

APPROVED 9/5/23

MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

August 1, 2023, at 80 N. Water Street, York New Salem PA

The New Salem Borough Council met in regular session on Tuesday, August 1, 2023. 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
William F. Baldauf, Vice President
Kim E. Martin, President pro tem
Sue Ann Becker
Harvey E. Thumma Jr.
Cecilia Harvey
George K. Donavos

BOROUGH OFFICIALS PRESENT

David Lipinski, Borough Engineer
Jeff Koons, Z&CEO
D. Michael Craley, Solicitor
Samantha Craley, Assistant Solicitor
Peter E. Partridge, Secretary/Treasurer
Judy Albright, Administrative Asst.
Mike Hammers Bldg Code Off.

OTHERS PRESENT

Crystal Cox, Fire Co
Tyke Shubert

BOROUGH COUNCIL ABSENT:

None

BOROUGH OFFICIALS ABSENT:

Joe Shubert, Mayor

Note the following Abbreviations:

“CM” = “Councilmember”
“ST” = “Secretary/Treasurer”
“Z&CEO” = “Zoning & Code Enforcement Officer”
“AA” = “Administrative Assistant”

“CP” = “ Council President”
“Engr.” = “Engineer”
“Sol.” = “Solicitor”

1. PUBLIC COMMENT – None

2. Z&CEO REPORT –

- a. No permits issued for July. Peoples Bank project is still awaiting permitting from MDIA.
- b. Enforcement actions

1. 105 W George St – Freyman – property is in foreclosure and scheduled for an October sale. No other updates available.

2. 51 N Main – Lopez – property is in foreclosure. Home is for sale and contact was made with listing agent Randall Jackson of Berkshire Hathaway regarding the fence. He will schedule a meeting with Z&CEO for clarification on violations.

3. 30 S Main – Hewitt – Tyke was scheduled to take care of grass, weeds, vines, etc but while he was on the property, the owner was called by a neighbor and told him to get off his property. The solicitor advised we should now file with the Magistrate’s office for the violations. Tyke will cease work on the property.

4. 63 N Main – Hecker – Home is on the tax sale list for fall. Tyke will make necessary corrections and a lien will be placed against the property for the cost.

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5. Ferrand Realty, Sherwood Plaza, has corrected the violations and they will make a more regular schedule to maintain the property.

It was learned that there is a vehicle parked in the lot overnight and it would appear someone is sleeping there. Z&CEO to research and advise his findings.

6. 1055 Smith Hill Rd – Myers – Z&CEO spoke with property owner who advised he will take care of the standing water as a result of a complaint filed with DEP for West Nile Virus concerns.

Another property with possible West Nile Virus concerns is the sediment pond at the end of King Richards Ct which needs to be treated. Z&CEO will check with the Wright family estate who is the owner.

7. 271 N Main – Estermyer was contacted regarding roosting of buzzards. Z&CEO suggested he place wire over the open windows as a means to prevent them from nesting on the property.

3. BCO REPORT – The Peoples Bank project will be a total renovation starting with the exterior and then moving interior. We have not received a formal land development plan yet and one may not be required. Council will be kept abreast of their plans.

BCO also asked for a map with all streets and boundaries. He was referred to York County property viewer.

4. ENGINEER'S REPORT –

a. Sunoco Station ADA ramps – the permit is under review at PennDOT.

b. Fire Company signal – can be removed from agenda.

c. d. e. f. - Road Depressions & Sewer Inspections, Palmer Dr, Storm drains & sinking sidewalks – Information should be available for quotes this week. Willis driveway and Clearview will be reviewed in spring. With regard to the triple storm drain inlet on N. Main St., a question arose if a maintenance bond is required to guarantee the road work once completed. The Solicitor advised he checked and none is needed. Once the work is completed the contractor is relieved of any responsibility.

g. Road additions to Liquid Fuels list – Engr. checked and Scarlet Dr from King Richard Ct to Marion Way can be added to the list. Palmer is a dead end street and according to the requirements of Liquid Fuels it cannot be added. This does not mean that we can't use Liquid Fuels money for maintenance but we will receive no funds for that roadway from the State.

A metal ring was found on Friar Rd. It is from around a manhole cover. Engr. will check and if required include it with the other work being completed in the area.

The Z&CEO, BCO and Engineer left the meeting,

Crystal Cox representing the Fire Company asked if Council could meet with her and other Fire Company representatives as questions have arisen with their restructure. There is EMA equipment at the fire hall and the Solicitor suggested she contact the EMA representative. They haven't painted the red "X" on the neighboring vacant property yet but will work on it. It was suggested that maybe they could use red duct tape to accomplish the task. Council previously asked for financial reports on a monthly basis showing net income on each account

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but has not received any lately. Ms Cox will check into it. The Fire Company also had an audit of the State Relief Fund money with outstanding deficiencies. Ms Cox reported all but one has been corrected and they are working on the remaining item.

5. APPROVAL OF JULY 11TH COUNCIL MINUTES - On a motion by CM Thumma, second by CM Baldauf and unanimously carried, the minutes were approved.

6. SOLICITOR'S REPORT

a. Sewer Arrearages and water shutoffs - The Solicitor had a meeting with York Water Co regarding shut off notices. They were advised to move forward with the shut offs for the delinquent accounts.

b. Zoning Hearing Board Resolution – on a motion by CM Thumma, second by CM Becker and unanimously carried, Resolution 5-2023 was approved appointing the following members to the Zoning Hearing Board:

Marlin E Barshinger – term expires 8/31/2025

Clarence R Lloyd – term expires 8/31/2026

Keith Martin – term expires 8/31/2024

Tobin O'Connor, Alternate – term expires 8/31/2024

The Solicitor also suggested that Council needs to appoint representatives to the Planning Commission. This will be placed on the September agenda.

c. Solid Waste Removal Contract – A sample Specifications for Collection and Disposal along with the Proposal for Collection of Solid Waste was presented for Council approval. The Sol. suggested that Council look over the documents and let him know of any concerns. He will prepare the documents for approval and advertising for bids at the September meeting. This would allow for opening of the bids at the October meeting.

