

**BOARD OF SUPERVISORS
MINUTES
December 10, 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 6:02 P.M. Chairman Miller proceeded with the pledge to the flag. Present at the meeting were 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, Engineer Bill Rudy, Solicitor Andrew Miller Codes & Zoning Officer Jeff Martz. Absent from the meeting: Vice Chair Maxine Kauffman.

Chairman Miller requested to keep all comments to a five-minute limit.

PUBLIC COMMENT

Pastor Jane Keller prayed for the Community and the meeting. She also thanked the board for use of Shelley Park for the new ministry youth group.

Bob Fisher- Red Mill Crossing plan provided a brief overview of the plan for the development of a 30-unit apartment bldg. This plan includes a proposed clubhouse and pool and will include stormwater ponds as they are familiar with those requirements from past projects. This new apt. bldg. will have public water and sewer and there will be continued traffic studies. Supervisor Toothaker encouraged the board to pay attention to street sizes when these development plans are submitted for approval.

John Ford, 98 Byron Neslon Circle President of the HOA for Glen Eagles asked for clarification on which side of the street would be prohibited for Byron Neslon Circle. Chairman Miller deferred to Bill Rudy on how this ordinance was drawn up. John wanted to know how residents in the development effected by the new parking ban Ord. 412 will be notified, when will this new ordinance be enforceable and ramifications of violation, and finally will there be signs posted? Chief Lutz responded it would be considered a parking violation and a ticket would be issued. Scott Getgen said signs will be purchased and put up, until then the parking ban could not reasonably be enforced.

Edna Hendrickson, 130 St. Andrews Way Expressed that she feels this parking ban will only create issues where there were none before. She further added that there has never been an accident in the development due to the parking situation nor has it created a hazard or obstacle for emergency services.

Mike Haugh, 355 River Rd. Feels as though the current board has not done the people of the township justice. He feels other wards of our township receive preferential treatment in regards to responsiveness of the board. He further insists that the speed on River Rd. is dangerous and questions why the speed has not been changed to 25 mph as other roads are. Chairman Miller states he disagrees and takes offense on behalf of the board. He further states that the township

has spent tens of thousands of dollars on speed and traffic surveys and legal fees working on these concerns. Township engineer Bill Rudy also states the data collected does not support a speed change. Mr. Haugh states he has 90% of the resident's signatures on his road for a petition to change the speed limit, and also requests at the very least to have school bus stop signs put up. Chairman Miller stated the board could vote on that when it came time to address "Old Business." Mr. Haugh then directed a question to the township solicitor Andrew Miller- asking about if there are any penalties if false testimony given at the township Zoning Hearing board, that he is 100% confident there have been flat out lies during the meeting. Mr. Andrew Miller responded that if he (Mr. Haugh) is accusing township personnel or a fellow resident of giving false testimony then he should consider obtaining legal representation but that he himself could not advise him on legal matters.

MINUTES

Chairman Miller commented that the minutes should be corrected under Supervisors on page 3 to state "that they would not change the date for Trick or Treat Night this year, but would look at the date at the 2020 Reorganizational meeting." Supervisor Cantrell commented that the following wording should be added "and this creates a public safety concern." to the last sentence of that section.

Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to approve the Minutes from the September 24, 2019 Board of Supervisors Meeting with changes as noted. Vote on Motion. 5 Ayes

REPORTS

Highway: Scott provided a written report.

****Police Chief Lutz called Sgt. Ditty to the front to begin his promotion ceremony. Sgt. Ditty along with his wife and children joined Chief Lutz to the front of the meeting room. After 12 years with the Newberry Township Police Dept. Sgt. Ditty was promoted to Lieutenant. Pictures were taken and newly appointment Lt. Ditty thanked his Sergeants, the board, his family, his wife and lastly the residents of Newberry Township.**

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. Spoke briefly about the PA American Water agreement and how Fairview twp. has refused to be billed for work done and subsequently pass it on to Goodman logistics. He further stated that after consideration, Newberry twp. can move forward with agreeing to be billed on Goodman Logistics behalf and the Twp. will in turn bill Goodman Logistics. Chairman Miller stated this is on the agenda and can be addressed at that time.

