

**YOE BOROUGH**  
**150 NORTH MAPLE STREET**  
**YOE, PA 17313**

**PG. 1**

The regular monthly meeting of Yoe Borough Council was held on March 5, 2019 at the Yoe Borough Municipal Building, 150 N. Maple Street, Yoe, PA 17313. The meeting was called to order by Council President Samuel Snyder at 7:11 PM followed by the Pledge of Allegiance.

**Council members in attendance:**

Samuel Snyder

Ryan Harper

William Bankoske

George Howett

Seth Noll

Dustin Claycomb

Barry Myers

**Others in attendance**

Seth Springer, Solicitor

Diana Dvorak, Secretary-Treasurer

Steve Malesker, Engineer

Dana Shearer, Maintenance Supervisor

John Sanford, Mayor

John Conway, Resident

**Minutes**

Councilman Snyder asked if everyone had a chance to review the minutes from the prior meeting. Councilman Myers made the motion to accept the minutes, seconded by Councilman Bankoske. All in favor, motion carried.

**Visitors**

Mr. Conway was in attendance to discuss issues on E Pennsylvania AVE. There have been several issues with the green apartment house on E Pennsylvania AVE. Mr. Conway has been down to the office on several occasions to bring the issues to the Secretary's attention. The residents on the second floor are throwing beer bottles out the window. There is also a large accumulation of cigarette butts, which are also being thrown out of the window. Two months

### **Visitors Continued**

ago Mr. Conway picked thirteen beer bottles out of the creek. Mr. Conway was told by one of the residents to mind his own "expletive" business when he was looking around. Mr. Conway did speak with a Police Officer, and was told that is a Borough Council issue. Mr. Conway has not caught anyone in the act of throwing the bottles out of the window. The zoning officer has been looking into this property. Mr. Conway brought up a vehicle on the opposite side of the street that had been sitting for quite some time. The zoning officer did send a letter out, but the owner has 30 days. Mr. Conway also brought up additional vehicles that have been sitting, unregistered for over a year. There are also homes that have a large accumulation of trash. The zoning officer has been going out to address these issues.

The green apartment building is up for inspection this year. Mr. Shearer was instructed to take Patti, and the Code Official along when the inspection is done.

Solicitor Springer asked if Mr. Conway could take time stamped pictures. The more information we can provide, should we need to prosecute, the more successful we will most likely be. Discussion continued. Councilman Snyder said some issues are easy, but some are not. The issues with the beer bottles being in the alley, and creek, it is now not on anyone's property. Even though there is an empty case of beer in front of their house, we cannot charge them with litter unless there is a witness who saw them toss it. Garbage on someone's property is easier to go after. A car that is no longer inspected or registered is easier to address, however the owner has 30 days to address the issue. The issues that Mr. Conway has been bringing to the Borough have been addressed.

Mr. Conway wanted to know if East Pennsylvania Ave is one way? The sign says no outlet. Mr. Shearer will replace the sign to now say one way. This was missed after the bridge was replaced. Mr. Conway wanted to compliment Mr. Shearer on the excellent job he does on snow removal.

Discussion of inspection continued. Councilman Noll feels we should cite them for each infraction. Take out Patti, and Codes enforcement. If the issues are not rectified, then we can move forward with condemning the property. Mayor Sanford asked if the property was condemned how long do the tenants have to move. Councilman Noll said technically immediately, but generally they are given 30 days. There are extenuating circumstances which could change things, but we would address those issues as needed. Discussion continued.

### **Engineer's report**

Report provided. Mr. Malesker was hoping there would be more residents for the CDBG meeting tonight. There were only a few. Mr. Malesker just wanted to overview the things he needed to speak with the contractor about; trash pick up, parking on Philadelphia ST during construction, what they want for the staging area, get them to mark any property corner marks they see drilled into the curb - put those back in at the proper location, and the hours of work.

**Engineer's Report Continued**

Councilman Myers brought up a potential issue with the Floyd property; the property owner is saying the sewer lines comes out of the side of the house, so when they dig the contractor will need to watch that. Councilman Myers feels we should camera that line before any work is done. Mr. Malesker said the sewer runs under the sidewalk. It may be the springline that comes out of the side of the house. Discussion continued. Solicitor Springer concurs that we should camera the line. Discussion continued. The consensus of Council is to have Mr. Malesker go out and do an assessment. Mr. Malesker has approval to move forward with whatever he feels is appropriate. Councilman Claycomb asked what would happen if there was existing damage to the line. The property owner would be notified and be responsible for the repair. Mr. Malesker said we do not want the sewer line in the permanent easement. Mr. Malesker's concern is that we are calling the easement a stormwater easement. Councilman Noll said we are not responsible for things people put in the easement. The easement just states that the Borough has the right to move whatever is necessary to get into that area to work. Not that we would be responsible if it fails, that is Councilman Noll's interpretation. Councilman Myers feels that we should camera the line both before and after the work. Mr. Malesker asked how deep the sewer line is, the guesstimate is about 5 feet. Discussion continued. Mr. Shearer said we should reach out to the Township and Sewer Authority and coordinate the lateral camera. Discussion continued. Councilman Myers made the motion for Dana to make contact with the Township to camera the system. If it cannot be camera'd from the main then to contact a plumber to effectuate going in from the property. Councilman Noll seconded the motion. All in favor, motion carried.

