

MINUTES  
New Holland Borough Council  
February 7, 2023

New Holland Borough Council met in regular session on Tuesday, February 7, 2023 at 7 p.m. in Borough Hall. Members present were: Vice-President Todd C. Burkhart, John A. Styer, Bryant J. Glick, Michael H. Kurtz and Michael N. Martin. Member Patrick K. Morgan was present via phone. President Donald J. Herrington 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 Chief of Garden Spot Fire Rescue Darrell Keiser, Borough water consultant Jeff Bologa of Becker Engineering, Jenn Parsons and Mitch Dissinger, representing the New Holland Business Association and residents Bill Kassinger, Harry Klinger, Mitch Dissinger, Ray Harnish and Lino Vescovich, who is also an ELANCO Library Board member.

Vice-President Burkhart opened the meeting, asking for action on the Minutes of the prior meeting.

Bryant Glick made the motion that the Minutes of Council's meeting of January 3, 2023, be approved as distributed. This was seconded by John Styer 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.

Darrell Keiser, Chief of Garden Spot Fire Rescue, then provided comments on its annual report, a copy of which was provided to members a few days ago. He included a general cover letter dated February 1, 2023 which recognized that GSFR has been a consolidated organization for 10 years. Their priority focus is on their facilities, tools and people. Replacement of the old Station 3 at Blue Ball is a priority and should take place over the next few years. Their three new similar Engines were placed into service just over a year ago. The Ladder truck is 21 years old and should be replaced after 25 years of service. They have a committee studying this process already. They continue to remain fortunate that there are still enough volunteers. It will be a challenge in the future to obtain adequate volunteers. They have been pleased with the success of its summer session of a Cadet Camp. Their goals continue to be preparation, service and professionalism. There was a total of 348 fire call incidents the past year. There were two

significant fire loss incidents in 2022, one in Earl Township, the other in East Earl Township. Along with the many other statistics, he feels these properties would have had less loss if they had better early fire and smoke detection elements.

Police Chief Leighty then reviewed the Department's monthly Report. There were 344 total incidents. Of these incidents, there were three felonies or misdemeanors and eight summary offences. There were 13 accidents of which 3 were reportable. There were 36 citations and 35 warnings. There were seven juvenile contacts, six of which were filed with Juvenile court; one to the Youth Aid Panel. The fourth page of the Report indicates a number of the various community events attended by the officers and himself. The last page also shows an email from one area resident complimenting the handling of an incident at the local McDonalds by an officer.

Member Burkhardt stated that as a local business owner, he wants to express his appreciation to the effort put in recently by Detective Bitner on a matter related to his business.

Member Glick stated his appreciation to the Chief for the visit by officers Wolfe and Stoltzfus for the safety talk they held at Hinkletown Mennonite School on January 5.

Patrick Morgan made the motion that proposed Side Letter of Agreement #3 under the Collective Bargaining Agreement between the Borough and the New Holland Police Officers Association be approved. He noted that this was an administrative process involved with a former grievance related to an officer's vest. The Police Association has already approved it. This was seconded by Mike Martin and passed.

Vice-President Burkhardt reported the next item of Police business is the request of SRO Wolfe, who has requested Council approval to serve as the coach of the junior varsity baseball team for the ELANCO School District. The District had asked him to do this as he has a background in baseball. His current regular shift is 7:15 a.m. to 3:15 p.m. to be at the school. As a Council member, he is concerned that if approved this may present conflict with the police contract. It cannot interfere with his primary duties.

Patrick Morgan stated he also has concerns with potential conflicts with the contract. He feels the questions should be reviewed by the Borough's police counsel so any action considered is clear.

Mayor Bender reported he reviewed these concerns and if necessary, Officer Wolfe will use his earned PTO if there is a time discrepancy. The District also has the right to adjust his schedule. He is aware that should he be involved at the time with any SRO or other police emergency, those duties come first.

Member Styer noted that if he is willing to use his earned PTO time if needed, he does not feel it would be an issue.

