

**BOARD OF SUPERVISORS  
MINUTES  
June 28, 2016**

**CALL TO ORDER**

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

**PUBLIC COMMENT**

**Jonathan Bowers** Mr. Bowers prayed for the community.

**Dianne Yocum, York County Visitors Bureau** Ms. Yocum updated the Board on the York County Visitors Bureau and asked the Board to adopt Resolution 2016-15.

About twenty residents spoke against the Goodman Logistics Center Warehouse project. They were concerned about the environmental and traffic impacts that would result from the project as well as noise, aesthetics and how this would negatively affect their properties and quality of life.

**Joe Intrieri 30 Apple Orchard Court** Mr. Interieri has concerns about the drainage basin in the rear of his property. Jeff and Bill are working with the bank and developer to correct the problems.

**LeAnn Menut, 150 St. Andrews Way** Ms. Menut inquired about an update on the Golf Course Litigation. Ms. Driscoll stated it had been appealed to court.

**Luther Snelbaker, 55 Highland Avenue** Mr. Snelbaker complained about the violation letter he received and township roads needing mowed.

**Kathy Hess, 2005 Old Trail Road** Ms. Hess complained that her neighbor was running a garage on Old Trail Road.

**Hank Hedden, Red Land Library** Mr. Hedden thanked the Board for supporting the Library.

**Tiffany Hayden and Nicholas Avola, 1380 Cly Road** Ms. Hayden and Mr. Avola were against the warehouse and had questions about Ordinances 393 and 394.

## MINUTES

Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to approve the Minutes from the May 24, 2016 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried. Motion made by Vice-Chair Kauffman, seconded by Supervisor Miller to approve the Minutes from the June 14, 2016 Open Forum Meeting. Vote on Motion. 5 Ayes. Motion carried.

## REPORTS

**Highway:** Brian Ebert provided a written report.

**Police:** The Chief provided a written report. The Chief also spoke about their efforts to prevent impaired driving.

**Fire & EMS:** Tim Stevens provided written reports.

**Zoning:** Jeff provided a written report

**Solicitor:** Ms. Driscoll provided a written report.

**Engineer:** Bill provided a written report.

**Manager:** Don provided a written report.

**Supervisors:** Supervisor Miller thanked the volunteer firefighters for their service. He stated he was against taking over the Newberry Township Fire Department. Chairman Toothaker commented that he wanted to see the Fire Department move forward. Supervisor Cantrell stated that he was not in favor of taking over the Department either. Vice-Chair Kauffman and Supervisor Cook commented that the Fire Department was a work in progress and didn't feel it was time for a takeover. They were looking to Steve Forry for direction about the future of the Department.

## OLD BUSINESS

**Update on Burning Ordinance** The Board agreed, by consensus, to forward the drafted Ordinance to the Solicitor.

**Update on Non-Commercial Keeping of Livestock** There was no update or action.

**Update/Next Steps on Act 537 Plan** There was no update or action.

**Update on National Night Out** Motion made by Supervisor Miller, seconded by Supervisor Cantrell, for the Township to donate \$3,500.00 toward the event. Vote on Motion. 5 Ayes. Motion carried.

## NEW BUSINESS

**Adopt Resolution 2016-15 (York County Visitors Bureau)** Motion made by Vice-Chair Kauffman, seconded by Supervisor Cook, to adopt Resolution 2016-15. Vote on Motion. 5 Ayes. Motion carried.

**Adopt Ordinance 394 (All-Terrain Vehicle Ordinance)** Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to table the Ordinance. Vote on Motion. 4 Ayes. 1 Naye by Chairman Toothaker. Motion carried.

**Adopt Ordinance 393 (Shooting Ordinance)** Failed for lack of a motion.

**Authorize Execution of NTMA Documents** Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to authorize the Execution of the Documents pursuant to Ordinance 392. Vote on Motion. 5 Ayes. Motion carried.

**Authorize Execution of Employment Agreement for the Public Works Director** Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to authorize the execution of the employment agreement hiring Scott Getgen as Public Works Director. Vote on Motion. 5 Ayes. Motion carried.

**Discussion of Addition to Agricultural Security Area** The Board agreed, by consensus, to accept the application and take no action, allowing it to be deemed approved in 181 days per staff's recommendation.

**Amend Resolution 2016-02 to add a Stormwater Inspection Fee** Motion made by Vice-Chair Kauffman, seconded by Supervisor Miller, to amend the Resolution to include the \$40.00 Fee. Vote on Motion. 5 Ayes. Motion carried.

Motion made by Supervisor Miller, seconded by Supervisor Cook, to cancel the July 12 Open Forum Meeting. Vote on Motion. 5 Ayes. Motion carried.

## SUBDIVISION AND LAND DEVELOPMENT

**Final Subdivision Plan – Michael & Vicki Kearns** Motion made by Vice-Chair Kauffman, seconded by Supervisor Cook to approve a waiver to Section 605.04.8.f. Vote on Motion. 4 Ayes. 1 Naye from Supervisor Miller. Motion carried.

Motion made by Supervisor Miller, seconded by Supervisor Cantrell to approve a waiver to Section 402.01.9.J. Vote on Motion. 5 Ayes. Motion carried. Motion made by Supervisor Miller, seconded by Supervisor Cook, to approve the plan with Engineer's comments dated June 21, 2016. Vote on Motion. 5 Ayes. Motion carried.

**Final Subdivision Plan – 585 Midway Road/Jacobs** Motion made by Supervisor Miller, seconded by Supervisor Cook to approve a waiver to Section 403.01.9.J. Vote on Motion. 5 Ayes. Motion carried. Motion made by Supervisor Miller, seconded by Supervisor Cook, to approve the plan with Engineer’s comments dated June 21, 2016. Vote on Motion. 5 Ayes. Motion carried.

**Final Subdivision and Land Development Plan – Goodman Logistics Center** Motion made by Vice-Chair Kauffman, seconded by Supervisor Cook to table the plan. Vote on Motion. 4 Ayes. 1 Naye by Chairman Toothaker. Motion carried

**PAYMENT OF BILLS**

Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to approve Check Numbers 61374 – 61433, 12134 & 12135, 14419, 2890 – 2894, 61467 – 61512, 12136 & 12137, 14420, 2895 – 2897. Vote on Motion. 5 Ayes. Motion carried.

**EXECUTIVE SESSION**

The Board recessed to Executive Session at 9:46 P.M. to discuss ongoing litigation with Golf Enterprises.

The Board reconvened from Executive Session at 10:03 P.M.

**ADJOURNMENT**

Motion made by Supervisor Cook seconded by Supervisor Miller, to adjourn the June 28, 2016 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

The Meeting was adjourned at 10:04P.M.

Respectfully Submitted,

Donald L. Keener  
Township Manager