MacMoore did provide a quote for the stormwater work on Main ST. The quote was for \$11,064. This was below the bid limit that requires us to obtain three quotes. Mr. Shearer would prefer to use MacMoore in this case, as they will already be doing to do the CDBG project. Councilman Noll made the motion for MacMoore to install 200 linear feet of 15" pipe, 1 stormwater manhole, and two stormwater inlets. The Borough is paying for all materials. The quote includes a quote for \$250 concrete repair, which will be voted on later. Mr. Floyd is responsible for the concrete repair. Councilman Claycomb seconded the motion. All in favor, motion carried.

Contracts from MacMoore were recently received by C.S. Davidson and are still under review. Councilman Howett made the motion for Sam to execute the contracts for the previously awarded CDBG project. Councilman Bankoske seconded the motion.

DEP did receive the annual basin inspection reports, and agree with all of the maintenance items. However, it has been five years since the Emergency Action plan has been updated. This will need to be completed, and re-signed. Discussion continued.

Kinsley provided a quote for the hydrant work in the amount of \$2500. The only questions was the time line. Mr. Shearer priced the hydrant, assuming that the Borough is purchasing the

**Engineer's Report Continued**

hydrant, and not the Water Authority. Discussion continued. The consensus of Council is to purchase the hydrant, and then just have the Water Authority reimburse later if necessary.

**Solicitor's Report**

Councilman Harper made a motion to go into executive session at 8:07 PM, seconded by Councilman Bankoske. All in favor, motion carried.

Legal matters were discussed.

Councilman Noll made a motion for the Solicitor to file the appropriate suits for 359 S Main ST. Seconded by Councilman Howett. All in favor, all in favor. Motion carried.

Councilman Myers made the motion to accept the proposals from MacMoore construction as a secondary add on for the concrete repair to the inlet structure on Park Alley for \$250 to be completed with the additional pipework between the two properties at 159 and 171 South Main Street. Councilman Bankoske seconded the motion. Councilman Harper abstained. All others in favor, motion carried.

Council President Snyder and the Solicitor updated Council on the ongoing matters regarding the declaratory judgement issue.

Solicitor Springer will be in touch with Mr. Malesker to resolve the easement issue.

**Maintenance Report**

Report provided. Salt contract for 2019-2020 for 143 tons. Discussion continued.

Rental inspections are being scheduled.

Councilman Noll made the motion to accept the proposal from All Seasons for mowing the retention pond bi-weekly or as needed - \$295 per mow. Mowing retention pond monthly is \$60 per mow. Mowing the common area on E Pennsylvania AVE is \$250 per mow. Councilman Howett seconded the motion. All in favor, motion carried.

Street sweeping is \$125 an hour. Material will be dumped on site. Councilman Howett made the motion to accept the proposal, seconded by Councilman Bankoske. All in favor, motion carried.

**Zoning Officer Report**

Patti did tag some doors for not doing snow removal.

### **EMA Report**

EMA officers will require certifications. A Penn State project is looking for sites around the county in flood prone areas.

### **Mayor's Report**

Report provided. There was a lot of weather related activity. Mayor Sanford did get involved in a truck on Elm Street one night. Councilman Harper has pictures from a truck on Broad ST from a few Sundays ago. Councilman Harper reached out to the Police, but did not hear back. Mayor Sanford will follow up. Patti also caught a few. It seems that the trucks are coming in later at night now. Discussion continued.

York Regional Ambulance has merged with Grantley and West York Ambulance. They have formed a company called First Capital Community Transport Partners. They are going by First Capital EMS. However, each company will continue to use their current name. The companies merged through a grant from Wellspan to offset some of the monies. All employees will be employees of First Capital EMS. The secretary is to reach out to EMS to obtain a new contract under the new company name for Mr. Shearer. The other thing we will see from the partnership is to develop a transport company. Discussion continued.

### **Secretary's Report**

Mrs. Dvorak would like to get another newsletter out by mid-April. Councilman Noll said the state is changing the building code. The code is changing April 1<sup>st</sup>.

### **Unfinished Business**

There is no unfinished business at this time.

### **New Business**

E Pennsylvania AVE was missed for trash pick up again last week. This has been an ongoing issue. Mrs. Dvorak has been working with the representative from Republic Services when these issues arise. Mrs. Dvorak is also starting an "email alert" for residents when there is a delay in trash pickup, or other pertinent information that should be communicated quickly to the residents.

Councilman Snyder will need to sign a letter for the Fire Company to the County Treasurer saying the Fire Company has the rental of the park for the raffle. We will also need a resolution next month for the liquor control board.

**New Business Continued**

The county sent a letter asking who is allowed to sign off changes for Fire response or EMS. Council President Snyder, and Mayor Sanford were designated.

Councilman Bankoske had two people approach him regarding trash pickup date postponements. These residents suggested that the Borough use Social Media. Councilman Snyder recommends that we ask residents to sign up for our email chain for notifications. This can be added to the next newsletter. Councilman Snyder feels that Social Media is just one more thing that would need to be updated. Councilman Noll is concerned about moderation.

**Payment of the Bills**

Councilman Myers made a motion to pay the bills. Seconded by Councilman Noll. All in favor, bills paid.

**Adjournment**

Councilman Claycomb made a motion to adjourn the meeting at 9:54. Councilman Snyder seconded the motion. All in favor.