

Approved Minutes
MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING
August 2, 2022, at 7:00 pm in the Borough Municipal Building
80 North Water Street, York New Salem PA 17371

The New Salem Borough Council met in regular session on Tuesday, August 2, 2022. The meeting was called to order at 7:00 pm by President Mundorf who led those in attendance with the Pledge of Allegiance to the Flag.

BOROUGH COUNCIL PRESENT:

Edward R. Mundorf, President
Kim E. Martin, President pro tem
Susan P. Barley
William F. Baldauf, Vice President
Cecilia Harvey
Sue Ann Becker

BOROUGH OFFICIALS PRESENT:

Ronald M. Franklin, Mayor
D. Michael Craley, Solicitor
Samantha Craley, Assistant Solicitor
Peter E. Partridge, Secretary/Treasurer
Erica Delp, Administrative Assistant
Jeff Koons, Zoning & Code Enforcement Officer
David Lipinski, Borough Engineer

OTHERS PRESENT:

Cpl. Tom Wright, State Police
Scott Zeigler, Tri County Ambulance

BOROUGH COUNCIL ABSENT:

Harvey E. Thumma Jr.

BOROUGH OFFICIALS ABSENT:

Mike Hammers, Building Codes Officer

Note the following Abbreviations:

“CM” = “Councilmember”

“Pres.” = “President”

“S/T” = “Secretary/Treasurer”

“Engr.” = “Engineer”

“AA” = Administrative Assistant

1. Public Comment: Scott Zeigler

A) Tri County Ambulance

Scott Zeigler from Tri-Community Ambulance Service was invited to speak regarding availability and challenges of offering emergency services available in YNS Borough and the surrounding communities.

Mr. Zeigler began by commenting that one of the greatest challenges was the need for more staffing expressing that most days the ambulance services is only 50 percent staffed. He also indicated that this challenge doesn't delay residents receiving service because the help of other nearby ambulance services can be enlisted through cooperative agreements. Another challenge Mr. Zeigler described was finances, particularly in regard to the ability to pay EMT staff a competitive pay rate. He indicated that current EMT pay at Tri County Ambulance is \$13 per hour compared to the \$17 per hour industry standard. The ambulance service needs 24/7 staffing, and this can amount to a significant administrative cost despite not offering employee benefits. Volunteers with EMS skills are not commonly available in EMS field, but there are a few at Tri County and Glenrock. Some volunteers can assist the service in various supportive capacities.

The ambulance service maintains two ambulances, a (2001) and (2010) vehicle. They currently can't replace these vehicles because their call volume is not high enough to allow them to do so. Tri County Ambulance is currently a part of a study along with services in Glenrock, Jacobus, and Shrewsbury to discuss consolidation and suggestions for optimizing management. Volunteers with EMS skills are rare in EMS field, but there are a few at Tri County and Glenrock. Some volunteers serve in support capacities.

Fund raising was discussed. Mr. Zeigler shared that they typically raise around \$40,000 that go toward routine bills, utilities and salaries. In the past special grants have been used to support the service, but they aren't always available.

An increase subscription price will likely be implemented in the future, but increases must be gradual so that subscription cancelations do not increase as well. Some municipalities give between \$1-5,000 donations and other larger municipalities up to \$50-80,000 annually. Call volume and operational cost were discussed. Mr. Zeigler shared that current regular costs to income are breaking even, however, Tri County is unable to reserve funding for future improvements or replacement of equipment. This is in part due to the fact that only some recipients of the services are billable, and they do seek payment from those recipients.

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Tri County serves 5 municipalities: North Codorus, Springfield, Seven Valleys, Codorus and York New Salem. They have gone as far as Windsor, Apple Hill and New Freedom to answer calls due to lack of availability of EMS workers closer to these incidents.

B) Transition of Sanitary Sewer Rep

Scott Zeigler also works part time for Spring Grove Borough as the Sanitary Sewer Rep. He will be vacating the position and Robert Stahl will be occupying the position in the near future. Andy Schaeffer will be asked to find a form that will facilitate these changes.

