

MINUTES
New Holland Borough Council
March 1, 2016

New Holland Borough Council met in regular session on Tuesday, March 1, 2016 at 7 p.m. Members present were: President Donald J. Herrington, Vice-President Todd C. Burkhart, Terry S. Mohler, James S. Bailey, John A. Styer and John A. Armbrust. Member Patrick K. Morgan was absent. Also present were Manager/Secretary J. Richard Fulcher, Solicitor Bradford J. Harris, Mayor Wilbur G. Horning and Police Chief Donald L. Bowers, Jr. Others in attendance included Borough water consultant Jeff Bologa of Becker Engineering, Borough planning consultant Darrell Becker of ARRO Consulting, Borough resident Bill Kassinger, who is also current Chairman of the Borough's Planning Commission, and other residents Diana Morgan and Jennifer Gehred, representatives of developer Garden Spot Village Craig Smith of RGS Associates, Steve Lindsey, CEO of Garden Spot Village, and reporter Dave LeFever.

President Herrington opened the meeting, asking for action on the Minutes of Council's prior meeting.

Terry Mohler made the motion that the Minutes of Council's last meeting of February 2, 2016 be approved as distributed. This was seconded by Todd Burkhart and passed.

John Armbrust made the motion that the monthly Financial Report be accepted and the bills paid as prepared. This was seconded by John Styer and passed.

Police Chief Bowers then reviewed his monthly summary Report of Department activities. Reportable accidents in the Borough were down during the past month. Officer Custer attended a county Rescue Task Force seminar as well as a Defensive Tactics seminar for the SERT Team. Officer Achenbach attended the required Advanced SRO Certification course. Officers Fritz and Specht participated in a Blue gun/room entry tactics course provided by Officer Custer. The Department received an "Atta Boy" letter from the Assistant District Attorney regarding the quality of the DUI arrest reports from the Borough. He attended a tour of the engineering facility at local industry CNH by invitation from resident Bill Kassinger who is an engineer in the facility. A Thank you was received from Tyson to Lt. Heisse for his assistance with six Active Shooter trainings at the facility. He also wants to recognize local Fire Police Captain Norman Brower and Fire Police Lt. John Fischer for their time assisting with traffic and all the activities at the White Horse Fire Company related to the tornado damage recovery efforts taking place in that area. The Department also received a good audit of its statewide records keeping system, known as C.L.E.A.N.

This is a credit in part to Department Administrative Assistant Hagey. Officer Young is the Department's designated Tac Officer for this system.

Personnel Chairman Styer, reporting for the Personnel and Finance Committees, noted that there were no items for action this evening.

Property Chairman Bailey reported there were no action items for presentation this evening; however, he notes for information purposes that the large dumpster that was on the drive on the west side adjoining Groff Memorial Park has been removed along with the old deteriorated shed. Through the assistance of the Borough office and a town resident, the shed was able to be hauled away by a local shed building firm at no charge. They then refurbish them to assist local community church member needs.

Water/Wastewater Chairman Armbrust reported there were no items for Council action this evening.

Streets Chairman Mohler presented the first Streets related item for Council consideration this evening. This involves the request of Garden Spot Village for consideration of the Preliminary and Final Plan for 27 single family dwelling units for a 55 and older private community to be called Sycamore Springs; with this Plan being the first phase of two planned on their property in the Borough. The parcel is between South Kinzer Avenue and Brimmer Avenue. Phase I is to be on the west side of South Kinzer. He noted that planning consultant for Garden Spot Village, Craig Smith of RGS Associates is here this evening. He then invited Mr. Smith to review the Plan with Council.

