

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting

February 23, 2021 6:00 p.m.

Call to Order by Chairman Mario Eckert

Chairman Eckert called the Regular Meeting to order at 6:02 p.m. Proof of publication was available for public inspection.

Attendance

Chairman, Mario Eckert
Vice-Chairman, Clair Wintermyer
Supervisor, Maxinne Kauffman
Supervisor, Brandt Cook
Supervisor, Dave Kirkpatrick
Solicitor, Andrew Miller
Zoning Officer, Marcus Brandt

Township Manager, Tony Miller
Police Chief, Steve Lutz
Wastewater Services Coordinator, Brent Zeiders
Township Comptroller, Jane Deamer
Engineer, Bill Rudy
Fire Chief, Gary Hatterer

Chairman Comment

Chairman Eckert stated the Executive Session that was held on February 17th was for discussing legal issues.

Public Comments

Greg Moreland, a potential candidate to fill the late Senator Arnolds position. He wanted to give a brief introduction and explain what he stands for. He served in the military and worked as a research analyst for the state. He believes we deserve free and fair elections. He wants to prevent unnecessary taxation on the working class. Greg Moreland also wants to rid PA of the school property tax associated with properties.

Dennis Hauser, 40 York Hill Rd: Dennis Hauser wanted to address questions concerning Resolution 2020-23 for the Tax Collector compensation. Tony stated his question was asking if the newly elected Tax Collector for 2022 would have the same rent increase that is stated in the resolution. Solicitor Andy Miller stated that the rent increase will would apply to any elected Tax Collector and not just the current one. Township Manager Tony Miller stated that in section 3 of the resolution, where it explains the Tax Collector is not eligible for benefits through the Township will also apply to any Tax Collector that is elected.

Minute Approval

MOTION by Supervisor Cook to approve the meeting minutes from January 26, 2021 Board of Supervisors meeting. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

MOTION by Vice Chair Kauffman to approve the February 4, 2021 Special Meeting Minutes. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

Sub-Divisions

Ron Seccari and Brian Kobularcik who represent Goodman Logistics came to present to the board to Final Land Development plan for Building #1. The new plan has been decreased in size by 14% from the original approved plan. Engineer Bill Rudy told the board he responded to the plan in his report. Supervisor Kirkpatrick asked if there were any waivers that needed to be approved or if they were approved in the original plan. There are two waivers that need to be approved. Vice Chair Kauffman asked if we know who the tenant in the new warehouse is. Brian Kobularcik said the lease agreement should be signed in three weeks and they can disclose who the tenant is then. Chairman Eckert read out the waivers for everybody to hear. First waiver is for the plans to be drawn at the scale of no greater than 1 in equal to 100 feet. Second waiver is for drafting plan scale.

MOTION by Supervisor Kirkpatrick to approve the waivers. The motion, seconded by Supervisor Wintermyer, carried 4 ayes to 1 nay by Vice Chair Kauffman.

MOTION by Supervisor Kirkpatrick to approve the Goodman Logistics building #1 plan with the engineer's comments included. The motion, seconded by Supervisor Wintermyer, carried 4 ayes to 1 nay by Vice Chair Kauffman.

REPORTS

Police Department – Chief Lutz

Police Chief Lutz reviewed the monthly report that was submitted. Chief Lutz said the department issued three search warrant that were based off cyber tips. The operation was called "Operation Cyber Scrub". From this they made one arrest. This arrest was 10 counts of sexual abuse of children. They are still investigating the other two. The police department received the Safe Policing for Safe Communities acknowledgement from the Federal government. Chief Lutz said residents can download the crim watch app to help keep them notified if a road is closed. The board was notified that car 48 was placed on the Menissa bid today.