Engineer Lipinski requested information regarding the current state of the manhole numbers and distance measurements to resolve numbers that do not match. Scott Zeigler offered to provide information to Engineer Lipinski to clarify this information. This information is needed so that Engineer Lipinski and review the work recently conducted during sanitary sewer flushing and videotaping.

2. Police Report – Cpl. Tom Wright, PA State Police

Call volume from Jan-July: 39 calls for service. Generally, these are regarding vehicle issues, disturbances and disputes. There were 13 crashes within the borough, out of that was 1 DUI crash, there was an additional 1 DUI arrest, and 4 traffic citations issued. There were 17 criminal investigations. The most common criminal investigation is regarding scamming and id theft which is a common issue in most municipalities.

CM Barley brought up a need for greater police presence at start of school year due to unsafe traffic habits of residents such as speeding and passing vehicles without caution. Officer Wright indicated that when school starts the police force will put in a reoccurring patrol pattern in areas where school traffic safety is an issue during morning drop off peak times and afternoon release peak times.

Concern was raised about a suspicious vehicle sitting with tinted windows on Sherwood and Robin Hood drive making contact with youth for transactions of some sort. There was a request for police presence and monitoring of the areas. The officer said that monitoring can be conducted and that the police force would benefit from additional details about the vehicle, people involved, addresses near the, and times of the occurrences. Pres. Mundorf, will seek these details from residents who may have information. CM Martin volunteered some details such as that the vehicle may be an Audi with tinted windows with a MD license plates. Some residents have been hesitant to give information. The police station may be contacted with this information so that it can be addressed by the officers who are on duty.

3. Z&CEO's Report: Jeff Koons

A) Permits: One issued for Ron and Christina Perry's fence at 3101 South King Richards Court and Jeremey Pritchard Pool permit is in process.

B) Enforcement Actions Taken: A citation was issued to 105 W George St. for junk. A judgement was awarded in favor of the township and the defendant has until Aug 8th to appeal it. The fine is for approximately \$6,000.00.

C) A violation was issued to 105 W George St. for poultry. It was served and a tentative hearing is scheduled for August 4th. The case is a civil complaint, and the resident has not yet taken action to defend themselves. Zoning and Code Enforcement Officer Koons has received complaints from neighbors at 109 W. George St. regarding the disruptive noise caused by poultry. The borough will wait for an action from the magistrate. If the borough is notified that the residents of 105 W George have an intent to defend, the neighbors who have issued complaints would get subpoenas for the hearing.

D) There is a hearing on August 17th pertaining to the residents by the name of Lopez of 51 North Main Street, previously issued a violation pertaining to possession of goats. The residents have taken actions to defend themselves in court. The assistance of Solicitor Craley was requested by Zoning and Code Enforcement Officer Koons.

E) Resident Diaz has also taken action to defend himself in court. The assistance of Solicitor Craley was requested by Zoning and Code Enforcement Officer Koons. Solicitor Craley asked to be notified when hearings are scheduled.

F) There are no new updates on 39 West Main Street in regard to NIF holdings and removal of the trailer.

G) A notice of violation was issued to Sherwood Plaza regarding vegetation obstructing the sight distance. A recommendation to change the vegetation was given.

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H) Zoning and Code Enforcement Officer Koons recently met with the owners of Zaza's to discuss the possibility of converting one of the upstairs apartments to a tattoo studio. Zoning and Code Enforcement Officer Koons consulted with Building Codes Officer Hammers regarding how this change may impact the current licenses and zoning. The Owner of Zaza's was advised to seek appropriate permissions and licenses for changing the usage if needed. Currently, Zaza's permits reflect two residential uses on the upper floor and one commercial use on the lower floor. Solicitor Craley will research the history of the building's uses.

Coffee and ice cream sales at Zaza's were discussed and it was clarified that the owners currently sell entry tickets, which then entitle the visitor to serve themselves unlimited refreshments. Further research needs to be conducted to determine which health codes and buildings codes Zaza's must adhere to. A call to the department of agriculture may help in gathering this information.

