

MINUTES  
New Holland Borough Council  
July 5, 2022

New Holland Borough Council met in regular session on Tuesday, July 5, 2022 at 7 p.m. in Borough Hall. All members were present: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, John A. Styer, Bryant J. Glick, Michael H. Kurtz and Michael N. Martin. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, Police Chief William Leighty, Solicitor Bradford J. Harris and reporter Carole Deck. Also present were residents Rebeka Brown, William Kassinger, Lino Vescovich, Tony Bender, Bonita Stone, Michelle Capasse, John Varly, Amanda Maldonado with a visiting family member Gabriel Cruz.

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

Bryant Glick made the motion that the Minutes of Council's meeting of June 7, 2022 be approved as presented. 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 Martin and passed. Members Burkhart and Styer abstained to avoid any appearance of conflict with any businesses they may own.

Chief Leighty next reviewed his monthly summary Report. There were 261 total incidents. There were 10 arrests, 7 of which were felonies or misdemeanors; 3 non-traffic summaries were issued and 1 DUI. There was a total of 7 accidents of which 3 were reportable; 14 citations and 11 warnings. There was one juvenile contact which was referred to District Court. A list of Department training and community activity involvements is included on page four.

Chief Leighty then presented Officer Brett Reifsnyder, who requested to present an update on National Police Night Out, which is scheduled August 2, 6 p.m. to 8 p.m. He informed Council as part of that evening's activities a number of door prizes are planned to be given away. One is a black t-shirt with an American flag across the left lapel and on the back it says: "I Support the New Holland Police". It also has the Borough's New Holland Police Department logo on it. These are not being sold nor used for any other purpose.

Council member Glick inquired who is paying for these items.

Officer Reifsnnyder replied that area businesses contribute to the Borough for these and the evening's other expenses.

Police Chairman Burkhart noted that Officer Reifsnnyder received the DUI Council of Lancaster County's Top Gun award for the second most DUI arrests for 2022. He wants to recognize and commend him for his efforts with this concern.

Chairman Burkhart then made the motion that Council accept the resignation of long-time Borough resident Wilbur G. Horning, from the Civil Service Commission with regret. Mr. Horning recently relocated out of the Borough. While living in the Borough over the years, Mr. Horning spent 12 years as a Council member, 16 years as Mayor and 4 years on the Borough's Civil Service Commission. He is also well known for his many volunteer activities and support and leadership of many local organizations. The motion was seconded by Patrick Morgan and passed.

Chairman Burkhart next made the motion that resident Anthony Bender be appointed to serve on the Civil Service Commission to replace Wilbur Horning, through his remaining term, December 2024. This was seconded by Bryant Glick and passed.

Chairman Burkhart made the motion that the Civil Service Commission be authorized to proceed with the hiring process for the possibility of hiring an additional police officer. This was seconded by John Styer and passed.

Water Committee Chairman Martin reported the Water Department has been nursing a 2008 Ford F150 pickup with over 130,000 miles and it is no longer feasible to keep repairing it. With the current overall economic environment, the process involved with purchasing new vehicles is significantly different than in the past. Even new pickups under the state's discount program must follow the process of ordering a specified vehicle indicating proof of such authorization, with usually a down payment. In this situation, using the program through the New Holland Auto Group, the ordering process is to begin by early August. Ford will then identify the planned manufacturing date and also identify the cost at that time. This should not be received until sometime in 2023, with the price incorporated into the 2023 Department budget. He feels Council should proceed with its replacement this evening. He then made the motion that Council approve the ordering and purchase of a 2023 Ford F150 pickup as specified for the Water

Department needs as reviewed by the Manager. This was seconded by Todd Burkhart and passed.

Streets Chairman Kurtz made the motion that Council approve proposed Resolution #535, which identifies and provides approval for Council's Snow and Ice removal agreement as required from PennDOT for the 2022/2023 winter season. He noted this area stretches from Western Avenue, east to Ranck Road. The payment for this season is to be \$9,602.90. This was seconded by Mike Martin and passed.

