

Newberry Township Board of Supervisors September 9, 2025

Meeting Minutes

CALL TO ORDER AT 6:00 PM

ATTENDANCE

Chairman, Dave Kirkpatrick
Vice Chairman, Diane Shellenhamer
Supervisor, Rob Harkins
Supervisor Clair Wintermyer (Absent)
Township Manager, Aaron Schwartz
Police Chief, Steve Lutz
Solicitor, James Sanders
Engineer, Bill Rudy
Public Works Director, Scott Getgen
Sewer, Brent Zeiders
Codes and Zoning, Donna Donald (Absent)
Parks and Recreation, Jane Harman (Absent)
Events Committee, Sue Ostrander

Pledge of Allegiance

The meeting was called to order by Chairman Dave Kirkpatrick. The Pledge of Allegiance was led.

ANNOUNCEMENTS

Chairman Kirkpatrick announced that the Board of Supervisors held an executive session prior to the start of the meeting to discuss litigation and personnel issues.

Vice Chairman Shellenhamer corrected the Events Committee meeting date announcement, stating the special meeting to finalize plans for the Harvest Moon Festival would be held on September 22nd at noon rather than September 19th, and that it would be advertised.

PUBLIC COMMENTS

Chairman Kirkpatrick explained the public comment policy, noting that time allotted for agenda matters is 5 minutes, and 3 minutes for non-agenda matters. Comments are to be delivered from the podium by registered individuals.

Maxine Kauffman of 540 Paddle Town Road addressed the Board regarding candidates Clair Wintermyer and Jane Harman, who were not present. She expressed her desire for assurance from them, as they are running in November for the Board, that they would not disturb the police department or attempt to move it to York Area Regional. She stated: "I want an assurance from them, they're running in November to be on this Board, that they are not going to disturb the police department and try to take them where it shouldn't be, meaning York Area Regional. And I want a public comment from them that they are going to leave the police department alone. We deserve that as taxpayers and as residents of this township. I want an answer in public."

APPROVAL OF THE MINUTES

Approval of the meeting minutes for July 22, 2025

Motion made by Vice Chairman Shellenhamer to approve the minutes for July 22, 2025. Seconded by Rob Harkins. Motion carried unanimously.

Approval of the special meeting minutes for August 6, 2025

Motion made by Supervisor Harkins to approve the special meeting minutes for August 6, 2025. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

BOARD SUPERVISOR VACANCY INTERVIEW & APPOINTMENT

Township Manager, Aaron Schwartz explained that each candidate would draw a number to determine speaking order, have 5 minutes to speak about why they want to be supervisor, and then the Board would have the opportunity to ask questions.

Before the candidates spoke, Manager Schwartz provided important clarification about the vacancy term. He explained that while the Board thought the appointed person would serve until the next municipal cycle, Brian Furman from the York County Board of Elections had informed them that the seat would be on the November election ticket. Candidates interested in being on the November ballot would need to contact either Doug George, Chair of the Republican Committee for York County, or Chad Baker, the Democrat Chair of York County. The deadline for party nominations was believed to be September 15th.

Candidate Statements and Board Q&A

Dan Almany spoke first, emphasizing his background in communications and his focus on trust, accountability, and building a better future for children in Newberry Township. He mentioned being one of the only candidates who already has the trust of thousands of neighbors, referencing his previous involvement with opposing development near Paddle Town. On development, he stated that projects need to be right for the area and developers shouldn't receive tax breaks - they need to pay their fair share to support emergency services. Regarding police services, while he thinks Chief Lutz does a great job, he expressed more concern about the state of fire departments, noting that Newberry Fire Company was holding sandwich fundraisers for funding, which troubled him.

