

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting Minutes

March 25, 2025 @ 6:00 pm

Call to order by Chairman Kirkpatrick at 6:00 pm

Executive Sessions were held on February 27th at 9:30 am, March 4th at 12:00 pm, March 7th at 2:00 pm, March 13th at 11:00 am and March 25th at 5:00 pm to discuss personnel matters.

Attendance

Chairman, Dave Kirkpatrick
Vice-Chairman, Diane Shellenhamer
Supervisor, Rob Harkins
Supervisor, Aaron Schwartz
Supervisor, Clair Wintermyer
Engineer, Bill Rudy
Public Works Director, Scott Getgen
Sewer, Brent Zeiders
Police Chief, Steve Lutz
Codes, Jeremy Eutzy

PUBLIC COMMENT

Bob Gasswint- Redland Senior Center – Wanted to express to the Board their continued support of the Senior Center. The Redland Senior Center is in a state of transition and is going well. Mr. Gasswint stated they need an outside storage area.

Brian Rehbein – Resident, 928 Pleasant Drive – Stated he would like the Board to reconsider the public comment portion of the meeting. Mr. Rehbein stated residents have questions or need clarification on some items on the agenda.

Connie Flasher – Resident, 395 Eden Road – Stated she was unhappy with the 30-day extension she submitted for her right to know request. Ms. Flasher also raised concerns regarding the hiring of Manager Abodalo. She asked why a manager would be appointed if he is unable to acquire the bond that is expected. She also raised concerns regarding his previous employment and his qualifications to be a township manager. Ms. Flasher stated the residents were not made aware that a Zoning Officer was being hired.

Tony Miller – Resident, 115 St. Andrews Way – Stated his frustration that public comment is not allowed during an agenda item. Mr. Miller stated he sent an email to Manager Abodalo and the email was answered by Supervisor Schwartz. He asked what type of leave Manager Abodalo is on. Supervisor Harkins responded that Manager Abodalo is on paid administrative leave. Mr. Miller stated that if the manager is on paid administrative leave, he can work from home on his laptop.

Mr. Miller asked questions regarding the Zoning Officer that was hired and how much he is paid per hour. Supervisor Harkins responded and stated the Zoning Officer is employed by Pennoni and Associates and the township is paying Pennoni for his services. Mr. Miller asked why this matter was never discussed or approved in an open meeting. He stated the contract with Pennoni and Associates is for engineering services. Mr. Miller asked questions regarding the Collective Bargaining Agreement for the Police.

Jane Harman – Resident, 205 Hemlock Lane – Stated she would like the Board to reconsider the public comment portion of the meeting and to allow comments or questions during agenda items prior to a vote.

Tom Adams – Resident, 1610 Valley Road – Asked if the development on Church Road has been appealed. Supervisor Harkins stated it was appealed, and more information would be available soon.

Roger Brunner - Resident, 701 Cassel Road, Lot 124 – Stated the residents in the mobile home park received a letter explaining they would be paying \$50 a month for sewer. Mr. Brunner filed a complaint with the State Attorney General's Office – Consumer Protection - stating that there is no new contract in effect and residents of the park do not have to pay for their sewer service. Mr. Brunner asked the Board to investigate the matter. Chairman Kirkpatrick stated that it is private property.

Sarah Tongay – Resident, 275 Iroquois Trail – Spoke about Terry Dolan Memorial Park. Ms. Tongay stated she is the President of the HOA Board, and the community is in full support of the upgrades to the park. Their neighborhood backs up against the park. Currently there is no walking access for residents to enter the park. She would like the Board to consider looking into walking access to the park so that children do not have to walk on Cly Road.

LAND DEVELOPMENT & SUBDIVISION PLAN REVIEW

Wright – 320 and 350 Front Street Final Subdivision Plan

MOTION By Supervisor Harkins to approve the waivers 1, 2, 3, 4, 5 and 6, seconded by Vice Chairman Shellenhamer, carried unanimously.

