic study. The list of streets provided will have traffic studies done by LTAP for as many streets as possible to save the township money. Those streets can then be ordained properly.

Resolution 2024-30 Authorizing Submission of York County Open Space and Land Preservation Grant \$40,000 for Terry Dolan Park Rehabilitation Phase 2

MOTION By Supervisor Kirkpatrick to approve Resolution 2024-30 authorizing submission of York County Open Space and Land Preservation Grant \$40,000 for Terry Dolan Park Rehabilitation Phase 2, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Resolution 2024-31 Authorizing Submission of a Local Share Account (LSA) Grant for a Street Sweeper

MOTION By Supervisor Schwartz to approve Resolution 2024-31 authorizing submission of a Local Share Account (LSA) Grant for a street sweeper, seconded by Supervisor Kirkpatrick, carried unanimously.

DISCUSSION None

Resolution 2024-32 for Plan Revision for New Land Development, Northwood Manor MHP

MOTION By Chairman Harkins to approve Resolution 2024-32 for plan revision for new land development, Northwood Manor MHP, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Engineer, Bill Rudy, stated there are approximately 103 mobile homes in the park. Lexington Estates extended an 8-inch sewer line that could serve the mobile homes. The mobile home park currently has its own treatment plant which will soon be decommissioned, and a pump station will be installed and the wastewater can be pumped to the Lexington Estates development.

Approve Minimum Municipal Obligation for 2025 Police Retirement Plan for \$443,781

MOTION By Supervisor Kirkpatrick to approve minimum municipal obligation for 2025 Police Retirement Plan for \$443,781, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Approve Minimum Municipal Obligation for 2025 Non-Uniformed Retirement Plan for \$103,732

MOTION By Supervisor Schwartz to approve minimum municipal obligation for 2025 Non-Uniformed Retirement Plan for \$103,732, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Approve Halloween in Newberry Township for Thursday, October 31, 2024 – 6:00-8:00 pm

MOTION By Vice Chairman Shellenhamer to approve Halloween in Newberry Township for Thursday, October 31, 2024, from 6:00-8:00 pm, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

Approve to Advertise RFP for Trash and Recycling. Current Contract Expires December 31, 2024

MOTION By Supervisor Schwartz to approve to advertise RFP for Trash and Recycling, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Approve to Hire Jeffrey Thrush to Fill the Vacant Wastewater Laborer Position

MOTION By Supervisor Kirkpatrick to approve to hire Jeffrey Thrush to fill the vacant wastewater laborer position, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Discuss Food Trucks in the Township

DISCUSSION Supervisor Wintermyer asked for the opinion of residents on the food trucks in the township. An issue was brought up that they are parked in one spot for an extended period. Supervisor Schwartz stated that according to the Department of Agriculture no food truck is to be at a permanent location for more than 14 consecutive days. Supervisor Schwartz stated that as a township there is no ordinance in place that specifies where they can and cannot be parked.

Steve Toomey – Resident, 160 Cragmoor Road – stated he agrees with Supervisor Wintermyer for a set period of time that food trucks are permitted to be parked in one location.

Robert Cuthbertson – Resident, 95 Sam Snead Circle – Had questions regarding the food truck that is set up on the property of J & W Hardware store. He stated the food truck was paying the hardware store \$350 a month rent. Mr. Cuthbertson asked if the township has a right to check his licenses for the Health Department. Supervisor Kirkpatrick stated that the State does the regulations on food industry. If the food truck has their certifications from the State, they can operate.

Mike Krone – Resident, Bobby Jones Drive – Stated he does not feel food trucks are an issue other than possibly being parked in one spot for an extended period.

Sue Ostrander – Resident, 35 Rolling Hills Court – Wanted clarification on the food trucks being State regulated. Ms. Ostrander stated food trucks that sell food, and the customer takes it to go is different than a food truck that has tables and chairs and customers are allowed to sit and eat. She asked the township to determine what kind of food trucks it would allow.

PAYMENT OF BILLS

MOTION By Vice Chairman Shellenhamer to pay the bills, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

ADJOURNMENT

MOTION By Vice Chairman Shellenhamer to adjourn, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

Respectfully submitted,


Tony Miller, Secretary

