

**BOARD OF SUPERVISORS
MINUTES
September 24, 2019**

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 Anthony Miller at 6:00 P.M. Chairman Miller proceeded with the pledge to the flag. Present at the meeting were Vice-Chair Maxine Kauffman, Supervisor Brandt Cook, Supervisor William Toothaker, and Supervisor David Cantrell. Also present were, Chief Steven Lutz, Public Works Director Scott Getgen, Wastewater Coordinator Brent Zeiders, Codes & Zoning Officer Jeff Martz, Engineer Bill Rudy and Solicitor Andrew Miller. Absent was Manager Donald Keener.

A Public Hearing was held at 5:30 regarding Steep Slopes (Ordinance 410). Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adopt Ordinance 410 (Steep Slopes.) Vote on Motion. 5 Ayes. Motion carried.

PUBLIC COMMENT

Skip Bowen, Lewisberry Road Mr. Bowen prayed for the Community, the Board of Supervisors and the meeting.

Charles Black, LKQ General Manager Mr. Black stated that they oppose Ordinance 408 as written and said it will have a negative impact on their business once enforced.

Jim Diamond, LKQ Attorney Mr. Diamond recommended the Board reconsider Ordinance 408 as written to avoid a costly lawsuit.

Angie Schrum, 90 River Road Mrs. Schrum asked for at least an exception to Ordinance 408 due to their recreational vehicles being over the 36' limit.

Steve Marcus, VP Consolidated Scrap Mr. Marcus commented that his company has worked with LKQ for twelve years and would have to use smaller trucks due to Ordinance 408's restrictions and this would cause more traffic and noise.

Tom Reed, 275 River Road Mr. Reed indicated that he believes enforcing Ordinance 408 will cost businesses on River Road money. He also said they should have had more notice.

David Hines, 60 Rebecca Drive Mr. Hines was upset about Ordinance 408 and commented that it isolates him, and he's concerned about lawn care, moving and repair vehicles being restricted.

Greg Finnerty, LKQ Mr. Finnerty stated that Ordinance 408 will affect livelihoods, jobs, and families if not reconsidered. He commented that LKQ is considerate of their neighbors, often helping with snow removal.

John Lewis, 155 Rebecca Drive Mr. Lewis had concerns about Ordinance 408's restrictions.

Sandra Schaner, 125 Orchard Avenue Ms. Schaner would like Trick or Treat moved to October 31.

Will Parisi, 15 Delaware Drive Mr. Parisi would like Trick or Treat moved to October 31.

David Kirkpatrick, 260 Red Mill Road Mr. Kirkpatrick commented that if Ordinance 408 eliminates tractor trailer traffic, the smaller trucks will do more damage.

Chairman Miller thanked everyone for their comments and suggestions.

MINUTES

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to approve the Minutes from the August 27, 2019 Board of Supervisors Meeting. Vote on Motion. 4 Ayes. Motion carried. Vice-Chair Kauffman abstained.

REPORTS

Highway: Scott provided a written report. The Board directed Scott to investigate the drain problem on Dubbers Drive.

Police: Chief Lutz provided a written report.

Fire & EMS: Newberry Township EMS and the Newberry Township Fire Department provided written reports.

Zoning: Jeff provided a written report.

Solicitor: Mr. Miller provided a written report.

Engineer: Bill provided a written report.

Sewer Department: Brent Zeiders provided a written report. Brent stated that Lexington Phase III will begin the work on their sanitary sewer Thursday.

Manager: Don provided a written report. Chairman Miller stated that the 2020 Minimum Municipal Obligation for Uniformed was \$388,602.02 and Non-Uniformed was \$72,450.54 for a total of \$461,052.56.

Supervisors: Supervisor Toothaker thanked Angela Seitz for her help in Don's absence. Chairman Miller thanked her and Jeff for helping during a staff shortage. Chairman Miller stated that they would not change the date for Trick or Treat Night this year, but would look at the at the 2020 Reorganizational meeting. Supervisor Cantrell commented to Bill that any parking restrictions on St. Andrews Way should consider where the road peeks because there is no room to pass and this creates of public safety concern.

