

# MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

April 2, 2024 at 80 N. Water Street, York New Salem, PA

The New Salem Borough Council met in regular session on Tuesday, April 2, 2024. The meeting was called to order at 7:00 PM by President Martin who led those in attendance with the Pledge of Allegiance to the flag.

## ***BOROUGH COUNCIL PRESENT***

Kim E. Martin, Pres  
William E Baldauf, VP  
Peter E. Partridge, Pres Pro-tem  
Sue A Becker  
George K. Donavos  
Harvey Thumma Jr  
Bryan Pugh

## ***BOROUGH OFFICIALS PRESENT***

Edward Mundorf, Mayor  
Jeff Koons, Z&CEO  
Michael Hammers, BCO  
D. Michael Craley, Sol.  
Samantha Craley, Asst.Sol.  
David Lipinski, Eng.  
Judy Albright, Sec/Treas

## ***OTHERS PRESENT***

Chief Lash, NYCRPD  
Erik Myers  
Randy Mitzel  
Michael Messinger  
Bob Boulder  
Crystal Overmiller  
Greg Overmiller  
Kathie Burchfield

Note the following abbreviations

“CP” = Council President

“CM” = Council Member

“ST” = Secretary Treasurer

“Eng”= Engineer

“Sol” = Solicitor

“BCO” = Building Code Officer

“Z&CEO” = Zoning & Code Enforcement Officer

## **1. Engineer’s Report**

a. ADA ramps Sunoco – ST Albright left a phone message for Usman Bawja with NIF Holdings to return a call with the time frame for construction. A call back was not received. She is now instructed to send a letter to him and include the unpaid engineering bill sent earlier this year.

b. Status of Road and Storm Sewer Repair Projects – Bids were advertised however only one company request the bid packet last week. Since no other bids packets were picked up the Eng amended the bid response time to May 6, 2024. He will also contact local companies to generate more interest.

c. Traffic Calming on Robin Hood Dr. – Eng received information regarding the placement of the temporary speed sign in the roadway on PennDOT roads. He was referred to the 236 Handbook and Publication 34, Bill 15. LTAP would prefer a traffic study and the Borough would need to request the traffic study be completed by them at no cost. The Eng feels they must be erected in crosswalks at intersections but he will get more information and get back to Council.

d. Award bid results – tabled until May 6,2024 meeting.

## **2. Z&CEO Report**

- a. Permits issued – 6 permits issued
- b. Enforcement actions taken

Freyman – 105 W. George St. – The petition to remove the family from the residence issued by the bank has received a response from the Freymans indicating they want to stay in the property and repurchase it. He will keep checking on property.

Lopez – 51 N. Main St – still listed on the April Sheriff sale list

Diaz – 301 N. Main St – there is a contract to purchase the property from a lawn and landscape company.

Beckman – 286 N. Main St – He plans to submit a 4 lot sketch plan to the Planning Commission. Sol. Craley checked and he would be permitted to submit the sketch plan but no decisions could be made.

## **3. BCO Report**

Sherwood Plaza Vape Shop – BCO Hammers checked the shop and found they were in violation by having five skill machines which is outside the criteria for the store. BCO Hammers presented a cease and desist order to them on March 29, 2024. He also notified Ferrand Realty, owner of the property and Bennett Williams, leasing agent that if they reopen they must remove the skill machines or meet UCC requirement. A formal violation was sent today. As of today, the machines have been removed.

There was some discussion about the fees MDIA is charging for inspections. Z&CEO Koons did a breakdown of fees from surrounding companies and found MDIA to be the most expensive. The cost is based on the capacity of the system and larger systems will cost more.

## **4. Fire Company Report**

Crystal Overmiller, fire company representative, advised they did find liability insurance at a cost of \$14,000 per year. She indicated it does carry the same limits as the present policy. The Council is concerned over the lack of financial information provided by the fire company. Council has for several months, requested a complete financial accounting of the records but has not yet received anything.

She also reported that since they don't have many members, they had to pull someone to sell tickets at a recent bingo and it was learned that money was missing after that night. They attempted to contact PSP to file a report but PSP refused to charge the individual in question. CM Donavos will contact Lt. Springler of PSP to get details.

Mayor Mundorf had detailed information from the recent house fire in the Borough. There was no fire equipment from Station 8 – New Salem Borough Fire Company. There were 13 units from surrounding municipalities and the chief of North Codorus Fire took charge and it

appeared everything ran smoothly. Mayor Mundorf questioned why there was no representation from New Salem Fire Company. Mrs. Overmiller reported there are only 4 fire personnel remaining; one lives out of town and the others are members of neighboring companies and come directly from their homes. There are only 2 line officers and none of the members are residents of New Salem Borough.

CP Martin indicated she checked the Facebook page of the fire company and everything there pertains to Bingo. It looks like a gambling station and nothing concerning fighting fires. She further indicated that when checking the North Codorus fire company Facebook page, they listed fire fighting activities and responses first.