Brian Rehbein (928 Pleasant Drive), a long-time resident who has lived in the area for 46 years, spoke about his recent appointment to the Planning Commission and his regular attendance at township meetings for about 7 years. He referenced a previous public comment calling the township a "sinking ship" and stated he wanted to help the vessel "upright itself and continue on a nice journey." On development, he acknowledged it's inevitable but must be done properly according to ordinances. When asked by Vice Chairman Shellenhamer about results he'd want to deliver, he emphasized transparency and better engagement between the community and supervisors. He expressed frustration with residents who complain but then leave meetings without staying engaged.

Jason Christine presented himself as someone who grew up in Newberry Township and chose to raise his three boys there with his wife Michelle. He serves as a teacher in the West Shore School District and small business owner, Committee Chair for Boy Scout Troop 198, President of the Westshore Lacrosse Club, and helps support his wife as director of the annual VFW Memorial Day Parade. He emphasized his focus on maintaining the character of Newberry Township, ensuring taxpayer dollars are managed wisely, supporting police/EMS/fire departments, and guiding smart, balanced growth. He stated that growth is inevitable, but the township needs to look at ways to manage it through zoning while maintaining character.

Sandra Gonzalez (140 Oak Road), who has lived in the township since 2006, noted she is well-known to the Board through regular meeting attendance. She was instrumental in getting Aaron Schwartz and Mark Anderson elected and worked for President Trump's Trump Force 47. She emphasized emergency services as most important to her, having lobbied tirelessly for the police department, including preserving two canine dogs on the force. Regarding development, she acknowledged the Board has been "vilified over not being able to stop a developer" when high-powered lawyers force their hand, but noted warehouses bring jobs and revenue without

straining emergency services like housing developments do. When asked about her legacy, she said she would be "a tireless advocate for our police department, our emergency services in general" and focus on seniors and children.

Matt Musser (145 Roxbury Road), new to the township as of July 2024, introduced himself as having a wife and four children. He works as general manager at Inch and Co Outdoors landscape company for 12 years, was a volunteer firefighter for 7 years in Mount Joy and disclosed that his company's parent has a development division. On development, he compared it to business - "if a business isn't growing, it's dying" - and said the township should look at pros and cons of each opportunity. He identified trust, open communication, and budget as hot topics from the last meeting. When asked if he would continue attending meetings if not appointed, he indicated he would.

Duane Smith arrived late due to a family death. He stated he was born in 1972 and has lived in the township most of his life. He believes the township is "developed out" and sees no benefit to more development, noting warehouse jobs go to people from outside the community. He emphasized needs for "more openness and transparency" and stated zoning exceptions should stop being made. He expressed strong views about preserving farmland and the agricultural character of the town, stating "That is the character of the town, the agriculture, the farm, the wooded land, greenery, not warehouses and townhouses."

Board Vote

After all candidates spoke, the Board proceeded to nominations.

Motion made by Rob Harkins to nominate Sandra Gonzalez. Seconded by Dave Kirkpatrick. Roll call vote: Chairman Kirkpatrick - yes, Vice Chairman Shellenhamer - no, Supervisor Harkins - yes. Motion carried 2-1.

Following the vote, there was public comment from Nikki Byer questioning the voting process with only three supervisors present and whether all candidates should have been considered when one supervisor voted no. The Solicitor and Manager defended the process as following proper procedure, with Manager Schwartz noting that with only three supervisors present due to his vacancy, a 2-1 vote constituted a majority.

Chairman Kirkpatrick explained his vote for Sandra Gonzalez was based on her regular attendance at meetings and having "the pulse of the township already in her mind." He encouraged other candidates to stay involved with the township.

LAND DEVELOPMENT & SUBDIVISION PLAN REVIEW

None

REPORTS

Public Safety

Chief Lutz highlighted upcoming fire company events: Newberry Township bingo on September 12th and 26th, chicken barbecue on September 20th, and Goldsboro bingo on September 19th.

