

Newberry Township Board of Supervisors June 23, 2026

Meeting Minutes

ATTENDANCE:

Mario Eckert, Chairman
Tony Miller, Vice Chairman
Rob Harkin, Supervisor
Diane Shellenhamer, Supervisor
Jane Harman, Supervisor
Aaron Schwartz, Manager
Acting Chief Braxton Ditty
James Sanders, Solicitor
Bill Rudy, Engineer
Scott Getchen, Public Works Director
Brent Zeiders, Wastewater Coordinator
Donna Donald, Codes and Zoning

Call To Order

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 on June 8th regarding personnel matters involving the Chief of Police, and that an additional executive session was held immediately prior to the current meeting to address personnel matters as well.

Chairman Eckert also noted an agenda amendment necessitated by a vacancy that arose in the Sewer Department after the agenda posting deadline.

Motion to amend the agenda by adding a New Business item authorizing the Township Manager to advertise, recruit, interview, and fill the recently vacated wastewater laborer position within the Sewer Department, and to establish the starting wage in accordance with the approved budget pay range, was made by Vice Chair Miller and seconded by Supervisor Shellenhamer. Motion carried unanimously.

Prior to opening public comment, Chairman Eckert read a formal statement from the Board of Supervisors regarding the hiring process for the new Chief of Police (New Business Item 8b). The statement outlined that following the unannounced resignation — later transitioned to a retirement — of Chief Stephen Lutz in January, the Board engaged the Pennsylvania Chiefs of Police Association to conduct a professional and impartial search. Eleven candidates applied; several were eliminated for failing to meet minimum qualifications. Remaining candidates participated in a video-based exercise scored by the Pennsylvania Chiefs of Police Association, followed by two days of testing before two separate interview panels, and finally an interview with the Board of Supervisors. Farzad Sharif emerged as the highest-scoring candidate. The statement highlighted that Mr. Sharif brings 33 years of distinguished service with the Pennsylvania State Police, including nine years in Internal Affairs. The Board expressed confidence that the process was thorough, fair, and transparent.

Public Comments

Dave Lash, a township resident, addressed the Board for approximately the fifth time in support of Acting Chief Ditty. Mr. Lash expressed his continued belief that Acting Chief Ditty possesses all the necessary qualifications and experience for the Chief of Police position and stated that he found it troubling that the Board would not

provide a complete answer as to why Acting Chief Ditty's application was not advanced. He wished Acting Chief Ditty well regardless of the outcome.

Dominish Miller, a township resident, urged the Board to table the vote on the Chief of Police appointment, noting that while 24-hour notice is legally sufficient, the short timeframe prevented many community members from attending to voice their opinions. Ms. Miller suggested that a special meeting — similar to what was held during the sewer sale — would be more appropriate and transparent. She also expressed her personal support for Acting Chief Ditty, commending him as a "class act" throughout a difficult period.

Mindy Buss, a township resident, expressed that she felt it was unfair to the community and to Acting Chief Ditty that he was deemed capable of serving as Acting Chief yet was not a finalist for the permanent position. She expressed her support for Acting Chief Ditty.

Tom Adams, a township resident, asked about a bridge reconstruction project on Red Mill Road that was referenced by State Representative Anderson at a recent town hall, specifically regarding PennDOT's requirement to preserve the historical character of the bridge. Board members confirmed this was a two-year project still in early stages. Mr. Adams also inquired about the township's working relationship with PennDOT, given Representative Anderson's critical remarks. Supervisor Shellenhamer noted that a recent meeting with a PennDOT representative regarding the bridge had been very productive and accommodating. Mr. Adams also asked whether agenda items 8g and 8k would be explained when they came up for discussion and was assured that open discussion would occur at that time.

Mike Moser, a township resident, stated that he had no advance preparation, having learned of the agenda change only a few hours prior. He offered strong personal support for Acting Chief Ditty, describing him as exceptionally responsive and accommodating during ongoing issues in the township that required police involvement. Mr. Moser echoed the call to table the vote and hold a special meeting, noting that many residents he spoke with were unaware the hire would be finalized that evening. He expressed concern that last-minute additions to agendas on significant matters were inconsistent with the Board's stated commitment to transparency. Supervisor Harman responded that the hiring process had been ongoing for six months and was not a rushed decision.

Approval of the Minutes

Motion by Supervisor Shellenhamer to approve the meeting minutes for May 26, 2026. Seconded by Vice Chair Miller. Motion carried unanimously.

Land Development & Subdivision Plan Review

There were no land development or subdivision plans presented for review at this meeting.

