

NEWBERRY TOWNSHIP BOARD OF SUPERVISORS

Monthly Meeting

November 24, 2020 6:00 p.m.

**Call to Order by Chairman David Kirkpatrick**

Chairman Kirkpatrick called the Regular Meeting to order at 6:00 p.m. Proof of publication was available for public inspection.

**Attendance**

Chairman, David Kirkpatrick  
Vice-Chairman, Maxine Kauffman  
Supervisor, Clair Wintermyer  
Supervisor, Brandt Cook  
Supervisor, Mario Eckert  
Solicitor, Andrew Miller

Township Manager, Tony Miller  
Police Chief, Steve Lutz  
Public Works Director, Scott Getgen  
Wastewater Services Coordinator, Brent Zeiders  
Township Comptroller, Jane Deamer  
Zoning Officer, Jeff Martz  
Engineer, Bill Rudy  
Fire Chief, Gary Hatterer

**Public Comments**

Presentation by Jeff Rehmeyer, Attorney with the CGA law firm in York, along with John Runge Jr. President of Gordon L. Brown and Associates., on behalf of their client Jay Patel and his entity (Mr. Patel is the current owner of two businesses located in the Township – Taco Bell and KFC). Mr. Patel is interested in purchasing property located in the Township at 655 Red Mill Road. The property is currently zoned Residential Holding. They are asking to rezone the area for Residential Growth because they are interested in building both multi-family (approximately 100-120) and single-family homes (approximately 60). They explained that the change would give them additional density, which would result in a smaller building envelope and permit them to increase the number of potential homes. This is critical because in order to get public sewer there, to actually develop the property, is going to be obviously serious costs associated with it so they want to try to want to maximize as much as they can the density on the property, within reason, abiding with the Township Ordinances. They added that they have already met with the Townships Zoning Offer and Engineer, but wanted to get a feel from the Board, to see if they would be receptive to their proposal, and then possibly move forward with a formal request for the rezoning.

The Board was receptive to the rezoning; however, they did state that any infrastructure (i.e. road improvements) should be the responsibility of the developer.

Township Manager Miller stated that the Public Participation Rules for tonight's meeting – as posted on the website; the Board as approved to have public participation in person. One person at a time. In order to speak, that deadline to notify the Township Manager is noon, the day before the meeting. You will need to provide your name and cell number. It will be on a first come first serve basis. You will stay in your car and then called to come in. You will have your temperature taken, a few questions will be asked, and then you are free to come in and speak. Per the Participation Policy, we want to keep the traditional 5 minutes per public comment. You would then exit and the next person would be called.

## **Minute Approval**

MOTION by Supervisor Cook to approve the meeting minutes from the Budget Workshop on October 20, 2020; the BOS Monthly meeting on October 27, 2020, and the Budget Workshop on November 10, 2020. The motion, seconded by Vice Chairman Kauffman, carried unanimously.

## **REPORTS**

### **Public Works – Scott Getgen**

Director Getgen gave an overview – dirt roads, too dry to do anything to, but getting cooler nights and rain so the moisture will help them to start back on them. Replacing road signs, still boom mowing and now blowing leaves. Reminded the public that they do not collect leaves and have been receiving complaints from residents when the leaves are blown out of the gutters by the Highway Department, they are complaining the leaves are in their yard again. His department does try their best to idle the tractor down, so they don't blow and put them on their porch. His Department is only trying to get them out of the gutters.

Salt brine equipment was delayed until December 8, 2020, to have it delivered to us.

We are saving on our propane since the installation of the garage door.

Sanger Lane, old piece of concrete, 16' wide; falling apart for years; Highway Department overlaid the Lane with a scratch coat just for the winter.

### **Police Department – Chief Lutz**

Police Chief Lutz stated that in his report the dept handled 949 calls for October 2020. 2 Burglary, 13 Thefts, 1 Motor Vehicle Theft, 6 Drug Offenses, 8 DUI's, 3 Simple Assaults, 1 Sexual Assaults, 4 Domestic Related Harassments. 9 other Harassments, and 23 all other offenses. Additionally, officers responded to and investigated 879 other calls for service including 28 domestic related incidents and 22 traffic accidents. They issued 35 traffic citations, 81 warnings, issued 11 non-traffic citations and made 27 misdemeanor/felony criminal arrests.