Further discussion was had regarding the rocks outside, signs placed in the sidewalk, and items kept outdoors. Zoning and Enforcement Office Koons indicated that he had spoken to the owner who agreed not to place the signs in the sidewalk. He also indicated that he had planned to clean up the rocks later that day. The adherence will be monitored to ensure that fair standards are being upheld for all borough residents and business owners. Zoning and Code Enforcement Officer Koons will continue to follow up with the owner regarding the compliance with outdoor clean up requirements.

I) Mayor Franklin indicated that there is a physical mailbox on 74 W. George St that shouldn't be in use, however, the resident will not remove it. Zoning and Code Enforcement Officer Koons will follow up with the resident at 74 W. George St. regarding this matter.

Mail delivery was discussed, and it was clarified that the mail delivery policy was made in 2009 due to safety issues with a mail truck being unable to pull over and stop safely. The ordinance pertains to residents on George St. and Main St.

4. BCO's Report: Secretary Partridge

Building Code Officer Hammer sent a message to Secretary Partridge that he would not be attending this evening. He is currently working on a pool permit inspection.

5. Engineer's Report: David Lipinski

A) Sunoco Station ADA Ramps: Delays were encountered due to some contacts at Penn Dot being away on vacation. Engineer Lipinski was informed that milling was going to occur. Making sure traffic loops got in, when talked to contractor, they were going to do it as a part of their job. He also discussed who would be completing work on the traffic loops. Milt was in contact with the project contractor regarding the installation of the traffic loops. During the conversation, information was given that they were going to pave in the next week. Engineer Lipinski contacted the manager for the Penn Dot project and requested that the ADA ramps become a part of the project. The manager was unsure if that could be accommodated. The manager stated it was acceptable to complete the work either during or after the project, however, some of the work previously done may not meet compliance standards. Engineer Lipinski is in contact with the ADA compliance officer to ensure the finished result will meet compliance standards. After further discussions, Engineer Lipinski was advised that the project can be done by altering the curb rather than the pavement. Engineer Lipinski raised a concern about matting on some ramps and he was informed that the need for matting will be evaluated by case. Engineer Lipinski now needs now to give information to Penn Dot by providing narrative about what occurred during the project regarding the ADA ramps

B) Fire Company Signal: Engineer Lipinski met with the Fire Chief and was given the deeds. A conflict of information within parcels, mortgages and deeds was discovered. The parcel numbers do not match the deeds. These things must be resolved before construction.

C) Forry Street Safety: Speed humps/table information and pricing is available in catalogs for viewing. After a speed study was conducted, evidence of frequent excessive speed was not discovered. Also, an ordinance was not made regarding a 15mph speed limit, so this speed limit is not enforceable by law. Furthermore, Speed tables and humps can cause complications with snow plowing etc. Discussion concluded that the borough would take no action at this time.

