

MINUTES
New Holland Borough Council
February 1, 2022

New Holland Borough Council met in regular session on Tuesday, February 1, 2022 at 7 p.m. in Borough Hall. Members present were: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, Bryant J. Glick and Michael H. Kurtz. Members John A. Styer and Michael N. Martin were absent. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, Police Chief William Leighty and reporter Carole Deck. Others in attendance included Borough stormwater consultant Darrell Becker of ARRO Consulting, water consultant Jeff Bologna of Becker Engineering, Borough residents Bill Kassinger, Barry Nolt, Barbara Nolt, LeeRoy Martin, Vicki Martin, Todd Watson, Kirk Middlekauf, Samantha Trego, and Lee Vescovich and Sue Burke both representing the ELANCO Library, and Ryan Long on behalf of his father who is a Borough resident.

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

Todd Burkhart made the motion that the Minutes of Council's Organizational meeting of January 4, 2022, be approved with one correction. Where it is currently drafted, for nomination of Don Herrington for President it indicates the nomination was made by Patrick Morgan, seconded by him. This should be reversed. The motion was then seconded by Bryant Glick and passed.

Bryant Glick made the motion that the Minutes of Council's regular meeting of January 4, 2022 be approved as prepared. This was seconded by Todd Burkhart and passed.

Patrick Morgan made the motion that the monthly Financial Report be accepted and the bills paid as prepared. This was seconded by Mike Kurtz and passed. Member Burkhart abstained to avoid any appearance of conflict with any business he may own.

Police Chief Leighty then reviewed his monthly summary Report. There was a total of 253 incidents; of seven arrests, four were felonies or misdemeanors, with three non-traffic summary actions. There were 15 total accidents in the Borough; 10 of which were reportable. There were nine citations and one warning. There

were five Juvenile contacts. These resulted in one referred to Juvenile Court, three to District Court and one to the Youth Aid Panel.

Police Chairman Burkhart noted that one of the new officers already recorded a DUI. He commends them in the good work.

Member Morgan asked what the status is of the new officers hired.

The Chief responded that the three who have started are in various orientation phases; with the two remaining to start February 14th.

In response to a question from Member Glick, the Chief noted that the Ranger Master training by Officer Specht is part of the training required for him to become a qualified Firearms Trainer in the Department. Currently Officer Zimmerman is that officer.

Chairman Burkhart reported that the original plan to purchase a 2021 Police Ford Interceptor in December from the New Holland Auto Group when it arrived has changed in that the 2021 did not arrive on schedule and a few 2022s arrived in the meantime. For a difference of an additional \$800 over the 2021, a 2022 can be purchased instead. He recommends this change. He then made the motion that Council authorize the purchase of a 2022 Interceptor in lieu of the 2021 for the additional cost of \$800. This was seconded by Patrick Morgan and passed.

Member Morgan reported there were no action items for presentation from the Finance, Property or Personnel Committees.

Wastewater Chairman Glick reported there were no Wastewater or Water items for presentation however he wants to recognize and thank the Water Department Supervisor and staff as well as the Streets Department Supervisor and staff who dealt with an extremely large leak at Mentzer Avenue and West Spruce Street on the 19th. Water had to be shut down for much of Ashlea Village for the day. Also as is unusual with this type of emergency, a local contractor was utilized to assist with the work elements. The water was able to be turned back on that evening around 10 p.m. Fortunately, the required Boil Water Notice was only needed for the minimum two days. He expresses his kudos to all who assisted.

Streets Chairman Kurtz made the motion that the request of the New Holland Business Association to clarify that the time for the streets re-opening for its

Christmas on Main for 2022, be 6 p.m. not the original 5 p.m., be approved. This was seconded by Patrick Morgan and passed.

Chairman Kurtz made the motion that the request of Garden Spot Fire Rescue for the closure of East Main Street between Brimmer and Kinzer on Sunday, June 12, 2022 from noon until 4 p.m. for its annual Car Show and Cruise, be approved. This was seconded by Bryant Glick and passed.

