

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting

May 23, 2023, 6:00 p.m.

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

An Executive Session was held on May 1, 2023, at 5:00pm to discuss Police personnel matters.

An Executive Session was held on May 4, 2023, at 3:00pm to discuss Highway personnel matters.

An Executive Session was held on May 18, 2023, at 5:00pm to discuss Real Estate matters associated with the sewer assets, public works personnel issue, and police personnel issues.

Attendance

Chairman Rob Harkins

Vice-Chairman, Diane Shellenhamer

Supervisor, Clair Wintermyer

Supervisor, David Kirkpatrick

Supervisor, Maxine Kauffman

Township Manager, Tony Miller

Solicitor, James Sanders

Engineer, Bill Rudy

Public Works Director, Scott Getgen

Wastewater Coordinator, Brent Zeiders

Police Chief, Steve Lutz

Codes and Zoning Officer, Jeremy Eutz

PUBLIC COMMENTS

Julie Dibble, Newberrytown Church of God, Mrs. Dibble read a passage from 1 Peter 5:7. She said a prayer to bless each one in attendance and those in the community.

Bob Gasswint, Red Land Senior Center came with an update. The Senior Center has acquired enough funds to maintain the Center for two years. The agreement to purchase the Center is in the hands of their attorney. They have the commitments of twelve people to support the center. Fairview Township donated \$18,000 each year for two years. The members of the center are split 50/50 between Newberry and Fairview Township. The Center is also looking for people to serve on their committee to help raise funds. Chairman Harkins offered his professional advice for any repairs needed at the center.

Tom Adams Resident, 1610 Valley Road, asked if we are reimbursing the resident rate for the West Shore Rec. Supervisor Wintermyer replied that we have been reimbursing since January. He also wanted to know if Fox Farm was developing. Engineer Bill Rudy explained. Mr. Adams also said he and a few neighbors were talking and they did not understand why the potential sewer sale. He also wanted to know if we were talking about the solar ordinance tonight. Chairman Harkins said yes, we are.

Manger Miller read a letter from Jason Christine Resident, 15 Dubbers Drive. Mr. Christine does not agree with the potential sewer sale. He referenced Act 12, a state law encouraging privatization. He feels the rates will be raised and could burden some residents that will not be able to pay. He would like to see the Township reconsider the potential sale.

MINUTE APPROVAL

MOTION by Supervisor Kauffman to approve the Workshop meeting minutes from April 18, 2023, seconded by Supervisor Kirkpatrick, carried unanimously.

by Supervisor Kauffman to approve the meeting minutes from April 25, 2023, seconded by Vice Chairman Shellenhamer, carried unanimously.

LAND DEVELOPMENT/SUBDIVISION PLAN REVIEW

Pines Road Greenhouses sketch plan, Ben Heisy with RJ Fisher and Associates, preliminary plans have been submitted to our Engineer. He explained the parking situation at the greenhouses and spoke about the number of trucks that will be bringing in fill. He says it should be twelve trucks a day. Neighboring residents are concerned about their well water being contaminated. He explained two chemicals will be placed in sprayers and all water for plants will be used in pots. No contamination of the ground. Supervisor Kauffman asked what is going to be grown. Leafy greens and tomatoes are the answer. Marijuana is not going to grow. Manager Miller explained that this went before the Planning Commission before coming this evening.

REPORTS

Public Safety – Chief Lutz

Chief Lutz asked the Fire Chief for any fundraisers. For the month of April 1126, the Police Department handled calls. Memorial Day is Monday, and the parade starts at 10:00am. August 1st is National Night Out. Anyone that would like to participate there is a link on their Facebook and internet page. He went on to speak about multiple vehicle break-ins. Be vigilant and if you see something strange report it.

Solicitor – James Sanders

Solicitor James Sanders submitted a report to the board.

Engineering – Pennoni Associates

Bill Rudy submitted a written report to the board.

Highway- Scott Getgen

Scott Getgen submitted a written report to the board.

Zoning Officer- Jeremy Eutzy

Jeremy Eutzy submitted a written report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a written report to the board.

Township Manager's Report – Tony Miller

Manager Miller submitted a written report to the board.

Treasurer's Report – Jane Deamer

Jane Deamer submitted a written report to the board.

Supervisor's Report

Nothing to add or report.

OLD BUSINESS

PFM presentation on sewer asset bids.