Reports

Police

Acting Chief Ditty presented the May 2026 police activity report. The department handled 1,416 calls for service during the month. Notable incidents included 3 aggravated assaults, 1 burglary, 7 theft incidents, 5 drug offenses, 3 DUI arrests, 10 simple assaults, and 11 other offenses. Officers also responded to 1,376 other service calls, including 27 domestic-related incidents and 33 traffic accidents. Officers issued 112 traffic citations, 201 warnings, 14 non-traffic citations, and made 25 misdemeanor or felony criminal arrests.

Acting Chief Ditty noted that the summer season has brought increased activity and commended officers for their continued community presence and responsiveness.

He highlighted a notable life-saving incident on May 26th, in which three officers responded to a cardiac arrest call, deployed an AED, delivered a shock, and performed CPR — resulting in the patient surviving. He specifically recognized Officer Sellers, a newer officer, for delivering the defibrillating shock. Acting Chief Ditty, drawing on over 20 years as an EMT, expressed deep pride in the officers' response.

The department was also officially granted re-accreditation through the Pennsylvania Law Enforcement Accreditation Coalition, achieving premier status for the second consecutive cycle.

Acting Chief Ditty made available a PennDOT publication regarding e-bikes, electric scooters, and related devices, noting it would also be posted on the department's website.

Finally, he informed the Board and public that Canine Rico, partner to Sergeant Martinez, underwent successful surgery that day to remove a tumor. Rico was recovering at home and was expected to return to service within a few weeks.

Public Safety/Fire Departments

Director of Public Safety Clint Leakway reported that preparations for the July 3rd and July 4th events are complete. He requested the use of the Township's message board several days in advance of July 3rd to notify the public of road closures; Manager Schwartz confirmed availability. Coordination with Acting Chief Ditty regarding police presence at the July 3rd Commons event was also noted, with the parties agreeing to follow up on logistical details.

Director Leakway reported that a new Knox Box was installed on Cartref Road and was inspected and found to be properly installed. A meeting with Manager Schwartz to review the Knox Box Ordinance is still being scheduled.

On paid driver training, two personnel are now certified at Goldsboro, and a newly hired driver — already trained at Station 31 — will be scheduled for additional training at York Haven and Goldsboro.

A pending landing zone coordination meeting has not yet received a response despite follow-up emails. Supervisor Shellenhamer offered to assist with outreach. Only one landing zone activation occurred during the month.

Director Leakway reported that following a recent chief's meeting, three new inter-department committees are being formed: a Fire Police Committee (comprising captains from all three companies), a Grant Committee, and a Fundraising Committee. Committee members are expected to be identified within the next month. The next chief's meeting is scheduled for July 17th at Station 31 at 1:00 PM.

Old Business

No items.

New Business

Presentation of 2025 Audit by Steve Rock from Zelenkofske Axelrod LLC.

Steve Rock Supervisor with Zelenkofske Axelrod LLC presented the results of the Township's 2025 financial audit, noting this was his fifth year completing the audit for Newberry Township.

Audit Opinion: The auditors issued an unmodified ("clean") opinion, stating that the financial statements presented fairly in all material respects the modified cash basis financial position of the Township as of December 31, 2025. No material misstatements were identified; all misstatements were corrected by management. No significant unusual transactions or audit difficulties were encountered.

Statement of Net Position:

- Governmental activities: Assets of approximately \$11.3 million, liabilities of approximately \$272,000, resulting in a net position of approximately \$11.1 million.
- Business-type activities (Sewer): Assets of approximately \$11.8 million, liabilities of \$28,000, resulting in a net position of approximately \$11.8 million.

Statement of Activities:

- Governmental revenues totaled approximately \$9.8 million (including \$815,000 in charges for services, \$1.4 million in grants, and \$7.5 million in taxes, investments, and other revenues). Governmental expenditures totaled \$8.3 million, resulting in an increase in net position of approximately \$1.5 million.

- Sewer revenues totaled \$3.3 million; expenditures were \$2.2 million, resulting in a net position increase of \$1.1 million.

Fund Balances (Governmental Funds):

- General Fund: Assets of approximately \$8 million, liabilities of \$272,000, fund balance of approximately \$7.8 million.
- Highway Fund: Approximately \$599,000 in assets and fund balance.
- Capital Reserve: Approximately \$2.2 million.
- MESB Construction: Approximately \$100,000.
- Fire Tax: Approximately \$420,000.

Pension Trust Funds: Combined assets of approximately \$13.4 million.

