

MINUTES  
New Holland Borough Council  
June 2, 2020

The New Holland Borough Council met in regular session on Tuesday, June 2, 2020 at 7 p.m. in Borough Hall. All members were present: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, Terry S. Mohler, John A. Styer, Bryant J. Glick and Michael Kurtz. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, reporter Carol Deck and resident Rebecca Brown.

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

Todd Burkhart made the motion that the Minutes of Council's meeting of May 5, 2020, 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 Bryant Glick. Member Burkhart noted that he abstains. Member Styer stated that his position is a yes to other bills but he abstains from approving any payments to any business to which he may have an association with. The motion then passed.

Police Chairman Burkhart stated the Chief has provided his monthly summary Report to all the members.

Member Glick said he was curious as to one officer's high number of activities during the month.

Chairman Burkhart noted he should discuss this directly with the Chief for a better understanding.

Chairman Burkhart explained that the next item is based on discussions with the Police Association and its request for consideration. It involves a benefit modification to the Borough's Police Pension Plan which allows the officers to utilize an earlier timeframe for retirement. The current requirement is 25 years of service and a minimum of 50 years of age. The recommended change is to allow a reduced years of service requirement, beginning with 20 years of service while

maintaining the minimum 50 years of age. The pension amount would be reduced proportionately.

Chairman Burkhart then made the motion that Amendment 2 to the Police Retirement Plan of New Holland Borough, which modifies the Plan to allow for an Early Retirement date, be approved. This was seconded by Terry Mohler, and passed.

Chairman Burkhart next made the motion that proposed Ordinance #592, which formally amends the Borough's Police Pension Plan ordinance to coincide with the approved Plan Amendment #2, be adopted. This was seconded by Bryant Glick. The roll was:

Bryant Glick—Yes

Mike Kurtz—Yes

John Styer—Yes

Todd Burkhart—Yes

Terry Mohler—Yes

Patrick Morgan—Yes

Don Herrington—Yes

The motion passed. Ordinance #592 was adopted.

Property Chair Styer reported he has an action Plan outline related to the planned opening of the New Holland pool this Saturday. He noted that this is still dependent on Lancaster County going into the Yellow category under the state's health monitoring phase related to the Coronavirus pandemic. A copy of the Plan summary was provided to each member in packets. The Plan recognizes a crowd capacity of 313 persons; which includes swimmers and other persons. A count is able and will be maintained consistently. A plexiglass area has been placed on the cashier area. Some restroom facilities have been closed off to allow greater spacing; water fountains are closed; lids are off trash containers. The head lifeguard position is responsible for on-going sanitizing; all staff not on pool duty will also be monitoring the non-swimming area for proper spacing. The picnic tables have been removed. The Plan recognizes the need to be flexible and adapt if needed under these unusual circumstances with fall back plans of a possible pool open schedule adjustment for those expected heavy use days.

Member Morgan stated he was confused by the state's identification of a single gathering to a maximum of 250 persons in the yellow phase but this does not apply to its approach with pools.

Mayor Bender noted he also saw the allowed difference in procedures between outdoor pools for one-half capacity and a regular single large gathering.

Member Glick stated he was curious about what the Kinder Haus child care center in Earl Township decided relative to pool use; and also, what is planned if someone willfully ignores the required out of pool social distancing.

Manager Fulcher replied that at this time, he believes they are planning on two days per week; a daily number estimate has not been provided. Should attendees not respect the social distancing guidelines or otherwise intentionally cause concerns for the other attendees, they will be requested to leave the pool area by staff. If these persons continue to cause a concern, the police would be called.

Vice-President Burkhart stated he has a concern he requests to be placed on the record. He was told from a first-hand account that Council member Glick told the Swim Team that he (member Burkhart) is 100 percent in favor of not opening the pool. He has never said this nor was this his position. He expects member Glick to be accurate when he tells people things.

Patrick Morgan stated he wants to recognize Manager Fulcher, Pool Manager Leo Ward and their staffs for staying on top of the pool situation under these unusual circumstances and preparing a good initial Plan as to proceeding.

Member Mohler reporting for his interest in the area swim team, noted there is no swim league this year; however, the swim team is hopeful to conduct some type of swim camp, perhaps even under the Yellow phase. It will be with proper practices related to the Coronavirus situation. It is not planned to start before July. Manager Fulcher, Pool Manager Ward and their staffs will be working through this with them.