Chairman Kurtz made the motion that Council grant approval for the use and closure of East Main Street between Brimmer Avenue, east to Kinzer Avenue, for Garden Spot Fire Rescue's Car Show, on Sunday, August 7, 2022 from noon until 4 p.m. He noted Council originally approved this for June 12, but it was postponed due to rain. This was seconded by Bryant Glick and passed.

Member Kurtz stated as a member of the Borough Authority he wants to thank and commend Patrick Morgan of the good job he did as Patrick Morgan Auctioneering as low bidder for the Authority in the recent selling of the three excess woodland lots owned by the Authority.

Mayor Bender reported the monies received through the Police Department the past month as \$769.47 from the District Justice's office; \$90 from accident reports; \$10 from parking fines; and \$25 from fingerprinting. He next stated he wished to recognize and thank reporter Carole Deck, who is present this evening, for the attractive and informational article that was done about the Community Memorial Park's Butterfly Garden Project by her and run in this past Sunday's Lancaster Newspaper. He is involved with the project and believes it is very worthwhile for the community. He then complemented the Manager, Police Chief, officers and Park staff who worked with last evening's large crowd and traffic that attended the fireworks put on by the New Holland Summer Arts Council. He also wants to commend Officer Reifsnyder for the recent awarding of the Top Gun Award for DUI arrests for 2021, as noted by Councilman Burkhart earlier.

John Varley of 234 Brimmer Avenue, Apartment 1 and Michelle Capasse of 234 Brimmer Avenue, Apartment 2 both stated they live in the structure that recently had a car run through its front porch due to an accident at the intersection of East Jackson and Brimmer Avenue. They are concerned with what seems to be many accidents at that location over the years they have lived there. They would

appreciate if the Borough would look into things that might make drivers more aware of the Stop signs on Jackson.

Manager Fulcher stated it is not just the number of accidents they look at, but what the details of the cause of an accident are. Many causes relate to people not using proper caution and then proceeding at that intersection.

Member Burkhart asked Chief Leighty what the details of the particular recent accident were.

Chief Leighty indicated that like many accidents these days, it comes down to distracted driving due to modern electronic devices. Some are also not looking carefully and proceeding properly

Bonita Stone stated she used to live at that corner when there was also an accident caused by an underage driver.

Member Burkhart stated this is an intersection which requires caution when crossing however it was also improved a number of years ago when the hill coming into town was lowered about a foot when the water line was replaced. He also knows however that many people do not look properly when they cross it and some cross it too slowly.

Manager Fulcher stated he will be checking with PennDOT for approved devices to better see the stop signs; possibly even having a red flashing signal on the top.

Chief Leighty noted he would also increase the police presence and visibility at this location when possible.

There being no further public comment, Council convened into Executive Session for police personnel matters.

Following a brief Executive Session, Council reconvened back into regular session.

Todd Burkhart made the motion that Council uphold the recommended disciplinary actions of the Police Chief related to Sergeant Mark Willwerth as identified by letter to him of June 14, 2022, whereby related to numerous issues of conduct, recommended disciplinary actions include thirty (30) scheduled work days of suspension without pay, demotion to patrol officer and completion of the

designated counseling sessions not later than September 9, 2022. He noted this action was also supported and was reinforced by letter from the Mayor to him. This was seconded by Patrick Morgan. The roll vote requested was:

Patrick Morgan—Yes

John Styer—Yes

Bryant Glick—Yes

Mike Kurtz—Yes

Mike Martin—Yes

Todd Burkhart—Yes

Don Herrington—Yes

The motion passed.

Mayor Bender noted he had one brief item of information and that is in recognition of Council's decision, the Chief will be proceeding with the review and selection process, and possibly appoint a temporary assignment position of Acting Lieutenant. He supports addressing this action as soon as possible.

There being no further business or public comment, the meeting was adjourned at 8:25 p.m.

August 2, 2022

Date Approved