At the present time the fire station is not operating as a fire company and the entire company will need to be rebuilt. CM Donavos asked Mrs. Overmiller how many calls they responded to so far this year. Mrs. Overmiller did not have that information however, Greg Overmiller from Jacobus Fire Co. did. He indicated 31 calls were received, 11 of which were medical, 9 fire police and of the 11 remaining the department only got out on 7 of them. CP Martin indicated that it is frustrating for the Borough not to see any progress from the fire company. She asked if there was a donation drive done this year. Mrs. Overmiller indicated the last one was in 2021 but they are working on one for year 2024.

The fire company presently has three pieces of equipment available to drive of the total eight pieces. A rescue truck is out of certification because it needs a new airbag. There are several antique pieces that could bring much needed income, to the fire company. Resident Mike Messinger, a member of North Codorus Township Fire Company indicated they would be very interested in purchasing the antique tanker if they were willing to sell.

CM Baldauf requested a detailed financial report, profit and loss, debts and assets at a minimum to proceed. CP Martin requested a business plan and corrective action plan moving forward. Asst Sol. Craley stated there could be two deadlines for accountability. One being a May meeting deadline for financials and the second quarter insurance request. The second being a September meeting where the fire relief money would be discussed. CP Martin stated step one would be to at least have the financials by the May meeting. CP Martin suggested that further discussion take place at the Committee Meeting night to determine the next steps.

All council members agreed to the following the following should be presented to them at the May council meeting.:

1. A complete financial statement to include the amount of debt and the service structure of that debt
2. A Profit & Loss statement
3. A List of All Assets

If these items are accepted by Council, they would then require the following for the September

- 1.. Corrective Action plan
2. A Business Plan

Sol. Craley stated that the fire company is an independent organization. The Borough has no financial obligation, other than paying the pass-through fire relief money, to the organization. The Borough would have options. In order to sever ties with the fire company, the Borough would need to make a statement that they are unable to fulfill their primary responsibility of providing fire and emergency protection to our Borough.

Discussion ensued regarding a tax credit for members of local fire companies on their real estate tax bills. It was learned that an active fire department member would only save about 50% on their municipal tax bill. The amount of paperwork and expenses to accomplish this would not be cost effective due to the small dollar amount of these bills. All Council agreed they would not be pursuing this action.

## **5. Public Comment**

Bob Boulder, a resident, questioned the sale of the sewer system to York Water Co. CP Martin corrected him and assured him this is in early stages and no decisions have been made. He indicated that since our system is fairly new and we are only responsible for the pipes and manholes that there isn't much to keeping the system up and running well. He was informed of the types of repairs that may be needed and the fact that we pay North Codorus Township for the use of their system would get costly in the future. Also, there are administrative issues to be considered in paying someone to issue and collect the sewer billings. CP Martin advised him that we will be addressing issues like this at a Committee Night for further discussions on this and other issues.

Mike Messinger, a resident, asked if we are still going out for bids on the street work. CP Martin indicated the deadline for bids has been extended to the May meeting.

**6. Approval of March 5<sup>th</sup> Council Meeting Minutes** - On a motion by CM Becker, seconded by CM Partridge, the minutes were unanimously approved as presented.

**7. Solicitor's Report** – He continued to monitor the sewer arrearages. ST Albright was contacted by York Water Co to discuss their taking over the handling of arrearages and subsequent lien filings. On a motion by CM Partridge, seconded by CM Donavos and unanimously carried, the secretary is to contact York Water Co to authorize them to start collection of arrearages. All members of council felt no formal meeting was required just the information on how they will handle the task.

CM Partridge noted he contacted York Water Co for a report on actual use of each residential system to compare consumption bases vs. flat rate. If he gets an answer, it should be discussed during Committee Night. Those volunteering for the sale of the sewer system committee are CM Partridge, CM Pugh and CP Martin.

## **8. Unfinished Business –**

a. Committee night meeting discussion – After some discussion the 4<sup>th</sup> Tuesday of each month will be Committee Night and the meetings will be advertised. On a motion by CM Partridge, seconded by CM Pugh and unanimously carried, the advertisement will be placed as a

group and the meetings will only be held when there are items to be discussed. Cancelled meetings will be noted on the Borough website and Facebook page.

b. Restoration of Borough placard on W. George St. - Mayor Mundorf reported on the repainting of the borough sign. It took three of them to remove it and take it to his home. It was picked up by John Graham and he and his non-profit organization will strip and paint the sign. The pole will need scraped and painted but he provided the paint for that. When the sign is complete and returned, it may require additional manpower to erect it again.

c. Northern York County Regional Police Dept letter – ST Albright informed everyone that she was provided a copy of their most recent agenda, minutes, service map and the contract with another municipality purchasing patrol units. Chief Lash advised he would be available for any discussion. CM Baldauf questioned if the information could be provided electronically. ST Albright will see each council member has a copy.

d. Street cleaning update – ST Albright checked with Spring Grove Borough on the cost and was advised it would be \$110.25 per hour. North Codorus Township was also contacted but they were meeting at the same time as our meeting and did not have anything to report from them. CP Martin suggested we not move forward with street cleaning unless more stones accumulate along the roadway. All council members were in agreement.

e. Speed limit signs and diamond signs installation – The speed limit sign installation will wait for a determination from Met Ed on placing them on their poles. CM Thumma and CM Partridge will begin to install the diamond signs below the speed limit signs.

