

**NEWBERRY TOWNSHIP BOARD OF SUPERVISORS**

**Monthly Meeting**

**July 27, 2021**

**6:00 p.m.**

**Call to Order by Chairman Mario Eckert**

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

**Attendance**

Chairman, Mario Eckert  
Vice-Chairman, Maxine Kauffman  
Supervisor, Clair Wintermyer  
Supervisor, Dave Kirkpatrick  
Supervisor, Brandt Cook  
Township Manager, Tony Miller  
Engineer, Bill Rudy  
Solicitor, Andrew Miller

Police Lieutenant, Braxton Ditty  
Wastewater Services Coordinator, Brent Zeiders  
Township Comptroller, Jane Deamer  
Fire Chief, Gary Hatterer  
Zoning Officer, Marcus Brandt  
Police Chief, Steve Lutz  
Public Works Director, Scott Getgen  
Wastewater Coordinator, Brent Zeiders

**PUBLIC COMMENTS**

Kari Lawman, 895 Valley Green Rd: Kari said she came to a prior meeting regarding the unpaved portion of Valley Green Rd. She said the sign they put out for the traffic study only worked 48-72 days. The average speed on the road showed 17mph, but the speed limit is 35mph. She asked the board why the speed limit is higher than the average speed on the road. Chairman Eckert said to Ms. Lawman that the last time she spoke to the board she was talking about the speeding on the road. Ms. Lawman said she requested a traffic study for the road, not just a speed study. The road is narrow and is used frequently. Chairman Eckert said the board will address the condition of the road as well. Ms. Lawman brought up an issue where she has called the Police Department regarding a man riding on his lawnmower down Yocumtown Road, and the Police Department did not come out to speak to the man. Chairman Eckert asked if there was any video or photos. Chairman Eckert said they will investigate this, and if she is able to catch them in the act it will help them.

Konstantinos G Sgagias, 116 Mountain View Dr: Konstantinos also owns 964 Old Rossville Rd where Progressive Auto is running a Junk Yard. He said he has been trying to get rid of the person who is trespassing on his property and running a business since 2019. Solicitor Andy Miller said he has been involved with this situation. He said the former owner has not left the property after it was sold at a tax sale, and it's to go to the Supreme Court to decide who owns the property. This is still in litigation.

## **PUBLIC COMMENTS cont.**

Josh Erdman: Josh is a Paramedic with Newberry EMS. He is questioning why Newberry Township is doing an RFP for EMS Services for the Township. He said the contract has been held by Newberry Fire and EMS for years and are highly equipped and trained. He explained if it's due to budgets, he believes there are other places where money can be cut. Other budgets have increased but contributions to the fire departments have decreased, and EMS contributions have stayed the same. Josh said the Federal money the Township is receiving belongs to Fire and EMS. Vice-Chair Maxine Kauffman asked if there is a signed contract because the Township does not have one with Newberry EMS.

Matt Warner, a paramedic with Newberry EMS, confirmed there has never been an official contract. Matt explained about the third-party billing reimbursement received and most of it does not cover the cost to run the department with how expensive the equipment and medication is. Mr. Warner said the department has a great reputation with the community. Chairman Eckert said the Township is growing and they need to take the safety of the residents into consideration and does not discount the service Newberry EMS provides. Chairman Eckert said the current EMS is providing service to York Haven and Goldsboro with no contract as well. Josh Erdman said the Police Department provides services to these boroughs with no paid contract as well. Chairman Eckert confirmed that the Police Department does have contracts with the two boroughs and are receiving payment for the services. The Board of Supervisors confirmed the level of care provided to the residents is looked at as well as cost.

Mike Krone, 170 Bobby Jones Drive: Mr. Krone said he was at last month's meeting to discuss the disorderly conduct ordinance. He said it would be discussed at the July 27<sup>th</sup> meeting, but the Ordinance is not on the agenda. Township Manager Tony Miller said he reviewed the minutes, and they reflect that the Solicitor was going to review the Ordinance and it was not noted it would be discussed at the July 27<sup>th</sup> meeting. The Solicitor Andrew Miller said Doug Myers has not finished reviewing it.