MOTION By Supervisor Harkins to approve the Wright final subdivision plan for 320 and 350 Front Street contingent on the Engineers notes and comments, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Chris Hoover, Hoover Engineering – Represents the Charles Wright subdivision plan. This is a five-lot subdivision. Mr. Wright owns two properties. The 26-acre lot is the parcel that is being subdivided. Mr. Wright explained the division of the parcels and went over the details of the plan. Engineer, Bill Rudy, stated there are four waivers that the Planning Commission recommended approval of the plan.

Ream – 210 River Road Final Subdivision Plan

MOTION By Supervisor Harkins to approve the waivers 1, 2 and 3, seconded by Vice Chairman Shellenhamer, carried unanimously.

MOTION By Vice Chairman Shellenhamer to approve the minor subdivision plan at 210 River Road contingent on the Engineers notes and comments, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION Scott Aikens, Aikens Engineering – Stated Mr. Ream would like to subdivide the main parcel of land into two lots. The plan has been reviewed by the Planning Commission with a recommendation to approve the waivers. Two additional waiver requests were added with a plan scale, a site context map and the woodland evaluation. Engineer, Bill Rudy, stated the Planning Commission did recommend approving the first waiver. The second two waivers were discussed however no recommendation was made because they were not on the agenda at the time.

William Stanley – 300 Ridge Road Subdivision Plan

MOTION By Supervisor Harkins to update the agenda to change the address from 1600 Potts Hill Road to 300 Ridge Road, seconded by Vice Chairman Shellenhamer, carried unanimously.

MOTION By Supervisor Schwartz to approve the waivers 1, 2 and 3, seconded by Supervisor Harkins, carried unanimously.

MOTION By Supervisor Harkins to approve the William Stanley minor subdivision plan at 300 Ridge Road contingent on the Engineers notes and comments, seconded by Supervisor Wintermyer, carried unanimously.

DISCUSSION Scott Aikens, Aikens Engineering – Explained the subdivision plan. He stated 3 waiver requests are asked for this plan. The Planning Commission has given a recommendation to approve the plan and all three waivers. There was a clerical error made on the address when the agenda was originally posted.

Monarch Office Expansion Final Subdivision and Land Development Plan

MOTION By Supervisor Schwartz to approve the four waivers for the Monarch office expansion, seconded by Supervisor Wintermyer, carried unanimously.

MOTION By Supervisor Schwartz to approve the final and preliminary land development plan for Monarch office expansion contingent on the Engineer notes and comments, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Joshua George with Landworks Civil Design, representing Monarch Products. Monarch Products is located at 385 Sipe Road. This plan is for three additions to the existing building. Mr. George reviewed the plan. The plan was reviewed and recommended for approval by the Planning Commission along with the four waivers. Engineer, Bill Rudy, had nothing further to add.

Fulkins Prelim/Final Subdivision and Land Development Plan

MOTION By Supervisor Schwartz to approve waiver 1 of the preliminary plan for Fulkins LLC, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstains, motion carries 4-0.

MOTION By Supervisor Schwartz to approve waiver 2 for site context map, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstains, motion carries 4-0.

MOTION By Supervisor Schwartz to approve the sidewalk requirements on the condition to add a 6 month note to the plan, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstains, motion carries 4-0.

MOTION By Supervisor Schwartz to approve waiver 4 to provide a woodlands evaluation, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstains, motion carries 4-0.

MOTION By Supervisor Schwartz to approve the preliminary and final subdivision plan for Fulkins LLC contingent on the Engineers notes and comments, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstains, motion carries 4-0.

