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Use certificate issued for 334 N Main for retail store

Enforcement actions taken:

- Freyman 105 W. George st on junk, DJ hearing was scheduled for 3/3/22. Hearing has been delayed, paperwork was never served, I gave the street address to DJ office and paid fee for constable delivery on 3/3/22. (no new updates)
- Notice of Violation (NOV) mailed to 271 N Main st, for nuisance(drag car), Owner notified tenant of race car, for further issues will be cause for eviction.
- NOV mailed to Sherwood Plaza and Dollar General for litter, Bennet Williams (Sherwood Plaza) replied that they do a weekly clean up. Never heard back from DG. I will find the manager.
- NOV mailed to 3948 Palmer Ave for junk, via tele call, he asked for another 2 weeks, approved for 5/9/22 compliance.
- NOV mailed final to Sharon Striebig for 10-day compliance. She called me 4/18/22, ordered a structural shed and working the driveway pad,
- Diaz 301 N Main st, no new updates.

Zoning Officer Koons mentioned that he had received a phone call from a Jerry Austin, a realtor or an appraiser, inquiring about the property behind Cooks, the Brunner property. Apparently, Mr. Austin had been summoned by an attorney to find out information about utility hookups and such. Council suggested he needs to talk to our Engineer for that kind of information. Council speculated that there may be plans to develop that property. Solicitor Craley mentioned that he had heard that a dispute involving the property behind Cooks and the Sherwood Inn was turned over to former Judge Linebaugh who is now doing alternative dispute resolution. Zoning Officer Koons stated that the Brunner property was sold 30 feet by Luis Diaz and 20 feet by Sherwood Inn to form a 50-foot right-of-way from that property to Main Street. Solicitor Craley suggested that we just wait until someone comes to us with a proposal. Fire Chief Pierce inquired if anything had been done about the bushes on the property adjoining the Fire House that are obstructing the line of sight to George Street. Solicitor Craley said that we need to wait for the response from the PennDOT representative that we met with last month. Mayor Franklin inquired if there was a limit on the number of burn barrels a property could have. He said there is one property on W. George Street that has 5 or 6 and they get stinky. CM Barley said someone told her that they had seen free range chickens and heard a rooster somewhere in the Borough which is a violation of a recent ordinance on that subject. She also inquired whether Zaza's on the NW corner of Main and George was in compliance with all the Borough's ordinances and whether a property owner on Robinhood Drive who missed the last leaf collection and still has leaves piled up by the curb which are clogging the storm water drains, should be sent a letter to clean them up. Fire Chief Pierce stated that there is only one means of egress from the upstairs apartments at Zaza's and that he would have no way to get to that second story in the event of an emergency. CM Martin brought up minibikes and a discussion about whether they are legal on public roads ensued. Solicitor Craley inquired whether there were any issues with the trailer north of the Sunoco Station. CM Thumma commented on the condition of the barn on W. George Street and whether the Borough would be liable for any damage or personal injury if it fell. Solicitor Craley said the Borough would not have any liability because it is not owned by the Borough and that a municipality cannot be held liable for failure to enact or enforce an ordinance. The Borough has the authority, but not the duty, to ask that it be brought into compliance.

### **Building Code Officer's Report**

BCO Hammers reported that 334 N. Main Street has met all its code requirements and is now able to conduct business. As a result of this process, BCO Hammer said that he has created a new Certificate of Occupancy that includes reference to everything that was inspected. He also stated that he had extended approval of CM Baldauf's permit for a pool that was a year and a half old after checking with the inspection agency, MDIA, to confirm that they would honor the plans that were originally submitted, reviewed, and approved. Currently under review is a permit for a small pergola and he received an inquiry regarding upgrading an electric panel to 200 amps which will require an inspection. Yesterday he started a 4-day recertification course and learned that the Borough needs to submit a form to the PA Dept of Labor and Industry (L&I) naming

## APPROVED

him as the new BCO for the Borough and including the name and service number of the previous BCO. He will fill out the form and send it to S/T Partridge for submittal to L&I. He mentioned that the two biggest causes of home injuries are decks and swimming pools. If the sides of the pool are higher than 24" then a permit, inspection, and fence are required.

***Motion by Barley/Becker to allow BCO Hammer to canvas the Borough for any obvious violations or safety hazards associated with swimming pools. Motion carried unanimously.***

### **Engineer's Report**

Engr. Lipinski was absent due to a cold but submitted the following written report that is also included in the meeting packet. He was also available by telephone if anyone had any questions.

