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best way to remediate the depression. Mr. Willis is not requesting any temporary remediation at this time as long as the Borough is working the problem.

### 2. Z&CEO's Report – Z&CEO Koons gave the following report:

- a. Permits Issued – none in February.
- b. Enforcement Actions Taken
  - 1) NOV mailed 12/7/21 to Timothy Freyman 105 W. George St regarding junk, DJ hearing was scheduled for 3/3/22. Hearing has been delayed, paperwork was never served, I gave the street address to DJ office and paid fee for constable delivery on 3/3/22. Case had been dismissed 3/24/22, refiled 5/27/22 and has been served. CV-0000014-2022, Judgement has been awarded. No new updates, violation remains. No changes.
  - 2) NOV mailed 9/12/22 to Ramous Lopez, 51 N Main St for permit violation for fence and pool, due to no response, filed complaint 10/14/22, Proposed hearing for Nov 17 at 9AM. Complaint was non-deliverable, paid for constable service, has been delivered, hearing scheduled for 12/15/22 at 9AM, hearing is now scheduled for Jan 12, 2023 at 9AM. Hearing is now scheduled for Feb. 15, 10AM, entered defense. As of 2/15/23 Mr. Lopez has been given 30 days to obtain permit, mailed to him an application and instructions on 2/17/23, compliance date 3/17/23.
  - 3) 301 N Main St, (Diaz) complaint filed, Diaz entered defense. Attorney Herrold discussion 10/4. Planning Commission for Hearing is 12/1/22, zoning hearing was 12/20/22. Zoning hearing decision denied. The decision was mailed to Mr. Diaz and his attorney on 2/3/23. Z&CEO Koons said that everything that gets mailed to Mr. Diaz comes back returned. Last week, on or about March 3<sup>rd</sup>, Mr. Diaz's wife showed up at the Borough Building and requested a copy of the ZHB decision. She said that her husband had not received the copy that was mailed to him. A copy was printed and provided to her at that time. It was confirmed that his attorney did receive the copy mailed to him and Solicitor Craley said that if his attorney received a copy, it is considered served. The deadline for Mr. Diaz to file an appeal was March 6<sup>th</sup> and there is no indication that an appeal was filed.
  - 4) 400 N Main St, last month's complaint of truck running in the early morning hours, I spoke with the manager (Beth) she was already informed, they took action, and she called her manager while I was there and confirmed that there are notes/requirements for trucks in the system regarding deliveries.
  - 5) 85 W. George St. Highway Occupancy Permit (HOP), Engr. Lipinski contacted PennDOT who told him that they would never issue a HOP for the situation he described for this residence; however, they do not enforce, and that enforcement is left up to the municipality. Sol. Craley suggested me ignore it until it becomes a problem and then it's between the State Police and the property owner. According to Sol. Craley, the Borough's zoning ordinance just says the number of driveways shall not exceed two per lot and must meet certain offset requirements, which it does, but because he is on a State Highway, he is only allowed one driveway, so he is not in violation of any of the provisions in the zoning ordinance. In order that we have on record that the Borough has no way of enforcing PennDOT's regulations, Engr. Lipinski will request PennDOT send the Borough a letter stating that the driveway is in violation of their regulations, and the Borough can then choose if it wants to forward the letter to the homeowner.

### 3. BCO's Report – No new activity to report. BCO Hammers verified that he had received both checks for MDIA for permits issued in January.

Z&CEO Koons and BCO Hammers leave the meeting.

### 4. Engineer's Report – Engineer Lipinski gave the following report:

- a. ADA Ramps – finally have Business Partner status with PennDOT so Engr. Lipinski is now authorized to apply for permits on behalf of the Borough. He is now moving forward on applying for the permit to install the ADA ramps at the Sunoco Station; however, PennDOT is now asking for additional information which he will submit.
- b. Triple stormwater inlet on N. Main St. – repair scheduled for March 13<sup>th</sup> starting at 4 am and lasting 12 hours under flagger operations. PennDOT will provide notification to the elementary school.
- c. Fire Company Signal – Chief Pierce mentioned that CM Martin and Asst. Sec. Partridge visited the Fire Company property and were briefed by him and their Vice President on their long-range plans.
- d. Evaluation of Sanitary Sewer Inspection – the autoCAD work at JR Holley to transfer the sewer map from Spring Grove Borough is continuing with the objective of getting accurate sanitary sewer information that can be given to

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Diamond Maps to include in the Borough's GIS map. Then the videos and other sewer maintenance and repair information can be linked to specific locations on the map. This process will take some time to complete setting up but will be a valuable asset to track and record sewer issues.

