

**BOARD OF SUPERVISORS
MINUTES**

November 19, 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 6:01 P.M. Chairman Miller proceeded with the pledge to the flag. Present at the meeting were Vice-Chair Maxine Kauffman, Supervisor William Toothaker, and Supervisor David Cantrell. Also present were, Manager Don Keener, Chief Steven Lutz, Public Works Director Scott Getgen, Codes & Zoning Officer Jeff Martz, Engineer Bill Rudy and Doug Myers for Solicitor Andrew Miller. Not present at the meeting: Supervisor Brandt Cook, Wastewater Coordinator Brent Zeiders.

PUBLIC COMMENT

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

Chairman Miller reminded everyone to please keep comments to a 5-minute maximum to allow for everyone's voice to be heard.

Attorney Paul Siegrist (345 Stevens Road reverse subdivision) Attorney Siegrist is representing Harold Deardroff. Attorney Siegrist is requested a waiver of fees and the submittal of a subdivision plan for the proposed merger of two lots separated by I83. These lots are on Stevens and Sipe Roads. Bill Rudy commented he wasn't aware of a circumstance where the submittal of a subdivision plan was waived. Doug Myers relayed the recommendation by Solicitor Miller to require the submission of a subdivision plan. Chairman Miller responded that submission of a subdivision plan was required and the BOS will revisit waiver of fees in the future.

Tom Ream of 210 River Road Mr. Ream stated his disappointment with the decision at the last meeting to postpone enforcement of Ord. 408 for 90 days. He is concerned that the truck traffic is not safe as the trucks are crossing the center lines, and the truck drivers are not adhering to the right turn restriction. He feels the BOS can, under current ordinances take enforcement action against LKQ and hold them accountable. Mr. Ream also reminded the BOS of the past history of this salvage yard. He then went on to state that sometime around 2003 LKQ was supposed to widen their entrance, but that has not happened. Finally, Mr. Ream requested a private meeting with at least two Supervisors to further discuss these issues. Vice-Chair Kauffman asked Jeff if the Township issues a permit each year for LKQ. Jeff confirmed yes, every June.

Chairman Miller thanked everyone for their comments and suggestions.

MINUTES

Chairman Miller stated that after the November 13th Budget Workshop an executive session was held to discuss personnel and revision of the employee handbook. Chairman Miller then confirmed with Manager Don Keener that the proposed 2020 budget is advertised and available for review by the public.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to approve the Minutes from the October 22, 2019 Board of Supervisors Meeting. Vote on Motion. 4 Ayes. Motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the Minutes from the November 13, 2019 Budget Workshop. Vote on Motion. 4 Ayes, Motion carried.

REPORTS

Highway: Scott provided a written report and briefly reviewed it for the BOS.

Police: Chief Lutz provided a written report. Chief Lutz is happy to report that the canines are doing well. The Knights of Columbus recently made a donation to the department to help purchase vests for the canines. Chief Lutz was asked about the progress on cameras, to which he responded they should be up and running within the next month.

Fire & EMS: Newberry Township EMS and the Newberry Township Fire Department: provided written reports which were read by Supervisor Toothaker as Chief Hatterer was absent. Vice-Chair Kauffman clarified the 17 missed calls within the report could be that the crew were on other calls at the time and not necessarily just “missed.”

Zoning: Jeff provided a written report. Jeff reported that the management companies for the mobile home parks have been steadily requesting demolition permits to clean the up the parks.

Solicitor: Mr. Miller provided a written report. Two action items are to be discussed:

1) Updated No Parking Ordinance. Supervisor Cantrell expressed concern whether this ordinance also addressed the grassy area in the cul-de-sacs specifically St. Andrews Way as he lives there. Mr. Myers confirmed yes, all parking will be prohibited in that area. Supervisor Cantrell then asked if this ordinance is in place could it be amended in the future for oversized or wide vehicles. Mr. Myers responded, yes, this ordinance can be amended. Chairman Miller states that he also lives on St. Andrews Way and would like to know if the residents will have the opportunity to come to a meeting and express concerns prior to this ordinance being put in place. Mr. Myers, replied yes.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to advertise Ordinance 412 for No Parking. Vote on motion. 4 Ayes, motion carried.

2) Apple Orchard Court- Outstanding Surety letter on file with the Township. The improvements are completed and approved to return the surety to Fulton Bank.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to return the surety letter to Fulton Bank on Apple Orchard Ct. Vote on motion, 4 ayes, motion carried

Engineer: Bill provided a written report. Bill stated that the Eagle Ln. sewer construction is done and final payment is expected to close out by end of the year. He also stated the turn restriction was ok'd by PennDOT. Chairman Miller suggested someone from the Township reach out to LKQ about the turning restriction. It was decided that the Solicitor should follow up with a call.

Sewer: Brent Zeiders provided a written report. Supervisor Toothaker read the memo from Angela Seitz.

Manager: Don provided a written report.

Supervisors: No reports.

