

# APPROVED 10/3/23

## MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

September 5, 2023, at 80 N. Water Street, York New Salem PA

The New Salem Borough Council met in regular session on Tuesday, September 5, 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  
Harvey E. Thumma Jr.  
Cecilia Harvey  
George K. Donavos  
Sue A. Becker

### **BOROUGH OFFICIALS PRESENT**

Joe Shubert, Mayor  
Jeff Koons, Z&CEO  
D. Michael Craley, Solicitor  
Samantha Craley, Assistant Solicitor  
Peter E. Partridge, Secretary/Treasurer  
David Lipinski, Borough Engineer  
Judy Albright, Admin Asst

### **OTHERS PRESENT**

Andrew Martin,  
Assistant Fire Chief  
Michael Messinger  
Lori Swartz  
Alan Swartz  
Stephanie Mundorf

### **BOROUGH COUNCIL ABSENT:**

Kim E. Martin, President pro tem

### **BOROUGH OFFICIALS ABSENT:**

Mike Hammers, Building Code Officer

Note the following Abbreviations:

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

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

**1. PUBLIC COMMENT** – Tax Collector Stephanie Mundorf asked if there was a process when she receives a request for a tax certification that would also provide for unpaid sewer/water service. Sol. Craley suggested she send him an email providing the resident’s name and address and he will check his record for unpaid sewer/water. She also updated Council on the possible change of the polling location. The Fire Hall has been deemed not ADA compliant, St. Jacob’s Church also is not ADA compliant, and the Borough Building is also not ADA compliant. The Elections office has decided to possibly move the polling to Genesis Church if the church will approve it. Presently the church hosts polling for North Codorus Township residents and there may be some confusion when constituents come to vote and as to where they should enter. If the church agrees with the Elections office, they would post a notice on the door of the new polling location. It was later learned that any registered voter in the Borough would receive an updated registration card from the Elections office indicating the new polling location.

Alan Swartz is looking at purchasing a lot on Water St and was checking into the location of where the sewer and water lines were located. He was not aware of any availability of an EDU for sewer connection and was informed there would also be an EDU charge and a hookup charge. After much discussion he was informed there may be a problem with property lines on this lot and he should speak to the neighbor Mrs Weisensale. Also, Mayor Shubert indicated York Water Co may not permit him to cross property lines to access their lines. Mr. Swartz will do more research.

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Andrew Martin, Asst. Fire Chief updated Council on the Auditor General's findings after the audit of the Fire Relief funds. The missing \$9,500 in question is a result of these funds being used for purposes not authorized by the Auditor General and was not missing or stolen. The Fire Co was making payments back to the fund but Peoples Bank is asking for the Articles of Incorporation from the Fire Co. They are not a corporation and as an unincorporated association per State laws, they will not have Articles of Incorporation. They are continuing to work with the bank to correct this problem so they will have two signatures on all checks. He asked that either he or Crystal Cox be contacted with issues the Borough may have. ST Partridge asked if they have enough to cover the outstanding balance and Mr. Martin indicated they are approximately \$2,000 short. ST Partridge indicated the Borough presently gives the Fire Co the Fire Relief Funds it receives from the state along with paying for their liability insurance. CM Donavos asked if any training is being withheld due to the financial situation. Mr. Martin indicated they cannot send any firefighters for training because they can't use the Fire Relief funds. Mr. Martin did state that many of the firefighters are members of other Fire Companies, and they are receiving their training there. At present no one has been denied training.

### **2. Z&CEO REPORT –**

a. Two permits were issued for August. Peoples bank is still with MDIA for permitting. Z&CEO Koons did learn that no land development plans are required for the small expansion to the front of the building. 301 N Main, Diaz has been in touch regarding a Zoning Hearing request for the expansion of his building to establish an apartment above the commercial establishment. Z&CEO Koons provided Mr. Diaz with information that would be required and has not heard back from him yet.

#### **b. Enforcement actions:**

1. 105 W George St. – Freyman – Z&CEO Koons has been informed that more junk is being stored on the property but he has not inspected the property.

2. 51 N Main St – Lopez - The property is presently under contract to sell. The pool is down, the goats are gone and the fence has been removed from the rear of the property.

3. 30 S Main – Hewitt – Mr. Hewitt is making an effort to mow the grass and remove the weeds, grass and vines.