1. The PennDOT Highway Occupancy Permit for the Sunoco Station ADA ramps was submitted and is under review.
2. I emailed Mr. Wright from LTAP requesting his recommendations and information from our meeting on Forry Street and with the Fire Company, I have had no response.
3. To perform the Base Repairs on Robin Hood Drive, my estimate is approximately \$25,000. However, with the ever-changing cost of oil and fuel, these costs vary daily. As previously mentioned, the cost to perform the crack sealing with rubberized sealant should be around \$5,000. It is probably too late to get good prices this year for the Base Repair work because contractors have very busy schedules. If you are going to perform the base repairs next year, then I would not do crack sealing. If you intend to wait several years, then I would perform the crack sealing this fall.

Engr. Lipinski also submitted a copy of the report of his inspection of the Phase IIA section of Scarlet Drive which is included in the meeting packet. He found several items that were not completed correctly and need to be fixed by the developer. As a result the letter of credit with Peoples bank was renewed for another year. It was agreed that Engr. Lipinski should inform the developer of the discrepancies.

Pres. Mundorf inquired whether York Water had performed a leak test at the site of the road deterioration on Robin Hood Drive and, if so, what was the result. S/T Partridge said he presumed so but would follow up with York Water. Pres. Mundorf suggested we wait to take any further action on the road deterioration issue until we have heard back from York Water. CM Martin mentioned a water problem she has noticed on her neighbor's sidewalk at 4020 Sherwood Drive which she reported to York Water but does not know if they would be doing a leak check. S/T Partridge will also check with York Water about that situation.

S/T Partridge mentioned that he now has the Mr. Rehab reports on the sanitary sewer inspection and the storm sewer inspection the Borough had ordered last year. Engr. Lipinski will report at the next council meeting on the results of those inspections and whether any preventative maintenance action needs to be taken at this time. CM Harvey mentioned that there is a storm drain at the entrance to Water Street two houses over on the left that runs under the road that is clogged up with stones and debris that should be cleaned up. Either Tyke Shubert or Spring Grove Public Works should be able to do that. We might want to have Engr. Lipinski look at it to see if it needs to be restructured. It was suggested that the Highway Committee look at it and report back.

S/T Partridge added to Engr. Lipinski's report with information about rubber speed tables. They can be purchased, but not rented, from Traffic Logix, the vendor from whom we purchased the Borough's two speed control signs, at a cost of around \$3,100 for a single table that is 18 feet across with a 10-foot table span that will slow traffic to between 15 and 20 mph. The tables come in sections 42" by 18", that weigh around 60 lbs each, and can be interlocked together and bolted down to the road. Council expressed a preference for stop signs, if PennDOT will allow them. We are still awaiting the answer to that question from the PennDOT representative who met with us last month.

### **Solicitor's Report**

Status of sewer Arrearages – Solicitor Craley reported that he had reached a settlement with Mr. Hewitt for the full amount of the sewer arrearage that he owed, some \$8,528, and that the money was now in Mr. Hewitt's attorney's escrow account and should be in his hands by next week. He will now pursue Freyman for \$6,000, Black for \$3,700, and Myers for \$7,000. Mayor Franklin said Freyman can be found at the Fire House attending a monthly meeting every 2<sup>nd</sup> Thursday of the month. CM Harvey had a question about her sewer bill which was satisfactorily explained to her by Assistant Solicitor Craley.

## APPROVED

S/T Partridge brought up a related matter about two sewer bills that had been returned by the Post Office as not deliverable. Mayor Franklin will deliver one and find out how this property receives its mail. Solicitor Craley had a PO Box number for the second property and S/T Partridge will take it to the Post Office.

### Unfinished Business

Secretary/Treasurer Search – S/T Partridge reported that the candidate we interviewed the day after our last council meeting and thought so highly of accepted another job, so we are back to square one. It was suggested that we discretely canvas neighboring municipalities to see if any of their staff would be interested in a part time position with New Salem Borough. Pres. Mundorf will post our latest job description on Indeed again.

Storeroom to Office Conversion – S/T Partridge reported on the progress that has been made so far in removing the two shelving units, the drawing cabinet, and one of the three filing cabinets from the old storeroom. The shelving units were relocated against the wall in the main room and the drawing and filing cabinet were relocated to the utility room. Also, Pres. Mundorf was able to provide an Ethernet connection in the new office space. What remains to be done is to paint the walls in the new office space, install carpeting, and purchase and install an all-in-one printer. Carpet and Tile Mart on Route 30 has carpet remnants at half price for under \$100. S/T Partridge said he had contacted Tyke Shubert to see if he would be interested in doing the painting and carpet installation and installing the mail slot in the side door, but Tyke declined explaining that he was not that type of handyman and was only interested in lawn care and outside projects. CM Martin volunteered to help with the painting and carpet selection and has a friend who has a wooden desk she is getting rid of.

