

**BOARD OF SUPERVISORS
MINUTES
February 24, 2015**

CALL TO ORDER

The Newberry Township Board of Supervisors held their regular meeting at the Township Municipal Building, 1915 Old Trail Road, Etners, PA. The meeting was called to order by Chairman Carl Hughes at 6:00 P.M. Chairman Hughes proceeded with the pledge to the flag. Present at the meeting were, Supervisor Brandt Cook, Supervisor Maxine Kauffman and Supervisor David Cantrell. Also present, Manager Don Keener, Chief John Snyder, Zoning Officer Jeff Martz, Engineer Ryan Rhoades and Solicitor Margaret Driscoll. Vice-Chairman William Toothaker participated by telephone.

PUBLIC COMMENT

Skip Bowen, 3570 Lewisberry Road Mr. Bowen offered a prayer for the community and asked those interested to join him in the Lord's Prayer.

Gary Hatterer, 55 Dubbers Drive Mr. Hatterer inquired about the guiderail being placed at Valley Green and Hemlock. Don stated that the Township was getting quotes.

MINUTES

Motion made by Supervisor Kauffman, seconded by Supervisor Cantrell, to approve the Minutes from the January 27, 2015 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

REPORTS

Highway: Brian Ebert provided a written report.

Police: The Chief provided a written report.

EMS: Tim Stevens provided a written report.

Fire: Steve Forry provided a written report.

Zoning: Jeff Martz provided a written report.

Solicitor: Ms. Driscoll provided a written report and requested an Executive Session to discuss litigation. Chairman Hughes asked her to elaborate on the change in use of recreation fees in lieu of monies. Ms. Driscoll indicated that the biggest change extends the definition to include operation and maintenance which means the monies can now be used for equipment and maintenance.

Engineer: Ryan provided a written report and stated that he would be making a presentation about the township's MS4 obligations at the next meeting. Chairman Hughes directed Ryan to contact the developers at Lexington and Highlands to install temporary cul-de-sacs.

Manager: Don Keener provided a written report. Don commented that there is an informative meeting with regards to Storm Water being held on March 2, 2015 at 7:00 P.M.

Supervisors: Vice-Chairman Toothaker commented about writing a letter to the District Attorney with regards to the Hershey boy being charged in the death of his brother. Supervisor Cantrell commented that he and Ms. Driscoll believed that Ordinance 324 (Sexually Oriented Businesses) was a pretty solid Ordinance. Therefore, they would only be making a few changes before bringing it to the Board.

OLD BUSINESS

Adopt Resolution 2015-02 (2015 Fee Schedule) Don stated that the fee for a Sexually Oriented Business would now be \$1,500.00 and the license for employees would be \$150. Also, the Recreation Fees for three lots or less would be \$400.00 and \$1,600.00 for four lots or more. Motion made by Supervisor Cantrell, seconded by Supervisor Cook, to adopt Resolution 2015-02. Vote on Motion. 5 Ayes. Motion carried.

Intermunicipal Sewer Requests Mr. Martin requested that Fairview Township be allowed to provide sewer service for his lots in Clover Crossing that come into Newberry Township. Randy Souders inquired about Fairview Township providing sewer for 691 Yorktown Road so they can expand the business. Motion made by Supervisor Cantrell, seconded by Supervisor Cook, to authorize staff and professional advisers to move forward with Fairview and the developers to flow sewer across Township lines. Vote on Motion. 5 Ayes. Motion carried.

Approve Distribution of Firemen's Relief Funds (Newberry Township Fire) Motion made by Supervisor Cook, seconded by Supervisor Kauffman, to approve the distribution of Firemen's Relief Funds to Newberry Township Fire Dept. in the amount of \$46,864.38. Vote on Motion. 5 Ayes. Motion carried.

NEW BUSINESS

Adopt Ordinance 382 (Chesapeake Bay PRP) Motion made by Supervisor Cook, seconded by Supervisor Kauffman, to re-adopt Ordinance 382. Vote on Motion. 5 Ayes. Motion carried.

Adopt Ordinance 385 (Joint Emergency Management) Don stated that this was an Agreement between Lewisberry and York Haven Boroughs and Newberry Township. Motion made by Supervisor Cantrell, seconded by Supervisor Cook, to adopt Ordinance 385. Vote on Motion. 5 Ayes. Motion carried.

Adopt Ordinance 386 (Tax Collector Fees) Motion made by Supervisor Cook, seconded by Supervisor Kauffman, to adopt Ordinance 386. Vote on Motion. 5 Ayes. Motion carried.

Adopt Resolution 2015-09 (Promulgate Emergency Operations Plan) Motion made by Supervisor Cantrell, seconded by Supervisor Cook, to adopt Resolution 2015-09. Vote on Motion. 5 Ayes. Motion carried.

SUBDIVISION AND LAND DEVELOPMENT

960 & 980 Old Trail Road Preliminary Subdivision Plan Motion made by Supervisor Cook, seconded by Supervisor Kauffman, to approve the plan with waivers and Engineer's comments dated February 24, 2015. Vote on Motion. 5 Ayes. Motion carried.

PAYMENT OF BILLS

Motion made by Supervisor Cantrell, seconded by Supervisor Kauffman, to approve check numbers 58630 – 58681, 15821 & 15822, 2772 – 2775 & 58682 – 58710, 58712 – 58730, 15823, 2776 – 2778, 58277. Vote on Motion. 5 Ayes. Motion carried.

EXECUTIVE SESSION

The Board recessed to Executive Session at 6:55 P.M. to discuss pending litigation. The Board reconvened from Executive Session at 7:18 P.M.

Vice-Chairman William Toothaker ended participation by telephone at the end of the executive session.

ADJOURNMENT

Motion made by Supervisor Cook, seconded by Supervisor Kauffman, to adjourn the February 24, 2015 Board of Supervisors Meeting. Vote on Motion. 4 Ayes. Motion carried.

The Meeting was adjourned at 7:19 P.M.

Respectfully Submitted,

Donald L. Keener
Township Manager