



## APPROVED 5/2/23

- b. Swearing in of new councilmember – George K. Donavos was given the oath of office by Asst. Sol. Craley and signed the affidavit of residency.
- c. CM Donavos takes his seat at the Council table and is congratulated and welcomed aboard by everyone.

### 3. 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 a permit, mailed to him an application and instructions on 2/17/23, compliance date 3/17/23. Hearing on 3/20/23, Mr. Lopez on 3/17/23 texted me a sketch, (part Spanish, part English), then at the hearing on 3/20/23 handed me the zoning application for the fence, it was however for an extension for an existing permit issued in 2020, he now needs to make application for a building permit for the pool, he has an additional 30 days to obtain the permit. Mike Hammers and I met with Loubriel at the Borough office 3/21/23 to explain those details, compliance date is 4/20/23. CM Martin said that his fence appeared to be on the Fire Company's property.
  - 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. Diaz indicated he might reapply to the ZHB for an exception. A new NOV letter for unlicensed vehicles on his property was mailed on 3/28/23 for 10-day compliance for chapter 217, compliance date is 4/10/23. If he reapplies, he will have to pay the new application fee of \$750. If he continues with more violations, the Borough will ask for a \$12,000 fine, which is the limit that a magisterial district judge can impose. Diaz told Z&CEO Koons that he does not work for Asplundh anymore, has a job closer to home so he can be home more and has more time to concentrate on developing his vehicle repair business.

CM Martin said there is only one mailbox, at 74 W. George St., that is not in compliance with the Borough's ordinance that made mailboxes on Main and George Streets illegal as of January 6, 2009, except those already in place at that time. CM Martin argued that we should amend the ordinance so when grandfathered properties become vacant or sold, the mailbox would have to be removed, thus eventually eliminating all mailboxes on Main and George. She also noted that many houses do not have numbers on them. Sol. Craley said it would be a nightmare to enforce an ordinance that required house numbers. He suggested a notice be put in the newsletter that, for safety's sake, all properties should have their house numbers displayed prominently on their property. CM Thumma brought up the houses on George St. that have mailboxes on Forry St. The consensus was that they are not a problem, and the Borough cannot prohibit them. It's up to the Post Office if they want to deliver to those mailboxes. **A CM Martin/CM Donavos motion to authorize Sol. Craley to draft an amendment to the mailbox ordinance that would prohibit mailboxes on grandfathered properties that become vacant or sold, carried unanimously.** This draft would be held in abeyance and reconsidered for adoption when there is an opportunity to combine its advertisement with other legal notices.

### 4. BCO's Report – No new activity to report.

Z&CEO Koons leaves the meeting.

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

- a. ADA Ramps – He made all the revisions required by PennDOT, resubmitted them and anticipates the permit will be issued in the next two weeks.

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- b. Triple stormwater inlet on N. Main St. – repair has been completed on March 17 except that the current top wearing layer will be replaced by a permanent wearing layer as soon as weather permits, and the permanent wearing layer will raise the surface a little from its present height so there will be less of a dip for vehicles running over it. The contractor would like to get that done as soon as possible.
  - c. Fire Company Signal Update – Engr, Lipinski gave Sol. Craley a lot of legal descriptions and an exhibit drawing for the preparation of the new deed that the Fire Company is paying for. There should be no reason why the Fire Company cannot share this information with the Borough regarding the application for installation of the traffic signal the Borough is paying for.
  - d. Sanitary and Storm Sewer Inspections – He expects to be wrapping up the mapping of the sanitary sewer system based on information he is getting from Spring Grove Borough. This effort does not include the storm sewer system which would be a project for another time. He is in the process of identifying those sections of the system that were not included in the recent Mr. Rehab inspection. S/T Partridge referred to the Mr. Rehab proposal included in the meeting packet. Based on what Mr. Rehab proposed and what the Borough was billed and paid, S/T Partridge calculated that somewhere around 800 feet of the Borough’s system was not inspected, the reason for which not being known at this time. The Borough will probably have to contract with Mr. Rehab to inspect any of those missed sections that are critical to problems we are now dealing with, if not all the missed sections.
  - 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. – ESC completed taking the soil samples but has not yet completed and delivered their geotechnical analysis and recommendation. Engr. Lipinski said that he was there when they did the drillings and at the hole furthest away from the manhole, they hit bedrock at 14 feet and water at about 8.5 feet. The material coming out of the drill hole was a lot of silt. At the hole nearest the manhole, they hit bedrock at 11.5 feet and water at 3.5 feet. The sewer pipe is about 8 feet below the ground so is sitting in watery silt and sinking.
  - g. Road depressions on Robin Hood Drive – In order to do a full depth reclamation (FDR) requires PennDOT approval and PennDOT will not approve without a geotechnical analysis and an FDR design. Engr. Lipinski will make arrangements for a contractor to drill the holes, ECS to do the geotechnical analysis, and for an FDR design that can be submitted to PennDOT. The consensus of Council was to put cold patch down over the test holes until the permanent wear surface can be applied rather than just fill with stone.
  - h. Kevin Willis (74 N. Main St) Driveway Depression – waiting until sewer inspections can be completed.
    - i. Palmer Drive road repair – After some discussion, **a CM Thumma/CM Becker motion to authorize Engr. Lipinski to make a recommendation for the best way to repair Palmer Ave. and to obtain an estimate for that repair, carried unanimously.**
    - j. Entrance driveway at 85 W. George St.– Engr. Lipinski will contact PennDOT requesting a letter stating that the driveway will never be able to meet PennDOT’s requirements for a Highway Entrance permit, but that PennDOT will not take any action against the property owner.
    - l. Storm drains and sinking sidewalks – Using the photos included in the meeting packet, CM Thumma discussed the problems he saw with some of the storm drains and a sinking sidewalk situation primarily along King Richards Ct S. He also mentioned the storm drain at the low point on Sherwood Drive was also sinking. Engr. Lipinski explained the two methods typically used to repair those types of problems. He will meet with CM Thumma to further access the specific problem areas. An area of sidewalk directly across from the former tri-drain on N. Main St. was also discussed. Engr. Lipinski said he would discuss it with PennDOT, but it would be the Borough’s responsibility to repair.
- 6. Approval of February 7th Council Meeting Minutes – No changes were noted or reported. **A CM Thumma/CM Becker motion to accept the minutes as presented carried unanimously.****
- 7. Solicitor’s Report**
- a. Sewer Arrearages – Sol. Craley gave a check for one of the delinquents who paid to S/T Partridge to deposit. Delinquencies greater than \$500 total to just over \$57,000 which is down from what it was a while back. Most of the people at the bottom of the list will eventually pay; the upper two thirds are the real problem. He has not heard back yet from Vernon Bracey of York Water Company about water shutoffs but expects to, at which point those at the top