Engineer: Bill provided a written report.

Sewer Department: Brent Zeiders provided a written report.

Manager: Donald Keener provided a written report.

Supervisors: Supervisor Toothaker addressed the meeting- this meeting is his and Supervisor Cantrell's last meeting as Township Supervisors. He thanked everyone for the opportunity to serve as well as the staff at the township. Supervisor Cantrell also thanked everyone for the opportunity to serve. Chairman Miller thanked them both and presented each with a PSATS certificate of service in recognition of their 6 years of service each.

OLD BUSINESS

Motion made by Supervisor Cook, seconded by Supervisor Cantrell to place school bus stop signs at each end of River rd. as requested by Mr. Haugh. Vote on Motion. 4 Ayes. Motion carried.

NEW BUSINESS

Promotion of Lieutenant (Police) Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to promote Sgt. Ditty. Vote on Motion. 4 Ayes. Motion carried.

Adopt Resolution 2019-21 (2020 Meeting minutes) Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to adopt Resolution 2019-21. Vote on Motion. 5 Ayes. Motion carried.

Adopt Resolution 2019-22 (Setting 2020 Millage rate) Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell, to adopt Resolution 2019-22. Vote on Motion. 4 Ayes. Motion carried.

Adopt Resolution 2019-23 (Adopting 2020 Budget) Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adopt Resolution 2019-23. Vote on Motion. 4 Ayes. Motion carried.

Adopt Resolution 2019-24 (Addition to AG security Area) Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adopt Resolution 2019-24. Vote on Motion. 4 Ayes. Motion carried.

Adopt Ordinance 412 (No Parking) Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adopt ordinance 412 (No Parking). Vote on Motion. 4 Ayes. Motion carried.

Approve 2020 Propane Quotes Suburban propane is the lowest bidder and therefore will be awarded the bid at \$1.25/gallon. Motion made by Supervisor Toothaker, seconded by Supervisor Cook to award Suburban propane the propane contract. 4 Ayes. Motion carried.

Public Comment by Dave Parsons of Ridgeview. He wants to know if the twp. will be responsible for paying PA American Water, or is it Goodman logistics responsibility. Solicitor Miller stated again, that Goodman Logistics is solely responsible for payment, that the Twp. would just pay them first and then subsequently bill Goodman logistics since the hydrant is physically located in Newberry Twp.

Execute Agreement with PA American Water – Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to execute the agreement with PA American Water which allows the Twp. to be billed on behalf of Goodman Logistics, and the Twp. to then bill Goodman Logistics. 4 Ayes. Motion Carried.

Approve Building use for Special Election 1/14/2020 Motion made by Supervisor Toothaker, seconded by Supervisor Cantrell to allow use of the Twp. building for the special election 1/14/2020. 4 Ayes. Motion Carried.

Approve Final Payment Application for Eagle Lane Motion made by Supervisor Toothaker, seconded by Supervisor Cook for final payment application. 4 Ayes. Motion Carried.

Approve NTFD 2020 Fundraiser and Training List Motion made by Supervisor Toothaker, seconded by Supervisor Cook for approval for payment of the NTFD Fundraiser and training list. 4 Ayes. Motion Carried.

New Business added after agenda: Chairman Miller states Greenwalt has notified the twp. of their merge with Troutwell Roth. This merger will have no effect on the Townships contract on file.

SUBDIVISION AND LAND DEVELOPMENT

None.

PAYMENT OF BILLS

Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to approve check Numbers 66758-66816,3159-3160,12313-12326 Vote on Motion. 4 Ayes. Motion Carried.

EXECUTIVE SESSION

The Board recessed to Executive Session at 7:03 P.M. to discuss personnel and litigation.

ADJOURNMENT

Motion made by Supervisor Toothaker, seconded by Supervisor Cook, to adjourn the December 10, 2019 Board of Supervisors Meeting. Vote on Motion. 4 Ayes. Motion carried.

The Meeting was adjourned at 7:36 P.M.

Respectfully Submitted,