

Approved 8/1/2023

MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

July 11, 2023, at 80 N. Water Street, York New Salem PA

The New Salem Borough Council met in regular session on Tuesday, July 11, 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
Sue Ann Becker
Harvey E. Thumma Jr.
Cecilia Harvey
George K. Donavos

BOROUGH OFFICIALS PRESENT

Joe Shubert, Mayor
Jeff Koons, Zoning & Code Enforcement
Officer

D. Michael Craley, Solicitor
Samantha Craley, Assistant Solicitor
Peter E. Partridge, Secretary/Treasurer
David Lipinski, Borough Engineer

OTHERS PRESENT

Andrew Martin,
Acting Fire Chief
Judy Albright

BOROUGH COUNCIL ABSENT:

None

BOROUGH OFFICIALS ABSENT:

Mike Hammers, Building Code Officer

Note the following Abbreviations:

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

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

1. EXECUTIVE SESSION ANNOUNCEMENT – Pres. Mundorf announced that the Council held a short Executive Session on Friday, June 30th at around 7:15 pm following the interview of two candidates for the Administrative Assistant position. The purpose of the session was to discuss personnel matters related to the hiring process.

2. PUBLIC COMMENT – Ryan Yohe, owner of a pressure washing company asked Council for approval to pressure wash the 2 concrete monuments at the entrance to Sherwood Forest. He would donate his time and equipment and provide the water. In exchange he would like to place his small business sign there for 10 days. It was suggested he contact Dollar General and the owner of Sherwood Plaza, on whose properties the monuments reside, when he does the work. ***Motion by CM Thumma, second by CM Becker and unanimously approved that Ryan Yohe be permitted to do the work as a public service and no cost to the Borough.***

Harriet Mitzel of 14 S Main St. questioned if anything was being done with the Little property at 30 S Main regarding vegetation growth and length of grass. Z&CEO Koons reported that Tyke Shubert is under contract to clean up the property, barn, house, and brush. He will keep tabs on it.

3. Z&CEO’S REPORT - There were no permits issued for June. He has been contacted by Peoples Bank questioning if a site development plan is needed for their remodel of the present building. As long as they do

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not increase the present footprint, he feels no permit is needed but the building permit and plans are under review. They are planning on a \$650,000 remodel of the present structure.

a. 105 W George St – owner Freyman no change

b. 51 N Main – owner Mr. Lopez did remove the pool, but the fence still remains a problem.

c. 301 N Main – owner Diaz replaced an air compressor on the property which has caused excessive noise for his neighbor. He was advised to place the compressor on a vibration absorbing mat.

d. 30 S Main – Hewitt property has been put under contract with Tyke Shubert to clean up but it will take time.

e. 63 N Main – Tyke has completed mowing, trimming, junk removal and pool treatment. Since last month the property has been liened by the Solicitor. As the property is rumored to be vacant, and in order to keep vagrants out it was suggested the fire company “Red X” the property. The property is presently delinquent 2 years in taxes and after delinquency of 3 years, the property will go up for tax sale which could occur by September 2024.

In a discussion about Tyke being on the Borough’s liability insurance, it was noted that he is an independent contractor and must carry his own insurance. *On a motion by CM Baldauf, second by CM Donavos and unanimously carried, Tyke Shubert is to use his own judgment in maintaining the property regarding mowing, etc.*

Andrew Martin was introduced as acting Fire Chief of 8-2. And stated a concern about the burn pile at 63 N Main St. James Pierce is still chief but out on leave, Jake Crone is the Lieutenant and George Christas is Treasurer.

f. Properties in Sherwood Forest on Robin Hood Dr., 4021, 4052, 4155, 4135 and Wright Trust were notified about grass, weeds, or overhanging trees. Discussion on how to handle future problems such as developed at 4079 Sherwood were considered. This is regarding setbacks of which there are several in that development. Each one will need to be handled individually. Questions arose regarding which takes precedence, development private covenants or zoning regulations. Sol Craley reported whichever is more restrictive.

g. Kevin Willis of 74 N Main driveway depression – Engr. Lipinski to get price from ESC Mid Atlantic

4. BCO’S REPORT - A letter was received from Kay Anderson, daughter of Charles & Alice Beard, 58 S Main who are now deceased, requesting information on possible division of their property. She was advised to contact an engineer.

