

MINUTES
New Holland Borough Council
December 5, 2023

New Holland Borough Council met in regular session on Tuesday, December 5, 2023 at 7 p.m.in Borough Hall. All members were present: President Donald J. Herrington, Vice-President Patick K. Morgan, John A. Styer, Bryant J. Glick, Michael H. Kurtz, Michael N. Martin and Harry M. Klinger. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender, Police Chief Bill Leighty and reporter Carole C. Deck. Others in attendance included State Senator Ryan Aument, his son Jack Aument, State Representative Keith Greiner, Eric Reath, staff member of U.S. Representative Lloyd Smucker, Borough water consultant Jeff Bologa, Kitty Herrington, Matt Herrington, Andy Herrington, Jonathan Brown, Rebekah Brown, Bill Clisham, Ray Harnish, Jim Bailey, Tom Dennis, Lino Vescovich, Mike Ireland, John Taylor, Charles Kidhardt, Bill Kassinger, Jarrod Deel, Jack Schnader, Wilbur Horning, Bert Horning, Ken Wright and Mike Fryer and Wes Weaver of Garden Spot Fire Rescue.

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

Bryant Glick made the motion that the Minutes of Council's November 7, 2023 meeting 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 and passed. Member Styer abstained to avoid any appearance of conflict with any business he may own.

Chief Leighty next reviewed his monthly summary Report. There was a total of 262 incidents the past month. There were four total arrests, all of which were felonies or misdemeanors. Of nine total accidents, three were reportable. There were 14 citations and 7 warnings. There were also eight juvenile contacts; four of which went to Juvenile court; one to District court; and three were referred to the Youth Aid Panel.

Member Morgan asked the Chief how the newer officers were performing so far.

The Chief replied that at this time they are working hard and performing well.

Finance Chairman Morgan made the motion that proposed Resolution #554, which updates various fees charged for some services of the Borough, be approved, effective January 1, 2024. This was seconded by Mike Martin and passed.

Personnel Chairman Styer reported Council's December meeting is the time Council annually recognizes those employees who have completed major years of employment milestones during the year. This year's employees are: 35 years: Wastewater Department Supervisor Tina Myers, who is planning to retire in April of next year; and also Bookkeeper/Secretary Kimberly Raptosh; 30 years: Water Department Supervisor Jesse Kern; 20 years: Streets/Parks/Maintenance Supervisor Jeremiah Petersheim; and 15 years: Assistant Wastewater Department Supervisor Dan Rebuck. He believes the longevity of employees at one location is an indication of a good organization. These employees receive our thanks for their dedication, performance and loyalty.

There were no Water, Wastewater or Streets action items.

Solicitor Harris presented the proposed Ordinance to update the Borough's fireworks regulations based on a recent state law. It strengthens a municipality's enforcement capabilities and allowed use times. It involves the control of what are identified as Consumer Fireworks, not those types of items such as sparkling devices, small "novelties" or toy caps. There are also better defined use time regulations with updated fine amounts.

Member Klinger felt this will provide a little more teeth to assist the police when they deal with someone doing these things. His dog is very skittish when this occurs so he feels it is a good way to tighten these activities up somewhat.

Member Styer noted it would be good to plan to place this on the Borough's website and in one of the Newsletters next year.

Patrick Morgan then made the motion that proposed Ordinance #598, which updates the Borough's fireworks regulations, be adopted. This was seconded by Bryant Glick. The roll was:

John Styer—Yes
Harry Klinger—Yes
Bryant Glick—Yes
Mike Kurtz—Yes

Mike Martin—Yes
Patrick Morgan—Yes
Don Herrington—Yes

The motion passed. Ordinance #598 was adopted.

Manager Fulcher reported there are a couple of Board appointment items for Council this evening. Long time Borough Authority member Jack Schnader is completing 30 years of volunteer service on the Borough Authority. He also spent many, many years on the Community Memorial Park Association's Board going back to the time of the creation of the new pool in 1984.

President Herrington noted Mr. Schnader was in the audience this evening and expressed Council's appreciation for his service.

Mike Martin made the motion that Allen B. Wessel be appointed to the Authority for a five-year term, beginning January 2, 2024 through January 1, 2029. This was seconded by Harry Klinger and passed.

Patrick Morgan made the motion that Jarrod T. Deel be appointed to a four-year term on the Borough Planning Commission, beginning January 2, 2024 through January 1, 2028. This was seconded by Bryant Glick and passed.

President Herrington stated he wanted to take a minute to recognize that along with his term ending, member John Styer will also be ending his second term. Member Mike Martin will be moving out of town soon, just nearing the completion of two years of service on Council. He expressed his and Council's appreciation for their service on Council, dedication and concern for the Borough.

Mayor Bender reported the monies received through the Police Department the past month as \$234.23 from the District Justice's office; \$105 from Accident reports; and \$50 from fingerprinting. He will also have a few follow-up comments from the earlier items.

Tom Dennis of 334 West Conestoga Street stated he is present this evening to complain to Council about the many speeders on his section of West Conestoga Street. It is a heavily used Main Street bypass street on the north side to get to/from North Railroad Avenue. That electronic speed reading sign does not do anything and it does not seem like the police are doing anything about it. The kids cannot play in the driveway.