- e. Ground Depression at 122 S. Main Street – The work has not been accomplished awaiting suitable weather, but a temporary patch has been applied in the meantime.
- f. Depression in Sewer Line at Borough Bldg. – Engr. Linpinski discussed the contract from ECS, included in the meeting packet, to perform a geotechnical analysis of the area surrounding the manhole in order to provide better insight into what is causing the sinking and the best way to stabilize the situation. The cost would be \$6,500 plus an extra \$1,200 if we wanted a private utility locator. It was decided that the private utility locator would not be necessary as only the roof drains from the Borough Building run underground in that area. **A CM Partridge/CM Martin motion to accept the contract without the private utility locator, with the work to start as soon as possible, carried unanimously.**
- g. Highway Access Permit for 85 W. George Street – covered above under item 2.b(5)
- h. Road depressions on Robin Hood Drive – Engr. Linpinski recommended a reclamation process in which the ground water would be diverted into the storm water system and the base and pavement repaired. He estimates the cost to be around \$80,000. **A CM Thumma/CM Becker motion to authorize Engr. Lipinski to prepare the necessary documents and to move forward on obtaining a bid for repairing the depressed area on Robin Hood Drive carried unanimously.**
- i. Kevin Willis (74 N. Main St) Driveway Depression – covered above under Public Comment

Chief Pierce, Engr. Lipinski, and Sol. Craley discussed the issues associated with the Fire Company's deed which does not involve the Borough.

5. **Approval of February 7th Council Meeting Minutes** – CM Thumma suggested a change which was agreed to. **A CM Thumma/CM Becker motion to accept the minutes as corrected by CM Thumma carried unanimously.**

Engr. Lipinski leaves the meeting.

### 6. Solicitor's Report

- a. Sewer Arrearages – Sol. Craley sent out 8 letters and 2 lien updates and has been in contact with Vernon Bracey at York Water about a shutoff agreement. York Water will update our shutoff agreement so we should be in a position to start shutoffs this spring on some of our most chronic delinquents. Mrs. Cathy Myers of 1055 Smith Hill Road, who is \$8,100 in arrears and our worst offender, has agreed to start paying the quarterly charge and signed an agreement to pay \$300 per month toward what she owes. Sol. Craley received the first \$300 check with the signed agreement which he will give to Asst. Sec. Partridge to deposit and notify Spring Grove Borough Manager for their records. **A CM Thumma/CM Partridge motion to authorize Pres. Mundorf and CM Partridge to sign the Myers agreement on behalf of the Borough carried unanimously.** The Staubs at 1124 Scarlet Drive are now paid in full. Some homeowners are trying to catch up, a few have promised to send payment and did not, and there have been a few bounced checks. Sherry Spicer at 277 N. Main St. continues to be lienied and will be one of the first to have their water shut off. Michelle Baran at 43 E. George St. owes \$2,000 and her water will be shut off. Joshua Barker at 58 E. George St. promised to make payments and hasn't and will be taken to District Court and his property lienied. Jody Burns at 97 N. Main St. is making payments. Amanda Horton's property at 49 Water St. was behind when she bought it about a year ago and she hasn't paid a dime. Pres. Mundorf asked what the total amount of arrearages is at this point. Sol. Craley said he did not know off hand but that the current arrearages figure from Zach Gulden at Spring Grove is \$73,000, but many of these are just late and not yet delinquent. Mr. Lopez is also behind.
- b. Ordinance adopting portions of Palmer Ave, Scarlet Drive, and Marian Way – Solicitor Craley presented the subject ordinance for adoption by the Council. A copy of the ordinance is included in the meeting packet. There are two originals to be signed by Pres. Mundorf and the Mayor and attested to by Asst. Sec. Partridge. **A CM Thumma /CM Partridge motion to adopt the ordinance presented by Solicitor Craley carried unanimously.**

### 7. Unfinished Business

- a. Update on Moving Voting Polls to the UCC Church – still awaiting decision of the York County Board of Elections.