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of the list will have their water shut off to encourage payment. He is waiting to see if the Myers will make their second payment which is due later this month. S/T Partridge explained that while checking the amount of delinquencies he discovered that two properties that were paying for multiple EDU's when the Borough switched billing agents from York Water to Spring Grove Borough were now each only paying for one EDU. St. Jacob's UCC was paying for two and Zaza's was paying for three. So SGB is only billing for 344 EDU's where before we had 347 on the books. Sol. Craley will see if he can get a history of water usage for St. Jacob's to determine flow and S/T Partridge will investigate Zaza's further and involve Z&CEO Koons if necessary.

Engr. Lipinski leaves the meeting.

- b. Accessory Dwelling Units – Sol. Craley reviewed excerpts from the ordinances of Dover and Windsor Townships, included in the meeting packet, dealing with accessory dwelling units to give the Council ideas on how to deal with this issue. Based on previous discussions Council has had on this subject, accessory dwelling units should be incorporated into or be an add-on to the main dwelling and not a separate stand-alone structure. In most cases charging for an additional EDU would not be necessary. The situation that should be avoided is when the original owner sells the house, the house is advertised by the realtor as having a rental apartment. Besides family members, Windsor Township also allows the accessory unit to be occupied by a live-in caretaker who is living there to help the homeowner, which Council can decide is a good idea or not. This situation should not be confused with a group home, which has unrelated individuals living together with a caretaker, and the home is owned by the organization who provides this service. Sol. Craley recommends that an accessory dwelling unit be a permitted use, not a special exception that has to be approved by the Zoning Hearing Board. Annual or 6-month inspections by the Zoning Officer and documentation of a medical hardship would be required to ensure that the use continues to comply with the ordinance. Some additional discussion ensued about what constitutes a kitchen. If it doesn't have a stove, is it considered not to have a kitchen? **A CM Thumma/CM Baldauf motion to authorize Sol. Craley to draft an accessory dwelling ordinance along the lines discussed for consideration at next month's council meeting, carried unanimously.**