4, 63 N Main – Hecker – Property is vacant and Sheriff Sale is scheduled for October, 2023. Sol. Craley asked that any bills the Borough has incurred in getting Tyke to mow and maintain the property be provided to him so the property can be liened for these charges prior to the Sheriff Sale date.

5, 4983 Robin Hood Dr – Glatfelter – Notice of Violation sent for keeping of inoperable vehicles on his property. No contact with him has been received.

6. 4155 Robin Hood Dr – Dattisman – Notice of Violation sent for excessive weeds. Z&CEO Koons reported Mr. Dattisman is working on it.

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7. 85 W George St. & 105 W George St – Franklin & Freyman– Notice of Violation sent for weeds along the drainage ditch. Z&CEO Koons has had no response from either party.

8. Non traffic citation forms update – On a motion by CM Donavos, seconded by CM Baldauf and unanimously carried the Sec or Admin Asst are to purchase the citations for the Z&CEO.

Other updates:

4053 Robinhood – Warner - fence in front yard – Z&CEO Koons spoke with Mrs Warner who will speak to her husband who is presently out of town. There is concern by residents that the temporary fence isn't properly secured and the dogs may get out. Z&CEO Koons reported the Warners have spoken with a contractor to do some work on their property and construct a retaining wall in the rear of the property and then place a permanent fence in the rear yard. This may take several months. Sol Craley suggested Z&CEO Koons continue to monitor the property and keep Council informed of his findings.

Sherwood Inn – N Main St – noise complaint by Jesse Campbell. He reports the patrons and music are very loud, cars are doing burnouts and he has also observed public urination. CM Thumma has volunteered to check the level of noise sporadically using the decibel meter provided by ST Partridge and report back. Asst. Sol Craley suggested that with regard to the vehicle violations and public urination the police be notified when occurring.

**3. BCO's REPORT** – No report and BCO not present

### **4. ENGINEER'S REPORT**

- a. Sunoco Station ADA ramps – still trying to respond to PennDOT's conflicting requirements.
- b. Fire Company Signal – still awaiting legal description of Fire Co. property, which is nearing completion.
- c. Sanitary & Storm Sewer Inspections – Engr. Lipinski has not been able to get any bids on this yet. He has been in contact with ECS regarding some of the issues. They are suggesting he use foam to fill as it is not as expensive as other means of repairs. A written proposal will be obtained and referred to Council when received.
- d. and e. Road Depressions and Sinking Sidewalks – Engr. Lipinski has spoken with Thomas Wells of Wells Paving who is scheduled to come out to quote the project yet this week. He also contacted Clearview Excavating and got a quote from them. Sol. Craley suggested that Eng. Lipinski get both quotes and refer back to Council for the October meeting. There would still be enough time to complete the project before the expiration of PennDOT's cutoff date for blacktopping.
- f. Additions to Liquid Fuels list – The information has been sent to PennDOT to add a portion of Scarlett Dr and Marion Way to the Borough's list. Palmer Dr cannot be added because it does not meet PennDOT's criteria for roads. PennDOT has approved the additions.

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Traffic calming devices for Sherwood Forrest were discussed. CM Donavos and ST Partridge checked out the speed tables on Covington Drive in Shrewsbury and reported they seem to be working well. Cost is estimated to be between \$7,000 and \$10,000 per table. Sol. Craley suggested a line could be added to the bid package for the work to include these units and when preparing the budget they be included. ST Partridge reported the Sherwood Forest II HOA would be willing to pay up to \$10,000 for one table along King Richards Ct S. No action necessary at this meeting.

Engr. Lipinski checked into the speed signs along state roads. Since these signs are only temporary and can be moved, a permit may not be required. He was informed by PennDOT that a signal permit may be needed but since the signs are not permanent, they aren't sure what would be required. He will check further with PennDOT.

Z&CEO Koons and Engr. Lipinski left the meeting.

**5. APPROVAL OF AUGUST 1<sup>ST</sup> MEETING MINUTES** – Sol. Craley noted on page 3 under Solicitor's Report, paragraph b. that a resolution is not required to appoint representatives to the Planning Commission. On a motion by CM Thumma, seconded by CM Becker and unanimously carried the minutes are approved with this correction.

## 6. SOLICITOR'S REPORT

a. Sewer Arrearages and water shutoffs – Sol. Craley has sent 13 requests to York Water for water termination. To date he has heard from 3 but nothing from the other 10.

b. Solid Waste Removal Contract – Council was presented with the proposed contract last month. On a motion by CM Thumma, seconded by CM Donavos and unanimously carried, the Solid Waste Contract is to be advertised for bid opening at the October 3 meeting.

c. Planning Commission appointments – ST Partridge is to verify with the proposed members for their appointment.