DISCUSSION Supervisor Harkins is abstaining himself with this agenda item since he is a direct principal. Andrew Barsinger from Site Design Concepts representing Fulkins LLC stated two parcels are going to be divided into six lots. Mr. Barsinger explained the plans and subdivision. Engineer, Bill Rudy, stated waivers 1, 2 and 4 were recommended by the Planning Commission. Waiver number 3 was recommended to be denied which is for sidewalk and curb. The Planning Commission made a recommendation on a deferment 4-0 that the sidewalk and curb be deferred until the time that the Township would require that the sidewalk be placed.

Newberry Holdings, LLC – Jim Hoffman Stormwater Permit

MOTION By Supervisor Harkins to approve the waiver requests 1, 2, 3, 4, 5 and 6 for Newberry Holdings, LLC Stormwater Permit, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION Justine Kuhn from Integrated Consulting explained that this is a Stormwater plan. Currently there is no proposed use for this site. At some point this would come before the Board for Land Development. A grading operation and a stormwater plan is what is being presented. Mr. Kuhn stated the Planning Commission did recommend waivers 1 through 5. Waiver 6 was not submitted in time to be on the agenda. Engineer, Bill Rudy, states that waiver 1 was a 3-1 vote. Waiver 2 was a 3-1 vote recommending approval and waivers 3, 4, 5 were all voted on unanimously.

APPROVAL OF MINUTES

MOTION By Vice Chairman Shellenhamer to approve the minutes from March 25, 2025, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

REPORTS

Public Safety – Chief Lutz

Chief Lutz stated that York Haven Fire Department has a chicken barbeque coming up in July. Goldsboro Fire Department has bingo on April 5th and the 19th. The fishing derby is held on April 6th. Coach bingo is being held on April 7th. Lt. Ditty spoke about the paid driver operator program that is going into effect. Nine part time employees have been hired, all that are current or former professional firefighters to serve as driver/operators to support all three of the fire departments.

Police Department – Chief Lutz

The Police Department handled 998 calls for the month of February. Chief Lutz urged residents to lock their vehicles. With warm weather approaching, people are out walking around and may be tempted to enter unlocked vehicles.

Solicitor – James Sanders

James Sanders submitted a report to the board.

Engineering –Pennonni Associates

Bill Rudy submitted a report to the board.

Highway –Scott Getgen

Scott Getgen submitted a report to the board.

Codes– Jeremy Eutzy

Jeremy Eutzy submitted a report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a report to the board.

Treasurer –Jane Deamer

Jane Deamer submitted a report to the board.

Supervisor's Report

Vice-Chairman Shellenhamer introduced the Park and Recreation Committee. She also reminded the residents of the May 4th Spring Festival and spoke of all the activities and vendors that will be present.

OLD BUSINESS

Approve Emergency Medical Services Agreement with Community LifeTeam EMS to provide basic and advanced life support ("BLS" and "ALS") ambulance service twenty-four (24) hours a day, seven (7) days a week

MOTION By Vice Chairman Shellenhamer to approve the Emergency Services Agreement with Community LifeTeam EMS, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

NEW BUSINESS

Approve Resolution 2025-12 to Appoint Nevin Shenck to the Zoning Hearing Board serving a (5) five-year term starting January 2025 and ending December 2029.

MOTION By Vice-Chairman Shellenhamer to approve Resolution 2025-12 to appoint Nevin Shenck to the Zoning Hearing Board, seconded by Supervisor Wintermyer, carried unanimously.

DISCUSSION None

Approve Resolution 2025-13 to Establish the Newberry Township Events Committee

MOTION By Vice-Chairman Shellenhamer to approve Resolution 2025-13 to establish the Newberry Township Events Committee, seconded by Supervisor Harkins, carried unanimously.

DISCUSSION Vice Chairman Shellenhamer explained that the special events committee is a group of twelve who are residents and/or taxpayers who come together to improve our relationships, improve our community and figure out events that will make that happen.

Approve Resolution 2025-14 to Appoint Matthew Kinney from Pennoni and Associates as the Part Time, Temporary Zoning Officer for the Township

MOTION By Supervisor Harkins to approve Resolution 2025-14 to appoint Matthew Kinney from Pennoni and Associates as the Part Time, Temporary Zoning Officer, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Supervisor Wintermyer would like to discuss this further in the Board of Supervisors Meeting in May.

