

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting Minutes

September 24, 2024 @ 6:00 pm

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

Executive Session was held tonight at 5:00 pm to discuss personnel issues related to Police and Public Safety.

Attendance

Chairman, Rob Harkins
Vice-Chairman, Diane Shellenhamer
Supervisor, Dave Kirkpatrick
Supervisor, Aaron Schwartz
Supervisor, Clair Wintermyer
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

Chairman Harkins stated that due to the number of residents that attended for Zenith Construction Church Road Apartment there would be a time limit placed on public comment. He asked that statements be kept brief.

Reverend Mark Millward of Ambassadors Bible Church – Said a prayer asking for wisdom, strength and courage to do what is right and good for all citizens.

Erik Hawkins – Fire Chief for Fairview Township – Stated that on August 10th Fairview Township was dispatched for an overturned kayaker in the creek on the Yellow Breeches. It turned into a four-and-a-half-day event. Lt. Ditty from NTPD provided the command vehicle which was utilized for the four and a half days. Chief Hawkins wanted to recognize and acknowledge Lt. Ditty, the NTPD and thank the Board of Supervisors for allowing Fairview Township to have that resource available for them. Plaques were presented to the Newberry Township Police Department and Lt. Ditty.

John Naun, Traffic Expert – Retained by Robert Lane on Church Road – A summary was passed out to the Board and briefly discussed regarding the concerns of the speed limit on Church Road and the apartment complex.

Rob Lane – Chairperson for the Newberrytown Neighborhood Alliance. – A letter was written by their attorney, John Elliott, and distributed to the Board of Supervisors. Mr. Lane summarized some of the key points of the letter. Chairman Harkins assured Mr. Lane that he has read every email that has been sent to him. Chairman Harkins addressed Mr. Lane’s comments that the township has been in contact with the developer with the intent to reduce the speed limit on Church Road for their development. Chairman Harkins assured him that the Board has not been in contact with the developer to reduce the speed limit for the development to take place.

Josh Grove – Resident, 385 Church Road – Requested that Church Road be made a dead end and funnel traffic to the stop sign with speed bumps.

Roger Brunner – Resident, 701-703 Cassell Road – Spoke about damaged mailboxes. He stated the Post Office in Manchester stated they are not responsible for the damaged mailboxes. Mr. Brunner called the Postal Service in Harrisburg. He was told that the management office is responsible for the mailboxes because it is on their property. Mr. Brunner said if they are not fixed the mail will not be delivered.

David Erney – Resident, 460 Paddletown Road – Stated he wants to stop the development due to the roads being country roads.

Dan Almaney stated that it is the job of the Board of Supervisors to supervise the will of the people in Newberry Township.

David Miller – Resident, 80 Harvest Drive – Prepared a written statement that was provided to the Board of the concerns he wanted to address regarding the development. Mr. Miller went over site distance, driveway entrances and other concerns.

Kathy Rimmer – Resident, 15 Winding Hill Road – Stated she was asked by the Ridgeview Homeowners Association Board to read a note from Dave Levey. Mr. Levey would like to express his concerns representing the neighborhoods of the community near the proposed housing development. His concern is when he purchased his home it was in a rural area and if the development is built it will change. Ms. Rimmer read over his concerns.

Pastor Ryan Whisel from Paddeltown St. Pauls United Methodist Church, 355 Church Road – Stated a concern for pedestrian traffic due to the events that take place at the church in addition to the regular worship services throughout the year. His concern is for the safety of the congregation and people who use the facility on a regular basis.

Sandra Gonzalez – Resident, 140 Oak Road – Stated in a planning commission meeting Engineer, Bill Rudy, said he was comfortable lowering the speed limit to 25 mph. Ms. Gonzalez stated she thought the Board deliberated on items like that and the Police would do a traffic study. Chairman Harkins stated if the development was taken out of the picture that any resident would want Church Road being 55 mph. Chairman Harkins also stated he is confident that Engineer, Bill Rudy, is not colluding with the developers.

APPROVAL OF MINUTES

MOTION By Vice Charman Shellenhamer to approve the minutes from August 27, 2024, seconded by Supervisor Kirkpatrick, carried unanimously. Supervisor Wintermyer was not in the restroom for vote.

DISCUSSION None

MOTION By Vice Chairman Shellenhamer to approve the minutes from September 17, 2024, workshop meeting, seconded by Supervisor Kirkpatrick, carried unanimously.

DISCUSSION None

LAND DEVELOPMENT/ SUBDIVISION PLAN REVIEW

Zenith Construction – Church Road Apartments

MOTION By Chairman Harkins make a motion to table the Zenith Construction development for more discussion, seconded by Supervisor Kirkpatrick, Supervisor Wintermyer opposed, motion carries.

DISCUSSION Elliott Shibley with Integrated Consulting, Project Engineer of record for this development, spoke about the 120-unit apartment complex, the widening of Church Road and providing curbing and sidewalk of the property. There are three waivers with his submission along with a justification letter for those waivers. A traffic impact report has been submitted. A speed study was also conducted. Mr. Shibley explained each waiver in detail.

Jason Wheeler of Traffic Planning and Design – Gave a summary of the traffic study that was done. Per the Ordinance requirements and PennDOT guidelines a traffic impact study was performed for the site. The intersections that were identified for inclusion in the traffic study were Old Trail Road (Route 382), Stevens Road, Paddletown Road, Rabbit Slide Drive and the proposed access site. The results of the traffic study indicate that all the intersections operate acceptably except for the Old Trail Road, Paddletown Road, Stevens Road intersection. The most reasonable improvement that can be done is a peak hour left turn restriction. Mr. Wheeler also reviewed the site distance regarding the speed limit.

