

APPROVED
MINUTES OF THE NEW SALEM BOROUGH
COUNCIL MEETING
November 9, 2021

The New Salem Borough Council met in regular session on Tuesday, November 9, 2021. 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
William F. Baldauf
Peter E. Partridge
Kim E. Martin
Susan P. Barley
Harvey E. Thumma Jr (left at 9:10 pm)
Cecilia Harvey

OTHERS PRESENT:

Clarence R. Lloyd, Mayor
D. Michael Craley, Solicitor
Samantha Craley, Assistant Solicitor
Jeff Koons, Zoning & Codes Officer
Mike Hammers, Building Codes Officer
James Pierce, Fire Chief
Ron Franklin, Mayor-Elect
PA State Police Representative

BOROUGH COUNCIL ABSENT:

None

OTHERS ABSENT:

Dave Lipinski, Borough Engineer

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

Public Comment

There being a representative of the State Police present, President Mundorf asked that he give his report at this time. He stated that since January the State Police have responded to 84 calls in the Borough, nothing out of the ordinary for a borough of our size, the biggest call being for a simple assault in a domestic situation. The State Police did respond to a vehicle crash that afternoon and to a vehicle theft on June 16th. A white Chevy Suburban or Tahoe with California plates has been involved in several residential daylight burglaries recently in this area and a dark gray F150 hauling a trailer has hit several construction sites. Mayor Lloyd mentioned that statistical data about vehicle accidents and crimes by month and municipality can now be obtained on the State Police's new website at PSP.gov using the dashboard. Troop J York is the unit that covers New Salem Borough.

In response to a question from Fire Chief Pierce CM Partridge verified that the Fire Company is up to date with their financial reports through September, that the September report was emailed to all the council members, and that their October report should be submitted around the middle of November. Chief Pierce reported that the Fire Company is working on a budget, that their new fire engine is now in service, that the Fire Company is going to be resurveyed

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next Thursday to see if they can raise their ISL rating from a 10 to a 5 or above which will make them eligible for lower insurance premiums. He will let us know the outcome of the survey and the new rating. CM Partridge reported that he has been working with the Fire Company's treasurer to see if they can estimate the amount of income they lost due to COVID that may be reimbursable with ARPA funds. Chief Pierce stated that the Fire Company was able to rehab their new fire engine for approximately \$95,000 which is \$150,000 less than what it would have normally cost. He mentioned that there will be a New Year's Eve party at the Fire Hall this year; \$40 a person for dinner and a live band.

President Mundorf reported on the outcome of the general election as it affects the Borough and introduced the new mayor-elect, Ron Franklin, who was present.

Approval of Minutes from Last Council Meeting

CM Partridge stated that he had made the one correction he had received to the minutes for our October 5th meeting that are in the packet. He received no corrections to the minutes of the October 12th budget meeting.

Partridge/Baldauf motion to accept both minutes as corrected was approved.

Engineer's Report

Solicitor Craley mentioned that Engineer Lipinski had sent an email saying that he has contacted PennDOT to determine the location of the right-of-ways relative to the utility poles and will address the Council when he has received this information.

Zoning and BCO Officers Reports

Zoning & Code Enforcement Officer (Z&CEO) Koons reported on several violations that he has been working on, the actions he has taken, and the permits he has issued. The property at 301 N. Main Street owned by Luis Diaz continues to be a problem and has been issued an enforcement letter for someone living in a trailer on that property.

Z&CEO Koons proceeded to discuss an interesting case. The property owner at 3045 King Richards Ct S wants to install a 6 foot high privacy fence on his lot which is a corner lot restricted by zoning ordinance to fences no higher than 4 feet in either section of his yard that is adjacent to one of the streets. Unfortunately, the property at 3102 King Richards Ct S, which is diagonally across the intersection from 3045 and also a corner lot, was erroneously approved for a non-compliant 6 foot privacy fence by the Borough's former Zoning Officer and was being cited by the property owner of 3045 as justification for a similar fence on his lot. While the property owner of 3102 has "vested rights" to his otherwise non-compliant fence because a permit was issued by the Borough, the fence that the property owner of 3045 wants to put up must comply with the 4-foot height limit. His only options are to comply, request a

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variance from the Zoning Hearing Board, or convince the Borough to amend the zoning ordinance.