For the police department's July report, the department handled 1,258 calls including 2 aggravated assaults, 4 burglaries, 15 thefts, 1 motor vehicle theft, 4 drug offenses, 8 DUIs, 11 simple assaults, 1 harassment, and 12 other offenses. They responded to and investigated 1,200 other calls for service including 21 domestics and 19 traffic accidents. The department issued 105 traffic citations, 175 traffic warnings, 13 non-traffic citations, and made 40 misdemeanor and/or felony criminal arrests. Chief Lutz thanked volunteers, fire department individuals, and vendors for the successful National Night Out event in August.

Events Committee

Vice Chairman Shellenhamer reported two upcoming events: September 20th Music in the Park at Cassle Road from 4-9 PM with country music and the concession stand opening for the first time, and October 4th Harvest Moon Festival at the Shoppes of Newberry town from 4-9 PM featuring a bonfire, food, and music.

All other reports had nothing to add.

OLD BUSINESS

Approve Payment Application No. 13 to Lobar Associates for final retainage for the construction of the MESB Building in the amount of \$6,000.00

Motion made by Vice Chairman Shellenhamer to approve payment. Seconded by Supervisor Harkins.
Motion carried unanimously.

NEW BUSINESS

Approve Minimum Municipal Obligation for 2026 Police Retirement Plan. \$480,039.00

Motion made by Vice Chairman Shellenhamer to approve the minimum municipal obligation. Seconded by Supervisor Harkins. Motion carried unanimously.

Chairman Kirkpatrick noted the township receives State help on this figure, approximately \$200,000 last year, so the township doesn't pay the entire amount. When asked about percentage increases, Manager Schwartz explained it varies by payroll, and this year is inflated due to an extra pay period.

Approve Minimum Municipal Obligation for 2026 Non-Uniformed Retirement Plan. \$95,989.00

Motion made by Vice Chairman Shellenhamer to approve minimum municipal obligation. Seconded by Supervisor Harkins. Motion carried unanimously.

Approve Halloween in Newberry Township for Thursday, October 30th between 6:00-8:00 pm

Motion made by Vice Chairman Shellenhamer to approve Thursday, October 30th for Halloween. Seconded by Rob Harkins. Motion carried unanimously.

Chairman Kirkpatrick noted Goldsboro and Fairview approved the same night, so all will be on the same evening.

Adopt Resolution 2025-13 (Amended) to establish the Events Committee

Motion made by Vice Chairman Shellenhamer to approve resolution 2025-13. Seconded by Supervisor Harkins. Motion carried unanimously.

Vice Chairman Shellenhamer explained they removed the Events Committee from underneath Parks and Recreation to be a separate advisory board directly to the Board.

Approve Memorandum of Understanding between the Township and the Events Committee for year-round use of Shelley Park Concession Stand

Motion made by Vice Chairman Shellenhamer to approve the Memorandum about the concession stand at Shelley Park. Seconded by Supervisor Harkins. Motion carried unanimously.

Vice Chairman Shellenhamer explained this allows the Events Committee to run, grow, and maintain the concession stand.

Adopt Resolution 2025-27 to establish a Comprehensive Plan Steering Committee and Authorize Consultant Solicitation

Manager Schwartz explained the comprehensive plan is well overdue. The steering committee will consist of 9 individuals: 2 supervisors, 2 planning, 3 residents, and 2 business members. Applications will be available on the township website and Facebook through the end of October or November.

Motion made by Chairman Kirkpatrick to adopt the resolution. Seconded by Supervisor Harkins. Motion carried unanimously.

Adopt Resolution 2025-28 requesting a Category 4 Facilities Local Share Assessment Grant

The Board tabled this item as they were not ready to proceed.

Adopt Resolution 2025-29 requesting an LSA Grant of up to \$425,000

This Grant would be used for public works compliance including a street sweeper and dash cameras for highway department vehicles with GPS tracking capabilities.

Motion made by Chairman Kirkpatrick. Seconded by Supervisor Harkins. Motion carried unanimously.