Patrick Morgan then made the motion that the matter be tabled until Council's March meeting and the Borough's police counsel be requested to review the matter for its guidance. This was seconded by Bryant Glick and passed.

Water Chairman Martin made the motion that Resolution #546 be approved, noting this Resolution increases the grant amount being requested from the state to support the Locust Street water line replacement project in the amount of \$746,508, up from the initial \$562,024 plan. This step is required under the grant process. This was seconded by John Styer and passed.

Streets Chairman Kurtz reported there was three requests before Council this evening asking permission for street use and closures. He then made the motion that the request of GSFR for the use and closure of East Main Street, from Brimmer Avenue east to Kinzer Avenue, on Saturday, June 17, 2023, from 5 p.m. to 9 p.m. for its 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 to use and close Fulton Street between South Custer Avenue and South Railroad Avenue, on Friday, July 7, 2023 for its annual Special Horse Sale Day, be granted. This was seconded by Mike Martin and passed.

Chairman Kurtz then made the motion that the request of the New Holland Business Association to hold its Christmas on Main festivities on Saturday, November 25, 2023, which includes the closing of Main Street between Custer Avenue, east to Railroad Avenue and North Roberts Avenue from Main, north to Towne Centre Lane from 11 a.m. to 7 p.m. and the closing of South Roberts Avenue from 8 a.m. to 7 p.m., be approved. This was seconded by John Styer and passed.

It was noted that the organization sponsors are responsible for obtaining proper traffic control.

Member Glick inquired why the Business Association chose to back up Christmas on Main by a week.

Jennifer Parsons of the Business Association stated the group had talked about it and felt it might be a better time and it would not conflict with Terre Hill's event. Borough business owner Mitch Dissinger, who assists with Christmas on Main, stated the group also hoped to add some new things and make some changes.

Mayor Bender reported the monies received through the Police Department the past month as \$1,249.36 from the District Justice's office; \$255 from Accident reports; and \$50 from fingerprinting.

Manager Fulcher reported that the annual Awards Dinner held by Garden Spot Fire Rescue is to be held on March 10, 2023, and a representative of the Borough is invited to attend. The Mayor has often attended these in the past when available.

Mayor Bender noted he has a conflict with that evening and someone else could attend.

Member Glick stated he would try to plan to attend.

Solicitor Harris stated he would be meeting with Council concerning police personnel matters in Executive Session.

There being no further public comment, the meeting convened into Executive Session with attorney Harris.

Following reconvening into regular session, Mike Martin made the motion that the meeting be recessed to Friday, February 10, Noon, to address the matter as advertised for consideration of the Police Chief's recommendations concerning two current probationary officers. This was seconded by John Styer and passed.

The meeting recessed at 9:20 p.m.

February 7, 2023  
Continued to  
February 10, 2023

New Holland Borough Council met in recessed session from February 7, 2023 on Friday, February 10, 2023 at noon. All members were present: President Donald J. Herrington, Bryant J. Glick, Michael H. Kurtz, Michael N. Martin, and by way of phone, members Patrick K. Morgan and John A. Styer. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, Police Chief William Leighty and Administrative Assistant Paula S. Walsh.

President Herrington opened the reconvened session, noting that the only matter of business advertised and scheduled is action on the Police Chief's letters of recommendation as to the possible hiring on a permanent basis of two current probationary police officers, Andrew Cruz and Kyle Hackney. By way of letters dated February 9, 2023 and provided by the Police Chief, based on their performance, he recommends they be hired as full-time police officers.

Patrick Morgan made the motion that the recommendation of the Police Chief to retain probationary police officers Andrew Cruz and Kyle Hackney on a full-time basis when the probationary period is up be accepted and the two officers retained on a full-time basis. This was seconded by Mike Martin. A roll was requested. The roll was:

Bryant Glick—Yes	Mike Kurtz—Yes	Mike Martin—Yes
Patrick Morgan—Yes	John Styer—Yes	Don Herrington—Yes

The motion passed.

There being no public comment, the meeting adjourned at 12:06 p.m.

March 7, 2023  
Date Approved