Personnel Chair Styer next reported that after review and discussion, it is recommended that Council approve an update to the Non-Uniform Personnel Policies to allow 32 hours as the threshold for benefits. It is currently 36 hours. Benefits other than the health program, would be reduced proportionally. This provides some additional management options both with new hires as well as in situations where a department can maintain its high level of performance and can adjust to allow this. It will also save the Borough in future salary and pension costs. There would normally be no overtime when a position is required to work weekends and holidays. Chairman Styer then made the motion to approve this

update to the Non-Uniform Personnel Policies. This was seconded by Patrick Morgan and passed.

There was no Finance or Wastewater items presented.

Mayor Bender reported the fines received the past month through the Police Department as: \$880 from the District Justice's office; \$15 for Accident Reports; and none for parking or fingerprinting. He also wants to add his recognition and thanks to Manager Fulcher, Pool Manager Leo Ward and their staffs for developing a pool opening plan under unusual conditions and showing the willingness to try to be able to open it under allowable conditions while establishing special practices to protect the community and employees, as well as recognizing the probable need to modify activities as unforeseen things develop. Many other areas closed for various reasons without making the attempt. If we are able to open as planned, at least people have the ability to decide for themselves to attend or not. He is confident, has faith and applauds the efforts taken in preparing a Pool Plan to protect the staff and community.

Secretary Fulcher reminded members that the August Council meeting is scheduled for 5:30 p.m. This was based on the normal plan of the Police Department taking part in the National Night Out activities, which normally begin at 6 at the Park. This can remain at 5:30 or be changed to 7 p.m.

There was no action to change the advertised meeting time.

President Herrington noted that there had been some comments the past few months during the Coronavirus emergency about Council meeting alternatives if it was unsafe to hold a group gathering. In May the state approved some adjustments to normal meeting requirements during the pandemic emergency. He asked member Styer, who works in computer technology, to outline the plans and capabilities for Council to utilize in future emergencies.

Member Styer stated that there are numerous platforms available but the one currently known as Zoom would be the most likely one used. In a similar situation, it can be set up for inclusion of public participation. The free service can be used up to 40 persons or a cost system can be used whereby residents could phone in to attend. In response to some discussion questions, he noted that most of the outside intrusion or "bombing" of the site has been addressed. He could set it up with a day's notice if there is another similar emergency situation.

Member Mohler noted that is good. In recently talking with his mother, she said she has never gone to a Council meeting but may watch one if it was broadcast. He does not feel strongly about it. He does not like it when things are operating quiet and boring.

Member Glick stated he had an elderly couple tell him they are unable to get to a Council meeting.

Member Morgan said he is not interested in putting on a show for people who do not bother to attend.

Vice-President Burkhart noted this would require an expenditure for the Borough and could cause issues as to how it is to be filmed while discussions are underway. He feels it is not needed.

Member Styer said it would involve expenses related to the equipment and a media person.

Mayor Bender pointed out that there is no way to avoid the issues created when someone may be watching and the intent of a discussion or statement may be misunderstood or taken out of context from its intended purpose by those who are not in the room.

Member Glick noted that former long-time Borough resident, Borough Council member and community volunteer, William Snyder, recently passed away. He wondered if the Borough does anything in recognition when an occasion like this occurs. He also received a complaint about the air-brakes used often on South Custer Avenue and what process is used to review this.

Manager Fulcher replied that a letter is usually sent to the family by the President for a situation like Mr. Snyder's and is to be done for Mr. Snyder. Local control of air-brakes is regulated by Penn DOT. It requires a study related to the length and steepness of what is normally a hill, in question. These studies have been conducted for the hills in the Borough and none have qualified as to Penn DOT's standards related to things such as grade of the hill, extent of roadway, etc.

President Herrington then addressed member Glick, stating he had recently seen some statements on a resident's Facebook page which had derogatory comments about the Borough related to this person's inquiring into certain types of signs. Member Glick was mentioned in the posts. He reminded him that before being

involved in these types of things, he should check with the Manager and staff as to being aware of all the facts and hearing from both sides related to things said. If he does not want to deal with staff with the issues, he can bring them to Council President or the appropriate Committee Chairman for follow up with both sides of a story.

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

July 7, 2020  
Date Approved