DISCUSSION Scott Shearer and Garrett Moore were present to present the results. Handouts were provided to all attendees. They spoke about why the Township is exploring the sale and where the money could be spent. Mr. Shearer went over the timeline of what has happened in the last year. York Water Co bids 53 million with a 2-year rate freeze. PA American Water bids 48 million and will not guarantee a rate freeze. Aqua bids 32.5 million with a 3-year rate freeze. More entailed discussion will be at the Town Hall meeting on June 26, 2023. Vice Chairman Shellenhamer asked if we were going to do a Pro/Con.

Barb Perkins, Resident, 430 Red Mill Road asked if the rates could be higher than what the bid says. She also asked if the information on the sale would be updated on our website so they can come to the June meeting prepared.

Deb McKiernan Resident, 15 S Ben Hogan Drive asked a question about page 2 on the reasons on exploring the sale. Other municipalities have put the money into an interest baring account to use the interest to subsidize the General Fund. She thought the Sewer was already subsidizing the General Fund. Manager Miller explains that 105,000 is put into the General Fund to pay for administrative costs. She also asked about page 9 about Note 2. Scott Shearer explained that over time Newberry's rates will be at Zone 1 rates that PA American require. They expect that Newberry rates to be in Zone 1 within 10 years.

Jane Harman Resident, 110 Hemlock Lane said she is shocked by the rates. She asked when the last time Newberry Township increased the sewer bill. She asked about the flat rate of 4000 gallons of water that will be billed. If you have a well, how do you know how much water is being used. Garret Moore explained the flat rate. He explained that the homeowner can put a meter on their well and be charged actual water usage. Jane commented that she has a lot to ask but will wait for the meeting on June 26, 2023.

Tax Certification Ordinance. Discussion on Tax Collector request to raise tax certification fees. Revision of E-Chapter 351-40.

DISCUSSION Manager Miller explained this was tabled last month.

Deb Popp came to the podium and said that the Township has not been given the information we need. She stated that our current Tax Collector is using the incorrect software. She did some research and said that certs are being paid at \$20-\$25.00 not the fee that our current Tax Collector is asking for. Deb Popp went on to explain exactly what a cert is.

Deb McKiernan Resident, 15 S Ben Hogan Dr, agrees with Supervisor Wintermyer that fees should be adjusted at election time.

MOTION None

NEW BUSINESS

Resolution 2023-17 to raise IRS mileage rate to \$.655.

MOTION by Supervisor Kirkpatrick to match the .655 IRS mileage rate, Seconded by Chairman Harkins, carried unanimously.

DISCUSSION Manager Miller explained this is for employees who use their personal vehicles for Township business. Supervisor Kirkpatrick said he would like to see the Township employees use the Township vehicles more often. Manager Miller explained that a directive has been given. Chairman Harkins asked how much mileage we are paying monthly. REVISIT EAR buds

New Business Continued

Accept resignation of Jan Schwartz, Public Works

- MOTION by Supervisor Kirkpatrick to accept the resignation of Jan Schwartz from Public Works, Seconded by Supervisor Kauffman, carried unanimously.
- DISCUSSION No Discussion

Approve bid for Old Trail Sewer Extension

- MOTION by Supervisor Kirkpatrick to approve bid for the Old Trail Sewer Extension, seconded by Supervisor Kauffman, carried unanimously.
- DISCUSSION Manager Miller explained who the low bidder was and the dollar amount. Engineer Bill Rudy continued to explain. DeTraglia Excavating came in as the lowest bidder \$574,256.00. Engineer Bill Rudy recommends we use DeTraglia. He spoke with other municipalities and General Contractors that have used them and got good reviews.
- Jane Harman, Resident asked if this was additional money to the original building cost. Chairman Harkins said this was budgeted and it will also service people on that live on Old Trail. Supervisor Wintermyer said it will raise the property value of the few houses on Old Trail.

Solar Ordinance Discussion

- MOTION
- DISCUSSION Solicitor Sanders was requested to research and draft a solar ordinance for the Township. Solicitor Sanders stated that rules and regulations need to be in place for Solar. Townships who do not have rules and regulations in place are at the mercy of the developer. Vice Chairman Shellenhamer asked if this is for roof top solar panels. Solicitor Sanders went on to explain it includes all solar. As of now the Township has no guidelines on solar.

Short Term Rental Ordinance Discussion

- MOTION
- DISCUSSION Solicitor Sanders explained this is for Air BNB's. Places that are rented for less than 30 days and no more than 14 days. Tiny Homes are becoming a popular trend and that is something the Township will be considering as well. Chairman Harkins said they will work this out in a Workshop meeting.

