

MINUTES  
New Holland Borough Council  
May 7, 2024

New Holland Borough Council met in regular session on Tuesday, May 7, 2024, at 7 p.m. in Borough Hall. Members present were: Vice-President Michael H. Kurtz, Bryant J. Glick, William Clisham, Harry M. Klinger, D. Michael Ireland and John S. Taylor. President Patrick K. Morgan was absent. Also present were Manager/Secretary J. Richard Fulcher, Mayor M. Timothy Bender and reporter Carole C. Deck. Others in attendance included Darrell Fisher, Chief of the New Holland Ambulance Association, Borough water consultant, Jeff Bologna of Becker Engineering, Matt Lapp, owner of 330 East Main Street, Deputy Chief Stephan Kuenzli and President Tom Curtis of Garden Spot Fire Rescue, residents Ray Harnish and Lino Vescovich, who is also the Board member of the ELANCO Library for the Borough.

Vice-President Kurtz 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 April 2, 2024, be approved as presented. This was seconded by John Taylor and passed.

Bill Clisham made the motion that the monthly Financial Report be accepted and the bills paid as prepared. This was seconded by Mike Ireland and passed.

Ambulance Chief Fisher reviewed the special highlights of the Association's 2023 Annual Report. These included the successful graduation of 26 students through their own program; as well as six of its graduates through the Nationally Registered AEMT program. They performed over 62 child car seat inspections as well as placed over 265 AEDs in publicly accessible areas throughout the community. Free CPR, First Aid and Stop the Bleeding programs were presented at many events and facilities and businesses to over a 1,000 persons. Basic Life Support coverage was provided at 51 community events, and they did hold their Kids Safety Day. During 2023, they completed their 12<sup>th</sup> EMT Program and responded to 3,635 emergency 911 calls. They operate three staffed ambulances on a 24/7 basis with a fourth and fifth available for backup. Though they are currently in a good position at this time with all five of the vehicles within seven years old or less. The cost of new vehicles in the future will remain a concern. A major highlight of the year, however, was the receiving of the 2023 EMS Agency of the Year Award from the PA Department of Health and the PA Emergency

Health Services Council. They are proud of the recognition which he notes is due to a team effort.

John Taylor inquired if the Association still utilizes a subscription program.

Chief Fisher replied yes, if someone has a subscription only their insurance gets billed for services.

Member Klinger noted he had a personal emergency situation in late 2022 and he feels it was the training, professionalism and integrity of the Ambulance staff which transported him that kept him alive.

Member Glick inquired if other than long-term financial capital concerns, the Borough could assist the Association in other ways.

Chief Fisher stated they are looking at things.

Member Clisham stated he wants to note that Chief Fisher goes above and beyond as a leader of the Association. Three crews stay at the station 24/7, including overnight. The paid staff as well as the volunteers are to be commended for top-notch service. The community is fortunate to have this level of service.

Chief Fisher noted again it is a team effort and working closely with the Fire Company and Police is a good thing.

Vice-President Kurtz thanked Chief Fisher for his Report, expressing Council's appreciation to him and the staff for their service.

Police Chief Leighty then reviewed his monthly Report. There was a total of 365 incidents, which included 10 arrests, consisting of 7 felonies or misdemeanors, 2 non-traffic summaries and 1 DUI. There was a total of eight accidents of which seven were reportable. There were 52 citations and 28 warnings. Of four juvenile contacts, two were referred to Juvenile Court, one to District Court and one to the Youth Aid Panel. There were 12 medical assists provided. Other community activities and information is included on the back pages.

Member Glick noted that some other municipalities have had discussions concerning officially being a "non-sanctuary" municipality as to any involvement with persons of interest to the Immigration and Customs Enforcement agency (ICE).

Chief Leighty responded that the Department already follows the proper process and works with ICE should such a situation occur.

On behalf of the Police Committee, Bryant Glick made the motion that Council appoint Joshua Bitner as full time Lieutenant. He noted this follows the Civil Service Commission completing Council's request to have applicants properly tested and identified for the top applying officer for the Lieutenant position. This process was performed through the PA Chiefs of Police Association as approved by Council. This was seconded by Bill Clisham and passed.

Property Chairman Klinger reported that the Manager and Streets, Parks, Maintenance Supervisor attempted to identify a local fencing business to be a supplier of the fencing required for the Tennis and Pickleball Courts project at Community Memorial Park. Unfortunately, no area business qualifies under the state's Co-Stars program to allow this approach. The requirements can be met by going through the main contractor Miller Sports Construction, which is doing the rest of the project. This requires a formal Change Order with Miller Sports to incorporate the needed fencing. He then made the motion that recommended Change Order #1, in the amount of an additional \$46,095 for the needed fencing, with Miller Sports Construction be approved. This was seconded by Bryant Glick and approved.

Mayor Bender reported the monies received through the Police Department the past month as: \$403.12 from the District Justice's office; \$75 from Accident Reports; \$10 from parking fines; and \$264.68 from fingerprinting. He takes this opportunity to also thank Ambulance Chief Fisher and his team for their time, dedication and professionalism in providing ambulance services to the community; as well as receiving the 2023 Award.

Manager Fulcher reported there is one public announcement required at tonight's meeting related to the Borough's annual stormwater regulations and public education steps. This is the announcement of this year's Clean Water Week, scheduled for June 7-15, being held by the Lancaster County Conservancy. The many activities related to the event are on the Conservancy's website; which is also posted on the Borough's website.