There was discussion about commercial users not using their dumpsters but rather using the residential waste collection. ST Partridge is to check with Penn Waste for their customer list.

Further questions arose regarding the recycle containers and who supplies them. This is Penn Waste responsibility and the Borough only has a few in reserve. ST Partridge is to see if more are available.

7. UNFINISHED BUSINESS –

a. Update on moving polling location – We are still awaiting a response from York County Elections if this is possible. An email was received today by CP Mundorf from Brian Sheaffer of the Elections Bureau that he will be checking on approval of this move. CP Mundorf also questioned Mr. Sheaffer regarding appointing/electing a Mayor but has no response yet.

b. Zoning Hearing Board Resolution – motion passed under Solicitor's Report

c. Speed control on King Richards Ct & Robin Hood Dr. – CM Donavos and ST Partridge are researching alternatives for speed control. They are checking into cameras that would record license plates and those persons would be notified in writing they were observed driving over the posted speed limit. They will

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continue their research and report back to Council. Suggestions were to place the orange diamond signs above or below the present speed limit signs. ST Partridge is to research this with the Engineer. CM Baldauf suggested speed tables might be installed. CM Donavos and ST Partridge are to consider this in their research.

d. Sale of Sewer System to York Water Co – ST Partridge reported he sent a letter to Spring Grove Borough advising them of the termination of their agreement to handle the billing. ST Partridge advised he received an email from Nicole Ruth at Spring Grove Borough indicating the cost to do the data transfer would be \$3000.00. This seems excessive and will be researched.

ST Partridge also spoke to York Water Co regarding placing a notice in the August and September billings of the change and where their payments are sent. They indicated they could do this but there could be a fee. There are some residents that do e-bill and a way to notify them would need to be researched for the change.

8. NEW BUSINESS –

a. Add Judy Albright to Peoples and PLGIT bank accounts. A letter informing these entities has been prepared and presented for signature by CP Mundorf and ST Partridge. The following motion was made by CM Thumma, second by CM Donavos and passed by majority vote of the members present:

1. To add Judith A. Albright, the Borough's Administrative Assistant and Secretary/Treasurer in Training, as an additional person authorized to sign checks on all New Salem Borough accounts at Peoples Bank and PLGIT.
2. To add Judith A. Albright as an additional person authorized to have full-service access to Peoples Bank and PLGIT on-line banking services for all New Salem Borough accounts at Peoples Bank and PLGIT including the authority to read and download monthly account statements and other account data, and to transfer funds between New Salem Borough accounts or to and from external accounts belonging to New Salem Borough.
3. To issue a Peoples Bank debit card linked to New Salem Borough general fund account ending in 3116 to Judith A. Albright with a credit limit of \$1,000 per transaction.
4. To remove Erica E. Delp from having any authority to conduct any activity regarding New Salem Borough accounts at Peoples Bank and PLGIT to include signing checks and accessing account information via on-line banking.

b. Traffic Signal Maintenance Agreement – Sol Craley drafted a Resolution and Agreement for New Salem Borough participation in joining together with surrounding municipalities for cooperation of maintaining and repair of traffic control devices. On a motion by CM Donavos, second by CM Thumma, and unanimously carried, Resolution 6-2023 was signed along with the Agreement for Intergovernmental Cooperation for maintenance and repair of traffic control devices.

c. PSTCA invoice for tax collector – Tax Collector Stephanie Mundorf has asked the Borough to approve and pay for her membership. On a motion by CM Baldauf, seconded by CM Becker, the motion passed. CP Mundorf abstained due to his being related to the tax collector.

d. Fall Newsletter – CP Mundorf will work on the newsletter updating dates, etc from last year's newsletter. A Christmas decorating contest was suggested. Information will be forthcoming in the newsletter. CM Donavos

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volunteered himself as Santa and his children would do the voting on the decorated residences. Phone numbers for officials should be corrected as needed.

9. JUNE FINANCIAL REPORT - On a motion by CM Thumma, second by CM Becker and unanimously carried, the financial report was approved with no questions.

10. SECRETARY'S REPORT –

a. Main and George Streets intersection meeting – Meeting is scheduled for August 8, 2023 at 1:00 PM with PennDOT representatives and Council members able to make the meeting at the Borough building.

b. Check received from Progressive Insurance for \$150.00 for inspection of the traffic signal at Main and George Streets as a result of a traffic accident there.

11. MAYOR'S REPORT - Mayor absent and none received.

12. POLICE REPORT – Asst Solicitor Craley reported 1 accident in the second quarter. There were also 4 crime reports which resulted in 1 arrest for assault and theft.

13. COMMITTEE REPORTS – None received from Building, Highway, Sewer & Sidewalks

14. AROUND THE TABLE- CM Baldauf questioned our dog ordinance and the erecting of fences. Sol Craley suggested he contact SPCA for cruelty violations and have the Z&CEO research the erection of the fence. AA Judy Albright notified Council she will be attending a 2 day seminar for Municipal Secretary/Administrator on August 15 and 16. She has paid the fee. Sol Craley suggested Council approve her attendance as a representative of New Salem Borough so she is covered for liability. On motion by CM Thumma, second by CM Donavos and unanimously carried, she is authorized to attend as a borough employee.

With no further business the meeting was adjourned by CP Mundorf at 9:18 PM.

Respectfully submitted by Judy Albright, Administrative Assistant.