

# APPROVED 12/5/2023

## MINUTES OF THE NEW SALEM BOROUGH COUNCIL MEETING

November 14, 2023, at 80 N. Water Street, York New Salem PA

The New Salem Borough Council met in regular session on Tuesday, November 14, 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  
Kim E. Martin, President pro tem  
Sue Ann Becker  
Harvey E. Thumma Jr.

### **BOROUGH OFFICIALS PRESENT**

Joe Shubert, Mayor  
Jeff Koons, Zoning & Codes Officer  
D. Michael Craley, Solicitor  
Samantha Craley, Assistant Solicitor  
Peter E. Partridge, Secretary  
David Lipinski, Borough Engineer  
Judy Albright, Treas./AA

### **OTHERS PRESENT**

Crystal Cox  
Andy Martin

### **BOROUGH COUNCIL ABSENT:**

William Baldauf  
Cecilia Harvey  
George K. Donavos

### **BOROUGH OFFICIALS ABSENT:**

Mike Hammers, Building Code Officer

Note the following Abbreviations:

“CM” = “Councilmember”  
“S/T” = “Secretary”  
“Z&CEO” = “Zoning & Code Enforcement Officer”  
“Treas/AA” = “Administrative Assistant”

“CP” = “Council President”  
“Eng.” = “Engineer”  
“Sol.” = “Solicitor”

Meeting did not follow the agenda by number

#### **4. Engineer’s Report –**

a. Sunoco Station ADA ramps – Eng. Lipinski has spoken with the PennDOT compliance person and the Borough can now move forward. T/AA Albright is to send a bill to the property owner for all the engineering costs associated with this project. Eng. Lipinski is to provide her with his charges for prior years’ work. The current years costs are \$885.00 and will be added to the previous year’s total.

b. Fire Company Signal – The PennDOT authorization has been filed and the Borough can move forward with placing the required sign. Much discussion ensued regarding the type of sign required. Consensus of all council members was that the sign could be solar powered or electrically powered and contain flashing warning lights to indicate to traffic that fire equipment was either leaving or returning to the station. Fire representative Crystal Cox is to meet with Eng. Lipinski regarding the costs associated with this type of sign. The costs associated would

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be paid for by the Fire Company. The Borough has contributed more than \$10,000 to the Fire Company toward the project and felt this is the limit of the Borough's financial involvement.

c. Status of road and storm sewer repairs. Council approved the payment to Clear View Excavation last month to do inlet and manhole cover repairs. The contractor will not start the work without a signed contract. Eng. Lipinski is to provide T/AA Albright with a copy of the proposal and have it signed and forwarded to Clear View. Prior discussions included thoughts of using foam around the inlets but Eng. Lipinski has learned that the cost of the foam has drastically increased. He presented an alternative to grout the inlet boxes at a cost much less expensive than the foam. **On a motion by CM Thumma, seconded by CM Becker and unanimously carried**, Eng. Lipinski is authorized to obtain bids for some of the inlet work in Sherwood Forest using the less expensive grout. **On a motion by CM Thumma, seconded by CM Becker and unanimously carried** bid specs are to be prepared and advertised for Robin Hood Dr. stormsewer, street work and base repair. **On a motion by CM Thumma, seconded by CM Becker and unanimously carried**, Eng. Lipinski is authorized to obtain prices for the manhole and sewer repairs at the Borough office. If this quote is more than \$25,000 then it should be included with the other repairs for Robin Hood Dr. There will still be work remaining at the end of this year for resurface of Palmer St but it will need to carry over to the 2025 budget.

CM Martin asked if Eng. Lipinski could possibly state his recommendations when presenting to Council. This might help Council make their decisions and move items requiring attention to completion. Eng. Lipinski agreed.

d. Recommendation for number and location of speed tables – discussion handled with (f) traffic calming.

e. Sewer Operator Status – pending reply from DEP.

f. Traffic calming on Robin Hood Dr. and King Richards Ct. Sec. Partridge, CM Donavos and CM Martin have been checking on different types of equipment to assist with speed control. CM Thumma suggested that the triangle signs be placed on the present speed limit signs. Since this purchase was approved at the October 3, 2023 meeting, Sec. Partridge is to order signs at a cost not to exceed \$250.00. CM Martin has researched the possibility of grant money to assist in purchasing other equipment. There is a York County Grant and a state grant available. The York County grant might be the best for our project however, the grant application period is 7/1 to 9/30 so we could not apply until July 2024. Availability of funds could be March of the following year. The state grant application period is 9/1 to 11/30, and money is not available until September after the application period. We would need to wait until 2024 as there is not enough time to prepare an application this month.