### 8. Unfinished Business

- a. Update on Moving Voting Polls to the UCC Church – still awaiting decision of the York County Board of Elections.
- b. Borough Bldg. Emergency Lighting System – The contract was signed with Hagen Electric and the down payment made. CM Thumma will contact Hagen to see what the status is.
- c. Status of Crosswalk and Curb Painting – contract signed, nothing has happened yet - still awaiting warmer weather.
- d. Yard Sale and Newsletter – CM Martin said she contacted a neighbor, Amber Shultz, who is willing to help organize and advertise the yard sale and maybe recruit other mom's to help. Amber requested that instead of going door-to-door we distribute a flyer with the newsletter. CM Martin showed a flyer she had designed and asked if it could be distributed with the newsletter, and she would deliver to the houses on Little John.
- e. Newsletter – Pres. Mundorf explained the changes and additions he had made to the newsletter, a copy of which was included in the meeting packet. CM Baldauf agreed to print and fold the newsletter and flyer, Stephanie Mundorf will print the labels, S/T Partridge will provide the envelopes from the Borough's stock, and CM Becker volunteered to stuff and mail the envelopes.
- f. Sewer billing agent request for proposal – S/T Partridge described a problem Cheryl Bahn had paying her 4<sup>th</sup> quarter 2022 sewer bill via automatic ACH withdrawal from her Peoples Bank account. The bank says her account was debited, yet Spring Grove Borough says it never showed up in their records. After speaking to Cheryl and the Assistant Manager at the bank, he confirmed that the money did leave the bank, so he instructed SGB to credit Cheryl's sewer account with the payment and any late payment penalties that were assessed. In the meantime, he will work with SGB to see if the money can be located. Sol. Craley said that there has been increasing incidents of money being diverted by computer thieves during electronic transactions. **A CM Thumma/CM Baldauf motion to authorize S/T Partridge to send out the RFP for Sewer Billing Agent he had drafted, carried unanimously.**

### 9. New Business

- a. Traffic signal control box key – Pres. Mundorf described a recent incident where the traffic signal control box keys were needed to switch the traffic signal to blinking while Columbia Gas made some repairs near the square. It took

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some time for the State Police to figure out that he had the keys, calling CR Lloyd, and S/T Partridge first. This incident pointed out the need to have a second set of keys. The blanks for these keys are restricted so they can only be obtained from Milt's Repair Service. S/T Partridge will purchase a duplicate set from Milt, but in the meantime, he has a combination lock box he can mount in the Borough Bldg. outside the Borough Office so that anyone with a key to the Borough Bldg. who has the combination to the lock box will be able to retrieve the keys.

***A CM thumma/CM Becker motion to authorize S/T Partridge to purchase a second set of keys for the traffic control box, carried unanimously.***

- b. Renewal of commercial insurance policy – Included in the packet for the Council's information was the declaration page for renewal of the Borough's general liability insurance policy offered by Selective Insurance showing the annual renewal premium of \$5,966. The actual billed premium was about \$600 less at \$5,293 and the check has already been mailed.

**10. Financial Report** – CM Partridge once again explained how QB's Online reports are different from the reports we are used to getting from QB's desktop. A nice feature of both QB's Desktop and QB's Online is that the reports can be download into an Excel spreadsheet which allows for some customizing. He said the consolidated balance sheet passed his consistency checks. ***A CM Thumma/CM Baldauf motion to accept the January financial report as presented carried unanimously.***

### 11. Secretary's Report

- a. Correspondence & Significant Phone Calls – none
- b. News Items – Copies of the updated directory are available for any official who wants one, a redacted version will be made available for posting on the Borough website and to give to anyone else who requests one – last call for SOFI's, Asst. Sol. Craley provided hers, and the Mayor's is the only other one missing – the annual audit for 2022 is underway, met with auditor last Saturday and gave him all the documents he needs, should be done in a couple of weeks, was due April 1<sup>st</sup>, Borough will be paying for 3 annual audits this year, 2020, 2021, and 2022 at ~\$2,200 each – working on recovering the \$150 's Milt's Repair Service charged us to check out the traffic signal after the truck accident at the square on March 6<sup>th</sup>, trying to get the police report so can bill the truck company or their insurance company – I will be out of town starting tomorrow morning, returning next Thursday, the 13<sup>th</sup>, visiting my daughter in Massachusetts for Easter, Pres. Mundorf will check the Borough mail at least once during this period and has a key to the Borough Office if needed, I will continue to monitor phone calls to the Borough's number and check its email.

**12. Mayor's Report** – Pres. Mundorf talked to Mayor Franklin who was planning to be here tonight but cancelled because he was not feeling well and needs additional surgery.

**13. Police Activity Report** – Covered under Public Comment above.

### 14. Committee Reports

- a. Building – nothing further to report.
- b. Highway – nothing further to report.
- c. Sewer – nothing further to report.
- d. Sidewalks – nothing further to report.

**15. Around the Table** – CM Baldauf mentioned that he got a lot of unsolicited comments from residence when getting signatures for his re-election petition. Common concerns were about speeding and wanting the West Manchester Police back. Several asked why the sign stop was moved at the intersection of Sherwood and Robin Hood closest to Main St. S/T Partridge referred to a letter in the meeting packet from Springfield Township requesting non-emergency Fire Police assistance at several social events. As far as the Borough is concerned, it is up to the Fire Chief to decide if he wants to support these events or not.

At the request of CM Martin Sol. Craley stated that mailbox ordinance is Number 1-2009, dated January 6, 2009.

**16. Adjournment** – Meeting was adjourned at approximately 8:48 pm.

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