

MINUTES  
New Holland Borough Council  
January 7, 2020

New Holland Borough Council met in regular session on Tuesday, January 7, 2020 at 7:08 p.m. following its bi-annual Organizational meeting. Members present were: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, Terry S. Mohler, Bryant J. Glick, Michael H. Kurtz and John A. Styer who was present via phone. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender and Police Chief William Leighty.

Others in attendance included Borough water consultant Jeff Bologa of Becker Engineering, planning stormwater consultant Darrell Becker of ARRO Consulting, residents Bill Kassinger, Lino Vescovich and Mike Ireland; and Director of Development for Garden Spot Fire Rescue, Darrell Groff.

President Herrington opened the meeting, welcoming new Council members Bryant Glick and Michael Kurtz. He then asked for action on the Minutes of Council's December meeting.

Todd Burkhart made the motion that the Minutes of Council's meeting of December 3, 2019 be approved as distributed. This was seconded by Patrick Morgan and passed.

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

Police Chief Leighty then briefly reviewed his monthly summary Report of Department activities. He noted that the month of December's data was indicated, as well as the end of year totals. There was a total of 339 incidents during December. There were nine arrests, of which six were felonies and three misdemeanors (non-traffic). There were seven accident incidents of which six were reportable; 29 citations and 10 warnings. There were also two juvenile contacts, which had to be referred to District Court. As usual, page three of the Report indicates the main community events he and the various officers participated in. A random audit was recently conducted on the Department by the PA State Police, no discrepancies were found in the elements they reviewed. In response to a question, he noted that there are some other variables related to comparing the Activity information and the Incident chart.

Chairperson Burkhart congratulated the Chief on the good audit report.

Member Mohler inquired how the Click It-Or Ticket program worked out.

Chief Leighty explained that the timing of this activity was random based on the individual officer's schedule and availability. The info and report are then turned over to Penn DOT.

Chairperson Burkhart then made the motion that Council authorize the purchase of a 2020 Ford Explorer police vehicle from New Holland Auto Group, through the state bid Co-Stars program; at a projected cost of \$38,220, and a 2021 Dodge Charger police package, also from New Holland Auto Group and the state bid program, at a projected cost of \$40,215. He noted both of these vehicles were planned for and budgeted for 2020. This was seconded by Terry Mohler and passed.

Chairperson Burkhart made the motion that Resolution #508, which approves the participation of the Fire Police in non-emergency events for 2020, be approved. This was seconded by Patrick Morgan and passed.

Member Burkhart stated that in "changing hats", he wants to speak from a Borough business person's perspective. Due to increased demand at his vehicle garage business, after much review and consideration, he made the decision to go with a major expansion recently. In so doing, he went through the Borough's Building Permit process and had interactions with Manager/Zoning Officer Fulcher, Administrative Assistant Paula Walsh, as well as code inspector Pete Kinsley, of Commonwealth Inspections and a number of its other code persons. He compliments them all on how well the process and communications were handled. He feels the Borough does a good job with this and in addressing and assisting with business persons' concerns with these types of challenges.

On another matter, Member Burkhart stated on behalf of and as a member of the New Holland Business Association who volunteers with its Christmas on Main event, he extends the appreciation of himself and the Association to Manager Fulcher, Streets/Parks Supervisor Bob Buzzard and Assistant Jeremiah Petersheim and their staff, for all of the things they do for the Borough's support of the event.

Personnel Chairperson Morgan then made the motion that proposed Resolution #509, which identifies the 5 percent of the officers' cost towards the Police Pension Plan, beginning 2020 be approved. This was seconded by Terry Mohler.

It was noted this is as agreed to under the Collective Bargaining Agreement. The motion then passed.

Chairperson Morgan then made the motion that proposed Resolution #510, which is the bi-annual update of a number of miscellaneous fees charged by the Borough, be approved. He noted these are not money-making fees but help partly defray the overall cost of the activity process. A few adjusted items going forward for example are that the building permit fee when no inspections are required will increase \$5, to \$25; and a new stormwater impact fee of \$10 will apply when impervious surface is added to a property. This was seconded by Bryant Glick and passed.

Chairperson Morgan then made the motion that proposed Resolution #511 which updates the reserve fund name set aside for all of the emergency services serving the Borough, be approved. This was seconded by Todd Burkhart and passed.

Property Chairperson Styer made the motion that Council approve the use of Council chambers by the Board of the Community Memorial Park Association for 2020. This was seconded by Todd Burkhart and passed.

Water Chairperson Mike Kurtz stated he has no action items but a couple of general information items of interest. There was a somewhat major leak on Meadow Lane on January 2<sup>nd</sup>. The Water and Streets Departments' personnel were able to repair this in a timely fashion with a pipe sleeve and fortunately no Boil Water Notices had to go out. A second item is that the Ranck Road Loop Connection project has been successfully completed and following required testing steps is now on-line. This should be a major benefit to the system where it serves the customers southeast of the Borough. The final street repair work is to take place in the spring.