Long-Term Debt and Liabilities (noted but not on the modified cash basis statements):

- General long-term debt: \$4.3 million (general obligation notes, compensated absences, vehicle leases).
- Sewer fund long-term debt: \$955,000.
- Police pension net liability: \$1.5 million; Nonuniform pension liability: \$415,000.
- OPEB liability (police post-employment benefits): \$2.9 million.

Budget to Actual: Revenues were under budget by approximately \$1.3 million, offset by expenditures being under budget by approximately \$900,000, resulting in a net increase in the General Fund balance of approximately \$50,000–\$58,000.

Management Communication Letter / Finding: The audit identified one finding, consistent with prior years: segregation of duties. Mr. Rock acknowledged that smaller municipalities face inherent limitations in segregating financial responsibilities, and recommended the Board continue active involvement in reviewing financial records, signing checks, and overseeing financial reporting processes. He noted no new staff recommendations beyond the continued engagement of management in oversight.

Supervisor Harman asked about a sentence on page 31 of the report under "survivor annuity death benefits." Mr. Rock confirmed the text appeared to have been cut off in the document, likely referring to next of kin, and agreed to provide a corrected version to Manager Schwartz. Supervisor Harman noted that Manager Schwartz had already addressed her other questions prior to the meeting. Mr. Rock commended the working relationship with Manager Schwartz and Comptroller Jane Deamer throughout the audit process.

Motion to consider approving the Employment Agreement between Newberry Township and Farzad Sharif for the position of Chief of Police, conditional upon the successful completion of all required background checks, clearances, evaluations, certifications, and any other pre-employment requirements. Further authorize the appropriate Township officials to execute the Employment Agreement and any related documents.

Motion by Vice Chair Miller to approve the Employment Agreement between Newberry Township and Farzad Sharif for the position of Chief of Police, conditional upon the successful completion of all required background checks, clearances, evaluations, certifications, and any other pre-employment requirements, and to further authorize the appropriate Township officials to execute the Employment Agreement and any related documents. Seconded by Supervisor Harman. The motion carried, with Supervisor Shellenhamer abstaining for personal reasons.

Motion to adopt Resolution 2026-16 authorizing the Comptroller/Treasurer to open a PLGIT Recreation Account to transfer \$150,000 from the ACNB (formerly Traditions) Recreation Account ending X18333 into the new PLGIT Recreation Account, with funds remaining restricted for Recreation purposes.

Motion by Vice Chair Miller to adopt Resolution 2026-16 authorizing the Comptroller/Treasurer to open a PLGIT Recreation Account and transfer \$150,000 from the ACNB (formerly Traditions) Recreation Account ending in X1833 into the new PLGIT Recreation Account, with funds remaining restricted for Recreation purposes. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

Motion to approve the bid quote from Turf Equipment for two (2) Toro 60" 4000 Z Master TF2 Deck 35 HP Kawasaki FX Mowers for Parks and Recreation for a total cost of \$23,682.66.

Motion by Vice Chair Miller to approve the bid quote from Turf Equipment for two (2) Toro 60" 4000 Z Master TF2 Deck 35 HP Kawasaki FX Mowers for Parks and Recreation for a total cost of \$23,682.66. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

Surplus Property Declaration and Sale Authorization

Manager Schwartz provided an overview of the items proposed for surplus declaration, including two used Exmark mowers, an old dump truck with a non-functioning motor, old playground equipment, a tire changer incompatible with current electrical infrastructure, a water tank, and various miscellaneous items no longer of value to the Township. The items are scheduled for sale through the 2026 CapCOG Surplus Equipment and Vehicle Auction at Cedar Cliff High School, open to the public beginning at 9:00 AM.

Motion by Vice Chair Miller to declare the identified Township vehicles, equipment, tools, and miscellaneous property as surplus property no longer needed for municipal purposes and to authorize their sale through the 2026 CapCOG Surplus Equipment and Vehicle Auction, and to further authorize the Township Manager to execute all necessary auction, title transfer, PennDOT, and related documents. Seconded by Supervisor Harman. Motion carried unanimously.

Motion to consider authorizing the Township Manager to advertise, interview, and hire a Sewer Billing Coordinator to fill the vacant position within the approved 2026 budget and pay range.

Motion by Supervisor Shellenhamer to authorize the Township Manager to advertise, interview, and hire a Sewer Billing Coordinator to fill the vacant position within the approved 2026 budget and pay range. Seconded by Supervisor Harman. Motion carried unanimously.

Motion to advertise Amending Chapter 325 Code of Ordinances entitled Solid Waste, Recycling, and Refuse.