## 7. UNFINISHED BUSINESS

a. Update on moving Polling location – covered under public comment

b. Update on transition of sewer billing to York Water Co. – Due to Spring Grove Borough not being able to generate the ACH quarterly payments in August, 50 residents were contacted by ST Partridge via US Mail advising them to make the payment directly to New Salem Borough no later than September 15, 2023. The York Water Company will be sending out a notice this week to all of the Borough's sewer customers about the change in billing agent and providing payment instructions.

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- c. Speed Control on King Richards Ct and Robinhood Dr – Discussed under Engr. report
- d. Sale of Sewer System to York Water Co – Ongoing at this time
- e. Traffic Signal Maintenance Agreement – Council signed the Agreement last month but has not heard from any one regarding it. Sol. Craley suggested that Jenny Gunnet at Windsor Twp might have an update.
- f. Fall Newsletter – draft copy presented and discussed. The Fire Co was not aware of any of the items they may be required to participate in. A copy of the draft was given to Assist Chief Martin and he will discuss with Fire Co. A new draft will be prepared.

### 8. NEW BUSINESS

- a. ST Partridge suggested the Council appoint Judy Albright as Treasurer. ST Partridge will resign from the Treasurer position and have Judy appointed Treasurer. He will remain as Secretary and Judy will remain as Administrative Assistant. On a motion by CM Baldauf, seconded by CM Thumma, and unanimously carried, Judy Albright is appointed Borough Treasurer at an hourly rate of \$20.00 per hour.
- b. Consider approval of SPCA 2024 contract – A copy of the proposed contract was presented to all Council members. On a motion by CM Baldauf, seconded by CM Donavos and unanimously carried Sec. Partridge is authorized to sign and return the contract.
- c. Gladfelter Library request for additional donation – Due to unforeseen expenditures they are asking for an additional donation of \$1,000. On a motion by CM Donavos, seconded by CM Becker, and unanimously carried, the onetime additional donation of \$1,000 will be made to the Library out of the ARPA Funds.
- d. Request from Hoffman Homes for donation – After some discussion it was suggested that Council hold off on this request and consider the donation for the 2024 year at budget discussions.

**9. FINANCIAL REPORT** – July financial report was presented for approval. On a motion by CM Thumma, seconded by CM Donavos and unanimously carried the July financial report was approved.

### 10. SECRETARY'S REPORT –

- a. Main & George St Intersection Meeting – PennDOT presented several options for consideration. Option 1 would be the least invasive and would allow for reprogramming the traffic signal cycle. Option 2 would take more land and would provide separate turning lanes. Option 3 would be the traffic circle which would not provide any relief in the future due to the projected number of vehicles into the intersection. They will be moving forward with additional studies for Option 1. An estimated finish of the project could go to 2026.
- b. YCBA Fall Meeting – to be held on September 28, 2023 in Stewartstown. Any Borough official interested in participating must RSVP by September 22, 2023.

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c. 2024 Budget – Sec Partridge presented a suggested new template for the budget proposal using GF revenues as an example. He intends to complete and disseminate all of the templates before the next Council Meeting.

d. Closing of E. George St for Road Work – PennDOT will be doing base repair from the split of E. George St and Indian Rock Dam Rd east to the intersection of Rt. 182 and Croll School Rd. Work is to begin September 5<sup>th</sup> and continue to September 8<sup>th</sup>. No work is occurring in the Borough.

**11. MAYOR’S REPORT** – no formal report but Mayor Shubert reminded council that we will need to do bids for snow removal.

**12. POLICE ACTIVITY REPORT** – nothing to report

**13. COMMITTEE REPORT** – no reports for Building, Highway, Sewer or Sidewalks

**14. AROUND THE TABLE** – Asst. Sol. Craley reported September is Suicide Prevention Month. If you know of anyone that needs assistance, reach out to them.

CM Baldauf suggested something be put in the newsletter regarding parking on sidewalks. He also observed bushes encroaching on sidewalks in Sherwood Forest and people walking in the street not the sidewalks.

CM Thumma asked for a line item to be included for the October meeting under new business. He would like to discuss parking of trailers on the street.

With no further business the meeting was adjourned by CP Mundorf at 9:38 PM.

Respectfully submitted by Judy Albright, Administrative Assistant.