

MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

October 3, 2023, at 80 N. Water Street, York New Salem, PA

The New Salem Borough Council met in regular session on Tuesday, October 3, 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
Harvey E. Thumma, Jr.
Sue A. Becker
George K. Donavos

BOROUGH OFFICIALS PRESENT

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

OTHERS PRESENT

Marlin Barshinger, resident
293 N. Main St

BOROUGH COUNCIL ABSENT

Cecilia Harvey

BOROUGH OFFICIALS ABSENT

Joe Shubert, Mayor

Note the following Abbreviations:

“CP”=“Council President”

“CM”=“Council Member”

“Sol.”=“Solicitor”

“Engr.”=“Engineer”

“Z&CEO”=“Zoning & Code Enforcement Officer”

“BCO”=“Building Code Officer”

“Sec.”=“Secretary”

“Treas/AA”=“Treasurer/Admin Asst.”

1. PUBLIC COMMENT – Marlin Barshinger, 293 N Main St. wants to know what can be done regarding the noise at Sherwood Inn. Last weekend the noise disrupted his sleep and this occurs frequently. He is requesting a decibel meter be used to measure the volume and then appropriate action taken. CM Thumma found on the York County website that the maximum permitted is 65 decibels. Sol. Craley asked that he be provided that information for his research. Z&CEO Koons is to measure the volume with a provided decibel meter and if necessary purchase a new meter and continue to monitor. Any meter being used will need to be calibrated for accuracy. Mr. Barshinger also questioned what his neighbor Mr. Diaz is planning for the property regarding adding a residency at the building. Mr. Diaz is rethinking adding a second story to the building for a residence or make the rear of the building his residence and have the sharpening operation as a home occupation. He would still need to apply for a zoning change but has not made the application yet.

8. NEW BUSINESS

a. Refuse collection bids –One received from Republic and one from Penn Waste. Sec. Partridge opened the Republic bid and read their letter indicating they would not be bidding as they have gone to all automated pickup and they cannot accomplish this within the borough. Sec. Partridge then opened the Penn Waste bid. The bid for a five (5) year contract is : 1st year/ \$395.64 – 2nd year/ \$423.33 - 3rd year/\$452.97 - 4th year/\$484.68 - 5th year/ \$518.60. Much discussion ensued regarding the increase from the current contract. Joel Washok, Penn Waste representative, indicated 40% of the increase is due to labor rate since 2018 when the current contract was bid. Sol. Craley indicated there are only two (2) choices – reject the bid or accept any of the five (5) year options. On a motion by **CM Thumma, seconded by CM Becker and unanimously carried**, the five year Penn Waste bid is accepted pending final review by the Solicitor.

2. Z&CEO REPORT – There were five (5) permits issued for September. The Peoples Bank project is still with MDIA. Notice of violations were sent to the following:

1. 105 W George St –Freyman – the Sheriff Sale has been postponed till December 4th and the water shutoff took place today.

2. 51 N. Main- Lopez – property has been sold but lawn is still overgrown
3. 30 S Main - Hewitt–the grass has been mowed as of today
4. 63 N. Main – Hecker – Tyke is under contract to maintain the property
5. 4155 Robin Hood Dr. - Dattisman– weed violation and they have been sprayed
6. 85 W George & 105 W George – Franklin/Freyman – violation of the weeds along the drainage ditch have been sprayed.
7. 4086 Robin Hood Dr. – Guinard –violation regarding parking on sidewalk which has been corrected.
8. Dollar General – District manager contacted regarding sidewalk foliage and general cleanup to be maintained on a regular basis
9. 4009 Robin Hood Dr. – Altland – violation regarding sidewalk obstruction
10. Fire Department – violation regarding keeping of vehicles untarped and removing 10 days after training
11. 4042 Robin Hood Dr. – Zink – violation regarding keeping of certain vehicles - compliance by 10/15/23

CM Baldauf questioned if there are any guidelines on cutting of trees. There has been a company working in Sherwood Forest that seemed questionable. Sol. Craley indicated there are no guidelines and a homeowner would have options for any damages to their property either file a claim with their home owners insurance or file a civil suit.