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- D) Scarlet Drive Inspection: Mr. Krebs did not do the final paving. Engineer Lipinski will contact Kathleen Henry, who represents Wright Woods Estates, the developer of that property, to find out who is did the final paving. Engineer Lipinski contacted those involved in the project to check on the status of the work completed. He is lacking contact information for an individual involved in the project who can give him the information he needs. If the project is incomplete, the resident may have to contract someone to finish the work. Pres. Mundorf agreed to provide the contact information.
- E) Sanitary & Storm Sewer Inspections: Clarification regarding video footage from Mr. Rehab is needed.
- F) Drainage Ditch on W. George Street: Recommendation for Repairs and Cost Estimate, met with CM Thumma and saw concerns, Borough usually responsible for everything below grade, sometimes PennDOT will take care of it, but we may have to hire someone to do it.
- G) Depression in Roadway by 122 S. Main Street: Near manhole number 115 between the manhole and the sidewalk there is a depression. Between the upslope and the manhole, there is no depression. In back of the homes parallel to South Main Street, slight depressions can be seen. After paving, a depression can be seen from power line pole to power line pole. There is also a patch from someone completing work, but no visible sanitary sewer line. There is video footage conducted by Mr. Rehab, but at the present time Engineer Lipinski is unable to concretely identify matching footage due to the manhole numbers not matching the maps. The Spring Grove Sanitary Sewer Official will be contacted to clarify the manhole numbers. Discussion ensued about whether the footage provided by Mr. Rehab is partial or comprehensive. All Council members were under the impression that the contract was for complete video footage of the entire system. If footage appears to be missing, contact will be made with Mr. Rehab to obtain the missing footage. Engineer Lipinski also made contact with the resident near the depression to inform them that the issue was being investigated.
- H) MS4 permit: Engineer Lipinski called DEP got call back on July 20th. Permits vary depending on how provisional applications were processed in 2017. York New Salem's application is due Friday and Engineer Lipinski is working on it. It is a 5-year permit in which a borough participates with a consortium. A motion is needed, authorizing council president to sign application form. Engineer Lipinski will complete the application and will hand deliver it on Friday and get a receipt. **CM Barley/CM Baldauf moved to allow the council president to sign the application. Motion carried unanimously.** A \$500.00 check is also needed payable to the commonwealth of PA. Engineer Lipinski's office can issue the check and be reimbursed by Borough. Engineer Lipinski will also apply for a waiver because there are less than 1000 residents in the borough. A motion to sign the waiver was requested. **CM Barley/CM Baldauf move to reimburse Engineer Lipinski's company for the check and sign the waiver. Motion carried unanimously.**
- I) Robin Hood Drive Road Deterioration: No leak was detected by York Water Company. A test was conducted 3/3/22 around 4135 address, no leak was detected. Engineer Lipinski estimated about \$25,000 to \$45,000 to do repair work, likely no contractor will bid now on a repair job because it is late in the season. This estimate is just for repairs, not repaving the roads. Excavating may at times lead to discovering unsuitable materials beneath the road and that will increase the cost of the project. A geotechnical engineer could do tests in advance and that would provide a more accurate assessment of the cost of the project. Engineer Lipinski advises to get through the winter and see how conditions may change as they are impacted by the cold weather season. If the borough proceeds with the project, Engineer Lipinski advised the council get bids between March and May and make plans for this potential expense during the October budget meeting. This item will be added to the budget meeting agenda. He also recommended revisiting the estimate at that time to better account for fluctuations in supply costs and fuel prices
- Pres. Mundorf requested that Secretary in Training Delp add reminders in the calendar to consult with Engineer Lipinski about Robin Hood Drive in January and prepare for collecting bids in March if necessary. Solicitor Craley requested that the topic be added to the budget meeting agenda.
- J) TST grant: It was investigated if a TST grant could be used to replace traffic loops with a radar system. Engineer Lipinski found that all boroughs are eligible, however, scoping forms must submit by Sept 23rd. There is no matching contribution required and there is \$5,000,000 in the fund. Existing traffic control systems are eligible for the program. Priority given to project which impacts most users at least cost. It is competitive in nature and only traffic control signals eligible. Secretary Partridge indicated that a grant may be worthwhile because radar systems cost between \$10-20,000. Engineer Lipinski can do the application, but he would need to be compensated for his time. CM Martin agreed to attempt the scoping form. Engineer Lipinski noted that action on this item is needed no later than next council meeting. Solicitor Craley suggested that if additional time was needed, the meeting could be recessed with a

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follow up day and time to resume the meeting chosen. This arrangement must be made during the meeting and prior to the recess.

K) Additional topics

A question arose if Penn Dot will paint yellow curbs. Engineer Lipinski stated that generally, contractors won't unless it's in their contract.

A question arose regarding if Penn Dot did install the \$5,000 pipe. Secretary Partridge saw the pipe and indicated that the proof will be when we receive an invoice.

Engineer Lipinski requested to know if anyone knew the origin of a 6 inch in diameter CMP pipe located on the NW corner of W George St. None present had additional information on this subject.

6. Approval of July 5th Council Meeting Minutes

Secretary Partridge indicated that he had made the requested corrections. **Motion by CM Barley/CM Becker to approve the July 5th council meeting minutes. Motion carried unanimously.**

7. Solicitor's Report

A) Status of Sewer Arrearages: Solicitor Craley prepared a civil complaint for the Myers property. It was decided that Secretary Partridge and assistant Solicitor Craley would go to the district justice or do together to sign, register and pay for the complaint.