Eng. Lipinski left the meeting

**2. Z&CEO REPORT** 4 permits were issued for the month of October. Peoples Bank for major renovations, Franklin, 75 W. George St to replace porch and add a wheel chair ramp, Hilty, 87 N. Main St for an accessory structure and Warner, 4053 Robin Hood Dr to amend the retaining wall/fence. In process Diaz – 301 N. Main St. for conversions of the property which is at a standstill and 286 N. Main St. discussions regarding either rezoning or variance possibility. This was just an informal meeting and attendees were referred to the Zoning Ordinance for clarification.

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Enforcement action: Freyman, 105 W. George St. should be on the Sheriff Sale list for December. It was removed from the October list so that a reassessment could be completed.

Lopez, 51 N. Main St. – property is for sale, no new updates.

Hecker, 63 N. Main St. for junk – Tyke Shubert is still maintaining the grass for mowing and weeds. No other new updates

Zink, 4042 Robin Hood Dr. for keeping of vehicles – car has now been removed

Estermyer – 271 N. Main St- continuing work on repairs to the property to keep the buzzards out.

Yohe, 27 N Main St - for junk and vehicles on property – vehicle is now removed.

Soto, 247 N. Main St – keeping of vehicles – he has been sent a letter but it was never picked up at the post office. A follow up and final notice will be sent or delivered.

Letter of notification to Sherwood Inn for noise – Sol. Craley advised that recently the laws have changed and noise violations are now handled by the LCB who will refer to PSP for any actions. Therefore, there is nothing the Borough can do regarding the noise violations. If any violations are heard they should be reported to the LCB.

Furtak – 287 N. Main St. – for grass and weeds. Property now in compliance

Heater – 128 S. Main St. – keeping of certain vehicles – vehicles are now moved.

CM Becker asked if Z&CEO Koons had a chance to check the grass at 49 Water St. He indicated he did and the ordinance says 12” in height for grass violations. He did not physically measure the grass but felt it did not violate the grass height ordinance, however the property shows general lack of care for the lawn.

Z&CEO Koons left the meeting.

### 1. PUBLIC COMMENT -

Andy Martin President of the Fire Company #8 wanted to issue a public apology to Stephanie Mundorf, tax collector, for a statement he made at a prior Council meeting. He realizes she was not the person in question causing the disagreement and wished to go on record with his apology. He further indicated that there was an incident whereby a resident was burning in a barrel that got out of control and caught a shed on fire on the neighboring property. He was requesting clarification of the burn ordinance. Sol. Craley read the particulars in the burn ordinance and Mr. Martin was advised any time he needs clarification on any ordinance, he should contact the solicitor. He was upset that the Fire Company was never notified of the change in the polling location. Pres. Mundorf indicated the public only found out when they received their new voting card which only occurred a few days prior to voting. It was an oversight that the Borough did not notify the Fire Company of the change. Mr. Martin as Fire Company president feels he is getting resistance from the Borough but did not clarify. It was suggested that any future questions regarding an ordinance violation, or if he observes a violation, he should contact Z&CEO Koons directly or send an email to the borough and it will be passed along to the proper person.

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Sol. Craley advised him that if a violation occurs, in order for the Borough to cite and enforce a violation he must notify us and then be prepared to testify in Court if necessary. If the Borough is not aware of violations, then we cannot handle the situation properly.

### 5. APPROVAL OF OCTOBER 3<sup>RD</sup> AND 10<sup>TH</sup> COUNCIL MEETING MINUTES

On a motion by CM Thumma, seconded by CM Becker and unanimously carried the minutes of the October 3<sup>rd</sup> meeting are approved as corrected. (Page 2, paragraph 4 the word “long” should be “along” and on Page 5, paragraph 3 the correct spelling of “Mundorff” is “Mundorf”.