Chief Leighty stated no one has discussed this with him prior to this and he will be addressing this.

Lino Viscovich representing the Eastern Lancaster Library reported that the planned expansion of the Children's Library area is set to begin in the near future. There is a public preview to be held December 13 should anyone be interested.

Mayor Bender continued, noting he has a number of items related to some special guests here this evening. He then introduced Eric Reath, staff member of our local U.S. Congressman Lloyd Smucker.

Mr. Reath expressed his appreciation to be present this evening representing Congressman Smucker who unfortunately had to be in Washington, D.C. to continue Congressional business. On behalf of Congressman Smucker, he read what was stated in the U.S. House of Representative's permanent record:

Honoring the Service of Donald J. Herrington

HON. LLOYD SMUCKER OF PENNSYLVANIA IN THE HOUSE OF REPRESENTATIVES

"Mr. Speaker, I rise today to give thanks for the many years of service of Donald J. Herrington to the New Holland community, as he retires from public service as a member of the New Holland Borough Council.

Mr. Herrington's selfless service to the New Holland Community exceeds thirty years across two millennia. He entered service to the Borough as a member of the Planning Commission, serving seven years followed by a term as Mayor of the Borough for four years ending in 1989.

Mr. Herrington was recalled to the service of the Borough in June of 2000, as Borough Council member, as position which he held through the end of this year.

In addition to his dedication to the Borough, he also served his community as a coach for several local Garden Spot sports teams, and with the local Jaycees, eventually serving as the 37th President of the Pennsylvania Jaycees.

Mr. Speaker, our communities across the nation are enriched through the selfless service of dedicated and talented individuals like Mr. Donald J. Herrington. We offer him our thanks and gratitude for his work to strengthen his community and we wish him well in all his future endeavors."

Pennsylvania State House Representative of the 43rd District which includes New Holland spoke next. He presented a Citation from the House recognizing his many

years of volunteer service to New Holland. Some of the highlights included in the Citation stated:

“Whereas, Donald J. Herrington is being honored for thirty-three years of dedicated service to the Borough of New Holland; and

Whereas, a longtime resident of New Holland Borough, Mr. Herrington served on the Borough’s Planning Commission from 1979 to 1986, as Mayor from 1986 to 1989 and as a member of the New Holland Borough Council since 2000. To his great credit, he has served as President of the Borough Council since 2012. Mr. Herrington tirelessly endeavors to better the lives of his fellow citizens, and thereby has distinguished himself as a sterling example of the most cherished traditions of duty, compassion and sacrifice. Motivated by the needs of others, he embodies the true spirit of volunteerism and humanitarianism.”

He is pleased and honored to present this to President Herrington.

PA Senator Ryan Aument (36th District) spoke next. It is his pleasure to present a Statement of Congratulations from the State Senate recognizing President Herrington for not only his many years of volunteer service to the Borough but also citing his numerous other volunteer services over the years to the community. He highlighted some of the main elements.

“Whereas, the Senate of Pennsylvania takes great pleasure in recognizing those citizens who, through dedication and excellence, contribute in a meaningful way to the well-being of their communities and ultimately to all the people of this great Commonwealth; and

Whereas, Donald J. Herrington is being honored by the Borough of New Holland for more than thirty-five years of dedicated service; and

Whereas, Mr. Herrington served New Holland Borough as a member of the Planning Commission from 1978 to 1985 before serving as Mayor until 1990. A member of the Borough Council from 2000 to 2023, he held the position of President from 2012 until the conclusion of his tenure. In addition, Mr. Herrington volunteered his time with the Jaycees for fifteen years, during which time he served as President of the local and Statewide chapters, and he also coached several local sports teams, including the Garden Spot varsity boys’ basketball, youth basketball and youth softball teams. Any definition of a full and productive life must include service to others. Through his many initiatives to benefit his community and by his

personal example, Mr. Herrington clearly reflects the true spirit and mission of New Holland Borough.”

Member Klinger stated he wanted to personally thank President Herrington for his patience, knowledge and leadership of Council. President Herrington served as a mentor and educator of the local government process with its many variables. When he first came onto Council, he was not fully aware of these and learned that overseeing local government and dealing with community issues is not something that can be done overnight, or if the local municipality is even authorized to do so.

Vice-President Morgan also thanked President Herrington and wished him well, noting all the members feel the same way.

President Herrington stated his sincere thanks for the special recognitions received this evening. His early experience with the Jaycees was something that made him feel he wished to serve his town in some fashion. He wants to recognize and thank his wife, Kitty, for her patience and support through all these activities. He feels his time on Council has shown him that the Borough has a good staff and operation. The Manager, Police Chief, other Department Supervisors and their staffs reflect this. He has been proud that for years now the Borough has not had any debt obligations. He feels honored and blessed to have been part of helping oversee the operation of these important activities to the residents. He also wants to recognize and thank local reporter Carole Deck. He feels she is accurate and knowledgeable and does not hesitate to ask questions when doing her job.

There being no further business, the meeting was recessed to Noon, Thursday, December 7, 2023.