Z&CEO Koons brought up a situation where a permit has been requested to cut a trench in a street to repair a broken utility line and the zoning ordinance mentions a bond. His question was is a bond required and who sets the amount of the bond? Solicitor Craley commented that utility companies are usually exempt from posting a bond but, if a bond is required, that the Borough Engineer should set the amount of the bond.

BCO Hammers said that he had looked over the contract that Solicitor Craley had drawn up for him and had a few corrections and clarifications. After some discussion, it was agreed on what changes should be made and Solicitor Craley said he would make those changes. BCO Hammers agreed to sign the signature page before he left. He also agreed to add the action dates on his monthly activity report that he submits with his invoice as requested by CM Partridge and mentioned that he had put together a reference document that describes the building code requirements and explains the role of the BCO. CM Partridge said he would disseminate it to all Borough officials. BCO Hammers mentioned that, after talking to several third party inspection agencies, he has decided to use MDIA, the same one that Spring Grove Borough is using and had used for New Salem Borough. He also stated that he has processed the first permit and upon inspection it was rejected.

Solicitor's Report

Solicitor Craley reminded Mayor-Elect Franklin that he may need to file a Statement of Financial Interest if he has not already done so and to check with the Board of Elections. Solicitor Craley reported that he had a good meeting with Spring Grove regarding how to handle sewer arrearages and that they think they have a way to take care of that for us. He requested that Council give their approval for him to file liens on 5 properties for sewer arrearages at a filing fee cost of \$58 each for a total of \$290 for which he would like a check from the Borough.

Thumma/Martin so moved, motion approved.

CM Partridge said he would send him a check for the \$290.

Solicitor Craley reminded Council that Sue Becker, a newly elected member of council, will have to resign from the Zoning Hearing Board and should be replaced soon to ensure a quorum can be obtained.

Unfinished Business

Status of ACH sewer payments – CM Partridge stated that we have not been able to find a better way to handle ACH payments than the method proposed by Spring Grove and

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recommended that we move forward to set that up and that he would take responsibility for doing that.

Installation of ADA compliant curbs at the Sunoco Station – no new progress, still need drawings from PennDOT, and need to involve the Borough Engineer. CM Partridge introduced a brochure from PennDOT about their Local Technical Assistance Program (LTAP) which might provide a way to get free assistance from PennDOT on this issue as well as the corner curb by the Dollar General.

Forry Street Safety – CM partridge reminded everyone of the information he sent them about the cost of installing speed tables on Robinhood Drive that we had previously considered and that the cost was only around \$2,000 per table, so not prohibitive for use on Forry Street. Their ensued an extended discussion dealing mainly with whether the gravel road paralleling Forry street and extending to N. Main Street belonged to the Borough or not. It is not clear at this point and would require a records search which still may not yield the answer.

New Business

Snow Removal Bids – CM Partridge stated that requests for bids were sent to 5 contractors and only two responded – Radicille and Hersh. Hersh, our current snow removal contractor, bid lower rates than Radicille and the Borough has been satisfied with his performance the past several years. Hersh's rates, with a few exceptions, were the same as his last year rates.

Barley/Thumma motion that the Borough accept Hersh's bid for next year's snow removal services for the 2021-22 winter season was approved.

Proposed 2022 Budget – CM partridge stated that most of the issues raised in the Oct 12th Budget meeting had been resolved and were incorporated in the budget included with the meeting packet. A few additional minor changes were discussed and agreed to.

Martin/Baldauf motion to tentatively approve the proposed 2022 budget, and to authorize its advertisement for inspection was approved.

