

APPROVED

MINUTES OF THE NEW SALEM BOROUGH REORGANIZATION AND REGULAR COUNCIL MEETING January 4, 2022, 7:00 pm in the Borough Municipal Building

The New Salem Borough Council met on Tuesday, January 4, 2022, for the purpose of Reorganization and holding its regular monthly meeting.

BOROUGH COUNCIL PRESENT:

Edward R. Mundorf
William F. Baldauf
Peter E. Partridge
Kim E. Martin
Susan P. Barley
Harvey E. Thumma Jr (left at 9:25 pm)

BOROUGH COUNCIL ABSENT:

Cecilia Harvey

OTHERS PRESENT:

Ronald M. Franklin, Mayor
D. Michael Craley, Solicitor
Samantha Craley, Assistant Solicitor
Jeff Koons, Zoning & Code Enforcement Officer
Mike Hammers, Building Codes Officer
Kristy Smallwood, Secretary/Treasurer

OTHERS ABSENT:

David Lipinski, Borough Engineer

Note: The abbreviation "CM" stands for "Councilmember".

REORGANIZATION MEETING

- 1. Swearing in of newly elected Mayor and Tax Collector** - Upon presenting notarized Affidavits of Residency and Certificates of Election, the newly elected Mayor, Ronald M. Franklin, and re-elected Tax Collector, Stephanie J. Mundorf, were administered the Oath of Office by Notary Public Samantha Craley.
- 2. Call to Order** – the new Mayor assumed the Chair and called the meeting to Order at 7:00pm and lead everyone in attendance in the Pledge of Allegiance to the flag.
- 3. Swearing in of newly elected/re-elected Councilmembers** - Upon presenting notarized Affidavits of Residency and Certificates of Election, the newly elected/re-elected Councilmembers, Sue Ann Becker, Edward R. Mundorf, Kim E. Martin, and Harvey E. Thumma, Jr., were administered the Oath of Office by Notary Public Samantha Craley.
- 4. Nomination and election of Council President** – Mayor Franklin called for nominations for Council President. CM Thumma nominated CM Mundorf. There being no other nominations, a vote was taken and CM Mundorf was elected.
- 5. Newly elected President assumes the chair** – President Mundorf assumed the Chair to preside over the rest of meeting.
- 6. Nomination and Election of Council Vice President** – President Mundorf called for nominations for Vice President. CM Martin nominated CM Baldauf and, after some discussion, he accepted the nomination. There being no other nominations, a vote was taken and CM Baldauf was elected.
- 7. Nomination and Election of Council President pro tem** - President Mundorf called for nominations for President pro tem. CM Baldauf nominated CM Martin. There being no other nominations, a vote was taken and CM Martin was elected.
- 8. Consideration of appointing a Vacancy Board Chair** – After some discussion it was agreed that there was no need to appoint a Vacancy Board Chair at this time.

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9. **Selection of 2022-2023 Committee Chairs and Members** – President Mundorf called for volunteers for the Sidewalk, Sewer, Highway, and Building committees. After some discussion the following committee assignments were confirmed:

SIDEWALKS

Chair: Kim E. Martin
Member: William F. Baldauf

SEWER

Chair: Peter E. Partridge
Member: William F. Baldauf

HIGHWAYS

Chair: Harvey E. Thumma, Jr.
Member: William F. Baldauf

BUILDING

Chair: Harvey E. Thumma, Jr.
Member: Sue Ann Becker
Member: Cecilia Harvey

10. **Selection of 2022-2023 Representatives and Alternates** – President Mundorf called for volunteers to be the Borough representative or alternate to the PSAB, Local Government Advisory Committee, York Area Tax Bureau, and the Storm Water Consortium. After some discussion the following assignments were confirmed:

PA State Assoc. of Boroughs

Primary: Peter E. Partridge
Alternate: Edward R. Mundorf

Local Government Advisory Committee

Primary: Kim E. Martin
Alternate: Sue Ann Becker

York Adams Tax Bureau

Primary: Edward R. Mundorf
Alternate: Peter E. Partridge

Stormwater Consortium

Primary: Peter E. Partridge
Alternate: None

11. **2022-2023 Staff Appointments/Reappointments** – Council saw no need to change the appointments of D. Michael Craley as Borough Solicitor and James R. Holley & Associates as Borough Engineer. Kristy M. Smallwood was appointed as the Borough's new Secretary/Treasurer.

Motion by Thumma/Partridge to appoint Kristy M. Smallwood as New Salem Borough Secretary/ Treasurer with compensation and terms as stated in her letter of offer and acceptance. Motion Carried.

12. **2022 Budget** - Opening the 2022 budget for reconsideration was tabled until the February Council Meeting pending analysis of the 2021 actual vs projected revenues and expenditures.
13. **Changes to Borough Fees** – The Zoning and Building Code Officers were asked to review the zoning and building code fees and report back to Council with any recommended changes.
- There was some discussion about the directory. CM Martin suggested we add historical data. CM Partridge said that he was in the process of updating the 2020 Directory.
14. **Bank Account Signers** - Consideration and approval of changes in authorized bank account signers – no changes were deemed necessary at this time other than to add secretary/treasurer Smallwood at some point.
15. **Zoning Hearing Board Appointment** - Consideration of a resolution appointing former Mayor Lloyd to the Zoning Hearing Board.