There was a question on the number of EDU's presently being used at the Diaz property and what would be required should he put a residence there. Z&CEO Koons indicated if Mr. Diaz were to use the property as his residence and have the sharpening service as a home occupation, only 1 EDU would be required.

CM Martin questioned if the mailboxes along the sidewalks could be removed as those residences use the free Post Office Boxes. Z&CEO will contact those residences regarding the removal.

CM Becker asked if the Z&CEO Koons would check the property at 49 North Water St for the grass height violation.

Z&CEO Koons left the meeting

3. BCO REPORT - BCO Hammers expects the People's Bank drawings will be returned from MDIA within the week. The plans for the handicapped ramp are in review for the Franklin property at 85 W. George St. There was some discussion regarding UCC requirements for the Diaz property if a zoning change takes place. BCO Hammers and Z&CEO Koons are to inform Mr. Diaz of those requirements.

BCO Hammers left the meeting.

4. ENGINEER'S REPORT –

a. ADA ramps at Sunoco station – PennDot has questioned the slope of the ramps but could not give a direct answer as to what they want. After discussion with them it was recommended that the drawings be changed so that they cannot be built to those specifications and then move forward. Eng. Lipinski will make the change and resubmit.

b. Fire Company signal – a revised plan is now complete and will be sent to Sol. Craley. Any engineering costs will be forwarded to the Fire Company. The signal will be in the name of the Borough and be Borough property. Sol. Craley feels an agreement is required between the Borough and Fire Company and he is to work on that. He is presently working on a deed for the Fire Company. Eng. Lipinski indicated there may be some charges on his previous bills the Fire Company may be responsible for. Sec. Partridge, along with Eng. Lipinski, are to research.

Sec. Partridge is to also contact the Fire Company and ask for them to be present at the next council meeting for mutual communication.

c. Sanitary and storm sewer inspections – Eng. Lipinski has not gotten quotes back from USG regarding the use of foam for the inlets but communication today indicates he should have it within a week. Sec. Partridge asked that he be provided with a possible estimate of cost prior to the budget meeting next week.

d. Repairs to street areas and Willis' driveway – Eng. Lipinski was unable to make any contact with Wells Paving even after several attempts. Therefore the only bid received is from Clearview Excavating at a cost of \$5000 for these street repairs, driveway repairs and repair and replacement of the riser ring. On a motion by CM Martin, seconded by CM Baldauf and unanimously carried, Eng. Lipinski is to contact Clearview Excavating to schedule these repairs.

e. Speed table recommendations for Robin Hood Dr. and King Richards Ct.- Eng. Lipinski is working on getting quotes for the speed tables. There was discussion on the number that would be needed and no decision will be made until the cost is obtained. Asst. Sol. Craley suggested a Public Safety Grant might be available to assist with the cost. CM Martin would like to see additional signs be added to the present speed limit signs to help with speeding. She will work with CM Donovas and Sec. Partridge to check sign pricing and any other alternatives available.

Eng. Lipinski spoke with PennDOT regarding the movable speed limit sign placed on East George St. at the church. They are suggesting a map be drawn – nothing formal – to show the possible placement along any state road in the future and indication of the time frame they will be there. Since it is not clear that the way in which the Borough mounts and uses these signs requires a permit, it was decided not to do anything unless we hear further from PennDOT.

f. Sewer Operator – Eng. Lipinski is attempting to get an acknowledgement from DEP that we don't need a licensed operator for our present gravity system. Spring Grove Borough and North Codorus Township do have a licensed operator.

Eng. Lipinski left the meeting.

5. APPROVAL OF SEPTEMBER 5, 2023 MINUTES – on a motion by CM Baldauf, seconded by CM Becker and unanimously carried the minutes were approved as presented. After the September 5 meeting, Sol. Craley prepared a Resolution that Sec. Partridge would be appointed Assistant Treasurer. No action taken.