Tax Rate - After extensive discussion, it was the consensus of the Council to increase the tax rate by a quarter mil from 1.25 to 1.5 for 2022.

Partridge/Baldauf motion to increase the tax rate for 2022 by a quarter mil from its current rate of 1.25 mils to 1.5 mils and to authorize the solicitor to prepare the required tax ordinance was approved.

CM Thumma leaves.

Barley/Baldauf motion to authorize payments of \$372.86 to SPCA, \$1,000 to Windy Hill Senior Center, and \$1,200 to the Glatfelder Library, was approved.

Progress on Secretary/Treasurer Search – President Mundorf handed out a group of 11 resumes he had received in response to the Borough's advertisement for the position of

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Secretary/Treasurer. After extensive discussion of the strengths and weaknesses of each of the candidates, it was the consensus of Council to request a telephone interview with 4 of the strongest candidates. President Mundorf agreed to set up the interviews with CM's Baldauf, Martin, and Partridge requesting to be present. CM Baldauf agreed to work up a list of questions for the telephone interview and any subsequent in-person interviews. It was recommended that a courtesy email be sent to the 7 candidates who would not be interviewed.

Financial Statement

CM Partridge stated that Assistant Treasurer Shaffer had made great progress in reconciling QuickBooks against the bank statements and expected to complete the reconciliation within the next month. Because there were so many erroneous and duplicate entries, he literally had to delete all previous transactions and re-enter all the data from scratch. After an inquiry from Spring Grove Borough about a \$55,000 check for sewer payments they had sent New Salem Borough that had not yet cleared their bank, CM Partridge related how he had found the check and another check from the District Magistrate for \$63.53 hidden under a bunch of files in a filing box that had been returned by our former secretary back in September. The two checks were immediately deposited in the bank. Referring to the financial report for the month of September, CM Partridge explained that the numbers came from bank statements, not QuickBooks; and, therefore, were accurate. After explaining the report entries, he recommended that the financial report be approved.

Barle/Baldauf motion that the financial report be approved as presented was approved.

Secretary's Report

PayPal - CM Partridge reported that he did not follow through with setting up a PayPal account as the reason for doing so was overcome by events and it is no longer needed. Council concurred.

YCBA Annual Meeting – CM Partridge reported that he had not received any requests to attend the YCBA Annual Meeting on December 20th by yesterday's deadline so he only registered himself. The mayor and one councilmember indicated that they had forgotten to reply and would still like to go if possible. CM Partridge said he would try to get them registered.

PennDOT Contribution Agreement – CM Partridge reported that he had been notified that the subject agreement is being held up because New Salem Borough is delinquent in filing its 1st and 2nd quarter employer withholding with the state. Assistant Treasurer Shaffer has since made these two filings.

York County Planning Commission (YCPC) meeting request – CM partridge reported that he had received a request from the YCPC to meet with representatives from the Borough

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regarding upcoming projects that PennDOT has planned for the Borough. The mayor, and councilmembers Mundorf, Baldauf, and Martin expressed an interest in attending. CM partridge will coordinate with YCPA to set up a meeting.

Right-to-Know Request (RTK) – CM partridge reported that the Borough had received a RTK request from a research agency for documents related to collective bargaining agreements and MOU's. Solicitor Craley reviewed the request and said that New Salem Borough not no such documents and to reply such to the requestor.

Mayor's Report

Mayor Lloyd reported that he intends to invite Milt of Milt's Repair Service to the next council meeting to discuss the recent changes made to the traffic light cycle.

Police Report

Given earlier in the meeting under Public Comment

Committee Reports

No Reports

Around the Table

President Mundorf mentioned that he has put together a list of meeting dates for next year and requested that everyone review it and get back to him with any changes they would want.

Adjournment

The meeting was adjourned at approximately 10:00pm. The next council meeting is scheduled for Tuesday, December 7, 2021, at 7pm in the Borough Building.

Transcribed from audio recording and respectfully submitted by CM Partridge.