Fire Department – Gary Hatterer

Chief Hatterer stated he did not have anything to add to the Fire and EMS reports that were submitted. Chief Hatterer clarified that the Covid grant the department received was \$11,700.00 not \$15,000 that was previously stated. He is working with the developer at the Chewy warehouse to get items corrected and added. They are in contact with the potential client for the second warehouse as well. Chairman Eckert asked if the current Fire Police are working with Lieutenant Diddy with the training. March 27-28

is the date of training, and currently unsure the number of people who signed up to take the training. Supervisor Wintermyer asked if everybody knew they had to take this class to be qualified to be Fire Police. Chief Hatterer said all his people have taken the class, then asked if they are requiring everybody who has already done it, to take the newest one. Supervisor Kirkpatrick said they want everybody up to

EMA - Tom Alstead

Tom Alstead submitted a written report to the board. Tom recapped what EMA has done during the year. EMA received a grant in the amount of \$14,300 from the Act 147 grant funding to build a emergency operations support trailer. If the Township or center of government had to be moved out of a building, it can essentially do the work out of the trailer. The EMA team has done several exercises setting up the trailer. EMA is working as a support system with the Covid Pandemic and sharing information regarding vaccines and they receive it. They were able to fulfil every request for PPE from the departments. They gathered around 30 cases of PPE. For 2021 they received another \$10,300 in TMI Grand Funding to purchase radiation monitoring and detecting equipment. There is a training being put together with the search and rescue team to exercise all their capabilities. EMA is on social media sharing helpful tips each week at Newberry Regional EMA on Facebook. This department is made completely of volunteers. Supervisor Wintermyer said about getting a big generator incase the fire department or church need it. Supervisor Wintermyer asked Tom to get a hold of Rutters to see the availability of them putting l a generator in. If electricity goes out nobody can get fuel, food, etc.

Highway- Scott Getgen

Scott Getgen submitted a written report to the board. Scott said this year they have had four snow events, 2 that they plowed. We received the Brine truck and looking to get a tank for the Brine at the Township. We currently get our Brine from Conewago Township. During the first storm two trucks went down. The salt bins are completely empty. Five loads were received out of the 500 that were ordered. Scott said the salt has been difficult. Scott said they are doing routine maintenance on the vehicles. Supervisor Wintermyer brought up Paddletown Road and nobody has heard from York County yet on what is the status. He said the road is a mess. Scott asked Bill Rudy if he saw plans come through for water runoff. The pond would be bigger than the first. Scott does not want to redo the road until all the runoff is fixed.

Solicitor – Andrew Miller

Solicitor Miller submitted a written report to the board.

Engineering – Pennoni Associates

Engineer Bill Rudy submitted a written report to the board. Bill is working with the Sewer department on the M94 report that will need to be signed at the end of the month by the Chairman.

Township Manager's Report – Tony Miller

Manager Tony Miller submitted a written report. Tony Miller added that the Sewer department Collections since November was able to recover \$45672.82. Sewer was added to the Manager report, but Brent Zeiders can speak further on the fencing for the Plant.

Brent Zeiders said two companies responded with Bids (Tyson Fence and Security Fence). Brent said Tony Miller has the prices on the Bids.

Treasurer's Report – Jane Deamer

Comptroller, Jane Deamer submitted a written report.

Supervisor's Report

Chairman Eckert wanted to welcome the new Zoning officer Marcus Brandt and recognize Laura Kauffman for all the work she has done covering the work until the position is filled. Vice Chair Kauffman said she also wanted to thank all the employees for doing a wonderful job.

Supervisor Kirkpatrick wanted to address the misinformation on social media. During the snowstorms, it was posted that Penn Waste was not going to be picking up our trash. Supervisor Kirkpatrick said that during snowstorms, Newberry Township runs different than other Municipalities. We run on a Holiday Schedule pick up during snowstorms. Township Manager Tony Miller reiterated that within the Township contract with Penn Waste they must pick up the trash the next available day.

Supervisor Wintermyer brought up the repeat offenders that continue to violate the ordinances and only fine them once a year. It needs to go up in price or fine them more than once a year.

New Business

- 2021 Portable Toilet Bids

MOTION by Supervisor Kirkpatrick to approve Associated Products 2021 Portable Toilet Bid. The motion, seconded by Supervisor Wintermyer, carried unanimously.

- Sewer 6% interest on delinquent bills/Ordinance 398
 - Tony Miller stated the Sewer currently has an Ordinance in place that charges 6% interest per year on unpaid bills but has not been enforced. Solicitor Andy Miller said it is being brought up because the Township would like to enforce this, but it has not been done as of yet. Tony Miller agreed and stated he wanted to make the public aware in case they see the increase.

MOTION by Supervisor Wintermyer to enforce Ordinance 398. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

- Sewer Lien Letter fee adoption of \$25.00
 - Tony Miller stated the Sewer Administrator was getting a lot of requests for lien letters and she noticed that we did not charge a fee. Other Townships charge a fee for the lien letters.

