

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS
Monthly Meeting
May 25, 2021 6:00 p.m.

Call to Order by Chairman Mario Eckert

Chairman Eckert called the Regular Meeting to order at 6:00 p.m. Proof of publication was available for public inspection. Chairman Eckert said the board had two executive sessions. One on Sunday May 23, 2021 to discuss litigation issues. The second one was on May 25, 2021 to discuss personnel.

Attendance

Chairman, Mario Eckert
Vice-Chairman, Maxine Kauffman
Supervisor, Clair Wintermyer
Supervisor, Dave Kirkpatrick
Supervisor, Brandt Cook
Engineer, Bill Rudy
Solicitor, Andrew Miller

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

PUBLIC COMMENTS

Mike Haugh, 355 River Rd: Mike asked the board how long it takes once a zoning hearing board decision is made that the person must get the work completed. Supervisor Kirkpatrick said the Township is still in litigation regarding Save Rite and is unable to discuss it. Solicitor Andy Miller agreed and said his advice to the board is to not discuss. Mike also said the Township should ban brake retarders completely like other Municipalities.

Roger Brunner, 701 Cassel Rd: Roger said neighbor takes his grandson and drives his riding mower around the neighborhood. He said he contacted the mobile home park and the Police Department. He is asking for an Ordinance to be passed to stop people from driving a riding mower when they are not mowing due to it being dangerous. Chairman Eckert told Mr. Brunner that the Township will check into the Ordinances and see what they can do as well as talk to the park management.

Bill Rohweder, 1125 Yocumtown Rd: Bill said they purchased chickens in 2013 and the zoning officer at the time said it was okay. He currently has 20 chickens. Zoning Officer Marcus Brandt received a complaint and visited 1125 Yocumtown Rd and explained to Bill he can only have 6 chickens and will need a permit. Mr. Rohweder is looking for a variance to the chicken ordinance so he can keep his 20 chickens. Chairman Eckert said he would like to discuss this situation with the board and in the meantime, Mr. Rohweder needs to apply for the permit.

PUBLIC COMMENT cont.

Kari Lawman, 895 Valley Green Rd: Carrie came to discuss the 800 block of Valley Green Rd that is currently unpaved. She said cars are using the road more often and are speeding. She is looking to have signs or something added to help reduce the speed on the road. Supervisor Kirkpatrick said the speed on the road is 35mph. Chief Lutz said they can put a speed sign board up to track the speeds on the road.

Minute Approval

MOTION by Supervisor Kirkpatrick to approve the meeting minutes from April 27, 2021 Board of Supervisors meeting. The motion, seconded by Supervisor Cook, carried unanimously.

REPORTS

Police Department – Chief Lutz

Police Chief Lutz reviewed the monthly report that was submitted. The department went through training for mental illness and de-escalation tactics due to new mandates. Chief Lutz introduced the two new Police Officers that are joining the department. Chief Lutz said that Administrative Assistant Nicole Wible is leaving the department due to receiving a nursing job.

MOTION by Chairman Eckert to approve the hiring Matt Warner and Jordan Strickler. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

MOTION by Chairman Eckert to accept Ms. Wible's resignation. The motion, seconded by Supervisor Cook, carried unanimously.

Fire Department – Gary Hatterer

Chief Hatterer stated he did not have anything to add to the Fire and EMS reports that were submitted. Supervisor Kirkpatrick said all three Fire Departments went to the Sewer Department for joint training and review emergency planning. The departments want to have state-certified training for vehicle rescue.

MOTION by Supervisor Kirkpatrick to approve state-certified training for the three Fire Departments in the cost of \$1,100.00. The motion, seconded by Chairman Eckert, carried unanimously.

Solicitor – Andrew Miller

Solicitor Miller submitted a written report to the board. Solicitor Miller submitted the Zoning and SALDO Ordinance amendments for RCO to York County Planning Commission. Public Hearing for this will be scheduled on June 22, 2021.

REPORTS cont.

MOTION by Chairman Eckert to advertise the proposed Zoning and SALDO Ordinance amendments. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

Supervisor Wintermyer asked if there is any action that can be taken on someone who makes false claims that costs that Township money. Solicitor Miller said he will have to look if there are criminal statutes for false reports that apply to Township officials as well.

Engineering – Pennoni Associates

Engineer Bill Rudy submitted a written report to the board.

EMA - Tom Alstead

Tom Alstead submitted a written report to the board.

Highway- Scott Getgen

Scott Getgen submitted a written report to the board.

Zoning Officer- Marcus Brandt

Marcus Brandt submitted a written report to the board.

Sewer – Brent Zeiders

Brent Zeiders submitted a written report.

Township Manager's Report – Tony Miller

Manager Tony Miller submitted a written report. Tony Miller is requesting a motion to contact the Senator to show support in Senate Bill 552. Tony is also seeking a motion to release the performance bond for AutoZone. He is seeking a motion to reduce the Goodman Logistics performance bond based on the recommendation of the Township Engineer.