B) Water shut offs will begin for the Biaz property on 80 W. George Street, Sheri Spicer Black property on 277 North Main Street, and the Freyman property on 105 W. George St.

C) Solicitor Craley has encountered difficulty sending or delivering a tax bill to the Burans of 43 East George St. Because they don't have a mailbox. It is not useful to tape to door because only the rear entrance used. Accessing other door is challenging due to yard clutter. It was decided to ask Carl Barley, the constable, to deliver the bill.

D) New names on Sewer Arrearages List: Jodie Burns, Barton Copenhaffer, Amanda Horton, Joann Gerfolino, Shawn Mack, Joseph Messersmith, Myers, Mark Ness, Diane Poff, Greg Poff, and Tobin O'Conner, Steven Zink.

White family, previously on arrearages list have been paying their charges recently. *Punctuation?*

E) Freyman 105 W. George electric was shut off due to \$5-6,000 owed to electric company.

F) Status of Palmer Avenue

A draft letter was discovered unsigned and possibly unsent. No other records were found. Also, Palmer Avenue is not found on the liquid fuels list. If it is adopted, would add roughly \$400 to borough allotment of liquid fuels. Resident Gantz discussed the matter with Secretary Partridge and indicated he would like to have the benefit of road repairs since he currently pays taxes with no benefit in that capacity. Solicitor Craley indicated that in order to adopt a street, the consent of the residents is needed. Solicitor Craley will investigate adoption process.

G) Trees: Paragraph 159-5 c and c of the Borough Code gives height requirements for trimming – minimum of 8 feet over sidewalks, 10 feet over roadways. Notice was given to borough residents who need to make adjustments to tree heights in violation of borough code.

H) Trash Contract: The contract expires next year per Secretary Partridge. More advantageous contracts might be sought.

8. Unfinished Business

A) Purchase of Two Portable Stop Signs by Fire Company- no new information.

B) Robin Hood Road Deterioration – Results of YWC Testing showed that no leak was present.

C) Drainage Culvert on W. George Street- Engineer: Penn Dot repairs anything damaged above grade, boroughs are responsible for repairs that are below grade. The borough will clarify what repairs Penn Dot will cover.

D) Lions Club Letter- The borough will be sending a letter to the Lions Club that meets at the Borough Building outlining our new method of scheduling meetings through use of a calendar kept by the secretary and new storage requirements for club materials. After discussion, it was agreed that the letter would be amended to list September 1st as the date in which the changes outlined would take effect. The letter will be mailed to the president of the Lion's Club and also the secretary of the club. Pres. Mundorf will sign the letter after the changes referenced are made.

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An additional discussion ensued regarding available storage space. It was agreed that the file and storage room in the rear of the Borough Building should be secured for the sake of safe keeping of the Borough's historical records. CM Baldauf estimated that the cost of installing an individual lock for that room would be approximately \$90. Secretary Partridge also noted that the Spring Grove Borough would need an access key as well. **CM Baldauf/CM Harvey made a motion to install a new lock on the storage room door. Motion carried unanimously**

E) Update on Moving Voting Polls to Borough Building- Pres. Mundorf will check with Lutheran church and Genesis church to investigate the possibility of voting at either facility.

F) Borough Building Emergency Lighting System- CM Thumma is not present, therefore the discussion must wait.

9. New Business

A) CM Martin will plan to discuss sinking pavement by drain near the Borough Building in September's meeting. It was noted that this maintenance issue reoccurs roughly every 10 years.

B) Garbage and recycling pick up delays: CM Baldauf called Penn waste to discuss the delay in pickup service and has not received contact from Penn Waste. Discussions ensued about alternative trash services. It is uncertain if there are any other trash services in the local area that would be close enough to serve York New Salem. The Borough will continue to pursue making contact with Penn Waste.

10. Financial Report

A) Highlights of June Financial Report: the borough received \$130.89 in reallocated ARPA funds.