Z&CEO Koons leaves the meeting.

5. ENGINEER’S REPORT

a. Engineering of the ADA ramps at Sunoco Station have been taken care of

b. Fire Company signal – no updates available

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c. Engr. Lipinski reported he has started inputting the sewer data into Diamond Maps but it will be time consuming and costly. If the Borough is considering selling the sewer system, it would be proactive to stop for now. ***On motion by CM Martin, second by CM Becker motion authorizing the Engineer to hold off for now - passed by yea votes from Pres. Mundorf, CM Martin, CM Becker, CM Donavos, CM Harvey – na votes – CM Thumma & CM Baldauf.***

d. It was agreed that the Borough Eng. should prepare bid documents for inlet repairs for the August meeting. Bids could then be opened during a regular meeting or during a recessed meeting in September.

The road issues will be taken care of in spring with other road repairs. The manhole covers at 122 S Main will need to be sealed at this time.

e. Payment was made to ESC Mid-Atlantic for \$900 for testing. There is a \$3000 balance for analysis and repair recommendations to be paid later. This is for the Robin Hood Dr. depression.

Engr. Lipinski advised that his firm does not do financial assessments of sewer systems if the Borough is thinking about selling the system. Sol. Craley will contact Dave Jones solicitor for Jacobus Borough who recently sold their system for information on who might do the evaluation. Kevin Fox with Gannett Fleming was mentioned, and it was learned when their system was sold to York Water Co, the water company paid the bill for the financial assessment. Sol. Craley advised if the system were to be sold, it would need to be put out for bids.

Engr. Lipinski leaves the meeting.

6. APPOINTMENT OF ADMINISTRATIVE ASSISTANT

a. Pres. Mundorf reported there were 2 applicants interviewed. He recommended that Judy Albright be appointed Administrative Assistant and Secretary/Treasurer in training.

b. A letter of employment offer to Ms Albright was presented outlining the appointment at a starting rate of \$15 per hour plus reimbursement for Borough travel at the prevailing US government rate. Her performance will be reviewed in 3 months, but no more than 6 months to determine if changes should be made. ***On motion by CM Becker, second by CM Thumma, and unanimously carried, the letter was approved.*** The letter was then signed by Pres. Mundorf and presented to Ms. Albright for signature who then signed the letter.

c. ***Motion by CM Harvey, second by CM Donavos and carried to approve the appointment of Ms. Albright as Administrative Assistant subject to the terms of the offer letter.*** She was then asked to take a seat at the Council table and welcomed by everyone.

7. APPROVAL OF JUNE 6TH MEETING MINUTES

On motion by CM Thumma, second by CM Donavos and unanimously carried the minutes were approved as presented.

8. SOLICITOR'S REPORT

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a. Approval by PA PUC for shut offs was sent to Vernon Bracey on July 5th for nonpayment of sewer bills. It was also confirmed from usage data supplied by York Water Company that St Jacobs Church is using 352 gal into the sewer system and only have 1 EDU. That only allows them 280 gal. Their billing will need to be changed to reflect the 2 EDU usage and arrearages for 10 billing cycles back amounting to \$2,437.50.

b. ***On motion by CM Thumma, second by CM Baldauf and unanimously carried, Resolution 4-2023 was approved with deletion of letter “d” on the second page.*** This resolution pertains to retention of Borough records.

9. UNFINISHED BUSINESS

a. Update on Voting Poll moving – It is still being discussed by Election Commission and we are awaiting their decision.

b. Square curb painting – this has now been completed. Contractor repainted the crosswalk on W. George St.

c. Sewer billing update – S/T Partridge reported that York Water Co provided a proposal at a cost of \$3.00 per mailing. The Borough currently pays Spring Grove Borough \$5.00 per mailing, increasing to \$6 in 2024.