Chairman Kurtz next made the motion that the request of the New Holland Sales Stables for the use of Fulton Street on Friday, July 1, 2022 between South Railroad Avenue and South Custer Avenue for its annual Special Horse Sale Day activities, be approved. This was seconded by Patrick Morgan and passed.

Chairman Kurtz then made the motion that proposed Resolution #532 and accompanying Inter-Municipal Agreement with Earl Township be approved. He explained that similar to last year, a mutual street improvement project is proposed between the municipalities. Last year, the Borough did the work on South Kinzer Avenue and was reimbursed by the Township. This year, the Township is planning a Chip Seal project on its South Custer Avenue roadway. Near the municipal boundaries, there is about a 460 foot long, 14 foot wide section of Borough roadway on the eastern side where the boundaries vary. The cost to the Borough is estimated to be about \$930. The motion was then seconded by Todd Burkhart, and passed.

Consulting stormwater engineer Darrell Becker of ARRO Consulting then presented his updated Report and information related particularly to the low spot on the street drainage area at 543 and 539 West Conestoga Street and the main discharge pipe from that point. He distributed two pages of information related to the area, one a diagram of a potential piping replacement project at that location, the second a one-page narrative on this and a few other areas studied. He explained, should Council wish to proceed with something to help remove water from the street faster at this location, he is proposing the existing 30 inch corrugated metal discharge pipe be replaced with a 42 by 27 inch oval smooth reinforced concrete pipe. This new pipe between the properties will end five feet further south (back) from where the old one ends. This will allow the addition of a five foot concrete end wing wall to help better disperse the water flow over a wider area as it is discharged. With the adjoining landowner's approval, an updated section of matting with various size stones will also be added to the adjoining field at the discharge point, improving the initial impact area. He reminded those present that though this will help the street drain faster, depending on the intensity

and length of time of a storm, any storm which is greater than the design capacities of these pipes, will still create a temporary flooding situation. The current single drain culverts in the street, one on the north side, the other on the south side are proposed to be changed to double inlets, with the connecting pipe to also be a 42 by 27 inch. He also suggests a section of 15 inch reinforced concrete pipe, eastward from the main drain box on the north side. His sketch shows a possible distance of 46 feet. This will include a new drain box and catch some water sooner and keep it from adding to the lower area on the street further west.

Mrs. Nolt, who requested the new piping, inquired how large the stones are to be; could the pipe be extended into the adjoining neighbor's property to the north; and who should she call if the stones become too dislocated?

Engineer Becker explained that the large rocks are classified as R-5, which means at least some of the rocks are at least 12 inches or larger in size.

Manager Fulcher replied that trying to relocate the discharge point outside the Borough places it in Earl Township which involves a different set of rules and control by the Township. This would remove it from its historical discharge point. Should there be a concern as to the stones moving on the neighbor's land, she can call the Borough office and they will communicate with the owner as it is still his responsibility.

In response to another question, the Manager reported the estimated project work cost at \$55,000 - \$60,000, this does not include the engineering costs.

Tom Watson, owner of 540 West Conestoga Street stated he feels the study should have included the storm inlet, identified as #13 which is on his property on the south side, not just the low spot where it gathers on the street.

LeeRoy Martin stated he also feels the study stopped one inlet too soon.

Member Morgan asked Engineer Becker if the planned downspouts relocation phase of this area and the streets above should show improvement as to the amount of water in the stormwater collection and flow system?

Engineer Becker stated the planned step of downspout relocations should have a significant impact as to much of such water being infiltrated into the ground instead of flowing onto the street surfaces under normal conditions. For example, one average residential house could be about 1,300 square feet or more of

impervious surface. He cannot state the exact impact of this as it depends on the total of such surfaces involved with the three streets as well as the intensity and time frame of the storm event.

Member Glick thanked Engineer Becker for a good report and suggested approach of improvement. He then inquired if other members felt any justification at this time to go further upstream with studies.

Member Burkhart said he felt this is the low street area that was identified by the residents as the main problem. He feels they should stick with the area of concern and identified for study. He commended Engineer Becker for his design presentation and believes it will remove much of the water which accumulates on the street in front of the Nolts' and Mrs. Middlekauf's at a faster pace.