Streets Chairperson Mohler stated he wants to present for public hearing and comment the recommended minor modifications to the zoning ordinance recommended by the Planning Commission under sign regulations. He then requested consultant Darrell Becker to review and comment on this.

Consultant Becker first stated his thanks to Council for re-appointment as a consulting engineering service. He and the firm are grateful. He then reported that not long after Council approved the updated zoning ordinance, a discussion was held concerning the initial wording in a few of the permitted sign usage sections and possible future court challenges because of these. The Planning Commission

then reviewed these with himself, Zoning Officer Fulcher and the Solicitor to modify the wording to address any future court challenge concerns. There are no substantive changes. The modifications are to provide clearer wording, with the overall concern including protection of the historic downtown areas as well as the aesthetics of the community. In response to some questions, he noted that any currently on-record applicants are not affected; and any business sign has to be from a Borough business on land owned by the business in a Commercial or Manufacturing zoning district.

Noting no other public comment, President Herrington asked for action on the recommended and proposed zoning ordinance amendment.

Streets Chairperson Mohler made the motion, seconded by Bryant Glick, that proposed Ordinance #591, amending the sign regulations of the Borough's zoning ordinance, be adopted. The roll was:

John Styer—Yes	Bryant Glick—Yes
Mike Kurtz—Yes	Terry Mohler—Yes
Todd Burkhart—Yes	Don Herrington—Yes
Patrick Morgan—Yes	

The motion passed. Ordinance #591 was adopted.

Chairperson Mohler next made the motion that the request of New Holland Business Association to hold its 2020 Christmas on Main activity, on Saturday, December 5, 2020, and to be allowed to close Main Street between Railroad Avenue and Custer Avenue, and North Roberts Avenue, from Main, north to Towne Centre Lane, from 1 p.m. to 6 p.m.; and further to close South Roberts Avenue from 8 a.m. to 6 p.m. be granted. This was seconded by Bryant Glick. The motion then passed.

There were no Wastewater or Personnel action items presented.

Mayor Bender reported the monies received through the Police Department the past month as: \$1,076.58 from the District Justice's office; \$120 from accident reports; \$25 from fingerprinting; and none for parking fines. He noted he joins with Police Committee Chair Burkhart in congratulating the Chief and officers for obtaining such a good audit review from the Pennsylvania State Police. In a related fashion, he also commends and thanks the Borough workers, community

volunteers and businesses who helped again make Christmas on Main a successful event.

Secretary Fulcher reminded Council that for recording purposes, anytime there is a general verbal vote, unless someone states Against or Abstain, votes show as in support. There are occasions under the Ethics law where voting Against or Abstaining, when something presented meets the legal requirements or Borough regulations, the reason for voting such a way is to be publicly stated.

Library Board President Mike Ireland stated he has a few comments for Council this evening. The first is to thank and recognize Council for the continued increased annual support in the donation to the Library. The Board has acted to proceed with a contract to replace the original roof. This may entail the Library directing visitors to the Borough's baseball field parking lot, particularly a few days when extra space may be needed by the roofing contractor. The Borough already graciously allows Library overflow to use its lot but he wants to again thank Council for this use.

Darrell Groff, Director of Development for Garden Spot Fire Rescue, then presented each official with a folder of information and also made them available to the public. Utilizing the outline in the folder, he presented a brief video of the information on how he approaches business owners served by GSFR; of which there are about 400. He has been to about 200. Of the ones he has been to, about 25 percent donate to the Fire Company. He often finds a general lack of knowledge in many of those people related to all of the services the Fire Company can do for the community. In talking with these business people, he is trying to get them to incorporate regular annual donations under the concept of risk management in their budgets. It is a strong educational effort. Other types of activities are occasionally included. An example is that on March 4, he has a farm safety activity scheduled in East Earl Township, which is to include lunch and the opportunity to obtain re-certification hours for pesticide application after lunch. There are approximately 2,000 rental units in New Holland. He hopes to meet with those owners to emphasize the services of the Fire Company. His challenges include getting these businesses to continue their funding donations in an annual commitment; and to continue to communicate all the services of the Fire Company available to them. In response to a question, he noted the 25 percent response indication stated earlier was about 52 of the 400 businesses. His goal is to have those 400 businesses each donate a minimum of \$1,000 per year. In response to another question, he stated that overall in the annual fundraising campaign, about

14 to 16 percent of those receiving a mailer, donate. One big element he works at is for local officials and the public to become advocates for the Fire Department.

Planning Commission Chair Bill Kassinger stated he wants to recognize and thank consultant Becker; Manager/Zoning Officer Fulcher and Solicitor Harris for their work and assistance to the Commission in preparing the needed revisions to improve the regulations of signage under the zoning ordinance.

Water Consultant Jeff Bologa stated that on behalf of himself and his firm, he thanks Council for re-appointment as a consultant.

There being no further business or public comment, the meeting was adjourned at 7:52 p.m.

February 4, 2020

Date Approved