Mr. Krone wanted to remind the board that they are elected officials, and they work for the residents. He said the Tax Collector sent a letter warning the residents of where their tax dollars are being spent. The board of supervisors did not receive this letter within their tax bills like other residents. Vice-Chair Maxine Kauffman said everything at the Township is an open book. Mike said something must be going on in the Township for the Tax Collector to leave after 27 years. Chairman Eckert said the position of the Tax Collector is to collect the taxes and not to have a position where they believe the tax money should be spent. Vice-Chair Kauffman reiterated to Mr. Krone that anything he wants to know he can come in because they have nothing to hide. Supervisor Wintermyer asked if Mr. Krone has any specific spending of the tax money, he is worried about. He brought up the money that is being contributed to Newberry EMS. Chairman Eckert deemed Mr. Krone's time was up for public comment and asked for him to be removed.

Township Tony Miller said he did not receive any written public comment for the meeting.

### **Minute Approval**

MOTION by Supervisor Kirkpatrick to approve the meeting minutes from June 22, 2021 Board of Supervisors meeting, June 22 BOS Public Hearing, and June 29 Dangerous Structures Hearing. The motion, seconded by Supervisor Cook, carried unanimously.

## **SUBDIVISION PLAN REVIEW**

### **1626 Ernie Road**

Greg Condon asked the board if they have any questions regarding the Subdivision that is turning one lot into two. Greg explained the history of the property owned by Brandt Fink. Engineer Bill Rudy spoke and said the Planning Commission approved the plans and waivers for the subdivision.

MOTION by Supervisor Cook to approve the waivers. The motion, seconded by Chairman Eckert, carried unanimously.

MOTION by Supervisor Cook to approve the plan with confirmatory deeds. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

## **REPORTS**

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

Chief Lutz reviewed the report he submitted to the board. Chief reminded the residents that August 3<sup>rd</sup> is National Night Out at BAPs Speedway. On September 24<sup>th</sup> is the Police golf tournament at Valley Green Golf Course that benefits the TEAM program. One major incident in the Township for the month was the train derailment. Several local agencies worked together on this incident.

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

Chief Hatterer submitted a report to the board. Chief Hatterer spoke about two awards that went to Fire and EMS workers. Gary asked where they were at with the traffic study at Yocumtown Rd and Red Mill Rd intersection. Engineer Bill Rudy said they received the report and will be using that to write a letter to PennDOT. Gary brought up the utility poles and when they are down, it takes days to have them removed/replaced. Public Works Director Scott Getgen said the issue is Frontier. Until Frontier moves their lines, the cable will not remove theirs. Scott said he has a contact at Frontier he can spoke to regarding the poles. Solicitor Andy Miller asked if anybody has contacted PUC since they have jurisdiction. Tony Miller will send a letter to PUC requesting help with Frontier. Gary spoke about enforcing the house number ordinance and street labeling at the Mobile Home Parks. Supervisor Kirkpatrick told Gary to work with the Zoning Officer Marcus Brandt on enforcing the ordinances. Vice-Chair Kauffman asked Gary to give the board the potential cost of a rescue truck. With the board looking into how to spend ARPA money, Vice-Chair Kauffman wants to entertain purchasing a rescue truck for the Fire Department.

**Solicitor – Andrew Miller**

Solicitor Andy Miller submitted a report to the board. Supervisor Kirkpatrick asked Andy Miller if the noise ordinance can be ready to review for next month’s meeting. He will have them on the August report.

**Engineering – Pennoni Associates**

Engineer Bill Rudy submitted a written report to the board.

**REPORTS cont.**

**EMA - Tom Alstead**

Tom Alstead submitted a written report to the board.

**Highway- Scott Getgen**

Scott Getgen submitted a written report to the board.

**Zoning Officer- Marcus Brandt**

Marcus Brandt submitted a written report to the board.