Borough business owner Matt Lapp, representing MM Pro, LLC reviewed his lot add-on and subdivision Final plan request. He noted the JM Lapp business property address of 330 East Main Street is being expanded by a section of lot purchased from Allan and Rebecca Roden of 374 East Main Street, consisting of

8,436 square feet. 330 East Main Street will be giving up what is half of an access driveway at 366 East Main Street, to the owner of the existing apartments at that address. This area consists of 4,944 square feet. This area is not needed or required by 330 East Main Street and this transfer will also help eliminate a parking issue at the apartments which is causing erosion problems. The other step involves utilizing the existing property of 376 East Main Street, which is now the driveway to the new two apartment structures (12 units) to the rear of 376. This lot is adding area from the MM Pro property to the west, creating a new boundary line for the 376 property. The additional area where the apartments are to be is 42,061 square feet.

Harry Klinger made the motion that the Final Plan of MM Pro, LLC as prepared by Ronald L. Hershey, PLS, dated April 4, 2024, drawing number 23186-03, consisting of two pages which identifies the proposed lot add-ons, a new lot separation between 330 East Main and 376 East Main at the back of the lots to the east; as well as the transfer of the current portion of the shared driveway at 366 East Main Street, be approved. This was seconded by Bryant Glick and passed.

Lino Vescovich reported on behalf of the ELANCO Library. Some of the highlights currently include the new opening of the renovated Childrens' Library, with an official formal Opening Date of June 1. There is a Summer Reading Kick-off Party on June 10, from 10 a.m. to 1 p.m. Many other events are on the Library's website.

Deputy Chief of Garden Spot Fire Rescue, Stefan Kuenzli, reported that the Fire Company responded to 50 calls in April, 15 of which were in the Borough. They recently held a successful Food Truck activities event at the Fire Hall on a Friday and Saturday. They will again be holding, which will be the fourth, a daytime Summer Fire Camp for Kids aged 14 and 15. They feel this is a good event to instill interest and excitement in youngsters who may become volunteers at some point. He also echoes the appreciation for the good communication with the New Holland Ambulance Association. In response to a question, he reported that the new fire house in East Earl is still in the design phase. It will hopefully be under construction about this time in 2025.

Resident Carole Deck stated she has been to see the Fire Camp and encourages others to visit.

There being no further business or public comment, the meeting was convened into Executive Session at 7:29 p.m. for police personnel matters. Those in attendance included all Council members present, the Manager and Mayor.

Upon reconvening into regular session, Harry Klinger made the motion that the meeting be recessed to 5 p.m. on Thursday, May 9, 2024, for continued Executive Session. This was seconded by Bryant Glick and passed. The meeting recessed at 8:23 p.m.

May 7, 2024  
Recessed To  
May 9, 2024, 5 p.m.

New Holland Borough Council met in continued session from Tuesday, May 7, 2024 on Thursday, May 9, 2024 at 5 p.m. in Council chambers. All members were present: President Patrick K. Morgan, Vice-President Michael H. Kurtz, Bryant J. Glick, William Clisham, Harry M. Klinger, D. Michael Ireland and John S. Taylor via phone. Also present were Manager/Secretary J. Richard Fulcher, consulting police attorney Austin Wolfe via phone and Mayor M. Timothy Bender.

President Morgan reconvened the meeting of May 7, 2024, noting the purpose for today's meeting is to continue with an Executive Session on police personnel matters. The Executive Session was then convened.

Following Executive Session, the regular meeting was reconvened and recessed until Noon, Tuesday, May 14, 2024.

The meeting then recessed at 6 p.m.

May 7, 2024  
Continued from May 9, 2024, To  
May 14, 2024, Noon

New Holland Borough Council met in reconvened session of May 7, 2024, recessed to May 9, 2024, to Tuesday, May 14, 2024, Noon. Members present were: President Patrick K. Morgan, Bryant J. Glick, William Clisham, Harry M. Klinger, D. Michael Ireland and John S. Taylor. Vice-President Michael H. Kurtz was absent. Also present were Manager/Secretary J. Richard Fulcher and police consulting attorney Adam Santucci.

President Morgan reconvened the meeting of May 7, 2024 as recessed to May 9, 2024, and again to today. He noted that the purpose of today's continuation is to continue an Executive Session discussion on police personnel matters. The meeting then convened into Executive Session.

Upon reconvening into regular session, member Bryant Glick made the motion that the recommendation for disciplinary actions against officer J. T. Young by Mayor Bender be modified by Council based on the results of investigations related to the actions of police officer Young in the performance of his duties in violation of numerous policies, procedures and conduct. Officer Young is to be suspended without pay for ten (10) work days based on the most serious charges as well as receive an additional four formal written reprimands for other conduct infractions; and further, one charge is to involve additional training for the matter involved. He noted these disciplinary actions could have been more extensive under the policies and have been reviewed with counsel.

This was seconded by Harry Klinger.

President Morgan asked for a roll call vote. The roll was:

Mike Ireland—Yes	Bill Clisham—Yes
Harry Klinger—Yes	John Taylor—No
Bryant Glick—Yes	Patrick Morgan—Yes

The motion passed.

There being no further business or public discussion, the meeting adjourned at 1:25 p.m.

June 4, 2024

Date Approved