Mr. Smith (utilizing a sketch of the proposed development) stated that along with the 27 dwelling units, there are planned to be two small community buildings for use by the residents. This development is modeled after what are referred to as "Pocket" neighborhoods, with the front porches facing their neighbors across the common green area in their front. The main entrance is to be Linden Drive extended directly across South Kinzer Avenue to the new development. There is now only one other point of egress added to South Kinzer. This is due in large part to the elevation difference in the northeast corner of the parcel and the remainder of the development to its south and southwest. This drive is to only serve the four units at the high elevation point. There is a walking path extending from the new five foot sidewalk along South Kinzer Avenue, which is to be eight feet wide and also be able to be used by emergency vehicles if necessary. It will have easily removable bollards behind the sidewalk along South Kinzer, which can be quickly slipped off in an emergency. There is a Left Turn Lane planned to be added on South Kinzer established at Linden

Drive for traffic going south on South Kinzer. The water will be provided from the Village's existing meter on the east side of South Kinzer. The sewer for this phase due to elevation will utilize a private pump station.

Councilman Bailey inquired about the service capacity of the Borough's wastewater plant. He also wants to be sure that the stormwater collection system is large enough so there are no problems in heavy rains like occurred along West Conestoga Street in the Borough due to some downstream flow issues.

Manager Fulcher reported that on a normal flow day, the plant handles about 900,000 gallons of waste per day. It has an approved designed/treatment capacity of about 1.33 million gallons per day, so this development request is not a concern. The developer still has some collection capacity testing to do for the Borough, but it does not affect plant capability.

Councilman Burkhart noted that both the pump station and the stormwater collection and control elements are to be owned and the responsibility of Garden Spot Village; and they have to be designed to all current regulations.

Mr. Smith then continued, noting the cul de sac identified and which is a part of the Waiver requests due to its initial long extended length. This is planned to become a traffic circle when Phase II proceeds. The stormwater system based on the serious geologic sinkhole concerns, will be using a two basin system. The system is designed as required for the 25 year storm. The first is the main filtration point before it then flows to the second basin for proper release. Earl Township has deferred this subdivision review to the Borough, except for their final review and approval of the stormwater plan, which they will be reviewing with them over the next few weeks.

Borough Planning Commission Chairman Bill Kassinger noted a few items related to the development that relate to the topography of the parcel involved. There are some steps and walls included to deal with the elevation changes involved. They will be relocating the initial south border of the creek's 100 year flood plan at some points by decreasing its width by a few feet; along with including additional buffering and some rain gardens. Though the walking/emergency access trail will be along the upper level of the flood plain, they have addressed any concerns with the closest structure by having it at least two feet above the flood plain line. The four units on the separate drive along South Kinzer Avenue are planned to have underground/lower level garages. (Mr. Lindsey noted that these units will have an elevator lift to the upper level from the garage). The Village plans to allow parking along much of the new extension of Linden Drive and the outline of the dwelling structures are not

absolute as they will be designed in more detail depending on purchasers' preferences. The Planning Commission had good review discussion with the developer and he feels some adjustments were made to make it a very good plan. The Commission also closely reviewed the Waivers requested with its engineers and has no issues with them and in forwarding the Plan to Council, recommends approval.

Borough Planning consultant Darrell Becker reported that his last formal letter of comments was for the developer to address 26 items. Six of them related to state permits which have to be obtained before they can proceed. The rest related to administrative type modifications and the six Waiver requests. As long as they meet the final items they are working on prior to signatures, as noted by Chairman Kassinger, he also recommends Council approve the Plan with the Waivers requested.

Chairman Mohler then made the motion that Council approve the Plan of Garden Spot Village for a 27 separate unit, 55 and older community, called Sycamore Springs, contingent upon completion of all outstanding items and receipt of permits; as well as granting the six Waivers requested. These Waivers are:

1. Approval of the Plan as a Preliminary and Final Approval;
2. Approval of submittal of the Plan at a scale of 1" = 20'; (provides greater detail), instead of normal 1" = 50';
3. Allow use of (temporary) Cul de Sac of @750', which exceeds the maximum of 500';
4. Allow roof drains to connect to storm sewer collection pipes; with some release to vegetative areas;
5. Allow smaller pipes than the required 18" for collection of various sections of smaller stormwater flows;
6. Allow use of Riparian corridors/areas as proposed, along the stream bank.

This was seconded by Todd Burkhart and passed.

