

MINUTES
New Holland Borough Council
May 6, 2025

New Holland Borough Council met in regular session on Tuesday, May 6, 2025 at 7 p.m. in Borough Hall. All members were present: President Patrick K. Morgan, Vice-President Michael H. Kurtz, Bryant J. Glick, Harry M. Klinger, D. Michael Ireland, John M. Taylor and Charles F. Kidhardt. Also present were Manager/Secretary J. Richard Fulcher, Solicitor Bradford J. Harris, Mayor M. Timothy Bender, Police Chief Mark Bentzel and reporter Megan Glockley. Others in attendance included Borough planning consultant Gavin Freeman of ARRO Consulting, Jeff Bologna, Borough water consultant of Becker Engineering, residents Bill Kassinger, Anthony H. Rudderow, Cori Witmer, Ray Harnish, Brendon Harnish, Rebekah Brown, Neal Martin and consultant John Pogue of Landvision for the Locust Street subdivision owner, and Daniel Huyard of Earl Township.

President Morgan opened the meeting, asking for action on the Minutes of the last meeting.

Bryant Glick made the motion that the Minutes of Council's meeting of April 1, 2025 be approved as presented. This was seconded by Mike Kurtz and passed.

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

Police Chief Bentzel then briefly reviewed his monthly Department Report. There were a total of 396 incidents. These incidents involved 27 arrests of which there were 14 felonies or misdemeanors, 8 non-traffic summaries. There were 5 DUIs included in the 14 felonies/misdemeanors. There were seven reportable and three non-reportable accidents; 31 citations and 24 warnings. Of the seven juvenile contacts, one was referred to Juvenile Court, six to the District Court. Sixteen alarm calls were received. Some of the officer community service related activities during the month included Officer Fritz who spoke at the Kinder Haus Daycare Center as a Community Helper guest and also participated with other EMS providers at GSHS for a vehicle crash demonstration. On April 24, the Chief and Administrative Assistant Lisa Gehr attended the presentation ceremony for the formal recognition of the Borough receiving its Department Accreditation Award.

Member Glick inquired how the SRO position was working with the School District.

Chief Bentzel reported the Department has not missed a day in having various officers handle this responsibility. Officers who have served during the shift included Yanarella, Fritz and Willwerth.

Mayor Bender noted that he had recently talked with Superintendent Snopkowski and he is pleased with the way this has worked out.

Mike Ireland then made the motion that the budgeted \$500 for the United Veterans' Council in support of its Memorial Day activities be approved for payment. This was seconded by Charles Kidhardt and passed.

The members then reviewed the proposed 12 lot subdivision which is to have 6 duplex units for Burkholder Builders on the north side of the western portion of Locust Street (between 281 and 287); with a Modification (Waiver) requested as outlined in the Borough's subdivision ordinances when applicable.

Borough Planning consultant Gavin Freeman of ARRO Consulting outlined the proposed subdivision. He explained that the Modification requested is as allowed for in the ordinance when the normal ground infiltration rate system for stormwater cannot be met for whatever reasons. In this case, due to soil conditions it is not able to meet normal infiltration rates. Therefore every two lots will own one-half of a stormwater rain garden in the rear (north side) of the property.

Member Klinger inquired about the background involved with the Modification request related to the stormwater situation.

Consultant Freeman said the situation is unusual for the Borough. The gardens hold back the runoff up to their designed capacity, then release it slowly down to a certain point, when due to special soil and plantings, the remaining ponding is to slowly be absorbed. The volume will be high but released at a slower rate than the existing storm runoff.

Member Ireland inquired about the existing runoff not collected first by the rain gardens.

Mr. Freeman replied that any excess rain will flow southward as it does now; with this to be established between the semi-detached units.

Mr. Glick noted this seems to be a rather unique problem and inquired how the regulations identifying this applies to the rain gardens involved.

Consultant Freeman noted they are designed as required, to meet the 100 year storm. It will not be worse than before and for normal storms the collected runoff is to be released over a larger period.

Member Klinger noted that proper maintenance of the rain gardens requires the proper soils and plantings at the properly maintained depths. How is a buyer supposed to be made aware of these responsibilities.