Manager Schwartz explained that the proposed amendment to Chapter 325 of the Code of Ordinances (Solid Waste, Recycling, and Refuse) removes an exclusion process that allowed property owners to apply to the Township for relief from paying their trash service fee. Manager Schwartz noted this exclusion was relevant when the Township collected trash billing directly, but since Penn Waste now bills property owners directly, the Township no longer has authority over those payments, making the exclusion provision inapplicable.

During the discussion period, Barry Wintermyer (property on Pines Road) addressed the Board, stating he had received a bill from Penn Waste for a property he does not occupy and does not use for trash services. He submitted an exclusion application to the Township along with supporting documentation (electric bill showing minimal usage) and was subsequently informed by Manager Schwartz that the Ordinance provision he relied upon was outdated. Mr. Wintermyer expressed concern that Penn Waste had already referred the matter to collections. Supervisors directed him to follow up with Manager Schwartz's office that week, noting they would work to resolve the matter. Manager Schwartz confirmed he had all of Mr. Wintermyer's information on file.

Motion by Vice Chair Miller to advertise amending Chapter 325 of the Code of Ordinances entitled Solid Waste, Recycling, and Refuse. Seconded by Supervisor Harman. Motion carried unanimously.

PennDOT Roadway Turnback/Exchange Coordination

Supervisor Harman noted she had spoken with Manager Schwartz earlier regarding the liquid fuels funding implications of the proposed exchange — specifically, whether the mileage and road classification of Old Trail Road versus the roads to be assumed (Stillhouse Road, Sheep Bridge Road, and Kise Mill Road) would result in

comparable liquid fuels revenue. Manager Schwartz confirmed that liquid fuels reimbursement is calculated primarily on mileage and noted that the roads being assumed have minimal traffic. The Board was satisfied that this item is for discussion and coordination purposes only, with any formal exchange requiring a future Resolution.

Motion by Vice Chair Miller to authorize the Township Manager to work with PennDOT regarding a potential roadway turnback/exchange involving PennDOT assuming ownership and maintenance responsibility for Old Trail Road, and the Township assuming ownership and maintenance responsibility for Stillhouse Road, Sheep Bridge Road, and Kise Mill Road, for discussion and coordination purposes only, with any formal roadway exchange to be presented to the Board for approval by Resolution at a later date. Seconded by Supervisor Harman. Motion carried unanimously.

Authorize Bid Advertisement – Sewer Department UV Upgrade Project

Motion by Vice Chair Miller to authorize Pennoni Associates to prepare and advertise the Sewer Department UV Upgrade Project for public bidding, and to receive bids for review and presentation to the Board of Supervisors at a future meeting. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

Temporary Closure – Paddletown Road, July 3, 2026

Motion by Supervisor Shellenhamer to authorize the temporary closure of Paddletown Road on July 3, 2026, from approximately 11:45 a.m. to 1:00 p.m. for the July 3rd ceremony, and to further authorize the Director of Public Safety to coordinate the closure with the Newberry Township Police Department, Public Works Department, emergency services, and any other necessary agencies. Seconded by Supervisor Harman. Motion carried unanimously.

Forward Proposed Data Center Ordinance for Review

Township Solicitor James Sanders outlined the next steps in the zoning amendment process. The draft Data Center Ordinance will be reviewed by the Solicitor, then submitted to the Township Planning Commission and York County Planning Commission for review and comment. A public hearing will be held no fewer than 30 days prior to any adoption, followed by two newspaper advertisements of record before the Ordinance would be eligible for adoption, provided no material changes are required.

Motion by Vice Chair Miller to authorize the Township Manager to forward the proposed Data Center Ordinance to the Township Solicitor, Township Engineer, Newberry Township Planning Commission, and York County Planning Commission for review and comment, and to take all administrative actions necessary to proceed with the zoning amendment process in accordance with the Pennsylvania Municipalities Planning Code. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

Added Agenda Item: Wastewater Laborer Hire Authorization

Motion by Vice Chair Miller to authorize the Township Manager to advertise, interview, and hire a Wastewater Laborer to fill the recently vacated position within the Sewer Department within the approved 2026 budget and pay range. Seconded by Supervisor Shellenhamer. Motion carried unanimously.

Payment Of Bills

Motion by Supervisor Shellenhamer to approve payment of bills. Seconded by Supervisor Harman. Motion carried unanimously.

Adjournment

Motion by Supervisor Shellenhamer to adjourn. Seconded by Vice Chair Miller. Motion carried unanimously.

Respectfully Submitted,



Aaron Schwartz, Secretary