Additionally, vehicle car 43 was place on the Municibid. The auction ends around 2<sup>nd</sup> week of December. Info was provided on the Goldsboro contract, which they signed, he is still waiting on information from York Haven and Lewisberry, regarding their contracts. October 27<sup>th</sup> and 28<sup>th</sup>, two officers conducted DOT inspections, to keep their certification up to date. No weights were checked during the inspection. It was also noted that the certification is not required by law; however if they are certified; they have to do so many inspections per year in order to keep their certification.

The RV recently purchased was paid for through TEAM, however the revamping, countertops, etc. were paid for out of the Building maintenance and other line items, for the Police Department.

### **Fire Department – Gary Hatterer**

Chief Hatterer had nothing to add to his submitted report. The BOS did ask about their supply of PPE for Co-Vid and Chief Hatterer responded that the county has been provided them with plenty of suits, masks, face shields, gloves.

### **Zoning Department – Jeff Martz**

Zoning Officer Martz had nothing to add to his submitted report.

### **Solicitor – Andrew Miller**

Solicitor Miller had nothing to add to his submitted report. However he did request an Executive Session to discuss a real estate matter as well as to discuss a zoning appeal that is pending.

### **Engineering – Pennoni Associates**

Engineer Bill Rudy stated that items in his report would be discussed under Old Business during this meeting.

### **Sewer Department – Brent Zeiders**

Wastewater Services Coordinator, Brent Zeiders had nothing to add to his submitted report.

### **Township Manager's Report – Tony Miller**

Manager Miller mentioned that the office is closed on Thursday and Friday for Thanksgiving, will reopen on Monday, 11/30/20.

### **Treasurer's Report – Jane Deamer**

Comptroller, Jane Deamer had nothing to add to her submitted report.

## Supervisor's Report

The Board discussed no longer having the voting polls at the Newberry Township Building.

MOTION by Supervisor Cook to authorize the Township Manager to send correspondence to the County, notifying them that they want to take the polling place out of the Newberry Township building. The motion, seconded by Vice Chairman Kauffman, carried unanimously.

## Old Business

- Resolution 2020-21 – Dedicate Hunters Chase Phase III

Engineer Bill Rudy stated that all of the required inspections were completed, and it is ready to go for dedication. Solicitor Miller stated that he had received the maintenance bond from the developers, so the Township now has it, and it has been reviewed and Engineer Rudy approved the amount of the bond.

MOTION by Vice-Chairman Kauffman to adopt Resolution 2020-21. The motion, seconded by Supervisor Cook, carried unanimously.

## New Business

- Snow Plow Bid approval

Township Manager Miller advised the Board the results of the snowplow bid which ended on November 12, 2020 at 9:45am. The Township Manager Miller and Public Works Director Getgen reviewed all of the bids. Firewood Extractors, 355 Hemlock Lane, Etters, PA - bid F450 at \$125.00/hr; F550 at 125.00/hr; P S Hill Landscaping, 750 Sheepbridge Road, York Haven, PA – bid Massey Ferguson 4233 tractor with plow at \$135/hr; Crumling Excavating, 40 Shady Lane York Haven, PA - bid 2 John Deere tractors at \$150.00. Crumling Excavating was disqualified due to not providing Workers Comp or Umbrella Insurance and, they did not sign or witness the bid.

MOTION by Vice Chairman Kauffman to accept the bids from Firewood Extractors and P S Hill Landscaping for snowplowing. The motion, seconded by Supervisor Cook, carried unanimously.

Vice Chairman Kauffman requested that the Township Manager contact Henkel and McCoy to confirm that that the Township is still at the top of their list, in case we get a large storm.

**Payment of Bills**

MOTION by Supervisor Cook to approve the payment of bills. The motion, seconded by Vice Chairman Kauffman, carried unanimously.

**Executive Session**

Chairman Kirkpatrick stated they discussed some personnel matters and some real estate issues.

**Adjournment**

MOTION by Vice Chairman Kauffman to adjourn the meeting at approximately 8:50 p.m. The motion, seconded by Supervisor Cook, carried unanimously.

Respectfully Submitted,

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Tony Miller, Secretary