

# Newberry Township Board of Supervisors May 12, 2026

## Workshop Meeting Minutes

### ATTENDANCE:

Mario Eckert, Chairman  
Tony Miller, Vice Chairman  
Rob Harkin, Supervisor  
Diane Shellenhamer, Supervisor  
Jane Harman, Supervisor  
Aaron Schwartz, Manager

### CALL TO ORDER AT 6:00 PM

The meeting was called to order at 6:00 PM. All present stood for The Pledge of Allegiance.

### ANNOUNCEMENTS

Chairman Eckert announced that the Board of Supervisors held an executive session immediately prior to the Workshop Meeting to discuss personnel matters.

### PUBLIC COMMENTS

No members of the public were present to offer comment, and the Board proceeded with the agenda.

### OLD BUSINESS

None.

### NEW BUSINESS

#### Discussion regarding the proposed Escrow Resolution and associated Fee Schedule amendments.

Manager Schwartz presented revisions to the proposed Escrow Resolution, noting that he had reviewed feedback submitted by residents at the prior meeting and incorporated a number of substantive changes. Key revisions included: removal of language pertaining to the Zoning Board escrow; more precise definitions distinguishing minor residential, commercial, and larger complex development applications; language specifying the timeline for returning unused escrow funds following invoice clearance; clarification of the 50% replenishment threshold, now stating that falling below that threshold may result in suspension rather than guaranteeing it; and the addition of a "reasonable fees" standard for charges assessed against escrow accounts.

Manager Schwartz also addressed the "at the Manager's discretion" language in the fee schedule, clarifying that it was not intended to grant unchecked authority, but rather to allow flexibility for projects that may require escrow amounts above or below the standard schedule. He indicated that the Township Engineer, Bill Rudy, would provide guidance in such cases, with final discretion resting with the Manager as the Township's direct employee.

Supervisor Harkins raised a concern that the current fee schedule structure would automatically place minor commercial projects into the higher commercial/industrial escrow tier of \$10,000, which he felt was disproportionate for small-scale commercial work. He noted from personal experience that a subdivision and land development plan had cost under \$5,000 in engineering review fees yet required a \$10,000 escrow deposit. The Board discussed the possibility of creating a distinct "minor commercial" category, similar to the existing "minor residential" category, with a lower starting escrow amount subject to upward adjustment by the Township Engineer if warranted.

Supervisor Harman noted that no "minor commercial" category currently existed in the fee schedule and that an appropriate fee would need to be established. Manager Schwartz confirmed that the fee schedule can be amended by Board voting independently of the Resolution itself and agreed to consult with Engineer Bill Rudy on appropriate parameters.

A discrepancy was also identified between the Resolution language and the associated fee schedule: the Resolution referenced a "minor subdivision" escrow of \$750 for lots fewer than four, while the fee schedule still listed a separate "residential land development escrow" of \$5,000. The Board agreed this inconsistency needed to be corrected to ensure the fee schedule accurately reflected the Resolution's intent. Additionally, an escrow closeout fee of \$150 that had been questioned by a resident (Mr. Toomey) and removed from the Resolution draft was found to still appear in the fee schedule, and Manager Schwartz committed to removing it.

Supervisor Harman also addressed Mr. Toomey's separate concern regarding the Speedway permit fee remaining at \$100, clarifying for the record that this fee was voted on at the beginning of the year and was not part of the current escrow Resolution, though it could be revisited in a future fee schedule amendment.

The Board directed Manager Schwartz to continue refining the Resolution and fee schedule for presentation at the next regular Board meeting.

## Discussion regarding the proposed Knox Box Ordinance.

Fire/Public Safety representative Clint Leakway presented an overview of the proposed revisions to the Knox Box Ordinance, which he had drafted to provide greater specificity and clarity than the existing Ordinance. Mr. Leakway noted that the principal changes focused on more clearly defining which properties are required to have a Knox Box, as well as standardizing installation requirements and operational procedures.

Mr. Leakway reported that he had recently gained access to the Knox system administrator account, though the system had been undergoing a technical update for approximately one week and a full list of existing Knox Box installations in the Township was not yet retrievable. He confirmed that at least one new installation had been approved — a church on Cassel Road — and that another application from a business known as Kraft was expected soon. He also noted that a Knox Box at Maple Donut appeared to have been damaged and was found taped shut, likely requiring replacement.

