

YOE BOROUGH
150 NORTH MAPLE STREET
YOE, PA 17313

PG. 1

The regular monthly meeting of Yoe Borough Council was held on December 6, 2022, 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 7:00 PM followed by the Pledge of Allegiance.

Council members in attendance:

George Howett

Samuel Snyder

Ryan Harper

Seth Noll

Dustin Claycomb

Others in attendance

Seth Springer, Solicitor

John Sanford, Mayor

Shelia Jones, Resident

Jacqueline Snouffer, Resident

Beth Acosta, Resident

Michael Polek, Resident

Diana Dvorak, Secretary

John Klinedinst, Engineer

Caleb Snouffer, Resident

Bradley Snouffer, Resident

Glen Rexroth, Builder

Katie Polek, Resident

Minutes

Councilman Snyder asked if everyone had a chance to review the minutes from the prior meeting. Councilman Noll made a motion to approve the minutes from the prior meeting. Seconded by Councilman Howett. Councilman Claycomb abstained, all others in favor. Even with one abstention there is still a quorum to accept the minutes.

Visitor's Report

Ms. Shelia Jones, residing at 78 W Broad St, Yoe came with a petition to change the traffic patterns on the street. The petition is to make W Broad Street a one-way street from Orchard St to Main St going West to East. Ms. Jones addressed various problems along the street with traffic, especially the large trucks. The petition has 26 signatures. Mayor Sanford asked that when residents see large trucks that they call 911, get a description of the truck. W Broad St is already a restricted street, and the driver can be cited. Ms. Jones said that she is aware that GPS is directing them that way. Mayor Sanford said some of them, it is gradually changing, and it is very well signed. Councilman Snyder said that we will have the Engineer look into this, whether or not we would need a traffic study, impact study etc. Even if we make it one way, it may not resolve the problem. It is already restricted to truck traffic and the trucks still continue to use that road. We also want to make sure it would not inhibit snow removal or the bus routes. Discussion continued.

Mr. Rexroth was in attendance to discuss a possible zoning change for the property he owns by the park. Majority of the property is in York Township with the remaining portion being in Yoe Borough, and it is currently zoned residential. Mr. Rexroth has not yet gone to York Township, but he would like to have this rezoned back to industrial. Mr. Rexroth presented drawings. An additional property has been purchased, and they are proposing to put a street in at Clover Lane. With this additional street there would be no traffic impact on Yoe Borough. Mr. Rexroth presented the drawings for Council review. Mayor Sanford asked if Mr. Rexroth had anything set up with York County Planning yet. Mr. Rexroth said he does not. His plan is to go to York Township first, then he will go from there. Councilman Snyder said there were townhomes on the drawing in Yoe Borough, but that part is zoned low density residential. Mr. Rexroth said he doesn't have firm plans for that area at this time. Discussion continued.

Beth Acosta wanted to get clarification regarding the land adjoining her property. Solicitor Springer said because you are changing lot lines it needs to go through the subdivision process. You will need to acquire the land, then go through the subdivision process to remove the lot lines, then planners design. Discussion continued.

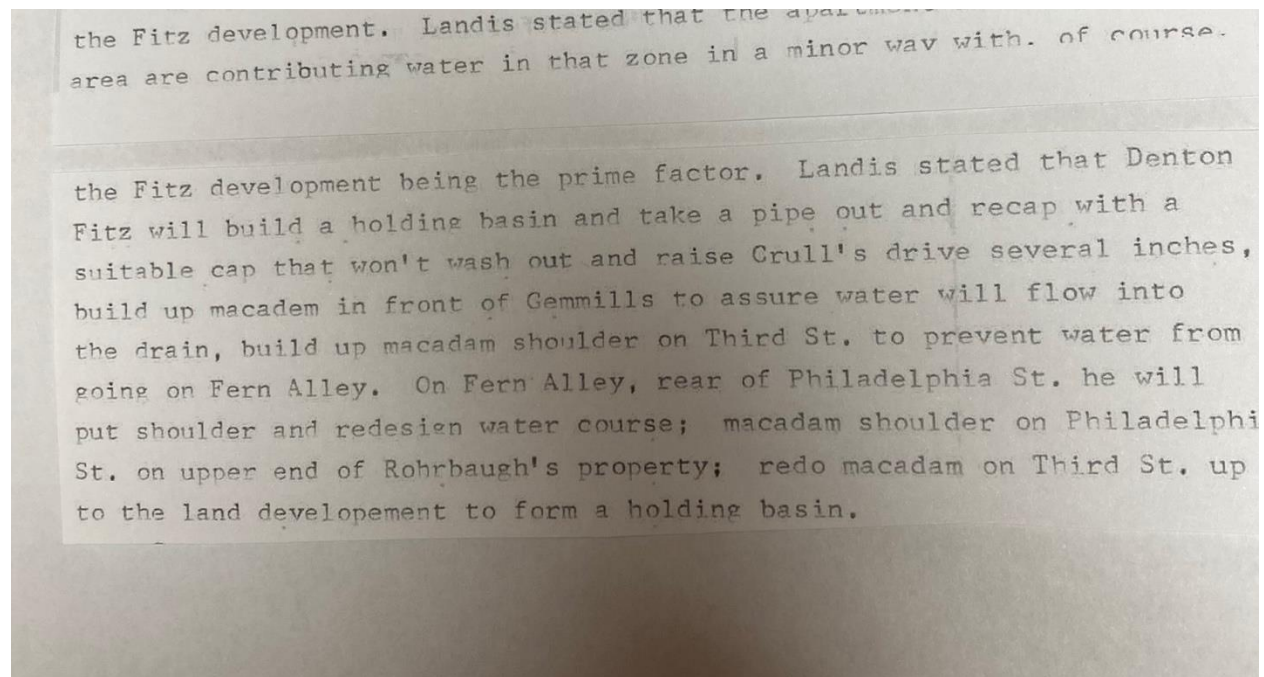
Mr. Polek, residing at 219 S Elm St. received a letter regarding the drainage trench between his home and his neighbors. Mr. Polek's understanding was this belonged to the Borough. He was told by several people that the Borough always maintained the culvert. Councilman Snyder actually just went back through the minutes from 1944 to 1973 because Mrs. Crull came to the Borough saying the Borough put the culvert in somewhere in the 50s or 60s. Mr. Snyder had a timeline at this point, so went back to research this. Denton Fitz was a contractor in the area, and Councilman Snyder found minutes from the last 50s into the 60s where the Borough was using him to overlay roads, put in stormdrains throughout the municipality. Mr. Fitz - on his own - put in Denton Terrace. So, the same person was doing municipal work, and then at the top of the hill doing his own work, so the confusion is understandable. In 1968 Mr. Crull owned that home; and it is recorded that Mr. Crull sent a bill to the Borough, no mention of