Solicitor Harris stated that a potential owner should have it clearly identified by a Title Search prior to purchasing; and the Plans and deeds are publicly recorded in the courthouse.

Manager Fulcher added that the practice in his office is to file a copy of each deed and the Plan and in this case, is planning to make each owner aware. Inspection of the rain gardens, proper maintenance and so on will be added to the Borough's systematic spot checking of rain gardens and other private swales and basins.

Member Ireland inquired if that included an easement for the Borough to do this.

Manager Fulcher stated that it is to include that. They also create a situation where very few modifications can be made to the backyards where the rain gardens are.

Mayor Bender stated that all of these elements are also required to be on the Seller's Disclosure List to any buyer.

Planning Chairman Kassinger reported that the Commission shared these same concerns with the owner's development consultant and they are to be included as part of the Plan and recorded deeds. He also explained that in this unusual flat or low slope elevation, these units will each have private forced line septic pumps to the Borough's system. These are small privately owned pumping systems an owner must maintain. They are very common but not so much in boroughs. Should there be any type of unusual discharge issue on the surface, it is an environmental enforcement situation if an owner does not take care of it.

President Morgan inquired about the nearby fire hydrant situation.

Borough water consultant Jeff Bologna replied that there were enough hydrants prior to the current water main replacement project currently underway on Locust but an additional one is being added, with the spacing between them reduced.

Streets Chairman Glick then made the motion that the 12 lot subdivision for Burkholder Builders on Locust Street be approved, including the Modification related to the stormwater design, which due to circumstances will be using the allowed Managed Release Concept as allowed under ordinance, upon meeting final Borough engineering and process requirements; noting the Planning Commission has recommended approval with this condition. This was seconded by John Taylor and passed.

President Morgan thanked consultant Freeman and Planning Chairman Kassinger for their comments.

Mayor Bender then reported the monies received through the Department for the reporting period as: \$1,283.37 from District Court; \$375 from Accident Reports; \$10 from parking fines; \$75 from fingerprinting and \$431.55 from county court fees. He noted he also wants to recognize the earning of the Accreditation for the Department and the hard work put into this by staff Lisa Gehr and former Police Chief Leighty and Lieutenant Bitner. He then informed those present that this is the 100th Anniversary of the New Holland Lions Club. He is presenting a Proclamation to the Club at its Anniversary Celebration coming up later.

Bryant Glick then made the motion that the resignation of Charles Kidhardt from the Borough's Civil Service Commission be accepted; noting that he was recently appointed to serve an interim period as a Council member. This was seconded by Harry Klinger and passed.

Charles Kidhardt made the motion that Mark T. Beiler be appointed to serve on the Borough's Civil Service Commission through December 31, 2026. This was seconded by Harry Klinger and passed.

Member Kurtz made the motion that Jack E. Schnader be appointed to the open position on the Borough Authority, through December 2026. This was seconded by Mike Ireland and passed.

Resident Neal Martin of 17 South Whisper Lane inquired how the search for a possible new chief was.

Chief Bentzel explained that it is a process. Applications are to be accepted through May 30th. The applicants are then initially reviewed by the Borough's consultant who is assisting with this matter. An initial interview Board of police chiefs then interviews the selected candidates prior to the further processing and presentation of recommended candidates to Council. This is a few months process.

President Morgan noted that with a new Council member, he has made some adjustments in Council Committees through the rest of the year. The committee adjustments are:

<u>Committee</u>	<u>Chairman</u>	<u>Members</u>
Finance	M. Ireland	M. Kurtz, H. Klinger
Prop./Personnel	H. Klinger	J. Taylor, C. Kidhardt
Water	C. Kidhardt	H. Klinger, B. Glick
Wastewater	J. Taylor	M. Ireland, M. Kurtz
Streets	B. Glick	M. Kurtz, J. Taylor

There being no further business or public comment, the meeting convened into Executive Session with Solicitor Harris to discuss police personnel matters. All members, the Manager, Police Chief and Mayor attended.

The meeting reconvened back into regular session. There being no business discussion, the meeting adjourned at 8:25 p.m.

June 3, 2025
Date Approved