Steve Lindsey stated his appreciation to Council and the Planning Commission. He believes the good dialogue with the Borough's Planning Commission in reviewing the plans has helped create a good plan.

Chairman Mohler made the motion that Council award the bid for the planned 2016 street overlay work to the low bidder, Lyons & Hohl, at a cost of \$175,782.50. He noted that four bids were received and publicly opened on the 24th. Jim Bailey

seconded the motion. In response to a question, Manager Fulcher noted that the major street overlay work for this year is planned for: Fulton Street, west from South Railroad Avenue approximately 675'; Earl Avenue, East Broad Street, west from North Roberts to North Custer, and Towne Centre Lane, and the 300 block of West Conestoga Street. The motion then passed.

Chairman Mohler, first noting that the requesting party is responsible for obtaining proper signage and Police and Fire Police traffic control, made the motion that the following requests for street closing and use be approved; this is for the closing of East Jackson Street, from South Kinzer, east to Park Avenue for the:

1. NH Band Antique Car Show: Sun, July 10, 9 a.m.-4 p.m.
2. BBQ Fest: Friday, August 26, 4 p.m.-9 p.m. (if necessary) and Sat., August 27, 9 a.m.-3 p.m.
3. NH Summer Arts Fiddler's Picnic: Mon, Sept. 5; 10 a.m.-7 p.m.

The motion was seconded by Jim Bailey and passed.

Chairman Mohler then made the motion that the request of the New Holland Farmers' Fair for the street use and closures for its annual Fair and Parade be approved. This involves for its Fair: Tuesday, September 27, 1 p.m. to Sunday October 2, 8 a.m. Main St.—Railroad, w. to Custer, N. Roberts to Broad, S. Roberts and Franklin, between S. Roberts and Railroad. Parade: Wednesday, September 28, 6 p.m.-10 p.m. Jackson, from S. Ranck, w. to S. Custer, n. to Broad St., e. to N. RR, s. to Main, e. to S. Kinzer. The motion was seconded by John Styer and passed.

Mayor Horning reported the fines received through the Police Department last month as: \$1,427.57 from the District Justice's Office; \$375 from copies of Accident Reports; and \$30 in parking fines. On a community activity related matter, he noted that resident Allison Cuthie who oversees the Banner program in the Borough reports they will be having a ceremony on May 28th for the unveiling/recognition of the second period of Banners. This series is allowed to include Banners honoring Emergency Service providers. The Borough is allowing the ceremony on Towne Centre Green. She reports that over 160 banners have been ordered for within the Borough at this point. The ordering period has officially ended.

There being no further business nor public comment, President Herrington announced that Council will now convene into a brief Executive Session for the purpose of discussing a police personnel issue. He invited those present to return to the meeting when Council returns back to regular session.

The members then convened into Executive Session. Those in attendance included all Council Members except Patrick Morgan, who was absent; Solicitor Bradford J. Harris, Manager/Secretary J. Richard Fulcher, Mayor Wilbur G. Horning and Police Chief Donald L. Bowers, Jr.

Following Executive Session discussion of a police officer personnel issue, the members reconvened back into regular session.

President Herrington noted that Council is considering a recommendation from the Chief of Police that Officer Wendell Metzler be suspended without pay from his employment as a New Holland Borough Police Officer, for a period of one day.

Councilman Mohler made the motion that Council accept the Chief's recommendation and that the Borough suspend Officer Metzler's employment as a New Holland Police Officer for one day without pay. Councilman Burkhart seconded the motion; and requested a roll call vote.

President Herrington asked if there were any discussion on the motion; in hearing none, he then proceeded with a roll call vote. The vote was:

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| John Styer—Yes | John Armbrust—Yes |
| Jim Bailey—Yes | Terry Mohler—Yes |
| Todd Burkhart—Yes | Don Herrington—Yes |

The motion passed.

President Herrington noted that the Chief will proceed to so notify Officer Metzler in writing of this action.

There being no further business or public comment, the meeting adjourned at 8:13 p.m.

April 5, 2016
Date Approved