MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING
August 4, 2026 at 80 N. Water Street, York New Salem, PA

The Council meeting of New Salem Borough Council was called to order at 7:00 PM followed by pledge to the flag. In attendance were Council Members **William Baldauf, Peter Partridge, Sue Becker, Joseph Shubert , George Donovas, Michael Messinger and Kate Grafton.** Others in attendance were **Solicitor Courtney Buechler, Mayor Bob Boulden , Secretary Judy Albright, Engineer David Lipinski , and Zoning and Codes Enforcement Officer Mike Hammers**.

President Baldauf explained how the meeting will be handled with full attention to the Council and others at the front of the room. There will be no loud talking or disruption without being recognized by the Chair. You will receive a warning, second time asked to leave and third time officials will be contacted to remove you. If speaking, your name and address will preface any conversation you may have.

2. Approve July 7, 2026 minutes and July 28, 2026 minutes– On a Partridge/Becker motion and carried unanimously, the July 7, 2026 minutes were approved. On a Partridge/Shubert motion and carried unanimously, the July 28, 2026 minutes were approved.

3. Engineer Report –
a. ADA ramps Sunoco – Engineer feels there should be around $10,000 in additional bills from 2024 engineer services. Buechler advised we would need actual copies to bill the property owner.
b. Sherwood Dr. sink hole –He continues to monitor the situation.
c. Televise sewer lines – on hold until oil prices drop
d. Estimate to repair curb & sidewalk Robin Hood – continue on hold for additional quotes may be fall until York Water makes the repairs.
e Inlet depressions Marian Rd and King Richard Ct. – Researched with USG who is on the Co-Stars list found they charge time and material and not per inlet. He is to compile a list of those inlets needing repair and try to lock a more permanent price.

Discussion then ensued regarding speed tables and any installation would need to follow PennDOT guidelines for them. First would require a traffic study and since York County Planning no longer has anyone to handle the traffic studies, it would require an independent study. Engineer is to contact TRG to obtain a quote. Due to previous costs quoted and now a traffic study cost, it would appear the only money available to install the tables would be through our Liquid Fuels accounts. This will be considered at budget time.

Developer for Nottingham Village has replaced the deteriorated fence along N. Main St with a white vinyl rail fence. It would appear the fence is now closer to the road than the previous one and most likely will need installation of a sidewalk. Engineer to discuss with developer.

4. Zoning & Building Code Report – a report was submitted- one permit issued for upgrade of an electrical panel.
Researched the group homes and found both are owned by CSG, a public organization. Since the area is a single family zone, he began research on permits required. Both homes advised they will research and return with findings.

Four violations of the International Property maintenance code have been sent.
36 S Main St – barn falling down to be replaced with a pole barn – property owner working on it.
30 S Main St – barn falling down along W. George St and leaning into a utility pole. The owner is researching with contractors to make necessary repairs.
63 N Main St – pool collapse in yard – no response from property owner
39 N Main St – old uninhabitable trailer on lot – no response from property owner.

52 N Main St high weeds – property is vacant but posting on door listed a maintenance company who was contacted and indicated they would get someone to bring property into compliance.

301 N Main St Special Exception – Immaculate Grounds to place a dog grooming service within their building making the building a dual use. Still researching.

24 Water St – received a permit request to remove the mobile and replace with a larger one. He will begin research of the application.

Began checking high grass, weeds, and abandoned cars and shrubs extending onto sidewalks at several locations.

5. Public Comment –
Marlin Barshinger – 293 N Main St –complaints of neighbor, Immaculate Grounds and Zoning Officer's handling of the situation of which he has photos. Hammers already researched several of the complaints and did not find violations. He will recheck upon receiving photos from Mr. Barshinger.

6. Committee Reports

a. Fire Service – Chief Miller Brown from Station 8 presented a verbal report indicating they handled 26 calls. He also presented a listing of training of the personnel but asked the Borough not disseminate the information. Buechler indicated if he turned the information in to the Borough, then it becomes public knowledge and available under Right to Know.
Information was received regarding the road closure of Forry Ave for the carnival. Much discussion ensued regarding if this information was their formal application. Chief Miller Brown indicated he thought it was as far as he knows. With regard to the LSA Grant application, Chief indicated he had no information.