Approve Resolution 2025-15 Planning Module for Fulkins, LLC

- MOTION By Chairman Kirkpatrick to approve Resolution 2025-15 Planning Module for Fulkins LLC, seconded by Vice Chairman Shellenhamer, Supervisor Harkins abstained, motion carries 4-0.
- DISCUSSION Engineer, Bill Rudy, explained that this is for the on-lot sewer with regards to the Fulkins plan.

Approve Resolution 2025-16 for C2P2 DCNR Grant for Terry Dolan Memorial Park Rehabilitation Phase II

- MOTION By Vice Chairman Shellenhamer to approve Resolution 2025-16 for C2P2 DCNR Grant for Terry Dolan Memorial Park, seconded by Supervisor Schwartz, carried unanimously.
- DISCUSSION Engineer Bill Rudy, placed a picture on the screens to show where parking spaces are being added and a pickleball court. The surface to the basketball court will be redone and resetting the one basketball hoop. There is ADA parking as well as ADA access to the basketball court, pickleball court, the pavilion as well as the new park equipment that will be going next to the pavilion.

Approve Multi-Municipal Line Painting Bids for 2025

- MOTION By Supervisor Schwartz to approve multi-municipal line painting bids for 2025, seconded by Vice Chairman Shellenhamer, carried unanimously.
- DISCUSSION None

Approve the hiring of Jordan Krause to fill the Wastewater Laborer vacancy at the Sewer Plant

- MOTION By Supervisor Schwartz to approve the hiring of Jordan Krause to fill the Wastewater Laborer vacancy at the Sewer Plant, seconded by Vice Chairman Shellenhamer, carried unanimously.
- DISCUSSION None

Discuss the Results of the Grandview Drive Traffic Study

- DISCUSSION Engineer, Bill Rudy stated the traffic study had been completed for Grandview Drive. It does warrant restricting truck traffic. Cragmoor Road, which is a state road, was also reviewed. The report for Grandview Drive and Cragmoor Road were sent to the State for review. Once their recommendation comes back the township can implement the restrictions.

Approval of the 2024 VFD Service Credits for EIT totaling \$4,318.85

- MOTION By Supervisor Harkins to approve the 2024 VFD Service Credits for EIT, seconded by Vice Chairman Shellenhamer, carried unanimously.
- DISCUSSION None

Approve Portable Toilet Bid for Walter Services

MOTION By Vice Chairman Shellenhamer to approve the portable toilet bid for Walter Services, seconded by Supervisor Schwartz, carried unanimously.

DISCUSSION None

Approve the CBA Police Agreement

MOTION By Vice Chairman Shellenhamer to approve the CBA Police Agreement, seconded by Supervisor Schwartz, Supervisor Wintermyer opposed, motion carries 4-1.

DISCUSSION Supervisor Wintermyer stated he has not spoken to any labor attorney or the Assistant Secretary, Jane Deamer, regarding the CBA Agreement.

Approve Resolution 2025-17 Establishing the 2025 Fee Schedule

DISCUSSION Tabled

Create an IPMC Appeals Board with 3-5 Members

DISCUSSION Building Codes Officer, Jeremy Eutzy explained that UCC is Uniform Construction Codes and IPMC is International Property Maintenance Codes. There is a UCC Appeals Board that exists. Currently there is no IPMC Board for residents to appeal a violation in the property maintenance code. Supervisor Harkins asked if this is a volunteer board. Mr. Eutzy responded yes. Chairman Kirkpatrick stated this would be tabled for a month so it can be researched further.

PAYMENT OF BILLS

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

DISCUSSION None

ADJOURNMENT

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

DISCUSSION None

Respectfully submitted,


Jane Deamer, Assistant Secretary

