

**BOARD OF SUPERVISORS  
MINUTES  
January 23, 2018**

**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-Chairman David Cantrell, Supervisor Brandt Cook, Supervisor Maxine Kauffman and Supervisor Anthony Miller. Also, present, Manager Don Keener, Chief John Snyder, Codes & Zoning Officer Jeff Martz, Public Works Director Scott Getgen, Wastewater Coordinator Brent Zeiders, Engineer Bill Rudy and Solicitor Andrew Miller.

**PUBLIC COMMENT**

**Janie Harrison,** Ms. Harrison prayed for the community.

**Andrew Warntz, Republic Services** Mr. Warntz apologized for the frustration caused by trash not being picked up due to the snow storm December 30th. Discussion ensued with regard to issues with Customer Service not being helpful and poor communication fueling the frustration.

**Sherilyn Kanyuck, 925 Pleasant Drive** She thanked the road crew for cleaning the debris from the gutter by her home. She also stated she has had no issues with her trash service.

**Eric Crone, Newberry Estates MHP** Mr. Crone commented on the declining maintenance issues at the mobile home park. He stated there are a lot of abandoned homes, many driveways are busted up and there are still issues with the water pressure. Mr. Crone was informed that the Township was looking into adopting a new Mobile Home Park Ordinance to help address some of these issues.

**Lisa Crone, Newberry Estates MHP** Mrs. Crone presented pictures to the Board with regard to the many homes with broken windows and the deplorable conditions in the park.

**Joyce Walck, Newberry Estates MHP** Mrs. Walck stated that the park owner owns about eighty-five mobile home parks. She complained about the vacant homes, cars on blocks, unlicensed vehicles, broken windows and many other problems around the park. Vice-Chairman Cantrell stated that he had visited the park earlier in the day and taken some pictures of the abandoned properties around the park.

**Chad Ettline, 310 River Road** Mr. Ettline asked Jeff for an update on LKQ's violation for stacking cars. Jeff stated that the violation letter had been mailed and LKQ had thirty days to comply.

**Lieutenant Lutz** presented the Officer of the Year Award for 2016 to Officer Nick Vozzella. Officer Vozzella was recognized by his fellow Officers for going above and beyond the normal call of duty.

## MINUTES

Discussion ensued with regard to Supervisor Miller's concern with the way the Minutes reflected his discussion on raising taxes. He would like them to mention that everyone was in favor of raising taxes to achieve a budget without a deficit. Motion made by Supervisor Miller, seconded by Supervisor Kauffman, to amend the Minutes. Vote on Motion. 2 Ayes 3 Nays. Motion failed. Motion made by Supervisor Cook, seconded by Vice-Chairman Cantrell to approve the Minutes from the December 12, 2017 Board of Supervisors Meeting. Vote on Motion. 3 Ayes. 2 Nays.

Discussion ensued with regard to Supervisor Miller's concern that additions should be added under Donna Ulrich's public comment about the trash service. Motion made by Supervisor Miller, seconded by Supervisor Cook, to amend the Minutes from the January 2, 2018 Reorganization Meeting. Vote on Motion. 3 Ayes. 2 Nays from Chairman Toothaker and Vice-Chairman Cantrell. Vote on Motion. Motion carried.

## REPORTS

**Highway:** Scott Getgen provided a written report. Motion made by Vice-Chairman Cantrell, seconded by Supervisor Miller, to authorized the purchase of a mower for \$8,700.00 from Bob's Weld Shop.

**Police:** The Chief provided a written report and stated that Officer Vozzella was very deserving of the Officer of the Year Award. He indicated that he would like everyone on the force to have a ballistic plate. Due to Opioid addiction and violence increasing, he believes it's necessary moving forward.

**Fire & EMS:** Tim Stevens and York Haven Fire Departments provided written reports.

**Zoning:** Jeff provided a written report.

**Solicitor:** Mr. Miller provided a written report and commented on the need to update the Mobile Home Park Ordinance and wait and see if the changes will hold up in court. He stated the parks may pass some of the costs they incur from a new Ordinance unto their residents. Discussion ensued with the need to inspect mobile homes before they're occupied. The Board agreed, by consensus, to have the Solicitor continue to draft a new ordinance.

Mr. Miller stated the Township has a right to assess penalties of \$10/location missed to the trash hauler for failure to collect trash unless it's due to weather or road closures. They also have the right to terminate the contract for frequent violations. Supervisor Miller indicated he found it unacceptable for trash not to be picked up for a week by the hauler and desired they be fined for that week. The Board agreed, by consensus, to have the Solicitor look into fines.

