

**BOARD OF SUPERVISORS  
MINUTES**

**September 22, 2020**

**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 David Kirkpatrick at 6:00 P.M. Chairman Kirkpatrick proceeded with the pledge to the flag. Present at the meeting were Vice-Chairman Maxine Kauffman, Supervisor Clair Wintermyer, Supervisor Brandt Cook, Manager Tony Miller and Solicitor Andrew Miller.

Motion was made by Supervisor Wintermyer, seconded by Vice-Chairman Kauffman to have Mario Eckert put in as a Supervisor. Vice-Chairman Kauffman stated that Mario Eckert only lost by two votes. Vote on motion. 4 Ayes. Motion carried.

**PUBLIC COMMENT**

Adam Whalen with K&W Engineers spoke about West Shore Schools building a new intermediate school on the corner of Valley Rd. and Beinhour Rd. within Fairview Township and Newberry Township. The township engineer, Bill Rudy asked for another month to be able to do a traffic study.

Motion made by Chairman Kirkpatrick to hold off for another month to do traffic studies. Vote on motion. 5 Ayes. Motion carried.

**MINUTES**

Motion made by Supervisor Wintermyer, seconded by Supervisor Cook, to approve the meeting minutes from August 25, 2020. Vote on motion. 5 Ayes. Motion carried.

**REPORTS**

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

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

**Fire & EMS:** Provided written reports.

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

**Solicitor-** Provided written report, would like an executive session to discuss personnel and enforcement matters.

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

**Sewer Department:** Brent Zeiders provided a written report.

**Treasurer:** Jane Deamer provided a written report.

**Manager:** Tony Miller provided a written report.

**Supervisors:** Supervisor Wintermyer stated that it is against the law to vandalize or steal election signs and if caught, will be arrested.

Chairman Kirkpatrick stated that the lights at Pines Rd and Old Trail Rd have been re-timed.

The program manager that was purchased for the zoning/codes enforcement officer was purchased with a permit and with this program, things will be able to be consolidated into one area.

## **OLD BUSINESS**

### **Nuisance Noise Ordinance**

Solicitor Andy Miller distributed a draft copy of a noise ordinance that is typically used in other townships. The ordinance has been tabled until the public is able to attend the meetings.

### **Appointments**

Motion made by Supervisor Wintermyer, seconded by Supervisor Cook to appoint Toni Sharpe to the Planning Commission. Vote on motion. 5 Ayes. Motion carried.

## **NEW BUSINESS**

### **Penn Waste**

Manager Tony Miller read a letter from Penn Waste that was going to be distributed to the residents explaining the overcharge on their bills and will receive a credit. This is only for residents that are on trash/recycle billing.

### **Payment Application for Kinsley for the Old Trail**

Work along the Old Trail has been completed. Motion made by Vice-Chairman Kauffman, seconded by Supervisor Wintermyer to make the payment for the total amount of \$291,826.36. Vote on motion. 5 Ayes. Motion carried.

### **Trick-Or-Treat**

Motion made by Supervisor Vice-Chairman Kauffman, seconded by Supervisor Clair Wintermyer to hold trick-or-treat on Saturday, October 31, 2020 from 6pm – 8pm. Vote on motion 5 Ayes. Motion Carried.

### **2020 Newberry Township MMO**

Motion made by Supervisor Cook, seconded by Vice-Chairman Maxine Kauffman to approve the 2020 MMO for Newberry Township for \$500,208.00. Vote on motion. 5 Ayes. Motion Carried.

### **Goodman Trailer Lot Development Agreement**

Motion made by Chairman Kirkpatrick, seconded by Supervisor Wintermyer to approve the development agreement. Vote on motion. 4 Ayes. 1 Oppose. Motion Carried.

### **Traffic Signal and Street Lighting Maintenance and Repair Services**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Wintermyer to approve the Perks Traffic Signals, Inc. traffic signal and lighting contract. Vote on motion. 5 Ayes. Motion Carried.

### **Newberry Twp. Exterior Pole Flag Canopy LED Replacement Proposal**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Cook to approve the replacement of all the lighting at the township building. Vote on motion. 5 Ayes. Motion Carried.

### **Appointments**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Cook to approve Manager Tony Miller to the following appointments: Open Records Officer, Office Supervisor, York County Planning Commission Local Advisory Committee and Voting Delegate for PSAT Convention. Vote on motion. 5 Ayes. Motion Carried.

### **Set Date for Budget Workshop Meeting**

A meeting date has been set for October 20, 2020 at 6pm for a budget workshop meeting to be opened to the public.

### **Resolution 2020-19 for the approval of the release/reduction of Twp. Bonds**

Motion made by Supervisor Cook, seconded by Vice-Chairman Kauffman to approve Resolution 2020-19. Vote on motion. 5 Ayes. Motion Carried.

### **Change per diem rate, CDL - \$22.00/hr, non CDL - \$20.17/hr**

Motion made by Supervisor Wintermyer, seconded by Vice-Chairman Kauffman to approve the per diem rate for CDL and non-CDL drivers. Vote on motion. 5 Ayes. Motion Carried.

## **SUBDIVISION AND LAND DEVELOPMENT**

### **Final Land Development Plan, GPNC Investments LLC, 1640 Old Trail**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Wintermyer to grant waiver 306/402 a preliminary plan that is being submitted as a final plan. Vote on motion. 5 Ayes. Motion Carried.

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Winterymyer to grant waiver 403.01.a site context map. Vote on motion. 5 Ayes. Motion Carried.

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Wintermyer to grant waiver 402.01.5 resource and site analysis plan. Vote on motion. 5 Ayes. Motion Carried.

Motion made by Supervisor Cook, seconded by Vice-Chairman Kauffman to accept the development plan as a final plan. Vote on motion. 5 Ayes. Motion Carried.

### **Final Subdivision Plan, The Woods Phase III**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Cook, to approve The Woods Phase as a final plan contingent upon the engineer's comments. Vote on motion. 5 Ayes. Motion Carried.

### **Final Subdivision Plan, Lexington Estates Phase IV**

Motion made by Supervisor Vice-Chairman Kauffman, seconded by Supervisor Cook to accept the final subdivision plan contingent upon the engineer's comments. Vote on motion. 5 Ayes. Motion Carried.

### **PAYMENT OF BILLS**

Motion made by Vice-Chairman Kauffman, seconded by Supervisor Cook to approve payment of bills as listed: (67582-67665) (67581, 67664 - Void) (2041-2043) (2040-Void) (1041-1044) (1040-Void) (3212-3213) (12552-12570) Vote on motion. 5 ayes. Motion Carried.

### **EXECUTIVE SESSION**

The Board recessed to Executive Session at 7:18 P.M. to discuss personnel and legal issues.

Reconvened from executive session at 9:57 P.M.

### **ADJOURNMENT**

Motion made by Supervisor Cook, seconded by Vice-Chairman Kauffman to adjourn the September, 22, 2020 Board of Supervisors Meeting. Vote on motion. 5 Ayes. Motion carried.

The Meeting was adjourned at 10:00 P.M.

Respectfully Submitted,