The Board discussed at length the question of which properties should be required to obtain a Knox Box. Mr. Leakway proposed that the requirement apply to any commercial building where the public is regularly present or employed, any structure with an automatic fire suppression system, and churches, while excluding home-based businesses operating entirely within a residential structure. Manager Schwartz suggested that any business operating out of a structure physically detached from the owner's residence should be considered a commercial building and therefore subject to the requirement. The Board generally found this to be a reasonable and practical standard, though Manager Schwartz expressed reservations about granting too many exceptions or waivers, noting that a clear and broadly applicable standard would be preferable.

Supervisor Harman suggested that any waivers that are granted should be formally documented and reviewed, potentially requiring legal language drafted by the Township Solicitor. She also expressed a preference that detached business structures be subject to the Ordinance without exception.

Mr. Leakway proposed removing the sound-activated gate opener provision from the Ordinance, which had previously been listed as an alternative to a 24/7 security guard for properties with vehicle access gates. He argued that sound-activated openers could be exploited by anyone who learned the triggering mechanism and recommended requiring a Knox Box key access solution instead. The Board agreed with this approach.

On the question of installation height, it was clarified that the existing Ordinance already specifies that the key box shall be mounted at 4 feet from finished grade to the center of the box, on the address side of the building, within 10 feet of the main entrance, and clear of obstructions. Mr. Leakway recommended maintaining this standard and the Board concurred.

Manager Schwartz recommended that, rather than building from the new draft independently, Mr. Leakway meet with him to work through the existing adopted Ordinance line by line, incorporating the proposed changes in a clean and legally consistent format. The Board endorsed this approach. Manager Schwartz also recommended that the final Ordinance includes an appendix or addendum providing practical guidance to business owners on how to apply for and install a Knox Box, so that all compliance information would be available in one place.

Chairman Eckert noted several outstanding matters that would need to be resolved before the Ordinance could be brought to a vote, including obtaining a complete list of current Knox Box installations, finalizing the definition of which properties are required to comply, and establishing a protocol for routine compliance checks. Regarding system redundancy, Chairman Eckert requested that either Manager Schwartz or the Township's Codes Enforcement Officer be added as an administrator on the Knox system, in addition to Mr. Leakway and the existing backup administrators. Mr. Leakway agreed to submit a request to add the appropriate individual.

The Board directed Manager Schwartz and Mr. Leakway to collaborate on producing a clean draft Ordinance for a future Board meeting, noting it was unlikely to be ready for the next meeting but potentially the one following.

### Discussion regarding the creation of a proposed Solar Overlay District map and appointment of two Board of Supervisors members to work with Township staff in development of the proposed district.

Manager Schwartz provided background on the Township's Solar Ordinance, noting that a draft had been developed approximately one and a half to two years prior. The Board had found the Ordinance language acceptable at that time but had not moved forward because a determination regarding where solar installations would be permitted within the Township had never been finalized. The Board had previously agreed that a zoning overlay district — rather than designation within a specific zoning category — was the preferred approach but work on the overlay map had stalled.

Manager Schwartz recommended that two Board members be appointed to work with Township staff to identify appropriate areas of the Township for the overlay, suggesting that approximately 500 acres — representing roughly 2–3% of the Township's total land area — would be a sufficient and legally defensible allocation. He noted that a solar farm is currently being developed off Space Highway across from Loop Road, which he suggested could serve as a logical anchor for the overlay district. He cautioned that the overlay must be permissive enough that the Township could not be successfully challenged for effectively prohibiting solar farms, as property owners have a legal right to install them.

Supervisor Harman raised several questions and concerns regarding the existing draft Ordinance, including: the absence of a minimum acreage requirement for a solar farm installation; the lack of a regular inspection protocol beyond the baseline and post-commencement noise studies already included; the decommissioning bond structure (noted to be reviewed every five years); and whether the Township had sufficient financial protections should a solar installation be abandoned. Manager Schwartz noted that decommissioning bond provisions were included in the draft, and another participant confirmed that the bond was structured to cover removal costs. The Board discussed adding an annual or periodic inspection requirement, comparable to those used for junkyard and trailer park licenses, with the associated fee placed on the Township's fee schedule.