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- b. Borough Bldg. Emergency Lighting System – an estimate was received from Hagen Electric in Dover for installing emergency exit lights and replacing the florescent lights indoors with LED lights, replacing the outdoor lights with LEDs; and, in the storage room, reestablishing electrical service to the gas heater and disposing of the old emergency battery packs. Code also requires an emergency light be installed just outside the entrance doors. **A CM Martin/CM Becker motion to accept Hagens Electric's estimate at \$2,775 and to authorize Asst. Sec. Partridge to sign the estimate so the work can start as soon as possible carried unanimously.**
- c. Status of Crosswalk and Curb Painting – contract signed, still awaiting warmer weather to perform.

### 8. New Business

- a. Secretary/Treasurer Delp's Resignation – Included in the meeting packet is Erica Delp's resignation effective March 14<sup>th</sup>. **A CM Martin/CM Becker motion to accept Erica Delp's resignation with regret carried unanimously.** CM Partridge then proposed that he resign from Council so he can be appointed by Council to replace Erica Delp as the Borough's Secretary/Treasurer similar to what happened last year. Mr. George Donavos, who is running for council In this year's election, was present to acknowledge that he would accept an appointment to replace CM Partridge on the Council if so offered. CM Partridge then presented Council with his letter of resignation (included in the meeting packet) effective today. **A CM Thumma/CM Martin motion to accept CM Partridge's resignation as of the conclusion of this meeting carried unanimously.** Then CM Partridge presented the draft of a letter from Pres. Mundorf offering him the position of Borough Secretary/Treasurer and setting forth the terms of employment to which he was agreeing (also included in the packet). Pres. Mundorf and CM Partridge signed the letter of employment. **A CM Martin/CM Thumma motion to appoint Mr. Partridge as the paid Secretary/Treasurer in accordance with the terms of the offer letter carried with one abstention.** CM Partridge abstained from voting to avoid a conflict of pecuniary interest. Sol. Craley will prepare a resolution appointing George K. Donavos to replace CM Partridge on the Council for the duration of his unexpired term ending December 31, 2023.
- b. Yard Sale – It was agreed that the yard sale will be held on May 11th, 12th, and 13th this year and that an attempt should be made to find residents who would be willing to sponsor it with help from the Borough. Pres. Mundorf said his neighbor across the street might be someone to ask and that he would talk to her. The fire company should be notified in case they want to do a fund-raising event at that time.
- c. Newsletter – There was some discussion about what notices to repeat and update this year and other changes that were needed, e.g., to the list of Borough Officials. Sol. Craley said he can come up with a short paragraph about sewer billing. Pres. Mundorf will make a draft for approval at the April 4<sup>th</sup> council meeting.
- d. Street Cleaning – After some discussion concerning the need for street cleaning, it was decided to skip it this year.
- e. Sewer Billing
  - 1) Consider approving SGB bank change – After some discussion confirming that it would have no effect on New Salem or its sewer customers **a CM Partridge/CM Thumma motion to approve Spring Grove Borough's request to change banks carried unanimously.**
  - 2) Request for Proposal for Sewer Billing Agent – CM Partridge presented a draft of an RFP for Sewer Billing Agent (included in the meeting packet) for consideration. A suggestion to change the billing cycle back to how it used to be was discussed and it was agreed that it would be better to leave it as is. CM Partridge pointed out that with the new Peoples Bank online app the Borough could do the ACH debits if it wanted to. CM Partridge suggested that everyone review this draft over the next month, and we can take it up again at the April council meeting.
- f. PSAB Annual Conference Registration – CM Partridge referred to the PSAB Annual Conference registration form included in the meeting packet. The Conference is June 4 -7 in Hershey as it has been for many years. Unless someone else would like to attend this year, he would like to attend the entire conference as the Borough's voting representative at a cost of \$250 plus lodging and mileage. As in the past, he would stay at the Hershey Camping Resort which is about half the cost of staying in the conference hotel. **A CM Thumma/CM Martin motion to authorize CM Partridge to be the Borough's voting representative to this year's PSAB Conference in Hershey PA at a cost of \$250 plus lodging and mileage carried unanimously.**
- g. Letter supporting Fire Company seeking 501[c]3 status –Sol. Craley explained the various tax advantages to be a

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501[c]3 non-profit organization and said he will convey the Borough's support when he meets with the Fire Company this week. CM Martin described the meeting she and CM Partridge had with Chief Pierce and said she was impressed with his vision for future improvements and what he has been able to accomplish. CM Partridge reiterated that he had the same impression.