**Sewer – Brent Zeiders**

Brent Zeiders submitted a written report.

**Township Manager’s Report – Tony Miller**

Manager Tony Miller submitted a written report. Tony Miller reviewed the money being collected in delinquent sewer and refuse bills. Courtesy letters were sent out in June for unpaid sewer bills that exceeded \$400.00 which resulted in collection of \$ 26,189.31. The Dodge trucks for the highway were unable to be ordered due to a shortage of chips, but ordering is now open and available. Tony will be getting updated quotes.

**Treasurer’s Report – Jane Deamer**

Jane Deamer submitted a written report to the board.

**Supervisor’s Report**

None

## OLD BUSINESS

### Township Multi-Use Public Services Building

Lieutenant Ditty and Chief Lutz did a presentation on the need for a new police building. The slide show consisted of pictures from the current Police Department, and they gave explanation for each area of the station. The current building was built in the 1960's and housed the Township building and Police department with 4 police officers. Currently, usable office space is 956 square feet. The entire building, including garages is 2,500 square feet. There are 18 officers and 2 full-time administrative assistants. The Newberry Police Department is an accredited department and has been for 15 years. There are 130 standards that must be met to be accredited. Space is very limited within the building for the officers to meet with residents in a safe and secure manner. There is also limited space for records that must be kept. Currently there is no shower in the locker room due to the need for more lockers. Water is getting into evidence storage and could cause damaged to crucial evidence needed. The police vehicles are not secure and are in an open parking lot. Because of this, there has been damage done to the vehicles. The computer server room has no ventilation and has caused equipment to overheat and break. Chief Lutz said the department would like to grow in the community and have a place where they can host events for kids or training for the officers.

Resident Mike Krone asked if the department is allowed to store their records digitally. Chief Lutz said some records can be kept digitally, but there are types of records that have to be kept non-digital.

Resident Kari Lawman asked if the department has any female police officers and how would they accommodate them. Chief Lutz said currently there are no female officers, but there have been in the past. There is a female locker room that has a stale and a shower, but the shower does not work.

Someone in the General Public asked on average how many officers are on duty at the same time. Lieutenant Ditty said potentially 7 at a time with an overlap for shift change. The question is asked if they believe they have enough officers. Chairman Eckert said they are now up to 18 officers. Chief Lutz said that the studies to show how many officers needed use different methods/math to determine the numbers of officers needed.

Chairman Eckert said there will be a workshop meeting on August 10<sup>th</sup> for the public to come and ask questions regarding the new building. The board received quotes from Pennoni Engineering and Lobar. The CARES act money will cover the cost for design on the building.

**MOTION** by Vice-Chair Kauffman to approve the Lobar and Pennoni agreements. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

Tony Miller went over the Pennoni Engineering proposal. He has spoken to Salazar & Associates to help with the Grant writing. The Township currently has a bond that the last payment will be made in July of 2022. The budgeted money for that bond could be used for the new building financing with no negative effect on the budget. There is also good financing right now with USDA.

Vice-Chair Kauffman confirmed that with the bond money they will not have to raise taxes for the residents to fund the project.

### **End Declaration of Disaster for the Pandemic**

MOTION by Supervisor Kirkpatrick to end the Declaration of Disaster for the Pandemic. The motion, seconded by Chairman Eckert, carried unanimously,

## **NEW BUSINESS**

### **Valley Green Golf Course/use of discharge**

Bill Grove representing Valley Green Gold Course came to discuss the water supply needs for the irrigation. The course is around 60 years old and has always had in issue with water supply to keep the grass green. Currently the storage ponds they have are getting the water from a nearby stream by pump. Bill Grove is looking to work with the Township to use the treated/inspected discharge water from the Sewer Plant. They are also looking to build a pond on the Fox Farm. Bill Rudy said a preliminary proposal can be made if the board is interested. DEP would need to be met with regarding the discharge permit.