S/T Partridge and CM Baldauf presented a quote, included in the meeting packet, from Doceo for purchase or rental of a Toshiba all-in-one printer. After much discussion and comparison with lower cost small office printers that are available, the consensus of Council was to go with a small office printer to be charged against the \$2,500 minor equipment line item 405.260 in this year's approved budget.

***Motion by Martin/Thumma to approve the purchase of an all-in-one printer that will meet the Borough's needs at a cost not to exceed \$900 to be charged against the minor equipment allocation in this year's budget. Motion carried unanimously.***

CM Thumma leaves the meeting.

### New Business

Appointment of Deputy Tax Collector – PA law requires that every tax collector have a deputy that can take over in case the regular tax collector is not able to perform his or her duties. The Borough's tax collector, Stephanie Mundorf, has coordinated with Connie Patterson, a tax collector in another municipality and has a signed agreement with Connie to be her deputy.

***Motion by Barley/Baldauf to accept Connie Patterson as the Borough's Deputy Tax Collector. Motion carried unanimously.***

### Financial Report

S/T Partridge explained that Assistant Treasurer Shaffer, as requested, had deleted \$5,206.24 of old uncleared transactions from the QuickBooks's General Fund account. This created a one-time anomaly in March's Balance Sheet by increasing Total Assets and Total Equity by \$5,206.24 without a corresponding effect on net income. Therefore, the usual test to see if the change in equity equals the change in net income is not applicable and shows an imbalance of exactly \$5,206.24 as it should in this case. He indicated that otherwise the financial report looks fine and recommended that it be approved as presented.

***Motion by Baldauf/Becker to accept the Financial Report as presented. Motion carried unanimously.***

### Secretary's Report

Correspondence – The PPC classification letter was discussed under Public Comment.

News Items – Two streetlights are out, one on W. George Street and one around the corner on S. Main Street. Both were reported on-line to Met Ed via their website on April 22. As of last night they had not been fixed so a call was made to Met Ed customer service who said they would be repaired within the next 3 days. Met Ed could not find a record of the on-line request. Due to some confusion at Spring Grove, the street sweeping which was to occur today and tomorrow will now take place next Tuesday and Wednesday. York Water has been alerted to attach a meter on the fire hydrant that Spring Grove

## **APPROVED**

Public Works will be drawing water from so that the Borough can be billed. Mayor Franklin will be contacted regarding where he would like to have the sweepings dumped. Andy says he is pretty sure he kept minute books. No books covering the period he was New Salem Borough secretary were among the records he sent to the Borough Building when he left. An inquiry has been made to Spring Grove to see if they might be in storage there. A check of the Borough Code confirmed that special bound books with numbered pages are required for recording meeting minutes and so these will be purchased. Ordinances, apparently, can be bound in any type of suitable binder. The Borough's auditor has been contacted about performing the 2020 and 2021 annual audits of the Borough's finances but so far has been too busy to get to it but promises to do it soon.

### **Mayor's Report**

Mayor Franklin reported that the NSB Fire Company had 4 fire calls last month. He stated that people have asked him why we can't get garbage cans like Penn Waste supplies to other areas. The answer is that it depends on the terms of our contract which is negotiated for renewal every five years, and we are currently in the 3<sup>rd</sup> or 4<sup>th</sup> year plus they cost more. The Borough has its own supply of recycle bins which it provides at no cost on request.

### **Police Report**

Assistant Solicitor Craley reported on data she obtained from the State Police website dashboard. In January and February there were 6 motor vehicle incidents; 1 hit and run in January; 1 fender bender in February; 4 citations in February, 3 of which were to 26-to-30-year old's and 1 to a 40- to 50-year-old; and 3 criminal incidents and 3 arrests, one an assault, one property criminal mischief, and one DUI.

### **Committee Reports**

Building – nothing to report

Highway – nothing to report

Sewer – nothing to report

Sidewalk – nothing to report

### **Around the Table**

CM Baldauf brought up the trash collection contract and a discussion about how to get better service and from which vendor ensued. Solicitor Craley stated that Scott Wagner had sold Penn Waste which is now under new management and that the Borough will probably have to agree to an escalator clause to get any bidders at our next renewal.

### **Adjournment**

The meeting was adjourned at approximately 9:20 pm. The next council meeting is scheduled for Tuesday, June 7th, 2022, at 7pm in the Borough Building.

Transcribed from audio recording and respectfully submitted by S/T Partridge.