

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting

March 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, Maxine Kauffman  
Supervisor, Dave Kirkpatrick  
Engineer, Bill Rudy  
Solicitor, Andrew Miller  
Zoning Officer, Marcus Brandt

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

**Public Comments**

Mark Magrecki with PennTerra Engineering presented the plan for 105 Newberry Parkway (Starbucks and Sherwin Williams). Mark Magrecki explained the size of the buildings and parking to the board. There are two waiver requests for preliminary plan submission and state context map. Will be taking Pennoni's letter as understanding that those items will need to be completed, mostly housekeeping items.

MOTION by Supervisor Kirkpatrick to approve the waiver for preliminary plan submission. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

MOTION by Supervisor Kirkpatrick to approve the waiver for site context map. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

MOTION by Supervisor Kirkpatrick to approve the preliminary and final plans with engineers' conditions. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

Brandt Fink, 1625 Erney Rd came to discuss an issue he is having with this land. He went to get new deeds for the Subdivision and York County said they could not do that due to it not being a Subdivision. Solicitor Andy Miller thinks the Deed was never originally recorded with York County in 1974. He needs

to submit a reverse subdivision plan to the Township. Township Engineer will work with Brandt Fink to help him with the reverse subdivision plan.

Township Manager Tony Miller read the letter about the Memorial Day parade allowing the Police Department and Fire Department to close the roads. This letter is given to PennDot every year.

MOTION by Supervisor Kirkpatrick to approve the letter to be sent to PennDot. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

### **Minute Approval**

MOTION by Supervisor Kirkpatrick to approve the meeting minutes from February 23, 2021 Board of Supervisors meeting. The motion, seconded by Supervisor Wintermyer, carried unanimously.

## **REPORTS**

### **Police Department – Chief Lutz**

Police Chief Lutz reviewed the monthly report that was submitted. Chief Lutz provided Chairman Eckert the information regarding the Speed Enforcement on Cly Rd. Chief Lutz said they had their first meeting regarding National Night Out and is currently moving forward with having it. The date is the first Tuesday in August. Chairman said it is August 3<sup>rd</sup> this year. Information for participation will be on the police website.

### **Fire Department – Gary Hatterer**

Chief Hatterer stated he did not have anything to add to the Fire and EMS reports that were submitted. Their traffic control course is over the weekend for the department. Bingo starts back up on April 16<sup>th</sup>. The first chicken BBQ is on April 17<sup>th</sup>. Chief Hatterer reviewed the corrections the Chewy building had to make per his suggestion. The assistant fire chief received firefighter of the year award from 2020 from the VFW. Chief Hatterer said the fire department has become an accredited site for Department of Health trainings.

### **Solicitor – Andrew Miller**

Solicitor Miller submitted a written report to the board. Solicitor Andy Miller talked about the Curb and Sidewalk ordinance that was distributed to the board. Chairman Eckert said the board is going to table the ordinance until next month, carried by 4 ayes.

### **Engineering – Pennoni Associates**

Engineer Bill Rudy submitted a written report to the board. Chapter 94 report is being reviewed and the per the report the next five years look good. Bill talked about the Road Program and is looking for authorization to advertise the bids.

MOTION by Supervisor Kirkpatrick to have the 2021 Road Program bids submitted. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

### **EMA - Tom Alstead**

Tom Alstead submitted a written report to the board. Tom said Lewisberry borough is going to be going with Fairview Township for their EMA services.

### **Highway- Scott Getgen**

Scott Getgen submitted a written report to the board. The highway department is still working on the routine maintenance on equipment/road signs and fixing inlets on the roads. MS4 inspections started this year.

### **Zoning Officer- Marcus Brandt**

Marcus Brandt submitted a written report and had nothing further to add.

### **Sewer – Brent Zeiders**

Brent Zeiders submitted a written report.

### **Township Manager's Report – Tony Miller**

Manager Tony Miller submitted a written report. Sewer and Refuse is still collecting on delinquent bills.

### **Treasurer's Report – Jane Deamer**

Comptroller, Jane Deamer submitted a written report.

### **Supervisor's Report**

Supervisor Kirkpatrick pointed out that Suez is doing work on Yocumtown Rd and surrounding developments.

## Old Business

- Sewer Fence
  - Supervisor Kirkpatrick said there is no need to purchase the fence. Supervisor Wintermyer agrees. Chairman Eckert confirmed that they will not be purchasing the fence for the Sewer Plant.

MOTION by Supervisor Wintermyer to not purchase the fence for the sewer plant. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

## New Business

- Multi-Municipal Line Painting Bid Approval

MOTION by Supervisor Wintermyer to approve the line painting bid. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

- Approve hiring of Joshua Feaser as Laborer/Operator

MOTION by Vice-Chair Kauffman to approve the hiring of Joshua Feaser. The motion, seconded by Supervisor Wintermyer, carried unanimously.

- RCO Zoning
  - Solicitor Andy Miller discussed proposals for the RCO Zone due to warehousing. One, to remove the light industrial use out of the district. The current light industrial tenants would be non-conforming since they are already in the district. Second, put restrictions on the light industrial, but those are hard to enforce and police. Third, to allow a warehouse use in the district but limit the size of the facility. There is a pending plan with CCH and a change will not change for this.

MOTION Chairman Eckert to approve option 1 to remove light industrial from the RCO Zone. The motion, seconded by Vice-Chair Kauffman, carried by 3 ayes and 1 nay by Supervisor Kirkpatrick.

- Public Meeting Attendance and public comment policy
  - Chairman Eckert said hopefully starting next month they are looking to open the meetings back up to the public. Supervisor Wintermyer said they will be starting workshop meetings so there can be an open forum for discussion with the public.

MOTION by Supervisor Kirkpatrick to approve the language changes in the public meeting attendance and public comment policy. The motion, seconded by Supervisor Wintermyer, carried unanimously.

MOTION by Supervisor Kirkpatrick to schedule monthly workshop meetings every 2<sup>nd</sup> Tuesday. The motion, seconded by Supervisor Wintermyer, carried unanimously.

- Resolution 2021-10 destruction of records

MOTION by Vice-Chair Kauffman to approve Resolution 2021-10 destruction of records. The motion, seconded by Supervisor Kirkpatrick, 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 issues during executive session. Supervisor Kirkpatrick was appointed the liaison for the local fire departments.

#### **Adjournment**

MOTION by Supervisor Kirkpatrick, seconded by Supervisor Wintermyer. Meeting adjourned at 7:35pm.

Respectfully Submitted,

---

Tony Miller, Secretary