OLD BUSINESS

NEW BUSINESS

Award Snow Plow Bids Two snow plow bids were received. One was disqualified as it was not on submitted on Township forms, the other bid was from Firewood Extractors for an F450 and F550 truck with an 8 ½ ft plow for \$125/hr. as well as a 2750 John Deere Tractor with 10ft. plow for 150/hr.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to award the snow plow bid to Firewood Extractors for the 2020 winter season. Vote on motion, 4 ayes, motion carried.

Approval of Quarterly Trash Rate Increase Don commented on a letter from Penn waste concerning the increase of the tipping fee by the York County Solid Waste Authority, thus increasing the quarterly trash rate by \$0.82 per quarter for a total of \$73.44/quarter.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to accept the quarterly trash rate increase. Vote on motion, 4 ayes, motion carried

Chairman Miller inquired about the coordination of the pick-up of old receptacles and distribution of new receptacles by Penn Waste. Don commented that Penn Waste will be sending that information out to the residents.

Review of 2020 Meeting Dates Don reviewed the proposed 2020 meeting dates with the BOS. The April BOS meeting date will need to be changed due to April 28th Primary Election.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to change April BOS meeting date to the 21st. Vote on motion, 4 ayes, motion carried.

Ratify Hiring of Office Assistant Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to ratify the hiring of Christie Fournier as Office Assistant. Vote on motion, 4 ayes, motion carried.

Ratify Hiring of Comptroller Motion made by Supervisor Toothaker, Seconded by Vice-Chair Kauffman to ratify the hiring of Jane Deamer as Comptroller. Vote on motion, 4 ayes, motion carried

SUBDIVISION AND LAND DEVELOPMENT

Final Minor Subdivision Plan – Rolling Hills Estates Elliot Shibley presented the Final Minor Subdivision Plan – Rolling Hills Estates and is seeking approval of 2 waivers.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of the stormwater management plan in accordance with Ord. 388. Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (402.01.a). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the Final Minor Subdivision Plan – Rolling Hills Estates subject to Engineer's comments and conditions of November 15, 2019. Vote on motion, 4 ayes, motion carried.

Final Minor Subdivision Plan – 592 Old Trail Rd. Randy Shearer with Hoover Engineering presented the Final Minor Subdivision Plan – 592 Old Trail Rd. and is seeking approval of 1 waiver.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of (403.01.a). Vote on motion, 4 ayes, motion carried.

Motion is made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the Final Minor Subdivision Plan subject to Engineer's comments and conditions of November 15, 2019. Vote on motion, 4 ayes, motion carried.

Final Subdivision Plan – Clover Crossing V Randy Shearer with Hoover Engineering presented the Final Subdivision Plan – Clover Crossing V and is seeking approval of 7 waivers

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of the submission of a separate Preliminary Plan (306.01). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of (403.01.a). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of (403.01.b). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (403.01.d). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (402.01.9.j). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (615) Provide street lights. Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (604.06.2). Vote on motion, 4 ayes, motion carried. Supervisor cook was absent.

Motion is made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the Final Subdivision Plan subject to the Engineer's comments and conditions of November 15, 2019. Vote on motion, 4 ayes, motion carried.

Final Minor Subdivision Plan 3300 Loop Rd Randy Shearer with Hoover Engineering presented the Final Minor Subdivision Plan 3300 Loop Rd and is seeking 3 waivers.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (402.01. a). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver of (605.04.8.f). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the waiver in accordance with Ord. 388. Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to approve the Final Minor Subdivision Plan 3300 Loop Rd. subject to the engineer's comments and conditions of November 15,2019. Vote on motion, 4 ayes, motion carried. Supervisor Cook is absent.

Final Land Development Plan Goodman Logistic Center Storage Lot Ron Secary with Snyder, Secary & Associates, LLC. presented the Final Land Development Plan Goodman Logistic Center Storage Lot and is seeking 4 waivers.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of the submission of a separate Preliminary Plan (306.01). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of drafting standards (402.01.01). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver of submission of a Woodlands Evaluation (402.01.9.j). Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the waiver (614.02.5.b) on slopes of 15-25%. Vote on motion, 4 ayes, motion carried.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to approve the Final Land Development Plan Goodman Logistic Center Storage Lot subject to the engineer's comments and conditions of November 15, 2019. Vote on motion, 4 ayes, motion carried.

PAYMENT OF BILLS

Motion made by Supervisor Cantrell, seconded by Supervisor Toothaker, to approve check numbers 66713 – 66757, 2009 & 2010, 1011 & 1012, 3156- 3158,12297-12312
Vote on Motion, 4 Ayes, motion carried.

EXECUTIVE SESSION

The Board recessed to Executive Session at 7:25 P.M. Chairman Miller announced that this session is to discuss personnel issues.

The Board reconvened from Executive Session at 9:02 P.M.

Adjournment

Motion made by Supervisor Toothaker, seconded by Vice-Chair Kauffman to adjourn. Vote on motion, 4 Ayes, motion carried. The Meeting adjourned at 9:05 P.M.

Respectfully Submitted,

Donald L. Keener