

YOE BOROUGH
150 NORTH MAPLE STREET
YOE, PA 17313

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The regular monthly meeting of Yoe Borough Council was held on September 3, 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 7:06 PM followed by the Pledge of Allegiance.

Council members in attendance:

Samuel Snyder

Ryan Harper

George Howett

Seth Noll

Barry Myers

William Bankoske

Dustin Claycomb

Others in attendance

Seth Springer, Solicitor

Diana Dvorak, Secretary-Treasurer

Steve Malesker, Engineer

Dana Shearer, Resident

John Sanford, Mayor

Chris & Jaime Ayres, Resident

Minutes

Councilman Noll made the motion to accept the minutes, seconded by Councilman Claycomb. All in favor, motion carried.

MS4

Councilman Myers made a motion to recess the regular meeting and to open the public meeting. Seconded by Councilman Harper. All in favor, meeting is recessed. The meeting was handed over to Mr. Steve Malekser. Mr. Malesker went over the MCMs. All reports are now due by September 30th and are turned into DEP. MCM1 is public outreach. Our target audience list needs to be updated. MCM2 is public involvement and participation. There had been

MS4 Public Meeting Continued

discussion on doing something with the Scouts in the past. MCM3 illicit discharge detection and elimination, the Borough did not have any this cycle. Councilman Noll asked if we should consider putting something in the newsletter regarding MS4. Mr. Malekser said that would be a good idea. We are still struggling with public involvement. C.S. Davidson helped host a few stream clean ups. Mr. Malesker suggested we consider a Mill Creek clean up. MCM4 is construction site run off. There is not much construction going on in the Borough. MCM5 is post construction stormwater management. C.S. Davidson has been doing outfall inspections. We just need to follow up on those recommendations. MCM6 is pollution prevention and housekeeping. The Borough still needs to provide a formal operations and maintenance plan. Employee training needs to be submitted to Mr. Malesker. Mr. Shearer had gone to the Dirt & Gravel roads training. Councilman Snyder thanked everyone for attending the meeting. Councilman Snyder concluded the MS4 hearing at 7:18.

Volunteer Firefighter Tax Credit Program Public Meeting

The meeting was handed over to Solicitor Springer. This comes from a need to grow the volunteer Fire Department in Yoe. Windsor Township has already implemented this program and has been very helpful in instructing the Borough. The purpose of the credit is to incentivize volunteers. The Borough is interested implementing the credit to offset a local tax liability in the amount of up to \$500. The Borough would like to implement the tax credit starting in 2020. There are some duties that Fire Chief would be responsible for such as tracking involvement of volunteers, a list of eligible members would need to be compiled and notarized. Members would need to submit an application to the chief for signature. The notarized list would then be sent to the Borough. The Borough would then compile a list of eligible members. Council would then vote on eligibility for each member. Certificates of approval would be sent to the tax bureau as well as the Fire Chief. Councilman Snyder wanted to point out that Council cannot take any official action on this for at least 30 days after this public meeting. Councilman Snyder provides a lot of notary services pro bono for the Fire Department; would this be a conflict of interest for Councilman Snyder because the list would be coming back to the Borough to be voted on? Solicitor Springer said yes, it would be a conflict. Solicitor Springer recommends that the Chief have an outside party notarize the list. The meeting concluded at 7:28.

Visitors/Engineer's Report

The regular meeting was reconvened at 7:29 pm. Councilman Snyder acknowledged Mr. And Mrs. Ayres' but asked if we could discuss the issues regarding Main and Philadelphia Street during the Engineer's report. Should they have any questions we can address them after the

Engineer's Report

discussion. The Ayres' were fine with this arrangement. There were no other visitors to discuss any other topics.

The signature page for the MS4 report was given to Councilman Snyder to sign.

We do have a no cost contract change order to extend MacMor's construction period for 30 days, extending it until September 30, 2019. Councilman Harper made the motion to accept contract change order number 4 extending the contract 30 days with a new date of completion being September 30, 2019. Seconded by Councilman Bankoske. Councilman Noll asked if we should table until this until we have an overall discussion about what is going on. Councilman Bankoske rescinded his second.