MOTION by Supervisor Kirkpatrick to approve the Engineer, Township Manager, Wastewater Coordinator, and Solicitor to work with Bill Grove on the proposal. The motion, seconded by Supervisor Cook, carried unanimously.

### **Junkyard Applications**

Zoning Officer Marcus Brandt spoke about the junkyard applications. All applications have been received and fees have been paid. He recommends not to approve Progress Auto due to no inspection yet and the rental agreement has not been received.

MOTION by Chairman Eckert to approve the Junkyard Applications except for Progress Auto. The motion, seconded by Supervisor cook, carried 4 ayes. Supervisor Wintermyer recused himself from the vote.

### **Prior Refuse balance for 2930 Lewisberry Rd**

Tony Miller received a letter requesting relief on an older refuse bill. There was no service rendered at the time due to owner passing away, and the family who bought it did not live in the office. Vice-Chair Kauffman said prior the Township never approved these types of situations

MOTION by Supervisor Kirkpatrick to not approve the refuse bill relief request. The motion, seconded by Vice-Chair Kauffman, carried with 4 ayes and 1 nay by Supervisor Wintermyer.

### **Veolia Joint Application for Suez acquisition**

The Township has been notified that Veolia is acquiring Suez water.

### **Appointment of Alternate Codes and Zoning Officer**

MOTION by Chairman Eckert to appoint Laura Kauffman as the Alternate Codes and Zoning Officer. The motion, seconded by Supervisor Kirkpatrick, carried unanimously.

## **NEW BUSINESS cont.**

### **Fireworks**

Several residents complained about the use of fireworks. The Township currently follows the state guidelines for fireworks. Chief Lutz said it's difficult to enforce proper firework use. He said a lot of the times when they go to a property on a fireworks call, by the time they get there it's cleaned up.

Chairman Eckert believes the Township currently does not need to change how they are handling fireworks.

### **Red Land Patriot Youth Football Camp Donation**

There is currently \$500.00 in the budget allocated to this donation

MOTION by Vice-Chair Kauffman to approve the \$500.00 donation. The motion, seconded by Chairman Eckert, carried unanimously.

## **NEW BUSINESS cont.**

### **Release of Suez Bond for Barbara Lane**

Bill Rudy said this bond was for the Suez waterline work. They were out and inspected the road.

MOTION by Chairman Eckert to release the Suez Water bond. The motion, seconded by Supervisor Cook, carried unanimously.

### **EMS Request for Proposal**

MOTION Chairman Eckert to approve the advertisement for the RFP for EMS Services. The motion, seconded by Supervisor Cook, carried unanimously.

## **PAYMENT OF BILLS**

MOTION by Vice-Chair Kauffman to pay the bills. The motion, seconded by Chairman Eckert, carried unanimously.

## Public Comment Continued

Debra Popp, Township Tax Collector: Debra Popp said the letter she sent to the residents was paid by her. She said she had no agenda for the letter and taxpayers should know where their tax dollars are being spent. This letter was sent with the school tax bill. Chairman Eckert said the board has done their effort to make sure the taxpayers' dollars are spent correctly. Chairman Eckert read part of the letter to get clarification on her intention for sending the letter.

## EXECUTIVE SESSION

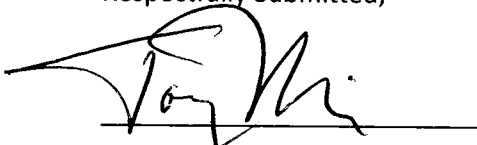
The Board went into Executive Session at 8:05pm and returned at 8:58pm. Chairman Eckert announced the board discussed personnel issues and the insurance broker. The board decided to change the insurance broker of record from Kochman Insurance to Murray Insurance.

MOTION by Chairman Eckert to accept Murray is the Insurance Broker of Record. The motion, seconded by Supervisor Cook, carried unanimously.

### Adjournment

MOTION by Supervisor Cook, seconded by Supervisor Kirkpatrick. Meeting adjourned at 9:00PM.

Respectfully Submitted,



Tony Miller, Secretary