6. SOLICITOR'S REPORT –

a. Sewer Arrearages and water shutoffs – 13 properties were sent to York Water for shutoff. 12 have paid or made payment arrangements. The only shutoff did occur on the Freyman property – 105 W. George St. and the lien was filed on October 2, 2023.

Sol. Craley indicated he heard 63 N Main St (Hecker) would be refinancing and the outstanding liens would need to be paid prior to that occurring. They have also paid 1 year of their delinquent real estate taxes and eliminated that property from the tax sale.

7. UNFINISHED BUSINESS –

a. Update on moving the voting polls – nothing new to report

b. Update on transitioning sewer billing to York Water – the property file has been forwarded to York Water and the new bills should be out to the residents within the week. Sec. Partridge has forwarded the list of residents to York Water but they used a list they had and 3 residents of North Codorus Township received the letter regarding the transfer of the billing to York Water. This was brought to light by the North Codorus Township Manager who contacted Sec. Partridge. This was handled by a phone call between the two. Sol. Craley suggested that Sec. Partridge keep the Borough's own list of balances to compare when necessary with York Water Co. Spring Grove Borough will send any payments they receive to Sec. Partridge for payment to New Salem Borough.

c. Speed control – covered earlier in the meeting.

d. Sale of Sewer System to York Water Co - Sec. Partridge has requested a usage report but has not received it yet.

e. Status of Traffic Signal Maintenance Agreement – RFP to go out tomorrow with results back by our next meeting.

8. NEW BUSINESS

b. Approve budgeted donation for Glatfelter Library – On a motion by CM Baldauf, seconded by CM Thumma and unanimously carried, a check for \$2200 will be presented to them at our budget meeting scheduled for October 11, 2023 where they will be present.

c. Approve budgeted donation for Windy Hill Senior Center – On a motion by CM Baldauf, seconded by CM Thumma and unanimously carried, a check for \$1,000 is to be sent.

d. Approve donation to Hoffman Homes for Youth – on a motion by CM Martin, seconded by CM Donovas and unanimously carried, a \$500 donation will be sent to them.

9. FINANCIAL REPORT – On a motion by CM Thumma, seconded by CM Donovas and unanimously carried the August 2023 report was approved.

10. SECRETARY'S REPORT –

a. Introduction to 2024 Budget Proposal – Sec. Partridge had copies for all Council Members to review prior to the actual Budget meeting on October 10, 2023.

Sec. Partridge reported the Fire Relief money has been received however, the Auditor General's office sent a letter indicating these funds should not be turned over to the Fire Company due to outstanding deficits from their recent audit. Sol. Craley would like copies of this letter and any other correspondence received regarding this money. He further suggested we hold the funds until the Borough is advised to release them.

CM Thumma left the meeting

11. MAYOR'S REPORT – none received – Mayor absent

12. POLICE ACTIVITY REPORT – no data received.

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

Sec. Partridge suggested getting the Borough building power washed but it was decided to wait till the water usage ban is lifted.

14. AROUND THE TABLE – only comments from:

CM Baldauf reported dogs not on leashes, several new residents may not be aware of the ordinance. He also reported a possible site distance violation at 6 Friar Rd. with the parking of vehicles. Z&CEO Koons is to research.

CP Mundorf wanted to address the Fire Company representative concerning their comments about an altercation between their member and Stephanie Mundorf. It was researched and the tape clearly shows the person involved was not Mrs. Mundorff. He would like an apology from them regarding the remark.

Asst. Sol. Craley informed everyone that on October 4, 2023 between 2:20 and 3:00 PM there will be a nationwide alert throughout all telephone and other electronics as a test for future incidents.

With no further business, the meeting was adjourned by CP Mundorf at 9:28 PM

Respectfully submitted by Judy Albright, Treasurer/Administrative Assistant.