

MINUTES  
New Holland Borough Council  
April 2, 2019

New Holland Borough Council met in regular session on Tuesday, April 2, 2019 at 7 p.m. in Borough Hall. All members were present: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, James S. Bailey, Terry S. Mohler, John A. Styer and Abby L. Keiser. Also present were Manager/Secretary J. Richard Fulcher, Solicitor Bradford J. Harris, Police Chief William D. Leighty and reporter Carole C. Deck. Others in attendance included: water consultant Jeff Bologna of Becker Engineering, Tracey Rash of the audit firm Maher-Duessel and residents Bill Kassinger, Mike Kurtz, Diana Morgan, David Kurtz, Ken Wright and Mike Ireland.

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

Jim Bailey made the motion that the Minutes of Council's meeting of March 5, 2019, be approved as distributed. This was seconded by Todd Burkhart and passed.

Abby Keiser made the motion that the monthly Financial Report be accepted and the bills paid as prepared. This was seconded by Terry Mohler and passed.

Finance Chairman Morgan reported that a representative of the auditing firm currently utilized by the Borough, Maher-Duessel, Tracey Rash is here this evening to review the 2018 audit for the Borough's general and enterprise funds.

Ms. Rash began by noting that as Council may be aware, the Audit format is on the form as required by the PA DCED, which emphasizes funds in general categories. Municipal operations utilize a cash basis of accounting, not the business standard of an accrual basis. There were no adverse findings and the Audit received the highest rating of Unmodified Opinion. There were one-time major expenditures related to the expanded police department project in 2018. 2018 was a bad year for earnings in the Police Pension Fund, dropping about \$600,000, after earning over \$1.3 million in 2017; 2019 has so far been an overall positive period. As usual two letters are provided with the Audit. One outlines the Audit process. The second involves the standard auditor's review of the Borough's internal controls over financial procedures. It is not to provide an audit opinion but to identify areas where there is a possibility for financial process concerns over the separation of

duties. The main element recognized concerns the bank reconciliation process. Only one administrative staff person is responsible for this step. This situation increases the risk of fraudulent activity. She noted that this is a normal situation in smaller municipalities, but they are required to note it under the review process. She also stated that the Borough's staff and records were in good order, readily available and accessible for the audit.

Chairman Morgan thanked Ms. Rash for the good report and noted the item related to the responsibilities and processes of a small staff is an organizational element Council is aware of and reminded of by each audit. He then made the motion Council accept the 2018 Audit Report as prepared by Maher-Duessel. This was seconded by Terry Mohler and passed.

Chairman Morgan next made the motion that Council approve the first half payment of the budgeted contribution to the ELANCO Library, in the amount of \$7,750. This was seconded by John Styer and passed.

Police Committee Chairman Burkhart stated that before the Police related items he wants to recognize and thank the administrative staff and Manager Fulcher for their good financial oversight and having things in good order for the auditors.

Police Chief Leighty then reviewed his monthly summary Report of Department activities. There was a total of 309 incidents involving 14 arrests of which 6 were felonies or misdemeanors. There were four DUI arrests. There were six reportable accidents and five non-reportable; 62 Traffic Citations and 14 Warnings. All three of the juvenile contacts were referred to District Court. As usual the summary of main community events involving himself or the officers is on the third page. Also this evening, on behalf of the Mayor who had to be absent, he reported the monies received through the Department the past month were: \$1,138.71 from the District Justice's office; \$255 from copies of Accident Reports; and \$50 from fingerprinting.

Chairman Burkhart stated that, as noted in the past, the work of the officers involving DUI violations is appreciated.

Chairman Burkhart then made the motion that Council approve the 2019 Animal Control Agreement between the Borough and the SPCA; noting the cost per dog is going from \$25 in 2018 to \$50. This was seconded by Patrick Morgan and passed.

Member Keiser stated she has had people ask her about what to do with no longer used diabetic needles; as those are not supposed to be included in the drug drop-off container.

Chief Leighty replied that if a person calls the station, if they do not have too many, they can make arrangements to drop these off and an officer will handle the disposal process.

There were no Personnel or Property items presented. Council member Bailey reported an item of community interest, noting that JM Lapp which bought and remodeled the former one-time sewing factory, continues to move positively in preparing the structure. The Lapp operation has moved its operations onto the site and numerous other commercial space rental areas are nearing completion.

Water/Wastewater Chairperson Keiser reported there were no action items for presentation however she has a couple of information items. On the water side, there was a leak fixed on North Kinzer on the 21<sup>st</sup>. Fortunately, it was able to be repaired without any service shutoffs. The other involves the wastewater side. On the 21<sup>st</sup> there was an intense two and one half inches of rain which ultimately caused an overflow of solids into the stream. This was reported to PA DEP by the plant supervisor as required.

Streets Chairperson Mohler reported there are two street use and closure requests presented for Council consideration this evening. The events meet the requirements of pedestrian activities on the street and over 1,000 persons in attendance at an event at peak time. He then made the motion that Council approve the request of the New Holland Summer Arts Council for the closure of East Jackson Street, between South Kinzer and Park Avenues, for its annual Fiddlers' Picnic on Monday, September 2, 2019, between 10 a.m. and 7 p.m. This was seconded by Todd Burkhardt and passed.

Chairman Mohler then made the motion that Council grant the request of the Farmer's Fair Assoc. for its Annual Fair and Parade use: Fair: Tuesday, October 1, 1 p.m. until 8 a.m. Sunday, October 6; Main St. between Custer/Main east to Railroad Ave; S. Roberts & N. Roberts, Main, north to Broad St; Franklin St. between S. Roberts, east to S. Railroad. Parade: Wednesday, October 2, 6 p.m. to 10 p.m.; Jackson St. from Ranck Rd., west to S. Custer, north to Broad St.; east to N. Railroad; north to Main; east to Kinzer. This was seconded by John Styer and passed.

Resident and ELANCO Library Board President Mike Ireland expressed his appreciation to Council for its action approving the first half payment of the Borough's 2019 contribution to the Library. As a reminder, the Library is holding a rummage sale and chicken bar b q at Garden Spot High School on Saturday, May 11. Donations are being accepted at the Library. There will be a special silent auction type event instead of the former Auction, in the fall.

Council member Styer inquired if the alley that runs between N. Custer and N. Roberts is a Borough owned street, as it is in terrible condition and numerous people have expressed concern.

Member Bailey noted he is aware of the alley and its condition as his son lives on the north side of it. Additional rainwater flows onto his backyard due to the additional parking area put in at the attorney's office at 131 West Main. Alley ownership in this location is that each adjoining property owner owns to the middle of the alley.

Manager Fulcher reported this is not a Borough property. He was informed a group of the owners along the Main Street side of the alley plan to pave the alley. If done with a proper raised center line it should improve the water flow situation for Council member Bailey's son's backyard.

Council member Morgan noted that if he understands correctly, this is private property and the Borough is not responsible.

Manager Fulcher stated, that is correct.

There being no further business or public comment, the meeting adjourned at 7:26 p.m.

May 7, 2019  
Date Approved