

MINUTES
New Holland Borough Council
August 2, 2022

New Holland Borough Council met in regular session on Tuesday, August 2, 2022 at 5:30 p.m. in Borough Hall. Members present were: President Donald J. Herrington, Vice-President Todd C. Burkhart, Patrick K. Morgan, John A. Styer, Bryant J. Glick and Michael H. Kurtz. Member Michael N. Martin was absent. Also present were Manager/Secretary J. Richard Fulcher, Solicitor Bradford J. Harris, Mayor M. Timothy Bender and reporter Carole C. Deck. Others in attendance included Borough water consultant Jeff Bologna and Borough stormwater consultant Andrew Tuleya of ARRO Consulting as well as residents Lino Vescovich, Barry Nolt, Barbara Nolt, Lee Roy Martin and Doug Martin.

President Herrington opened the meeting, asking for action on the Minutes of Council's past meeting.

Member Glick noted that his middle initial indicates G and it should be J; member Burkhart added that the motion related to the police disciplinary related actions was made by him and seconded by member Morgan; these are drafted in reverse. Bryant Glick then made the motion that the Minutes of Council's meeting of July 5, 2022 be approved with the corrections noted. 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. Members Burkhart and Styer abstained to avoid any appearance of conflict with any business they may own.

Police Chief Leighty then reviewed his monthly summary Report. There was a total of 325 incidents during the month. There was a total of eight arrests. There were nine accidents of which four were reportable. There were 39 citations and 10 warnings. He pointed out what is considered a positive, there were no juvenile contacts during the reporting period. The last page identifies the various main community activities participated in by himself and the officers over the past month. He noted as a reminder that this evening is the National Night Out for police departments across the nation. It officially begins at 6 p.m.

Council member Glick asked who funds the National Night Out activities.

Chief Leighty said it is funded from donations from local businesses.

Police Chair Burkhart stated he wished to thank the Chief, officers and others who help with the event as well as all the businesses who donate towards it.

On behalf of the Water Committee, member Glick reported that the startup testing of the remaining pieces of larger equipment at the new well at Groff Park was begun today. If all goes correctly when tests are completed, PA DEP is notified and approval to add it to the system is usually received within a few days.

There were no action items for Finance, Property, Personnel or Wastewater.

Streets Chair Kurtz then presented the Borough's MS4 Stormwater engineer, Andrew Tuleya, of ARRO Consulting.

Engineer Tuleya explained that there are new requirements under the law put in place by PA DEP relative to a municipality's MS4 Permit and local ordinance requirements. This evening he just wants to quickly summarize the changes and if Council approves the recommended action, he will work with the Solicitor and Manager to prepare the new updated stormwater ordinance for Council action next month. Most of the changes will have little impact on the Borough's activities as it already addresses a number of the changes. A quick outline of most of these includes that for new developments or redeveloped areas where there are privately owned basins or swales, they will require an annual inspection by the owners of the private basins or swales for review by the Borough then after the first five years it is to be once every three years as well as after any storm event identified as a 10 year storm or larger. There are also some definitions updated statewide and what is currently termed a recommendation, that municipalities also consider "low impact developments" when developments are prepared; though this gets into the municipal planning process so it is more complicated. DEP's initial goal for the municipal updates was by the end of September however they have also recognized it will take longer for many.

In response to inquiries from Mayor Bender, Engineer Tuleya indicated that the inspection reports are to be submitted to the Borough for its records and oversight. The Borough wants to be sure the owners are doing Best Management Practices (BMPs) as to properly maintaining their basin or swale. This does become part of additional record keeping for the municipality. This is similar to what the Borough does already on its own and occasionally involves the property owners for correction by them.

Chairman Kurtz then made the motion that the Solicitor be authorized to prepare and advertise the required new changes to the Borough's stormwater ordinance, working with the consultant and Manager, for consideration at next month's meeting. This was seconded by Patrick Morgan and passed.

Chairman Kurtz next made the motion that the Solicitor be authorized to proceed with the steps necessary to enforce the Borough's zoning and other applicable ordinances at the properties at 562 East Jackson Street, owned by Beverly Eaby; and at 63 Hiester Avenue, owned by Phil and Stephanie Weaver. He noted that the one property has significant junk and debris issues, the second is utilizing a portion of the property as a VROB rental. This is not allowed in the Borough's residential neighborhoods. The Manager has more details on these if anyone would like additional background. This was seconded by Todd Burkhart and passed.

Member Glick inquired what are some of the elements involved with such an enforcement process.

Manager Fulcher replied that the Solicitor reviews the existing zoning enforcement efforts for each property as applicable and identifies any additional zoning steps to be taken and if non-compliance continues to exist, the Borough usually moves forward with both legal action at the District Justice's office as well as possibly directly removing the junk and debris elements.

Chairman Kurtz next made the motion that the requests of the residents of the affected areas of Hiester Avenue to again approve the closure of Hiester Avenue on Sunday, September 25, 2022, from 2 p.m. to 7 p.m. to allow an on-street neighborhood block party. Over 90 percent of the residents in the closed off area are part of the request. This was seconded by Bryant Glick and passed.

Mayor Bender reported the monies received through the Police Department last month as: \$1,036.83 from the District Justice's office; \$349.37 from fingerprinting; \$60 from accident reports; \$10 from parking fines; and \$300 from alarm fees. He noted he was also happy to see no juvenile actions the past month. He invites those present to visit Community Memorial Park following the meeting to visit the National Night Out activities.

Member Kurtz then made the motion that resident Lino Vescovich be recognized by Council as a Borough resident serving on the ELANCO Library Board. This was seconded by Patrick Morgan and passed.

West Conestoga Street resident Lee Roy Martin inquired what the planned start date was for the upcoming piping replacement project on the 500 block of West Conestoga.

Manager Fulcher replied that the originally planned start date if all materials arrived was to be the second week after Labor Day. Not everything has arrived yet but if it does, they may be able to start sooner.

There being no further public comment, the meeting adjourned at 5:49 p.m.

September 7, 2022

Date Approved