Helen Gemmill of McNeese, Wallace & Nurick spoke briefly about the waiver requests.

Chairman Harkins stated he feels the vote should be tabled for further discussion. He asked Solicitor Sanders to research the steep slopes further.

REPORTS

Public Safety – Chief Lutz

York Haven Fire Department has an ongoing gun raffle that ends September 26th. Newberrytown Fire has bingo on September 27th and October 11th. Chief Lutz stated the Police created a podcast. He is proud of the program and feels it is helping the officers remain healthy which translates to better service to the community.

Police Department – Chief Lutz

The Police Department handled 948 calls for the month of August.

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.

Zoning – Jeremy Eutzky

Jeremy Eutzky submitted a report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a report to the board.

Township Manager – Tony Miller

Manager Miller submitted a report to the board.

Treasurer –Jane Deamer

Jane Deamer submitted a report to the board.

Supervisor's Report

Vice Chairman Shellenhamer stated November 11th at noon is the dedication. The evergreen tree will be planted dedicated to the vets. Bricks are still being sold for the walkway. November 27th will be the Christmas tree celebration from 5:00-8:00 PM.

OLD BUSINESS

None

NEW BUSINESS

Discuss Political Signs Chapter 380-40

MOTION By Vice Chairman Shellenhamer to table the discussion on political signs, seconded by Supervisor Kirkpatrick, carried unanimously.

DISCUSSION None

Approve Klugh Animal Control Services Contract

MOTION By Chairman Harkins to approve Klugh Animal Control Services Contract, seconded by Supervisor Kirkpatrick, carried unanimously.

DISCUSSION Manager Miller reviewed and explained the contract and fees. He stated the township does not have any other services available for animal control provider.

Approve Z & A Accounting Engagement for Auditing Services

MOTION By Supervisor Kirkpatrick to approve Z & A Accounting Engagement for Auditing Services, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Chairman Harkins stated that Z & A are the townships current auditors. Manager Miller stated that the township had switched to them a few years ago. They were the lowest priced auditors. He reviewed the pricing for each year.

Report on Dangerous Structure Requesting a Special Hearing to Demolish 170 Cragmoor Road, York Haven, PA 17370

MOTION By Supervisor Kirkpatrick for a special hearing to demolish 170 Cragmoor Road, York Haven on October 22nd at 5:30 pm, seconded by Chairman Harkins, carried unanimously.

MOTION By Supervisor Kirkpatrick to amend his motion for a special hearing to demolish 170 Cragmoor Road, York Haven and 761 2nd Avenue, Manchester on October 22nd at 5:00 pm, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Codes and Zoning Officer, Jeremy Eutzy, addressed the Board stating his findings that the location is a dangerous structure. He requested the Board approve to set a dangerous structure hearing for 170 Cragmoor Road, York Haven for the intent of public safety. Manager Miller stated at the last meeting there was a request for a special hearing for demolition of 761 2nd Avenue, Manchester. Both properties were on a sheriff sale, the township waited for the results of the sheriff sale. Manager Miller requested the special hearing be held at 5:00 pm so that both properties may be addressed.

Approve Red Mill Crossing Bond Evaluation

MOTION By Vice Chairman Shellenhamer to approve Red Mill Crossing Bond Evaluation, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Engineer, Bill Rudy, stated all inspections have been completed. The bond is ready to be reduced.

Adopt Ordinance 428 Regulating the Speed on the Enumerated Roads in Residence Districts

MOTION By Supervisor Kirkpatrick to adopt Ordinance No 428 Regulating the Speed on the Enumerated Roads in Residence Districts, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION None

Discuss/Execute MOU with Police Association Regarding ACT 120 Academy and Starting Salary

MOTION By Vice Chairman Shellenhamer made a motion to table the MOU with Police Association.

MOTION By Vice Chairman Shellenhamer withdraws her motion to table the MOU. By Chairman Harkins amended the motion for the MOU with the Police Association Regarding ACT 120 Academy and Starting Salary to end at the end of 2024, seconded by Vice Chairman Shellenhamer, carried unanimously.

DISCUSSION Chief Lutz stated deadline for the police academy is December 7th. If the document is not executed tonight, he will not have enough time to advertise, interview and thorough background investigation. Chief Lutz explained the academy, tuition and how the process works. Vice Chairman Shellenhamer asked if the MOU can change the date and add and end date to it. Supervisor Schwartz replied that, and end date can be added to the MOU to end the end of 2024.

Approve Advertisement of Comcast Franchise Agreement, Ordinance 429

MOTION By Vice Chairman Shellenhamer to approve to advertise Comcast Franchise Agreement, Ordinance No 429, seconded by Chairman Harkins, carried unanimously.

DISCUSSION None

Approve Trash and Recycling Low Bid by Resolution 2024-34. Penn Waste

MOTION By Vice Chairman Shellenhamer to approve to approve Trash and Recycling Low Bid by Resolution 2024-34 to Penn Waste, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Manager Miller stated that the RFP was sent out and Penn Waste is the only bid that was received. He reviewed the rate schedule.

PAYMENT OF BILLS

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

DISCUSSION None

ADJOURNMENT

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

DISCUSSION None

Respectfully submitted,



Tony Miller, Secretary