Motion by Partridge/Baldauf to approve a resolution appointing former mayor Clarence R. Lloyd to the Zoning Hearing Board to fulfill the unexpired term ending in August 2023 of Sue Ann Becker who resigned when elected to Council. Motion carried.

16. **Planning Commission Appointment - Consideration of appointing** former councilmember Susan P. Barley to the Planning Commission.

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Motion by Thumma/Partridge to appoint Susan P. Barley to the Planning Commission with term ending August 2023. Motion carried.

CM Martin will check with Cheryl Bahn to see if she would like to remain on the Planning Commission or not.

REGULAR MEETING

Public Comment

None

Approval of Minutes from Last Council Meeting

CM Partridge noted that no corrections had come to his attention regarding the minutes of our December 7th meeting and recommended that they be approved as presented

Motion by Baldauf/Martin to accept the December 7th meeting minutes as presented. Motion carried.

Zoning and Code Enforcement Officer's Report

Permit issued to Columbia Gas for excavation at 4130 Robin Hood Drive. Use certificate in process for 334 N. Main Street for a retail store. Enforcement actions were taken for 109 and 105 W. George Streets which continue to be a problem. 105 W. George is in foreclosure with Wells Fargo. Consensus of Council was to take all actions necessary to get these owners to clean up their properties.

Motion by Baldauf/Becker authorizing Zoning Officer Koons to take all actions necessary with respect to 105 and 109 W, George Street to enforce compliance with the zoning ordinance. Motion carried.

Luis Diaz at 301 N. Main Street is in the process of selling his 20-foot right-of-way to the adjacent property owner and has plans to expand his business operations. He needs to get legal help to apply to the ZHB for the appropriate special exception.

Building Code Officer's Report

Some discussion regarding 334 N. Main Street. BCO Hammers has spoken with the owner, the rental agent, and the applicant and is awaiting a definitive plan. Receipt of permit application for CM Partridge's solar power system installation was acknowledged. BCO hammers proposed and CM Partridge agreed that the \$4.50 UCC fee required to be paid to DCED for every building permit the Borough issues be collected by the BCO when the permit is issued and turned over to the Borough Secretary/Treasurer who would remit the payment to DCED when submitting the required quarterly report

Engineer's Report

- a) Right-of-way information from PennDOT
- b) Response to PennDOT's inquiry about pipe diameter in Contribution Agreement
- c) Application to PennDOT for permit for Borough's two speed warning signs
- d) Review of issues involved in controlling the traffic light during a power outage

The above items are covered in the Engineer's written report included in the meeting packet and will be updated by Engineer Lipinski at the February council meeting which he intends to attend.

Solicitor's Report

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a) Status of sewer arrearage liens – The property at 49 N. Water Street was sold so we should be getting a check for the arrearages. We have a payment agreement with 181 N. Main Street which is up for sale and a tax certification has been issued. The Hewitt property at 300 S. Main Street and the Myers property at 1055 Smithhill Road have been leaned. Solicitor Craley will be taking Myers to district court and putting a judgement on Hewitt's house in Dillsburg and is requesting permission to do water shutoffs for the Freyman and Black properties and any others he deems fit, in particular 277 N. Main Street.

b) Stop signs on Forry Street - Chris CAPA of York County Planning Commission recommended that Solicitor Craley speak with a Karen Atkinson of LTAP which he will do. At no cost to the Borough, YCPC may come out and evaluate the situation and make a recommendation on what to do.

c) Draft of letter to Sunoco Station owner re installation of ADA compliant ramps – PennDOT's review of highway occupancy and permits is about 5 months behind. Consequently, Solicitor Craley recommended that we have a sit down with himself, the owner and/or his representatives, the Borough Engineer, and possibly the Borough Zoning Officer to find out if the owner has a plan, has hired a contractor, and when he can get an application into PennDOT. He suggested we meet at the next council meeting and Council concurred.

d) Status of research on amendment to zoning ordinance - Jacobus allows a 6-ft fence in front yards under certain circumstances if it is an open type fence with at least 50% open space. Most other municipalities have restrictions similar to New Salem Borough. Some council members thought that a 6-ft high solid privacy fence running parallel to and up against a sidewalk would be aesthetically unpleasing. A discussion of how much setback from the sidewalk would make such a fence acceptable elicited numbers from no less than 10 feet to as much as 20 feet. After considerably more discussion Council decided to take no further action on this issue unless a new proposal or information is brought before it.

Motion by Becker/Martin to take no further action at this time regarding fences on corner lots unless a new proposal or information is brought before Council. Motion carried after Mayor Franklin broke a tie vote of Council.

Motion by Thumma/Baldauf to authorize Solicitor Craley to initiate water shutoffs for properties with outstanding sewer arrearages. Motion carried.

Unfinished Business

a) Further consideration of radar system to replace traffic loops – after much discussion it was decided to table this issue until the next meeting. CM Partridge will contact York Water Company to see if they have any plans to replace water mains on South Main and East George Streets.

