

**BOARD OF SUPERVISORS  
MINUTES  
September 27, 2016**

**An Executive Session was held at 5:15 P.M. with Steve Forry to discuss his resignation as Fire Commissioner.**

**A Public Hearing was held at 5:45 P.M. to discuss Ordinance 394 (setbacks in the Residential Growth Zone.)**

**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, Public Works Director Scott Getgen, Engineer Bill Rudy and Solicitor Margaret Driscoll.

A Police Awards Ceremony was held prior to the meeting. Officer Trevor Stuck was presented with the Officer of the Year Award.

**PUBLIC COMMENT**

**Skip Bowen, Lewisberry Road** Mr. Bowen prayed for the community.

**Steven and Jean Funck, 170 Winding Hill Drive** Mr. & Mrs. Funck complained about a neighbor setting off large scale fireworks. They were concerned about the safety of their grandkids and home. She indicated that her calls to the Supervisors and Chief Snyder were not returned for over a year. She questioned why the culprit was never cited for not having a fireworks permit and proper insurance. Chief Snyder was directed by the Board to meet with the Funcks.

**Red Land Senior Center** John Statz and Jen Washburn discussed the Senior Center's plans for a Community Center and Programs. They asked the Board to consider donating \$25,000.00 in 2017; an increase of \$10,000.00 over the \$15,000.00 donated in 2016.

**David Grove, 165 Fallsview Avenue** Mr. Grove complained again about the former church building, now used as a residence, beside him that has junk vehicles and trash. Jeff was directed by the Board to inspect the property and cite them for any violations.

**Joe Intrieri, 30 Apple Orchard Court** Mr. Intrieri questioned when the stormwater basin and road improvements would be made in his development. Bill indicated that the Township is in the process of raising the bond amount 10 percent (10%) to cover the

remaining work. If the work is not completed in a timely manner the township would begin the process of calling the bond.

**Katie McGraw** Ms. McGraw introduced herself and stated that she is a candidate for the 92<sup>nd</sup> District State Representative.

**Rick Witten, 460 Miller Road** Mr. Witten reminded everyone that October 9 -15 is Fire Prevention Week and that they should check the batteries in their smoke alarms.

**David Parsons, 200 Winding Hill Drive** Mr. Parsons suggested leasing a dump truck and plow in case of a large snowfall in the winter.

**John Metzger, 105 Hilldale Drive** Mr. Metzger inquired if the Burning Ordinance was going to be addressed tonight.

**Fred Lehman, 470 Red Mill Road** Mr. Lehman expressed concerns about how the Newberry Township Fire Department was conducting a fundraiser and the need for a receipt to be given if cash was donated. Vice-Chair Kauffman directed Don to put the fundraiser information on the website.

## MINUTES

Motion made by Supervisor Miller, seconded by Supervisor Cantrell, to approve the Minutes from the August 23, 2016 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

## REPORTS

**Highway:** Scott Getgen provided a written report.

**Police:** The Chief provided a written report.

**Fire & EMS:** Chairman Toothaker, Tim Stevens and York Haven Fire Department provided written reports. Motion made by Supervisor Miller, seconded by Supervisor Cantrell, to accept Steve Forry's resignation as Fire Commissioner. Vote on Motion. 5 Ayes. Motion carried.

**Zoning:** Jeff provided a written report

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

**Engineer:** Bill provided a written report. Motion made by Supervisor Miller, seconded by Supervisor Cantrell, to choose Option 2, as written on Bill's report, for improvements on Ben Hogan Drive. Vote on Motion. 5 Ayes. Motion carried.

**Sewer Department:** Brent Zeiders and Stacey Craley provided a written report.

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

**Supervisors:** None.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

**Adopt Ordinance 394 (Amending the Zoning Ordinance)** Motion made by Supervisor Miller, seconded by Supervisor Cook, to adopt Ordinance 394, as advertised, with regard to setbacks. Vote on Motion. 5 Ayes. Motion carried.

**Adopt Ordinance 395 (Burning)** Motion made by Supervisor Miller, seconded by Supervisor Cook, to adopt Ordinance 395 as advertised. Vote on Motion. 5 Ayes. Motion carried.

**Award Snow Plow Bids** Don stated that a bid opening was held on September 15, 2016. The results are as follows:  
Firewood Extractors F450 with 9 foot plow \$130.00 per hour and a F550 with 8.5 foot plow \$125.00 per hour. Corn Hill Farms 50HP Tractor with 8 foot plow \$175.00 per hour. Motion made by Vice-Chair Kauffman, seconded by Supervisor Miller, to award the bids as read. Vote on Motion. 5 Ayes. Motion carried.

**Award Refuse Bids** Don stated that a bid opening was held on September 21, 2016. The results are attached on Exhibit ðAö. Motion made by Vice-Chair Kauffman to rebid the Refuse Bid. Motion failed for lack of a second. Motion made by Supervisor Miller, seconded by Supervisor Cook, to award the bid to Republic Services, the low bidder. Vote on Motion. 4 Ayes. 1 Naye from Vice-Chair Kauffman. Motion carried.

### **Adopt Resolution 2016-18 (York County Regional Pollutant Reduction Plan)**

Motion made by Supervisor Cook, seconded by Vice-Chair Kauffman, to adopt Resolution 2016-18. Vote on Motion. 5 Ayes. Motion carried.

**Authorize Attendance for York County Supervisors Convention** Motion made by Supervisor Miller, seconded by Supervisor Cantrell, to authorize those eligible to attend the Convention. Vote on Motion. 5 Ayes. Motion carried.

**Set Date for Budget Workshop** Motion made by Supervisor Miller, seconded by Supervisor Cantrell, to advertise a Budget Workshop on October 25 at 5:00 P.M..

## **SUBDIVISION AND LAND DEVELOPMENT**

None.

## **PAYMENT OF BILLS**

Motion made by Supervisor Cantrell, seconded by Supervisor Miller, to approve Check Numbers 61876-61925, 15880 & 15881, 14429 ó 14431, 12147 ó 12149, 2908 ó 2911, 61969 ó 62018, 15883, 14432, 12150, 2912-2914, 11237 - 11271. Vote on Motion. 5 Ayes. Motion carried.

## **EXECUTIVE SESSION**

The Board recessed to Executive Session at 8:08 P.M. to meet with Attorney Mike Miller to discuss Collective Bargaining and a Grievance.

The Board reconvened from Executive Session at 9:00 P.M.

Motion made by Supervisor Cook seconded by Supervisor Miller, to approve side agreement with Teamsters Local 776 settling grievance # 01-16-0001-5578 under which Lanny Hake and Jan Schwartz will be hired as full-time employees of the Township. Vote on Motion. 5 Ayes. Motion carried.

Motion made by Supervisor Cantrell seconded by Supervisor Cook, to approve a draft contract between Teamsters Local 776 covering the years 2016 through 2019. This approval is expressly contingent on approval from the Special Labor Counsel and prior signature by Teamstersø officials. Vote on Motion. 5 Ayes. Motion carried.

## **ADJOURNMENT**

Motion made by Supervisor Cantrell seconded by Supervisor Miller, to adjourn the September 27, 2016 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

The Meeting was adjourned at 9:04 P.M.

Respectfully Submitted,

Donald L. Keener  
Township Manager