

MINUTES  
New Holland Borough Council  
May 2, 2023

New Holland Borough Council met in regular session on Tuesday, May 2, 2023 at 7 p.m. in Borough Hall. Members present were: Vice-President Patrick K. Morgan, John A. Styer, Bryant J. Glick, Michael H. Kurtz, Michael N. Martin and Harry M. Klinger. President Donald J. Herrington was absent. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, Police Chief Bill Leighty, Solicitor Bradford J. Harris, consulting attorney Susan Yocum and reporter Carole Deck. Others in attendance included Borough water consultant Jeff Bologna of Becker Engineering, Andrew Tuleya, Borough stormwater consultant from ARRO Consulting, residents Bill Kassinger, John Taylor, Ken Wright, Lino Vescovich, also representing the ELANCO Library; and members of Garden Spot Fire Rescue Vinney Tennis, Ray Harnish and Brendan Harnish.

Vice-President Morgan opened the meeting, asking for action on the Minutes of the previous meeting.

Harry Klinger made the motion that the Minutes of Council's meeting of April 4, 2023, be approved as distributed. This was seconded by Bryant Glick and passed.

Bryant Glick made the motion that the Minutes of Council's Workshop of April 25, 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 Harry Klinger. Member Styer noted he abstains to avoid any appearance of a conflict of interest in any business he may own.

Chief Leighty then reviewed his monthly summary Report. There was a total of 313 Incidents. There were four total arrests, of which three were felonies or misdemeanors, one a summary offense. There was a total of seven accidents in the Borough of which two were reportable. There were 20 citations and six warnings. The one juvenile contact was referred to Juvenile Court. The summary of the Chief and officers involved with community activities is indicated on the last page. He is still working with his staff to modify the monthly Report to provide additional information. There are different types of reporting forms on pages two and three; the one on the second page is traffic activity only. In response to a question, he stated there are currently two officers off due to workers' compensation.

Member Klinger said he appreciates the information from the Chief and his continuing efforts to clarify certain areas.

Property Chairman Styer reported he has one action item to present this evening. It is a Resolution in support of a grant application request to the state to assist in funding of some facility improvements at Community Memorial Park. If successful, these are to include the replacement of the upper tennis courts with pickleball courts; the rebuilding of the two lower tennis courts and the replacement of the siding on the Kiwanis pavilion. The project is to total more than the grant, for which the maximum request is \$250,000. The grant request Resolution is for \$250,000. The Park Association Board, a local pickleball group and the Kiwanis Club will be assisting the Borough with the additional local funds required. He then made the motion that proposed Resolution #550 whereby the Borough acknowledges requesting the grant from the state Commonwealth Financing Authority, in the amount of \$250,000, be accepted. This was seconded by Mike Kurtz and passed.

Wastewater Chair Glick reported for information purposes that Wastewater Department Supervisor Myers has provided her annual Operation Report for the years 2022 with 2023 plans. This was included in packets. If anyone has any questions, they can let her know.

Andrew Tuleya of ARRO Consulting reported he is present this evening for Council's required annual MS4 update meeting. MS4 stands for Municipal Separate Stormwater Sewer Systems. This is part of the MS4 program requirements. He provided a one page summary outline in Memorandum form to Council. The Borough is in its fifth year of the regular five year cycle for the Permit; however, PA DEP has extended this Permit cycle for two years so the next set of new requirements should take affect in 2028. The annually required Report for the Borough is filed in September. Public education is a big element for continuing to inform the public of the individual efforts needed for this effort. The overall goal also continues to be to make sure any discharge which ends up in the Borough's stormwater system should only be natural stormwater. Everything else is to be collected and properly handled. There are new basin and swale inspection procedures coming into the effort also. The Lancaster Conservancy's 2023 Water Week is scheduled for June 2-10. There is information on this on the Borough's MS4 information site. The Borough is doing well with its activities.

Streets Chairman Kurtz made the motion that the request of the New Holland Ambulance Association for the use and closure of the portion of South Roberts Avenue from the private alley next to the Boy Scout house, south to Franklin

Street, for its annual Kids Safety Day on Saturday, May 6, from 10 a.m. to 2 p.m., be granted. This was seconded by Bryant Glick and passed.

GSFR representative Vinney Tennis then highlighted the main activities of the past month. There were 41 calls, 6 of which were in the Borough; 448 hours were spent on scene; 112 minutes was the average time spent on scene; and there were 1,033 hours of training, maintenance and related hours.

Vice-President Morgan thanked Mr. Tennis for the report and the efforts of all the volunteers.

Mayor Bender reported the monies received through the Police Department the past month as \$1,564.87 from the District Justice's office; \$45 from accident reports; \$10 from parking fines; and \$100 from fingerprinting. He also reported that he was able to attend the April New Holland Business Association's 20<sup>th</sup> Anniversary Breakfast where he presented the Proclamation as discussed at last month's meeting. The group sincerely appreciated it.