Member Morgan noted that inlet #13 is on private property and if there is some continuing flooding problem after the new piping is installed and the downspout program is complete, it can be looked at, at a later date.

Mr. Watson stated that if it does not improve, he will be back.

Mr. Nolt stated he is glad to see the pipe replaced because they go through a lot of sump pumps in the basement when it floods. He hopes the new pipe will have sealed joints.

Engineer Becker stated these types of pipes usually include some type of joint sealing. His sump pump use seems more related to regular groundwater issues during wet periods. These should not be related to the discharge pipe.

Member Glick then made the motion that Manager Fulcher be authorized to proceed with the stormwater piping improvement plan as outlined by Engineer Becker in the area of 543 and 549 West Conestoga Street. This was seconded by Patrick Morgan and passed.

Engineer Becker next reported the information related to the concern raised about a patch by UGI on the east side of North Hoover Avenue causing water to flow westward on the north curb line of West Conestoga Street. His staff identified the elevations of North Hoover Avenue. The UGI repair did not cause additional water to flow westward. In reviewing the overall grading situation for North Hoover, they did confirm that as North Hoover gets closer to the West Conestoga intersection, there is an area where the crown of North Hoover is worn down, so

depending on the type of storm, as water flows northward and nears the northwest corner of the intersection, some water can go to the west instead of continuing northward. The additional new drain and piping to be installed along the north curb east of the main new pipe and drains will collect this in normal storms and reduce the surface amount getting to the low spot. The planned re-paving of that section of West Conestoga in 2023 should also address the concern with some North Hoover water at that intersection.

In continuing, Engineer Becker reported that in reference to the low drainage area in front of 218 Mentzer Avenue, options are limited due to flow elevations involved but the Borough could consider replacing the old 15 inch corrugated metal pipe with a 15 inch reinforced concrete pipe. He understands this stretch of Mentzer at Ashlea Village is also under consideration for repaving in 2023. The replacement pipe can be set sometime prior to repaving. In response to a question, he replied the new concrete pipe is designed to handle the 100 year storm. Though this does not help the problem the owner stated with vehicles driving too fast through the water and splashing up to his garage door, it will help the drains work more efficiently. He noted that similar to the West Conestoga low spot situation, intense storm events can still overwhelm the normal drainage system, but a new pipe should help the situation.

Manager Fulcher stated the new pipe as identified will be planned for prior to paving work at that location in 2023.

Mayor Bender reported the money received through the Police Department the past month as: \$746.18 from District Court; \$372.78 from fingerprinting; \$135 from accident reports; and \$30 from parking fines. He also expresses his appreciation to Engineer Becker for his information and report.

Manager Fulcher stated that the Borough has just heard from the Latin American Alliance, which informed us that they are again planning to hold its Latin American Festival for 2022, in Community Memorial Park, on Saturday, September 17 from noon until 8 p.m.

Member Morgan noted he had overlooked some comments he wished to make earlier. He is pleased to see the Thank you letters related to officer activities in the Chief's Report. One commended an officer for his actions related to a recent family death situation.

Member Glick stated that for general information purposes, the New Holland branch of Northwest Bank is closing in April.

Resident Lee Vescovich stated he is here this evening as representative of the Eastern Lancaster County Library. He replaced former member Mike Ireland. He appreciates the support Council has shown the Library. He hopes to keep the good communication between the Library Board and Council. The Library Board was fortunate, as following the recent hire of the new Director, they also hired a new Assistant Librarian, Jen Watson.

There being no further business or public comment, the meeting was convened into Executive Session to discuss police personnel matters.

In reconvening back into regular session, Police Chairman Burkhart made the motion that Council approve the Side Letter of Agreement #2 with the New Holland Police Officers' Association, as prepared with the guidance of the consulting attorney. Patrick Morgan seconded the motion. Chairman Burkhart reported that this relates to a recent grievance filed by the Association involving things including clarification of the definition of seniority date and new officer pay. He noted this should be distributed to all members of the Association and as a public document is available to anyone who requests a copy. The motion then passed unanimously.

There being no further public comment, the meeting adjourned at 8:46 p.m.

March 1, 2022
Date Approved