On a motion by CM Thumma, seconded by CM Becker and unanimously carried the minutes of the October 10<sup>th</sup> meeting are approved.

6. SOLICITOR’S REPORT – nothing pressing, will be handled at December meeting

### 7. UNFINISHED BUSINESS

- a. Update on transitioning of sewer billing – Sec. Partridge and Treas. Albright are working on a complete list of accounts with York Water Co and the receipts they received.
- b. Sale of Sewer System to York Water – Sec. Partridge prepared a report part of which entailed steps for the sale of the sewer system to York Water. There are 5 items that will need to happen and he is continuing to work on that. No other action taken.
- c. Status of Traffic Signal Maintenance Contract – bid closing has been extended to Nov. 15, 2023 which will take place this week.

### 8. NEW BUSINESS

a. Snow removal quotes – 2 were received - one from Hersh Concepts and the other from Rudacille’s Lawn. Hersh has been providing the service for several years and their bid was the lowest again. On a motion by CM Thumma, seconded by CM Becker and unanimously carried, the contract is awarded to Hersh Concepts at the following prices:

Snow plowing @ \$85.00 per hour – Salting @ \$145.00 per ton – End loader @ \$125.00 per hour for equipment and operator and Tri-axle dump truck @\$105.00 per hour for equipment and operator. Snow Removal is upon request only.

b. Finalize 2024 Budget and set millage rate – there were a few minor changes after the October 10<sup>th</sup> budget meeting which have been made. Sec. Partridge explained the high cost for Stormwater Management was due to years 2021 and 2022 participation share was paid in the same year. It was also noted that the participation share is now over. On a motion by CM Thumma, seconded by CM Becker and unanimously carried the tentative budget should be advertised for public inspection. The Resolution for millage rate does not need advertised since the millage rate of 1.5 will remain the same for 2024.

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- d. Set 2024 Meeting dates and advertise – on a motion by CM Thumma, seconded by CM Becker and unanimously carried the dates will be advertised by Sec. Partridge
- e. Recycle Container Policy – the Borough presently does not have such a policy and many residents are using an unapproved container. Presently the Borough only has two (2) in reserve. To be placed for further discussion on December agenda.
- f. Policing of Borough – CM Martin spoke with Pennsylvania State Police and the Borough Constable regarding what would be required to start a police force. A possible cost of \$125,000 is projected. Sol. Craley suggested that CM Martin check with Windsor Borough considering the feasibility as they have recently researched it. PSP did advise if an authorized officer were on duty in the Borough, then PSP would not respond to any other calls until that person was off-duty.
- g. Sign-off Authority on Fire and EMS Response – Department of Emergency Services asked for completion of a form indicating who will have the authority to sign-off of all run card changes. After January 1, 2024, this individual will change. Sol. Craley suggested the Borough wait till after January to complete the form.

**9. FINANCIAL REPORT** - Approve September financial report. On a motion by CM Thumma, seconded by CM Becker and unanimously carried the report was approved as presented.

### 10. SECRETARY'S REPORT

- a. YCBA Annual Banquet – the Borough will have 9 representatives at the meeting on November 18, 2023
- b. Secretary/Treasurer Handbook. – Sec. Partridge has been working on this project.

**11. MAYOR'S REPORT** – no report

**12. POLICE ACTIVITY REPORT** – no report

### 13. COMMITTEE REPORTS

- a. Building – Treas/AA is to contact an exterminator regarding the yellow jacket issue at the Borough office.
- b. Highway – no report c. Sewer – no report d. Sidewalk – no report

**14. AROUND THE TABLE** – CM Thumma, Sol. Craley, Asst. Sol. Craley, Pres. Mundorf, Mayor Shubert, CM Becker, Sec. Partridge, Treas/AA Albright – nothing to report. CM Martin asked for an item of new business to be placed on the December agenda regarding the seasonal banners for the Borough being stored in the storage building.

With no further business, the meeting was adjourned at 9:15 PM. Respectfully submitted by Judy Albright, Treasurer/Administrative Assistant.