MOTION by Supervisor Cook to adopt the \$25.00 fee for a Lien Letter. The motion, seconded by Vice Chair Kauffman, carried unanimously.

- Speed Limit request for Cly Road
 - Supervisor Wintermyer asked if it was a good idea to have a blinking light on Cly Road so drivers know of the reduce speed. Supervisor Kirkpatrick asked Chief Lutz if they put a monitor down on the road and he said yes. Chairman Eckert asked Chief Lutz how the enforcement is going on down there. Chief Lutz explained that it monitored only a few speeders and it was not enough to have an officer stationed there. Supervisor Wintermyer that some speeding is happening farther up. Supervisor Kirkpatrick said that a blinking light will not be approved, or they will approve it if we spend around \$80,000. A traffic study needs done, and it is a process to get a blinking light on a state road.

MOTION by Supervisor Kirkpatrick to table the speed limit request. The motion, seconded by Supervisor Wintermyer, carried unanimously.

- Brake Retarder Sign Request for York Haven Road
 - Township Manager Tony Miller said Donald Reese of 445 York Haven Rd sent the request to Representative Dawn Keefer's office and Tony contacted him. Donald is requesting Brake Retarder signs be put on York Haven Road, slightly past the Dollar General Store. Supervisor Kirkpatrick said there is some data that goes into these studies like percentage of grades on hills.

MOTION by Supervisor Kirkpatrick to send the safety unit at Penn Dota request to do brake retarder signs on York Haven Road. The motion, seconded by Vice Chair Kauffman, carried unanimously.

- Sewer Fence
 - Supervisor Kirkpatrick asked if they are removing the old fence and the old gate. This is based on the bids. Supervisor Wintermyer asked if there is a security system already down at the plant. Supervisor Kirkpatrick suggested they table the fence until everybody has had a chance to look at the fence and security.

MOTION by Vice Chair Kauffman to table to the Sewer Fence. The motion, seconded by Supervisor Cook, carried unanimously.

- Highway Truck Lease Program
 - Tony Miller and Scott Getgen worked on gathering information on the lease program. The trucks we currently have that broke down were from the year 2000. Enterprise Fleet Management has a lease program for the trucks. This would help the one time hit to the budget. For example, the last truck that was purchased in 2017 the current price tag with aftermarket accessories pushing \$85,000. The lease includes annual routine maintenance. The amount the Township would receive at auction for the old trucks would go to the 50% down needed for the after-market parts. The 50% for two trucks would be \$36,780. The monthly lease payment would be \$1,299.15 per truck. Enterprise Fleet would auction our trucks off due to being able to get a higher amount. With the lease program, the Township carries most of the equity in the trucks that can carry over to another lease after 5 years. Chairman Eckert asked how the warranties on the trucks carry over with the lease. Tony Miller said the warranties are still with the lease program as well as routine maintenance. Supervisor Kirkpatrick asked Solicitor Andy Miller if the Township is required to put this out to other lease companies. Andy Miller said there is a provision in the Second Class Township Code that allows them to go with this proposal. Tony Miller said he is more than happy to do more research on Financing. There would be separate loans for the trucks and after-market accessories if the Township would buy them instead of leasing. Supervisor Wintermyer wants a little more time to research the cost and other options. Chairman Eckert confirmed with Tony Miller the earliest delivery date for the trucks would be September. Supervisor Wintermyer said if they table the discussion until next month, they will still have time for the Trucks to get in around October.

MOTION by Supervisor Cook to Table the truck lease to do more research. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

- Destroy Records

MOTION by Supervisor Kirkpatrick to have the Solicitor write a resolution to destroy records. The motion, seconded by Vice Chair Kauffman, carried unanimously.

Payment of Bills

MOTION by Supervisor Kirkpatrick to approve the payment of bills. The motion, seconded by Vice Chair Kauffman, carried unanimously.

Executive Session

Chairman Eckert announced the board discussed personnel and legal issues during executive session.

Adjournment

MOTION_ by Supervisor Cook, seconded by Supervisor Kirkpatrick. Meeting adjourned at 8:47pm.

Respectfully Submitted,

Tony Miller, Secretary