MOTION by Supervisor Kirkpatrick to approve the Township Manager to send the Senator our approval of the Senate Bill 552. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

MOTION by Chairman Eckert to release the performance bond for AutoZone. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

MOTION by Supervisor Kirkpatrick to reduce the performance bond for Goodman Logistics. The motion, seconded by Supervisor Cook, carried unanimously.

Tony Miller reminded the residents about the Newberry Fire Department BINGO and the Memorial Day Parade. Marcus Brandt and Laura Kauffman completed their training and passed the test to be licensed Building Code Officials for the Township.

REPORTS cont.

Treasurer's Report – Jane Deamer

Comptroller, Jane Deamer submitted a written report. Township Manager explained what the Bill Payment Resolution 2021-13 means. This resolution is needed so the Township can pay bills in between meetings so they are not late.

Supervisor's Report

Supervisor Kirkpatrick said if residents have any questions or concerns, they can contact him through his email. He confirmed that no employee received a job at the Township due to political affiliation. He explained the positive things the employees have done since hired. Chairman Eckert went over allegations towards the Township staff and Board Members. He said Newberry Township Breaking News Facebook page is biased opinionated information. Chairman Eckert highlighted the positive things the Board of Supervisors have done like pass the budget without a tax increase for 2021.

OLD BUSINESS

382 Traffic Study for Brake Retarding Signs

Township Manager Tony Miller said he received a letter from PennDot with approval for the sign.

Red Mill Crossing Preliminary Land Development Plan Time Extension

MOTION by Supervisor Kirkpatrick to approve the time extension for Red Mill Crossing to August 31, 2021. The motion, seconded by Chairman Eckert, carried unanimously.

Vacancies on Zoning Hearing Board and Planning Commission

Chairman Eckert asked if there was an interview process for the candidates. Supervisor Kirkpatrick said they have not had an interview process for years for these volunteer positions.

MOTION by Chairman Eckert to table to review candidates and go through an interview process. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

NEW BUSINESS

Alarm System for main sewer plant w/man down safety system

Township Manager Tony Miller reviewed the quote from the company. This is for the man down device buttons for the PITS at the Sewer Plant as well as fire protection and general alarm system. The American Rescue Plan Funds can be used for this alarm system.

NEW BUSINESS cont.

MOTION by Supervisor Kirkpatrick to approve the alarm system for the sewer plant. The motion, seconded by Supervisor Cook, carried unanimously.

MOTION by Supervisor Kirkpatrick to add the remaining building for the Sewer Plant into the quote with the alarm company. The motion, seconded by Supervisor Cook carried unanimously.

Public Participation for Meetings

MOTION by Chairman Eckert to open the meetings completely to the public. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

M&T Bank Resolution 2021-11

Resolution is due to prior bank could not cover a portion of our funds under Act 72. Township needs to move funds to M&T so they are covered under Act 72.

MOTION by Chairman Eckert to open the General Funk account with M&T. The motion, seconded by Supervisor Cook, carried unanimously.

PLGIT American Rescue Plan Fund Account Resolution 2021-12

The Township is looking to create a separate account with PLGIT for the American Rescue Plan Funds. This will help keep a better track of the money.

MOTION by Chairman Eckert to open the account for the ARP funds. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

Bill Payment Resolution 2021-13

MOTION by Chairman Eckert to approve Resolution 2021-13. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

DCED Recreation Grant Resolution/Terry Dolan Memorial Park Rehab

Tony Miller explained that they are looking to submit for a Grant to rehabilitate Terry Dolan Memorial Park. This Grant has a maximum amount of \$250,000.00 and the Township will have to make a 15% match.

MOTION by Supervisor Kirkpatrick to approve the Grant submission to the DCED. The motion, seconded by Vice-Chair Kauffman, carried unanimously.

Workshop Meeting June 15, 2021

MOTION by Chairman Eckert to cancel the June 15, 2021 meeting. The motion, seconded by Supervisor Cook, carried unanimously.

NEW BUSINESS cont.

Part Time Employee

Tony Miller said the Township currently has a Part Time Employee who was approved last year to work 16 hours a week. Tony is seeking for the Board to approve her to have part time employee as needed without benefits.

MOTION by Supervisor Kirkpatrick to approve the part time employee hours. The motion, seconded by Supervisor Cook, carried unanimously.

Ordinance 415 non-Uniformed Employee Pension Plan Amendment

MOTION by Chairman Eckert to approve Ordinance 415. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

PAYMENT OF BILLS

MOTION by Supervisor Cook to pay the bills. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

SUBDIVISION PLAN REVIEW

Lexington Estates Phase V

Engineer representing Jim Gibson for Lexington Estates is seeking final approval for Phase V.

MOTION by Supervisor Kirkpatrick to approve the final plan for Lexington Estates. The motion, seconded by Supervisor Cook, carried unanimously.

EXECUTIVE SESSION

Chairman Eckert announced the board discussed personnel issues.

Adjournment

MOTION by Chairman Eckert, seconded by Supervisor Cook. Meeting adjourned at 7:50PM.

Respectfully Submitted,

Tony Miller, Secretary