Much discussion ensued regarding the notification of Borough residents regarding this change. All residents will need to be notified of the change and invited to come to a council meeting with any questions. Asst Sol. Craley suggested we use a post card sent to the residents to draw attention to the change. ***On motion by CM Thumma, second by CM Donavos and unanimously carried, authorizing S/T Partridge to go forward in notifying Spring Grove Borough of this change and for York Water Co to take over the billing.*** Notification to Spring Grove Borough by 31 July will satisfy the 60-day cancellation clause of the sewer billing Agreement. This change should also be noted in the Fall Newsletter which should be sent within the first two weeks of September.

d. Speed Control on King Richard Ct and Robin Hood Dr – S/T Partridge is to contact Engr. Lipinsky to research the possibility of putting a “triangle for slow down” above the present speed limit signs in this area. The Highway Committee is also to research this problem. ***On motion by CM Martin, second by CM Thumma and unanimously carried, CM Donavos is appointed to the Highway Committee as the safety subchair.***

e. Borough logo and letterhead change – Stick with the current logo on the recently approved revised letterhead.

f. Solid Waste Removal Contract – Sol. Craley reported the biggest problem is with the clause in our current contract permitting the contractor to recoup increases in tipping fees if the increase exceeded 25%. Surrounding boroughs don’t have this clause and it allows them to sometimes get more than one bid. Sol. Craley recommended sending out the bid package in October for award in November. He could have the bid package ready for Council to review and approve at the August meeting so it is ready to be sent out anytime of our choosing thereafter. ***On motion by CM Thumma, second by CM Baldauf and unanimously carried, Sol. Craley is to prepare a bid packet for trash removal for advertising without the 25% clause.***

10. NEW BUSINESS

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- a. Jefferson Borough letter – received requesting the Borough to permit New Salem fire police to assist their fire police during the Jefferson Carnival. The State Workers Insurance Fund provides that the municipal authority must give permission for their workers to conduct work outside the borough, so they are covered under liability insurance. ***On motion by CM Thumma, second by CM Baldauf and unanimously carried S/T Partridge should respond to the request with Borough approval.***
- b. Sale of Sewer System – Before any sale could take place a financial study would need to be completed to assess the value of the present system. Many pros were presented in support of selling the system including, present condition of system and its maintenance, billing handled by purchaser along with delinquencies, flat rate vs consumption billing, better control of usage, purchaser assumes treatment and maintenance, and overall lower cost to residents. ***On motion by CM Martin, second by CM Becker and unanimously carried, the Solicitor is to work on getting the appraisal for the Borough.***

11. FINANCIAL REPORT – *Motion by CM Martin, second by CM Becker and unanimously carried, the May 2023 financial report was approved.*

12. SECRETARY’S REPORT The July 1st sewer loan payment was received by the bank. York County SPCA is raising their rates from \$373 to \$585 per year. There has been no usage of their services by the Borough in 2022 that we are aware of.

QuickBooks monthly fee includes an \$8 per payroll employee charge. Because the Borough elected officials are paid yearly, a QB customer service rep suggested we change the status of those employees to “not on payroll” for 11 months and then change back to “active” for the 12th month. This will save the Borough the \$8 monthly charge for the 11 months the elected officials are not paid.

13. MAYOR’S REPORT – Power lines came down in the square during a storm over the weekend which made the traffic signals inactive. The Fire Company’s Fire Police responded to handle the situation. Wellspan Ambulance membership applications were not received by some residents. He will check into it with the ambulance company.

14. POLICE ACTIVITY REPORT – none presented but it can be obtained by going to PSP.gov.data in the CAID dashboard/driving.

15. COMMITTEE REPORTS – BUILDING, nothing – HIGHWAY, nothing – SEWER, already handled – SIDEWALKS, photo sent to Z&CEO

16. AROUND THE TABLE – appointments will need to be made to Zoning Hearing Board and Planning Commission in August. Sol. Craley will provide the resolution.

With no further business the meeting was adjourned by Pres. Mundorf at 9:45 PM

Respectfully submitted by Judith A. Albright, Administrative Assistant.