B) Approval of the June financial report: **CM Barley/CM Baldauf moved to approve the June financial report. Motion carried unanimously.**

11. Secretary's Report

A) Correspondence & Phone Calls – A letter from Quilts for Kids was received requesting a donation. This request will be considered during budget planning sessions.

B) News Items. The borough had a successful SWIF audit on 7/21/22 and a successful Liquid Fuels audit on 7/26 once requested records were provided to our auditor. In the process of these audits, we discovered that our annual auditor retained the Borough's 2019 records. They will be returned to the Borough at our forthcoming audit. Erica Delp, Administrative Assistant, is registered for QuickBooks training session on August 25th at cost of \$12.50 – Assistant Treasurer Shaffer, will be returning the Borough's laptop with the QuickBooks software to the Borough next week.

C) The Borough's 2nd ARPA allotment was delayed by problems with SAM registration renewal – Secretary Partridge and Administrative Assistant Delp attended a zoom meeting to gain instructions for how to renew the borough registration. Secretary Partridge will continue to resolve registration issues.

D) At his request, the Fire Company sent Secretary Partridge a copy of their Bylaws. Additional copies were sent to Pres. Mundorf and Mayor Franklin. Assistant Solicitor Craley and CM Baldauf requested copies as well.

E) The borough filed the 2nd Quarter DCED report on number of building permits issued.

F) Monthly expenses: Purchased office supplies (2,500 sheets of printer paper, a paper shredder, scotch tape, and assorted binder clips) at a total cost of \$129.76. Renewal of Licenses and Subscriptions: Quick books was renewed 7/23/22 at a cost of \$348.63. The QuickBooks payroll software will need to be renewed 2/23.

G) Administrative Assistant Delp will offer Office Hours Tues and Thurs 9am-1pm

H) Office Cleanup: In effort to declutter the office, any unneeded shelves, cabinets, and storage units could be removed and sold, possibly by utilizing our Borough Facebook page.

12. Mayor's Report

A) The Fire Department had 6 calls in July: 2 fire calls, 2 EMS assistance calls, and 2 cancelled calls. A discussion ensued regarding how often and what type of fundraisers the fire company does. It was postulated that there could be more cost-effective ways to raise funds other than driving through the neighborhood. It was agreed that an additional benefit of neighborhood driving fundraisers is raising public awareness, fire fighter education and driver training.

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13. Committee Reports

- A) Building- CM Thumma absent
- B) Highway- no updates
- C) Sewer- no updates
- D) Sidewalk- CM Martin has walked and inspected Main Street and viewed the newly constructed sidewalks. She will walk the rest of Sherwood Drive this month.

14. Around the Table

CM Martin: York Water Company came today to repair the dirt on the road by Sherwood Forest. A leak on a water line had caused the mud to be washed down.

CM Baldauf: There was overhanging foliage on Robinhood drive obstructing sidewalk near the Dollar General. CM Barley photographed it and sent it to Zoning and Code Enforcement Officer Jeff Koons, with the request that it be maintained or removed.

Pres. Mundorf: Purchased and donated computer equipment to efficiently run the printer and laptop. It was noted that the website contains Borough Code references for all who wish to see them.

Assistant Solicitor Craley: Police report from April 1st- June 30 was as follows

- 11 criminal investigations and 4 criminal arrests
- 4 crimes against a person consisting of 1 robbery, 1 purse snatching, 1 kidnapping, 1 false imprisonment, 2 harassments
- 7 crimes against property consisting of 1 burglary of residence, 2 thefts, 2 frauds (deception identity theft), 1 criminal mischief and 1 extortion.
- 1 crime against society, classified as "other"
- 5 Motor Vehicle Crashes: 2 hit and runs, 1 distracted driving, 4 citations issued: 2 driving uninsured, 1 accident involving an unattended vehicle or property, driving on roadways with a vehicle not intended for traffic. 2 citations were from people 30-40 years of age and 2 for people from 50-60 years of age. Maps of crashes are also available now. 2 were in the square, 1 was on South Main Street and 1 was on North Main Street.

It was clarified that the borough does get funding from traffic related citations and crimes.

Meeting Adjourned 9:34 pm