Every council member weighed in on their thoughts regarding the completion of the application which did not cover all items listed in an April 28, 2026 letter to the Fire Company outlining what is required for the road closure. The Fire Company also presented a Certificate of Insurance but it did not list the Borough as an additional insured. A Partridge/Becker motion to approve the road closure application as presented, did not pass. 3 yes, 4 no. Longer discussion ensued regarding what is required and the liability in the event of a problem. On a Donavos/ Messinger motion, the fire company will revise their application in accordance with the following criteria and forward the information to the Borough Secretary no later than Friday, August 7, 2026 at 5:00 PM. Donavos will have the sole authority to review and approve or deny the application.
The following is required:

The Borough Council of New Salem Borough (the "Borough") has reviewed the application materials submitted by the Community Fire Company No 1, York New Salem (the "Applicant"), to request a temporary street closure. This document summarizes the Borough determination reached and sets forth, for reference, the conditions established by the Borough that apply to approval of the request. Evidence of these completed conditions is to be received by the Borough Secretary no later than August 7, 2026 at 5:00 P.M. As such, the requested road closure is approved subject to the conditions outlined herein:

1. Site plan clearly showing all streets and specific segments requested for closure, including affected intersections.

2. Traffic Control Plan (TCP) that includes:
   a. Streets to be closed and exact closure limits
   b. Detour routes and signage locations
   c. Type and placement of barricades
   d. Emergency vehicle access routes
   e. Identification of personnel responsible for traffic control (police and/or event staff)

3. Public notification plan describing how affected residents, businesses, and the general public will be informed in advance of the closure.

4. Provide a plan detailing steps to be taken to restore the area following the event, including removal of all traffic control devices and cleanup of the site.

5. Coordination acknowledgment confirming the event will comply with requirements set by police, fire, EMS, public works, and any other applicable agencies.

6. Provide an updated certificate of insurance demonstrating general liability coverage which names the Borough as an additional insured.

7. Acknowledgement that the applicant may be required to execute an indemnification agreement and waiver of liability holding the Borough harmless in connection with the

street closure and event (attached and incorporated herein as Exhibit “A”).

8. Agreement to comply with all Borough ordinances, including but not limited to requirements governing street closures, public safety, and event operations; agreement to maintain emergency access at all times and to comply with any on-site direction from police or emergency personnel; agreement that the Borough retains the authority to modify, suspend, or terminate the closure if necessary for public safety or emergency access (attached and incorporated herein as Exhibit “A”).

EXHIBIT “A” - INDEMNIFICATION AGREEMENT AND WAIVER OF LIABILITY

This Indemnification Agreement and Waiver of Liability (this “Indemnity Agreement”) is entered into by and between the Borough of New Salem (the “Borough”) and Community Fire Company No 1, York New Salem (the “Applicant”) in connection with the Borough’s approval of the Applicant’s request for a temporary closure of a portion of Forry Street (the “Closure”) for the purpose of conducting an applicant hosted carnival from August 19, 2026 to August 22, 2026 (the “Event”). In consideration of the Borough’s approval of the Closure and permission to conduct the Event, the Applicant agrees as follows:

1. Indemnification. The Applicant shall defend, indemnify, and hold harmless the Borough, its elected and appointed officials, officers, employees, agents, contractors, and volunteers (collectively, the “Indemnified Parties”) from and against any and all claims, demands, causes of action, damages, losses, liabilities, judgments, fines, penalties, and expenses (including reasonable attorneys’ fees and costs of defense), of any kind or nature, arising out of or in any way connected with the Closure or the Event, including but not limited to bodily injury, death, or property damage.

2. Waiver and Release of Liability. The Applicant, on behalf of itself and its officers, members, employees, volunteers, participants, and invitees, hereby releases and forever discharges the Indemnified Parties from any and all liability, claims, or causes of action arising out of or related to the Closure or the Event.

3. Assumption of Risk. The Applicant acknowledges that the Closure and the Event may involve inherent risks, including risks associated with vehicular and pedestrian traffic, temporary alteration of normal traffic patterns, and the presence of the public. The Applicant voluntarily assumes all such risks on behalf of itself and all participants, staff, vendors, guests, and invitees associated with the Event.