## **9. New Business**

a. 2<sup>nd</sup> Quarter Fire Co Liability Insurance premium - On a motion by CM Thumma, seconded by CM Baldauf and unanimously carried, paying of this will be deferred until the May meeting to see if the fire company forwards the required financial information.

There was much discussion regarding the options available to the Borough if the documentation is not completed. Sol Craley indicated that Fire Companies are an independent organization. We could decide that the fire relief funds go to neighboring municipality fire companies and notify the Auditor General's office that we no longer support the New Salem Fire Company prior to September so the funds could be distributed to the other fire companies. Sol. Craley advised council should ask themselves. "Do you feel the fire company is able to fulfill their responsibility to provide fire protection to the community?" This will also be discussed later.

b. Request for Fire Police on August 10<sup>th</sup> in Dallastown for Fire parade. On a motion by CM Partridge, seconded by CM Harvey and unanimously carried, approval is given for the Fire Police to participate.

c. New Ordinances for adoption - The first pertains to the mailboxes presently on George and Main St. Most were grandfathered in. On a motion by CM Partridge, seconded by CM Donavos and unanimously carried the ordinance will be advertised for adoption by the solicitor. When these few residents move, the new person will not be permitted to have a mailbox at their

home location. They will need to get a free post office box from the York New Salem post office.

The second pertains to temporary accessory family dwelling units as an accessory use by right. There was much discussion regarding the use of these units and the placement of a stove being the deciding factor. Also what would happen if there were two persons in the unit, one with a medical letter and the other not, what would happen to the person not having the medical letter being able to remain in the unit after the death of the person with the medical letter. Sol. Craley will research for additional information to create an ordinance that will suit the residents needs.

d. Building Safety Cameras – Mayor Mundorf obtained a quote from REOLINK for a 4 unit camera system with 4K 8CH NVR and 2 TB HDD recording at a cost of \$339.99. All council members felt this was a good price. CM Pugh will research other units and report back with his findings.

**10. Treasurer’s Report** – On a motion by CM Baldauf, seconded by CM Becker and unanimously carried the treasurer’s report was approved as presented.

CM Partridge prepared a sheet showing all the interest rates of all bank accounts along with the interest rate we are presently paying on the sewer loan. Some council members think the sewer loan should be paid down even though the interest rate for savings is more than double that being paid on the loan. CM Partridge also noted several recent expenses that could be paid from ARPA funds by transferring the money from that account. CP Martin asked ST Albright how she would handle this by paying several small amounts or one big one. She advised it is easier and cleaner to just pay 1 or 2 large expenses and for audit purposes much simpler to audit. No decision on this.

CM Donavos suggested an AED unit be purchased for the Borough building out of the ARPA funds. He is to research the cost of the units that talk to walk untrained individuals to use the unit.

On a motion by CM Partridge, seconded by CM Pugh and unanimously carried, ST Albright is to transfer money from the Peoples Sewer Account to the PLGIT Prime account. The amount at her discretion.

**11. Secretary’s Report** – ST Albright reported YATB is hosting an open house on May 14<sup>th</sup> at the York Office. Anyone wanting to participate should RSVP to her. The 904 Performance Recycling Grant application has been completed. She will be providing the information to the Solicitor for liens to residents with unpaid snow removal invoices and also NIF Holdings for the unpaid engineers billing for the ADA ramps at the Sunoco Station. CM Partridge questioned when the audit would be completed. ST Albright advised the auditors will be calling to schedule a time.

**12. Mayor’s Report** – He attended the March 8<sup>th</sup> Fire Company meeting where the secretary resigned. All other information has been discussed.

**13. Police Activity Report** – nothing to report

**14. Committee Reports** – Building – CM Thumma reported the HVAC system is scheduled to be cleaned on April 11 by Stambaugh Plumbing. On a motion by CM Partridge, seconded by CM Thumma and carried the cleaning charge is authorized. No other committee reports

**15. Around the Table** – CM Baldauf reported the sign is knocked over on Robin Hood Dr just as you enter from N. Main St. CP Martin reported ST Albright is already taking care of it with Spring Grove Borough. CM Donavos thanked Chief Lash for attending our meeting.

With no further business, the meeting was adjourned at 9:40 P.M.

Respectfully submitted by Judy Albright, Secretary.