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

**Sewer Department:** Brent Zeiders, Stacy Craley and Dan Altland provided written reports.

**Manager:** Don provided a written report and stated the Board needed to appoint a Deputy Tax Collector. Motion made by Vice-Chairman Cantrell, seconded by Supervisor Miller, to appoint Cathy Emswiler, tax collector of East Manchester Township. Vote on Motion. 5 Ayes. Motion carried. Don stated that Sue had submitted her resignation and that she had been with the Township for twenty-one

years. Her retirement date is January 30, 2018. Don asked the Board for direction on replacing her. Vice-Chairman Cantrell commented that the Township should do something to recognize her years of service.

**Supervisors:** Vice-Chairman Cantrell commented that he believed Supervisor Miller is a man of integrity and agreed that folks could look at the Minutes and think he was the only one desiring to raise taxes. Supervisor Kauffman inquired about Old Trail Road and an agility agreement with PennDOT. Chairman Toothaker stated that any issues with waiving fees should be brought to the whole Board. The Board agreed, by consensus, that before any fees are waived, they be brought to the Board.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

**Adopt Ordinance 403 (Amend Zoning Map)** Motion made by Vice-Chairman Cantrell, seconded by Supervisor Cook, to adopt Ordinance 403. Vote on Motion. 5 Ayes. Motion carried.

**Approve Newberry Township Fire Department 2018 Fundraiser and Training List** Motion made by Vice-Chairman Cantrell, seconded by Supervisor Miller, to approve the list. Vote on Motion. 5 Ayes. Motion carried.

**Award Twin Lakes Road Bridge Bid** Motion made by Supervisor Miller, seconded by Vice-Chairman Cantrell, to award the Bid to Farhat Excavators for \$75,265.00. Vote on Motion. 5 Ayes. Motion carried.

**Adopt Resolutions 2018-09 & 2018-10 (Lexington Estates Dedication)** Motion made by Vice-Chairman Cantrell, seconded by Supervisor Miller, to adopt Resolutions 2018-09 (Sanitary Sewer System). Vote on Motion. 5 Ayes. Motion carried. Motion made by Supervisor Kauffman, seconded by Supervisor Miller, to adopt Resolution 2018-10 (Adopting portions of Champions and Thoroughbred Drive). Vote on Motion. 5 Ayes. Motion carried.

**2018 Memorial Day Parade Requests** Motion made by Vice-Chairman Cantrell, seconded by Supervisor Kauffman, to authorize the payment of \$394.00 for insurance and to execute the Special Events Permit. Vote on Motion. 5 Ayes. Motion carried.

**Adopt the Employee Handbook (as revised)** Motion made by Supervisor Miller, seconded by Vice-Chairman Cantrell, to adopt the Handbook. Vote on Motion. 5 Ayes. Motion carried.

**Adopt Job Descriptions (as revised)** Motion made by Supervisor Miller, seconded by Vice-Chairman Cantrell, to adopt the job descriptions. Vote on Motion. 5 Ayes. Motion carried.

## **SUBDIVISION AND LAND DEVELOPMENT**

**Robert & Pamela Harkins, 2130 Potts Hill Road/Final Minor Subdivision Plan** Bill Rudy stated that plan approval would be contingent upon the driveway agreement approval. Motion made by Vice-

Chairman Cantrell, seconded by Supervisor Cook, to approve waivers to Sections 402.01.4 and 402.01.9J. Vote on Motion. 5 Ayes. Motion carried. Motion made by Supervisor Cook, seconded by Vice-Chairman Miller, to approve the plan with Engineer's comments dated January 19, 2018. Vote on Motion. 5 Ayes. Motion carried

### **PAYMENT OF BILLS**

Motion made by Supervisor Miller, seconded by Supervisor Cook, to approve Check Numbers 64495 – 64502, 64505 -64554, 15939, 14492 & 14493, 64636 – 64679, 15943 & 15944, 14494, 12205, 3010, 67680 – 64726, 15945, 3011 - 3013, 11709 - 11760. Vote on Motion. 5 Ayes. Motion Carried.

### **EXECUTIVE SESSION**

The Board recessed to Executive Session at 8:50 P.M. to discuss possible litigation. The Board reconvened from Executive Session at 10:05 P.M.

### **ADJOURNMENT**

Motion made by Supervisor Cook, seconded by Supervisor Miller, to adjourn the January 23, 2018 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

The Meeting was adjourned at 10:06 P.M.

Respectfully Submitted,

Donald L. Keener  
Township Manager