4. Compliance with Conditions and Applicable Law. The Applicant shall comply with all conditions established by the Borough in connection with its approval of the Closure, all applicable Borough ordinances, and all applicable federal, state, and local laws, including those governing traffic control, public safety, and emergency access. The Applicant acknowledges that the Borough retains the authority to modify, suspend, or terminate the Closure at any time if necessary for public safety or emergency access.

5. No Waiver of Governmental Immunity. Nothing in this Indemnity Agreement shall be construed as a waiver of any immunity, defense, or limitation of liability available to the Borough under applicable law, including any applicable tort claims act.

6. Binding Effect. This Indemnity Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs, and legal representatives. This Indemnity Agreement shall remain in effect for the duration of the Closure and the Event, and with respect to any indemnification obligations, shall survive the completion of the Event.

7. Entire Agreement. This Indemnity Agreement, together with the Borough's conditions of approval for the Closure and , constitutes the entire agreement between the parties with respect to the subject matter herein and supersedes all prior or contemporaneous understandings, whether written or oral.

6 a. Fire Co Reports con't - North Codorus Township sent a written report for council review.

b. Police Service – Chief Lash was not present due to National Night Out. A written report was presented indicating 25 calls.

c. Highway – handled under Engineer report for speed tables.

d. Building – Partridge indicated the cameras purchase over a year ago are still sitting and not installed. Also he suggested the storage room be cleaned out.

e. Sewer – nothing

f. Sidewalks – nothing

g. Personnel – nothing

Engineer informed Council the LSA Grant application deadline is September 30th and the State Grant deadline in November 30th.

7. Solicitor's Report – Recreational Vehicle Ordinance

The draft will be forwarded for review and presented next month for adoption. Solicitor researched the possibility of billing for excessive police service to a single location. Findings are the state laws preempt local laws making the local laws unenforceable. No further action

8. Unfinished Business –

a. Fire/EMS Call Boxes – change order presented tonight by New Salem Fire Co and Messinger will review, sign and forward to York County Control.

b. Update of Traffic Light Electrical Box – Messinger reported the lock has been placed on the traffic control box as suggested last month. The Mayor and EMC Scott Lackey will have keys and the original will be placed in the Borough office.

c. New address for rear of 286 N Main for new construction. On a Partridge/Shubert motion and carried unanimously the new address will be 284 N. Main St., York, PA 17408.

9. New Business

a. Distribution of Fire Relief Funds – tabled until September meeting.

b. Resolution 2026-09 Kindness Week Proclamation – On a Partridge/Donavos motion and carried unanimously the Resolution was signed.

c. Approve Newsletter – tabled until September meeting.

d. Approve Street Light Change – Sherwood Forest II - tabled until September meeting.

10. Treasurer's Report - The July 2026 financial report was presented. On a Partridge/Grafton motion and carried unanimously, the report is approved as presented.

NEW SALEM BOROUGH BALANCE SHEET AS OF July 31, 2026

ORRSTOWN CHECKING	36,045.10
PLGIT CLASS	8,560.71
PLGIT PRIME	412,628.99
HIGHWAY CLASS	42,539.33
HIGHWAY PRIME	9,812.99
PLGIT SEWER CLASS	22,273.14
PLGIT SEWER PRIME	351,577.62
ORRSTOWN SEWER	71,079.66
PAYROLL TAX HOLDING	612.37
TOTAL ASSETS	**955,129.91**
NET PAYROLL LIABILITIES	- 22.29
OPENING BALANCE EQUITY	514,176.24
RETAINED EARNINGS	368,723.99
NET INCOME	72,251.97
TOTAL LIABILITIES & EQUITY	**955,129.91**

Budget vs. Actual figures were also presented. Misc. revenue 380.100 shows $120,666.45 which included the $85,000 grant received and the remainder is reimbursement J.A. Myers for engineering costs for Nottingham Village.

13. Secretary's Report – Liquid fuels money of $22,916.13 was received. Researched EDU availability for 284 N. Main St. Property owner will be billed $1610.00 for reservation of the EDU.

14. Mayor's Report - written report submitted. 150th anniversary celebration now completed. He and his committee were publically thanked for their efforts on a successful celebration.

15. Around the table – nothing from anyone.

16. Executive Session – not required

With no further business, the meeting was adjourned at 9:56 pm. Respectfully submitted by Judy Albright, Secretary.