Approve Knox Box Purchase. Fire Tax Funds

- MOTION by Supervisor Kirkpatrick to approve Knox box purchase, seconded by Vice Chairman Shellenhamer, carried unanimously.
- DISCUSSION Supervisor Kirkpatrick explained that a Knox box gives the Fire Department a key to get into a building if there is an incident. Ordinance was approved at the end of last year. This is an upgrade to our emergency services. Chairman Harkins says this is something that we will not have to update every year.

New Business Continued

Approve Security System for MESB

MOTION by Supervisor Kirkpatrick to approve the security system, video system and camera system for the MESB, seconded by Supervisor Kauffman, vote 4/1, motion carries.

DISCUSSION Chief Lutz explained a refund covering 85% of the cost. He also explained the monthly cost is the for key system. The key system can open, lock, or unlock doors using WIFI. It also always the Chief to know who is going in and out of the evidence room. Chairman Harkins asked if this was in our preliminary budget. Manager Miller said yes and went on to explain the figures for the Security System, Video Camera System and Alarm System.

Approve Video Camera System for MESB

MOTION by Supervisor Kirkpatrick to approve the security system, video system and camera system for the MESB, seconded by Supervisor Kauffman, vote 4/1, motion carries.

DISCUSSION

Approve Alarm System for MESB

MOTION by Supervisor Kirkpatrick to approve the security system, video system and camera system for the MESB, seconded by Supervisor Kauffman, vote 4/1, motion carries.

DISCUSSION

Approve Purchase of Police Vehicles due to award of grant

MOTION by Supervisor Kirkpatrick to purchase the two vehicles, seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION Chairman Harkins explained there was a grant to buy two vehicles and have them outfitted.

Jane Harman Resident asked if the grant was written specifically for the police vehicles or was it to the police department. Chief Lutz explained this grant covers two vehicles, a LPR system, and a virtual reality system. Chief Lutz explained that both vehicles that are being replaced both have high mileage. Jane Harman Resident asked what happens to the old vehicles. Chief Lutz and Chairman Harkins explained they will be sold. Manager Miller said that we got deep discounts on the two vehicles we are purchasing.

Approve advertisement of bid for License Plate Reader Equipment. Grant Awarded

MOTION by Supervisor Kirkpatrick to advertise the bid for the License Plate Reader, seconded by Chairman Harkins, carried unanimously.

DISCUSSION Supervisor Kirkpatrick explained we have a grant for the license plate reader equipment.

New Business Continued

Approve advertisement of bid for Virtual Reality Training System. Grant Awarded

MOTION by Supervisor Kirkpatrick to advertise for bid for Virtual Reality Training System, seconded by Supervisor Kauffman, carried unanimously.

DISCUSSION Supervisor Wintermyer asked if this would reduce the cost of ammo. Chief Lutz explained no it will not, but it will give our officers real life training. We can also train other officers outside of our Township for a fee. Chairman Harkins, Supervisor Wintermyer, Vice Chairman Shellenhamer and Supervisor Kirkpatrick explained they have all done this training and it is real life training.

Reduce speed limit to 15 mph on Horseshoe Ave

MOTION

DISCUSSION Supervisor Wintermyer explained that the road is very narrow and lots of kids on the road. Supervisor Kirkpatrick asked if we could enforce a 15 MPH speed limit. A speed study will have to be done.

Repair road at 1400 Conewago Ave

MOTION

DISCUSSION Supervisor Wintermyer says that are two huge potholes that need to be taken care of. The road has been patched many times but needs to be again. Public Works is aware of the street.

Reinstall the speed limit sign on Grandview Drive from York Haven Road

MOTION

DISCUSSION Supervisor Wintermyer explained there are no speed limit signs between the stop sign and 382. Public Works is aware and plans to install one in each direction.

Red Land Midget Football request donation to support annual Football Camp

MOTION by Chairman Harkins to donate \$500.00 to RLMF camp, seconded by Supervisor Kirkpatrick, vote 4/1, motion carries.

DISCUSSION Manager Miller said this donation was budgeted. Supervisor Wintermyer says we should not be donating to Kids sports. Supervisor Kauffman commented that we are supporting the kids.

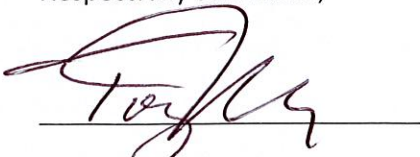
PAYMENT OF BILLS

MOTION by Supervisor Kirkpatrick to pay the bills, seconded by Supervisor Kauffman, carried unanimously.

ADJOURNMENT

MOTION by Supervisor Kirkpatrick to adjourn the meeting, Seconded by Supervisor Kauffman, carried unanimously.

Respectfully Submitted,



Tony Miller, Secretary