New Business

- a) New Secretary/Treasurer – acceptance of position, orientation, and integration. This item was covered during item 11 under Reorganization.
- b) Consideration of new office equipment purchases and building modifications – after considerable discussion, no action was taken. President Mundorf will revisit getting internet service in the Borough Building and CM Partridge will work with Secretary Smallwood to define her needs.

CM Thumma leaves the meeting.

Financial Statement

CM Partridge reported that he ran a self-consistency check on the November Financial Report submitted by Assistant Treasurer Shaffer and he was able to confirm for all three funds that the change in Total Equity equaled Net Income, that the YTD Net Income equaled the previous month's YTD Net Income plus the current month's Net Income, and that the BOY Retained Earnings did not change. Based on the success of this check, the results of which are included in the

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meeting packet, CM Partridge recommended that the financial report for November be approved. CM Partridge suggested that the financial reports for Feb thru Oct can be run again now that QuickBooks has been fixed. These revised reports can then be approved by Council so that we have approved financial reports for all last year.

Motion by Baldauf/Partridge to accept the financial report as presented. Motion carried.

CM Partridge reported that the semiannual sewer loan payment was made on time to Webster Bank. His estimate of the current balance after this payment is \$1,642,500, and this balance was subsequently confirmed by Webster Bank.

Secretary's Report

a) Status of ACH on-line sewer payments - Application for a cash management account was processed by Peoples Bank and they sent the information to set up the account and credential users to President Mundorf and Assistant Treasurer Shaffer who are the Administrator and Assistant Administrator, respectively, of the account, one of whom now needs to follow through and designate Kim Hackett at Spring Grove Borough as a user. CM Partridge will talk to Assistant Treasurer Shaffer about following through on this.

b) Status of Annual Audit and DCED Reports – CM Partridge called DCED and explained why New Salem Borough did not submit a report last year and requested an extension. He was told that they do not grant extensions, that many municipalities were in the same situation, and that the only penalty was that we would not be eligible for any DCED grants until the report has been submitted. DCED did not need a formal letter from the Borough, our phone call was sufficient and would be noted in their records. Also, our liquid fuels payment is unaffected by this issue.

c) Post Office advisory re Borough address – the local Post Office informed CM Partridge that, because there is another New Salem in PA, we should be sure to use “York New Salem” in our postal mailing address. The USPS has new address reading equipment which, when the zip code is illegible, reads the city name to route the mail so if it sees only “New Salem” it will send the mail to the other New Salem PA. Fortunately, the Borough’s stationery and envelopes all say “York New Salem”.

d) Reports due by end of this month - a number of reports and payments are due by the end of January. Myself, Secretary Smallwood, and Assistant Treasurer Shaffer will be working together to see that they are all submitted on time.

e) Surety Bond for application for new secretary/treasurer – the Borough’s insurance agent is assisting CM Partridge with an application for a surety bond for Secretary Smallwood who will need to provide some information for the application and sign it. Because she has had a surety bond in her previous job, there should not be any problem getting one at a favorable rate.

Mayor's Report

No report at this time.

Police Report

CM Partridge reiterated his recommendation that the mayor or any councilmember with a particular concern should research the data on the PA State Police website using their new data dashboard and put their concern on the agenda for discussion at a council meeting. Mayor Franklin expressed a desire to connect with the Fire Company.

Committee Reports

Some discussion about who should hold the key to the traffic light controller – the Mayor or the Emergency Management Coordinator – perhaps they both should have a key. It was suggested that the Mayor get with EMC Lloyd and see if they can agree on who should have possession of the key. If they can't agree, then Council will have to decide. President Mundorf will update the website to reflect recent changes in elected officials, staff appointments, and committee assignments. He will also post the financial reports when received.

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Around the Table

Secretary Smallwood agreed it would be her job to update the Borough's social media sites once she is acclimated to the job. It was agreed that the Fire Chief needs to shorten his reports during public comment, i.e., to be more concise with less detail and perhaps to submit it in writing ahead of time so Council can focus only on what questions it may have. The Mayor agreed to discuss this with Chief Pierce. CM Martin reported that, according to former Borough secretary Cheryl Bahn, the gravel driveway that exits onto N. Main Street just north of the Sunoco Station does not appear separately on any deed and is not owned by the Borough. It was mentioned that Z&CE Officer Koons should talk to the property owner about keeping the gravel off Main Street. CM Martin supplied an accounting of the money donated and dispersed for the Christmas decoration contest and it was agreed that such an accounting should be given to Council for any similar event sponsored by the Borough. CM Baldauf reported that many of Doceo's customers are switching from Microsoft 365 to Open Office for their office apps because Open Office is free and suggested that the Borough might want to consider doing the same. President Mundorf mentioned that the seating around the tables was a little tight and do we need to purchase another table. CM Partridge said that there were several tables in the storage room that could be used and that we should see what we can do with those.

Adjournment

The meeting was adjourned at approximately 9:45 pm. The next regular monthly council meeting is scheduled for Tuesday, February 1, 2021, at 7pm in the Borough Building.

Transcribed from audio recording and respectfully submitted by CM Partridge.