December 5, 2023
Recessed to
December 7, 2023

Council met in recessed session from December 5, 2023 on Thursday, December 7, 2023 at noon in Council chambers. Members present were: President Donald J. Herrington, Vice-President Patrick K. Morgan, John A. Styer via phone, Bryant J. Glick, Michael H. Kurtz and Harry M. Klinger. Member Michael N. Martin was absent. Also present was Manager/Secretary J. Richard Fulcher and resident Mike Ireland.

President Herrington reconvened the meeting, asking for action on the final steps for approving the 2024 budget.

Finance Chairman Morgan made the motion that Ordinance #599 which sets the real estate tax levy for 2024 at 3.75 mills to support the 2024 budget be adopted. This was seconded by Harry Klinger. The roll was:

Harry Klinger—Yes	Mike Kurtz—Yes	John Styer—Yes
Byrant Glick—Yes	Patrick Morgan—Yes	Don Herrington—Yes

The motion passed. Ordinance #599 was adopted.

Patrick Morgan made the motion that Ordinance #600, which approves the 2024 Borough budget be adopted. This was seconded by Harry Klinger. The roll was:

Harry Klinger—Yes	Mike Kurtz—Yes	John Styer—Yes
Byrant Glick—Yes	Patrick Morgan—Yes	Don Herrington—Yes

The motion passed. Ordinance #600 was adopted.

Bryant Glick then made the motion that the resignation of member Michael N. Martin from Council due to his relocating from the Borough be accepted, effective December 12, 2023. This was seconded by John Styer and passed.

Vice-President Morgan reported he has been reviewing possibilities for potential use of a different firm for Council's use for special police matters consulting needs. It appears the firm of McNees, Wallace and Nurick, LLC would be an experienced and capable service. They do handle real estate interests with Borough business Case New Holland so a mutual recognition of any potential conflict of interest will be avoided. He would like to schedule Council to meet their representative briefly at Council's planned continued meeting of December 22, noon.

It was the consensus of the members for Vice-President Morgan to continue with his plans for moving forward with this, recognizing they also perform work for CNH.

There being no further business or public comment, the meeting was adjourned until Wednesday, December 20, 2023 at noon.

December 5, 2023
Recessed to December 7, 2023
Continued to December 20, 2023

New Holland Borough Council met on Wednesday, December 20, 2023 at Noon in Council chambers. Members present were President Donald J. Herrington, Patrick K. Morgan, John A. Styer, Bryant J. Glick and Harry M. Klinger. Member Michael H. Kurtz was absent. Also present were Manager/Secretary J. Richard Fulcher and resident Mike Ireland.

President Herrington reconvened the meeting asking for action on Council's consideration of a replacement Council member for former Council member Michael N. Martin. Two Borough residents expressed interest, William Clisham and Ray Harnish. Mr. Clisham does have 18 years of having served on Council in the past. Mr. Harnish would be a good person on a Borough Board and has indicated an interest in serving this way.

Harry Klinger made the motion that William Clisham be appointed to replace the unexpired term of former Council member Michael N. Martin, which expires January 1, 2026; and that Resolution #555 be approved. This was seconded by John Styer and passed.

Manager Fulcher inquired if anyone has any questions or concerns with the standard letter of engagement for the planned new police legal consulting services firm of McNees Wallace. Hearing none, he stated he will sign and return the letter of engagement to them.

The Manager then outlined the possible need occasionally to utilize the services of an independent outside investigation service for special police consultant assistance. Should they be utilized at any time, Council and the Mayor will be informed.

After brief further discussion, Patrick Morgan made the motion that the Manager be authorized to utilize special investigation services as may be needed on occasion for use in the police department; and when utilized for the Manager to inform Council that they are in use. This was seconded by Bryant Glick. Member Morgan requested a roll call. The roll was:

John Styer—Yes
Harry Klinger—Yes

Bryant Glick—Yes
Patrick Morgan—Yes

Don Herrington—Yes

The motion passed.

President Herrington expressed his appreciation to the members for the retirement card and gift from the Borough.

There being no public comment, President Herrington recessed the meeting until noon, Friday December 22, 2023, to be simply a brief meet and greet with a representative of the Borough's new police legal consultant. No action is to be taken.

December 5, 2023
Continued to
December 7, December 20
December 22, 2023

New Holland Borough Council met in recessed session of December 5, 2023 on Friday, December 22, 2023 at noon in Council Chambers. Members present were: President Donald J. Herrington, Vice-President Patrick K. Morgan, Bryant J. Glick, Michael H. Kurtz, Harry M. Klinger and William Clisham. Also present were Manager/Secretary J. Richard Fulcher and Mayor M. Timothy Bender. Resident Mike Ireland was also present as was attorney Adam Santucci.

President Herrington reconvened the meeting noting the purpose of today's meeting is to meet attorney Santucci of McNees, Wallace and Nurick, who will be the Borough's consultant for police matters.

The members introduced themselves and briefly listened to Mr. Santucci outline his and his firm's background.

There being no further business or public comment, the meeting adjourned at 12:09 p.m.

January 2, 2024
Date Approved