OLD BUSINESS

Review of Volunteer Fire Tax Credit Ordinance (411) Discussion ensued regarding Ordinance 411. The Board directed Deb Popp to meet with Gary Hatterer to discuss the Tax Credit and obtain some actual numbers.

Tablets for the Board of Supervisors Chairman Miller stated that the cost for Tablets for the Board to use in place of paper copies for meetings was \$8,955.00.

Speed Limit on Old Trail Road Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to authorize the Solicitor to prepare and advertise the Ordinance to reduce the speed limit to thirty-five mile per hour, per the speed studies done by Pennoni, between Yocumtown and Red Mill Roads. Vote on Motion. 5 Ayes. Motion carried.

NEW BUSINESS

Discussion of Trash Contract Bids Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to adopt Resolution 2019-18 awarding the bid to Penn Waste. Vote on Motion. 5 Ayes. Motion carried.

Award Signal Light Maintenance Bid Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to award the bid to PA Percs. Vote on Motion. 5 Ayes. Motion carried.

Authorize Advertisement of the Snowplow Bid Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to authorize the advertisement. Vote on Motion. 5 Ayes. Motion carried.

Distribution of Fireman Relief Funds Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to authorize distribution of the Funds of \$81,626.62 as follows: 50% to Newberry-\$40,813.30, 25% to York Haven or \$20,406.66 and 25% to Goldsboro or \$20,406.66. Vote on Motion. 5 Ayes. Motion carried.

Approve 2020 SPCA Contract Motion made by Supervisor Toothaker, second by Supervisor Cantrell, to approve the contract. Vote on Motion. 5 Ayes. Motion carried.

Attendance YCAT Convention Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman, to authorize Don Keener to attend. Vote on Motion. 5 Ayes. Motion carried.

Discussion of Budget Reallocation Chief Lutz asked to reallocate monies in his Budget from Lieutenant salary to purchase three LPR cameras. Motion made by Supervisor Toothaker, seconded by Supervisor Kauffman, to authorize the reallocation. Vote on Motion. 5 Ayes. Motion carried.

Authorize Execution of PennDOT MOU Motion made by Supervisor Toothaker, seconded by Supervisor Kauffman, to authorize the Execution. Vote on Motion. 5 Ayes. Motion carried.

Schedule 2020 Budget Workshop Motion made by Supervisor Toothaker, seconded by Supervisor Kauffman, to schedule the Workshop on October 15th at 6:00 P.M.

SUBDIVISION AND LAND DEVELOPMENT

None.

PAYMENT OF BILLS

Motion made by Supervisor Cook, seconded by Supervisor Toothaker, to approve check numbers 66539 – 66624, 2003 & 2004, 2250, 3146 & 3147, 1003 – 1007, 12243 – 12268 and to add the check for Auditors McConley & Asbury for the amount of \$23,449.42. Vote on Motion. 5 Ayes. Motion Carried.

The Board stated Ordinance 408 was put in place purely for safety reasons. Chairman Miller indicated the Board would consider taking another look at the Ordinance 408, and directed Mr. Black to bring any proposals LKQ may have to the Board.

EXECUTIVE SESSION

The Board recessed to Executive Session at 8:27 P.M. to discuss personnel and litigation.

The Board reconvened from Executive Session at 9:27 P.M.

Chairman Miller stated that topics discussed in Executive Session were the following two items of business and personnel issues related to contract negotiations and other personnel issues that could not be discussed in the open meeting.

Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adopt the revised employment agreement for Scott Getgen. Vote on Motion. 5 Ayes. Motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to authorize the hiring of a Police Officer to fill a vacant position. Vote on Motion. 5 Ayes. Motion carried.

ADJOURNMENT

Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adjourn the September 24, 2019 Board of Supervisors Meeting. Vote on Motion. 5 Ayes. Motion carried.

The Meeting was adjourned at 9:34 P.M.

Respectfully Submitted,

Donald L. Keener
Manager