Adopt Resolution 2025-30 requesting an LSA Grant of up to \$250,000 for the Police Safety & Accountability Modernization Project

Project includes a fully upfitted patrol vehicle, body cameras, in-car video systems and server.

Motion made by Chairman Kirkpatrick. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Consider approval of a three-year HVAC maintenance agreement with A.C. Rimmer

Agreement covers \$2,195 annually for Admin/Highway/Old Police and \$6,875 annually for MESB building.

Motion made by Supervisor Harkins to approve the 3-year HVAC maintenance agreements. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Motion to approve the Intergovernmental Agreement with the West Shore School District

Tabled - the township requested language changes and is awaiting school board approval.

Adopt Resolution 2025-31: BOS Conduct/Staff Interaction/Office Access Policy

Motion made by Dave Kirkpatrick. Seconded by Supervisor Harkins. Motion carried unanimously.

Approve 2026 Klugh Animal Control Services Contract

Motion made by Supervisor Harkins to approve the 2026 Klugh Animal Control Service contract. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Motion to award the sludge hauling bid to Solid Waste Services, Inc., d/b/a J.P. Mascaro & Sons

Motion made by Vice Chairman Shellenhamer to approve the sludge hauling bid. Seconded by Chairman Kirkpatrick. Motion carried unanimously.

Payment application for Certificate #2 to Pennsy Supply for 2025 Road Program in the amount of \$111,439.69

Motion made by Supervisor Harkins to approve payment application for certificate #2 to Pennsy Supply. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Bill Rudy, Engineer, confirmed work is done and complete.

Payment application for Certificate #3 to Pennsy Supply for 2025 Road Program in the amount of \$54,119.28

Motion made by Chairman Kirkpatrick to approve payment application for certificate #3 to Pennsy Supply. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Payment application for Certificate #3 to CriLon for 2025 Pleasant Drive Bridge in the amount of \$328,142.12

Motion made by Supervisor Harkins to approve payment application for certificate #3 to CriLon. Seconded by Vice Chairman Shellenhamer. Motion carried unanimously.

Bill Rudy Engineer noted work is complete but they're holding \$5,000 until the site is stabilized. This was a grant project.

Bond reduction for Lexington Estates Phase VI Bond Establishment #3 in the amount of \$134,941.50

Motion made by Vice Chairman Shellenhamer. Seconded by Chairman Kirkpatrick. Motion carried unanimously.

Bond reduction for Lexington Estates Phase IV Bond Evaluation # 5 in the amount of \$45,737.50

Motion made by Vice Chairman Shellenhamer. Seconded by Chairman Kirkpatrick. Motion carried unanimously.

Bond reduction for Lexington Estates Phase V Bond Evaluation # 4 in the amount of \$37,466.00

Motion made by Vice Chairman Shellenhamer. Seconded by Supervisor Harkins. Motion carried unanimously.

Adopt Resolution 2025-32 to Approve Submission for an RACP Grant for Renovation of the Newberry Township Administration and Public Works Buildings

Motion made by Vice Chairman Shellenhamer to approve the RACP. Seconded by Supervisor Harkins. Motion carried unanimously.

Manager Schwartz noted the Grant amount shown as \$1,250,000 would be reduced by about \$500,000 since the sewer extension is no longer included. They will meet with Lobar to finalize pricing.

PAYMENT OF BILLS

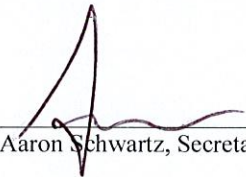
Motion made by Vice Chairman Shellenhamer to pay the bills. Seconded by Supervisor Harkins. Motion carried unanimously.

ADJOURNMENT

Motion made by Vice Chairman Shellenhamer to adjourn. Seconded by Supervisor Harkins. Motion carried unanimously.

The meeting was adjourned.

Respectfully Submitted,



Aaron Schwartz, Secretary