Vice Chair Miller noted that the current solar installation entering the Township had proceeded in conformance with the existing draft Ordinance, suggesting the Ordinance language was substantially sound. Several Board members agreed that the Ordinance itself did not need to be fully re-litigated, and that the primary outstanding task was establishing the overlay district map.

Chairman Eckert and Vice Chair Miller agreed to jointly review the existing draft Ordinance, with attention to the inspection and enforcement provisions, and to consult with Township Engineer Bill Rudy regarding the overlay map. Vice Chair Miller noted that he had attended a PSATS seminar on solar Ordinances during the original drafting process and that numerous other Ordinances had been reviewed at that time. Vice Chair Miller and Chairman Eckert were identified as the two members who would proceed with this work.

### Discussion regarding the current condition and operational status of the Township street sweeper, review of a proposed used Elgin street sweeper purchase, 2026 sweeper budget allocation, and possible motion and vote authorizing purchase approval.

Manager Schwartz reported that the Township's current 2006 Elgin street sweeper had effectively reached the end of its serviceable life, with approximately 12,175 hours and significant accumulated mileage. The motor was believed to have failed, and the estimated cost of repair — in excess of \$25,000 to \$30,000 — was not considered economically justifiable given the machine's condition and history. Manager Schwartz noted that over the course of approximately eight years of use, the Township had invested over \$75,000 in repairs, including approximately \$40,000 to \$48,000 spent immediately upon acquisition to bring the unit into service.

A new comparable sweeper was noted to cost in excess of \$400,000, with a manufacturer lead time of approximately 16 months. Grant funding had been pursued on multiple occasions without success. Considering these constraints, Manager Schwartz identified a used 2016 Auto Car Expert ACMD Elgin Whirlwind Street Sweeper available through Commercial Vehicle Center in Langhorne, Pennsylvania, priced at \$95,000 — representing approximately one quarter of the cost of a new unit. Highway department staff, including Public Works Director Scott Getgen and operator Brian, had inspected and test-operated the unit and reported satisfactory results. The unit features a flat-front cab-over configuration, a Cummins drive motor, and a John Deere rear motor for the vacuum system, and its hardware components are largely compatible with the Township's existing sweeper, allowing parts to be retained as spares.

Supervisor Harman inquired about a second option — a 2020 model with approximately 1,300 hours — priced at approximately \$195,000 and located in Michigan. Manager Schwartz noted that while the 2020 unit had fewer hours and was newer, it did not feature a flat-front configuration, which highway staff specifically preferred for maneuverability in tighter areas and developments. The 2016 unit's flat-front design was identified as a key operational advantage.

Supervisor Harkins raised a concern regarding the diesel exhaust aftertreatment system on the 2016 unit, specifically whether the diesel particulate filter had been inspected or replaced, noting that 2016 was within a model year range where such systems were still being refined and could be problematic, particularly if the unit had not been operated consistently for sufficient durations. Manager Schwartz acknowledged the concern, citing similar issues with the Township's Peterbilt trucks, and agreed to request documentation or confirmation from the dealer regarding the filter's condition prior to finalizing the purchase.

The Board agreed that the 2016 unit represented a sound near-term solution, noting that the Township had budgeted \$100,000 for a sweeper in 2026, that the purchase would leave approximately \$300,000 in reserve compared to a new unit, and that the interest earned on those retained funds could effectively offset the purchase price over time. The Board also noted that pursuit of grant funding for a new sweeper would continue, with the used unit providing operational capacity in the interim.

Motion by Vice Chair Miller to authorize the purchase of one used 2016 Auto Car Expert ACMD Elgin Whirlwind Street Sweeper from Commercial Vehicle Center in Langhorne, Pennsylvania, in an amount not to exceed \$100,000, subject to final inspection and approval by Township staff. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

## ADJOURNMENT

Motion by Vice Chair Miller to adjourn. Seconded by the Chairman Eckert. Motion carried unanimously.

Respectfully Submitted,



Aaron Schwartz, Secretary