h. Electricity supply price negotiation – CM Partridge explained that the Borough has been enjoying a substantially lower cost of electricity because it belongs to a consortium of local boroughs who negotiate the supply price they pay as a group. The supply price the Borough has been paying for the last several years is just over 5 cents per kWh compared to Med-Ed's current supply price of 12.5 cents per kWh. The current price agreement ends in October of this year and our energy consultant, APPI Energy, a platinum partner of PSAB who offers their services at no cost to the Borough, is ready to start negotiating a replacement supply contract. CM Partridge is asking for Council consent to remain in the consortium and to authorize him to be the Borough's agent in the upcoming contract negotiations. A letter from APPI explaining the situation is included in the meeting packet. ***A CM Martin/CM Harvey motion to consent to the Borough remaining in the consortium and to authorize CM Partridge to represent the Borough in upcoming electric supply price contract negotiations carried unanimously.***

**9. Financial Report** – CM Partridge explained how QB's online reports are different from the reports we are used to getting from QB's desktop. For example, QB's online does not produce a separate balance sheet by class, only a balance sheet for the entire business. He said the consolidated balance sheet passed his consistency checks. ***A CM Thumma/CM Harvey motion to accept the January financial report as presented carried unanimously.***

### 10. Secretary's Report

a. Correspondence & Significant Phone Calls – none

b. News Items – Erica plans to have the migration from QB's desktop to QB's on-line complete by the time she leaves and she will be tutoring me on QB's online payroll next Monday – George Donavos, Bill Baldauf, and myself filed for the 2023 election, as far as we know no one else has filed – two peddler's licenses were issued, one to someone who lives in the Borough for pressure washing and car detailing services and one to a roofing contractor from New Freedom – an updated Borough Directory was sent to all Borough officials which, after this meeting's actions is already out of date, it will be updated and presented at the April 4<sup>th</sup> meeting for approval – the possible errors in the 2021 Audit of NCT Sewer Charges that was brought up at the last council meeting has been resolved, the phrase "due to NSB" should have read "due from NSB" so NCT's numbers were correct and the Borough owes them money – Asst. Sec. Partridge submitted a letter for Pres. Mundorf's signature to change the SAM.gov administrator from Connie Wentz to himself, the letter was signed by Pres. Mundorf and will be notarized by Asst. Sol. Craley and returned for submission to SAM.gov – the York County Borough's Association will be holding its next quarterly meeting on Thursday, March 23<sup>rd</sup>, which includes a tour of the newly refurbished Yorktowne Hotel, anyone interested in attending should so indicate before March 13<sup>th</sup> when registration is due.

**11. Mayor's Report** – Mayor Franklin was again unable to attend due to recovery from an injury that may require some additional time before he is able to perform all of his duties. Council would like him to take whatever time he needs to fully recover.

**12. Police Activity Report** – Nothing new to report as data on the State Police website has not been updated since December 2022; however, data is now available on the website back to January 2020.

### 13. Committee Reports

a. Building – nothing further to report at this time.

b. Highway – CM Thumma said he would be going around sometime this week to look at the roads and take some pictures. He will also be going around at night to check the streetlights. CM Partridge explained that the only streetlights that are not LEDs are the ones in Sherwood Forest II and that it is probably time to revisit replacing those with solar powered LEDs.

c. Sewer – nothing further to report at this time.

d. Sidewalks – CM Martin said the committee would go out again and look at some of the bad places where the sewer lateral crosses – there were about 4 or 5 of them. She will also revisit the list of properties on George and Main streets that are prohibited from having mailboxes to check for compliance.

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**14. Around the Table** – Sol. Craley mention that as of today, Mr. Diaz has not filed a zoning appeal. Also, Tri-community is officially dissolving in April and Wellspan will be putting EMS units in that facility with the intent to be manned full time. They will rent the facility from Seven Valleys Borough. The Borough will no longer need to pay a share of that facilities workers compensation as there will no longer be any volunteers. CM Thumma confirmed that, contrary to what has been reported by the Mayor, the Fire Company has been busy with many calls. The pros and cons of allowing parent's/grandparent's quarters in existing or new single-family residences was discussed at length. Sol. Craley said he would come back at the next meeting with a proposed ordinance to cover that situation. CM Martin mentioned that there have been complaints about the noise at the Sherwood Inn again and that she told the complainant to document the dates and times this occurs.

**15. Adjournment** – Meeting was adjourned at approximately 8:40 pm.

These minutes were transcribed from an audio recording and respectfully submitted by Secretary/Treasurer Peter E. Partridge.