Manager Fulcher reported that the major Borough projects planned for 2023 are beginning to get underway. The replacement of sidewalk and curb where needed on the 500 block of West Conestoga Street prior to paving is underway. Paving is planned for early June. The restoration of the Heritage Basin as required is finalizing preparation plans. The property owners involved are being kept informed as it is their liability as property owners. It should begin within the next week or so. The Authority continues to work with PennDOT for the possibility of upgrading water main lines under PennDOT's right of way, prior to its scheduled repaving of East Main Street, east from Kinzer Avenue later this year. There will be 15 days to review the bid work costs before committing to the work. The initial project work on the Borough's wellhead protection area converting it to a Butterfly Garden through the Community Memorial Park Association, is hoping to set a start day later in the month. If it is much later it could be delayed until fall.

Solicitor Harris presented a water line easement Agreement with the current property owner Hugo Esquivel for a small section of his corner lot where the developer's water line runs. This is in Earl Township in the new Garden Spot Reserve development. This is part of the process for the water system being turned over to the Authority. The Borough is on the easement secondarily. The Authority has already approved it. It is set for Council action this evening.

Mike Kurtz made the motion that the Water Main Easement Agreement with Hugo Esquivel be approved as reviewed and recommended by the Solicitor. This was seconded by Mike Martin and passed.

Lino Vescovich then gave a brief update on a number of happenings during May at the ELANCO Library. These included that there is a raffle currently underway for a dollar donation per ticket to win a new cooler and a \$100 gift certificate to be drawn June 1. A Summer Reading Kick Off Party is scheduled for June 3, 10 a.m. to noon. There is an on-line auction being held from May 18 through June 1, with many nice donated items to review. On the 20<sup>th</sup>, there is a special home school kids bank activity. These and others are found on the Library's website. The Board is also still short a few Board members if anyone knows of people with an interest.

Vice-President Morgan then asked member Glick to provide an update on the special activity at Community Park this weekend.

Member Glick explained that as a fundraising effort in support of the Park Board's Butterfly Garden project on the wellhead protection area of the new well, he has developed what is called the Keystone State Cookoff at the Park this Saturday. The weather is looking to be good so he is hopeful for a good turnout. All of the proceeds go to the Butterfly Garden campaign.

There being no further public comment, the meeting was convened into Executive session, with Manager Fulcher, Mayor Bender, attorney Yocum and Chief Leighty also in attendance.

Following return to regular session, Mike Kurtz made the motion that the meeting be continued to Monday, May 15, 2023, 6 p.m. This was seconded by Bryant Glick and passed. The meeting recessed at 8:20 p.m.

May 2, 2023  
Reconvened on  
May 15, 2023

New Holland Borough Council met in recessed session of May 2, reconvened and continued on May 15, 2023, at 6 p.m. in Borough Hall. Members present were: Vice-President Patrick K. Morgan, John A. Styer, Bryant J. Glick, Michael H. Kurtz, Michael N. Martin and Harry M. Klinger. President Donald J. Herrington was absent. Also present were Mayor M. Timothy Bender, Police Chief William Leighty and consulting attorney Susan Yocum.

Vice-President Morgan reconvened the meeting noting the purpose of this evening is to continue personnel matters with the Borough's consulting attorney. He then convened the meeting into Executive Session.

Following the Executive Session, the regular meeting was reconvened.

There being no other business or public comment, he recessed the meeting, to be continued until Wednesday, May 24, 2023, 6 p.m.; noting the purpose is to continue with Executive Session police personnel matters.

The meeting recessed at 8:20 p.m.

May 2, 2023  
Recessed to May 15, 2023  
Recessed to  
May 24, 2023

New Holland Borough Council met in recessed session of May 2, 2023, followed by a recessed session on May 15, 2023, on Wednesday, May 24, 2023 at 6 p.m. in Borough Hall. Members present were: Vice-President Patrick K. Morgan, John A. Styer, Bryant J. Glick, Michael H. Kurtz, Michael N. Martin and Harry M. Klinger. President Donald J. Herrington was absent. Also present were Manager/Secretary J. Richard Fulcher, Mayor Tim Bender and Borough consulting attorney Susan Yocum. Also present were members of the New Holland Police Officers Association: President John Yanarella, Dan Achenbach, Joshua Bitner, Jed Custer, Derek Kanuck, Shannon McCorkle, Brett Reifsnnyder, Joel Stoltzfus, Gerry Weaver, Mark Willwerth, Kirk Wolfe, J.T. Young and Michael Zimmerman.

Vice-President Morgan reconvened the meeting of May 2, from the recess of May 15, 2023. He noted that this evening's business is to meet in Executive Session. All those in attendance remained. At a later point in the Executive Session, Council was informed Officer Specht was in attendance by phone.

There being no further business or public comment, the meeting adjourned at 9:25 p.m.

June 6, 2023  
Date Approved