Councilman Noll updated everyone on the status of the work done by MacMor. The petrographic analysis was done, multiple cores were done. There was air entrainment in the bottom two thirds. One of the options is to treat the sidewalk with a chemical sealer however the sealer is only good for two or three seasons, at which point it would be on the homeowner to maintain. Councilman Noll agrees it is a better idea to pull out the sidewalk and replace it. Mr. Malkeser spoke with Byran Golden and invited him to attend the Council meeting. Mr. Golden declined to attend the meeting but said he would pull the sidewalk out. The Borough was not given a date when the sidewalk would be taken out, but the work was started today. Mr. Golden thinks testing was done on Philadelphia street but no copy was given to the engineer or the Borough. Councilman Noll wanted to confirm that testing on Philadelphia street was required. Mr. Malesker confirmed that it was. Discussion continued. Mr. Malesker will reach out to MacMor first thing tomorrow morning for test results on Philadelphia street. If there was no testing done then it will need to be done. Councilman Snyder wanted it noted that the aprons on Philadelphia street were not poured to spec. Discussion continued. Councilman Noll asked if we had any issues with the Penndot HOP? Mr. Malesker said that the HOP is still open. We are currently holding about \$30,000 in retainage, and we also have a two year performance bond. The contract with the County is in place until September 30, 2019. There is a consensus of Council that if MacMor cannot provide the testing for Philadelphia street that the sidewalk would need to be removed and replaced. Discussion continued. A walk through still needs to be done to come up with punch list items.

Mr. Ayres said he spoke with the Foreman today who said the Philadelphia sidewalk was not tested. Mr. Ayres had provided pictures of the sidewalk. There is stone coming out from under the sidewalk and washing out into his yard. Mr. Ayres said he was taking pictures daily of the construction. Mrs. Ayres said there are huge chunks of concrete in their yard. Mr. Malesker said they are losing some of the subgrade because there was not enough backfill in place. Discussion continued. Councilman Snyder said we are going to start with testing to see if the sidewalk meets spec. Mr. Ayres wanted it noted that the restoration work was not completed in his yard. Solicitor Springer asked if Mr. Ayres would be willing to testify. Mr. Ayres said "Are you kidding me, I want to bury them. You've got no problem out of me with that."

Engineer's Report continued.

Councilman Noll made a motion to extend our current contract to September 30th. Pending answers that C.S. Davidson gets from the contractor authorizing Sam to talk to the County about extending their contract. That we further request that MacMor either provide testing of Philadelphia street, or that it is petrographically tested, or the third option would be to remove and replace that sidewalk. Also upon proper completion that the Borough pay the amounts owed to MacMor. Councilman Howett had a question. Councilman Howett had a question regarding the compaction on the sidewalk. Councilman Noll said that would be addressed with the punch list. Councilman Howett seconded the motion. All in favor, motion carried. A walk through will be scheduled later. Discussion of the fence and steps continued.

Solicitor's Report

Discussion of Attig property. Councilman Snyder attended the York County Planning Commission's August meeting. The plans were reviewed, and comments made. The plans were conditionally approved. Discussion continued. Solicitor Springer suggested a motion be made allowing Councilman Snyder and Mayor Sanford or anyone necessary to sign the subdivision plans, conditioned on York County Planning approving the process. Councilman Snyder recapped the York County Planning Commission. Councilman Myers made a motion a motion for the plan to be signed, conditionally based on getting approval from YCPC that the proposed process is acceptable. Seconded by Councilman Noll. All in favor, motion carried.

Maintenance Report

No written report. Discussion of sign on Broad Street. The signage we currently have up is legal, however the truck drivers are fighting it and winning. The Judge strongly recommends that we place another sign so that regardless of where the drivers are coming from they can see the sign prohibiting truck traffic on Broad Street. Discussion continued.

Zoning Officer Report

The chicken in question was a Rooster and the owner was told they needed to get rid of it. There is a rental property on George Street that had some bulk trash that needed to be wrapped in plastic in order to be picked up, instead they shoved it under a tree on the property. Patti cited them, and told them she would continue to cite them until the trash is removed.

South Penn was asked to handle the vehicle being used as a residence 22 E Pennsylvania Ave. Diana updated Council on who she has been in touch with regarding the numerous issues at this address.

EMA Report

Report provided. Updated NIMS information provided. Our Hazard Mitigation Plan has been accepted.

Mayor's Report

Report provided. There is only one Animal Control Officer in York County right now and she is not interested in taking on a municipality.

Secretary's Report

The PMRS MMO is due. If a new employee opts to participate our obligation would be \$1440. Budget meeting date set for October 10th from 3-5.

Unfinished Business

Managers meeting was held at the Park in August. Councilman Noll thanked Councilman Howett for all the work he has been doing at the park.

New Business

There is no new business at this time.

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 9:25. Councilman Snyder seconded the motion. All in favor.