what the bill was for, just that the work was the homeowners responsibility and the Borough was not going to pay. There were numerous other comments regarding stormwater runoff on

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Visitor's Continued

Walnut Street and Elm Street that they said was coming from Denton Terrace; and a reference was made that the agreement was reached with Denton Fitz that no Borough property owner should suffer water damage because of his development. The development was approved by York Township, not Yoe Borough. January 4, 1972, they actually talk about the drain in front of Mr. Polek's property, on Elm Street. That was actually put in by the Borough. That was dated May 2, 1972. It says that the County Liquid Fuels Tax allocation was doubled and was being used to replace the Culvert on Elm Street between Philadelphia and Third and improve the entire drainage in this area. That work was given to Denton Fitz. Then in August of 1972 talks about the severe erosion problems on Fern Alley (now Cherry Alley), Elm Street, Walnut Street, Mason Ave, and Philadelphia. A motion was made by Ronnie Crull to authorize the road committee to take care of the priority problems. Council President Landis advises Crull to do some research regarding the water before reaching out to his lawyer. Later on in the same meeting Mr. Fitz is brought up again, referencing a letter that Mr. Fitz is responsible for the repairs or legal action will be taken. Councilman Snyder continued to outline the minutes from 1972.



Councilman Snyder explained that we had received a complaint from a neighbor. As a MS4 reporting municipality we did what we are required to do, which is to notify the property owner of the problem. Discussion continued.

Mr. Polek also had a few other concerns. There is a pothole on Cherry Alley that is getting worse. W Philadelphia Street is getting very tight with parking on both sides. There is a lot of

speeding, and someone's car is going to get hit. Discussion continued. Mr. Polek said his vehicle had been broken into 3 times in the past month. He called the Police twice. Mayor

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Visitor's Continued

Sanford said call the Police each time. The more a specific location shows up the better the Police can direct patrols in that area. And always keep vehicles and houses locked.

Caleb Snouffer was in attendance to observe a municipal meeting for a merit badge.

Public Hearing on Comcast Cable Franchise

Councilman Noll made a motion to recess the meeting to go into a public meeting at 8:09. Councilman Howett seconded the motion. All in favor, public meeting is open. Solicitor Springer has been working with Cheryl McCabe from Comcast regarding the contract. Our current franchise expires at the end of the month. Comcast did eliminate the performance bond, but there is insurance in place to cover any issues. Moving forward we have resolution 2022-13, which would approve the Borough entering into the Comcast agreement.

Councilman Harper made a motion to close the public hearing at 8:14 and to reconvene the regular meeting. Seconded by Councilman Noll. All in favor, regular meeting reconvened.

Engineer's Report

There is no update on the MS4 waiver. The W Gay alley project was put out for bid. Mr. Klinedinst feels that all of the bids were not cost effective and the project has been put on the CFA grant. Mr. Klinedinst feels we should reject all of the bids. Councilman Noll made a motion to reject the bids for the W Gay Alley project. Seconded by Councilman Noll. All in favor, bid rejected.

The Storm Sewer CFA grant is prepared. We need a resolution, and three other forms completed. Councilman Noll made a motion to resolve resolution 2022-12 which requests a PA small water and sewer grant in the amount of up to \$500,000 from the Commonwealth Financing to be used for Storm Sewer System improvements. Seconded by Councilman Howett. All in favor, resolution resolved.

In regard to the Sanitary Sewer repair, Wexcon is aware of the repair at the park. Wexcon plans on doing that in the spring. Councilman Harper made a motion to accept change order No. 1 removing ADA ramps from the project, with temporary paving. The ADA ramps will be put in under the CDBG project. Seconded by Councilman Claycomb.

The Gabion baskets have been put out for bid. Bid documents were provided. The low bid by CriLon was \$409,495.24. Mr. Klinedinst's recommendation to Council was to award Base bid. and alternate No. 1 to CriLon corporation of Somerset, PA subject to FEMA approval.

Councilman Claycomb made a motion to accept. Seconded by Councilman Harper. All in favor, bid accepted.

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Engineer's Report Continued

If we want to look into making streets one way, we would need to have a traffic engineer out. Discussion continued.

Sewer Billing

No updates.

Solicitor's Report

Report provided. Councilman Noll made a motion to accept the 2023 budget. Seconded by Councilman Harper. All in favor, budget accepted. That budget does not come with a tax increase. Because there is no tax increase, we can pass a tax resolution. 2022-10 is setting the tax rate for 2023. Councilman Harper made a motion to resolve, seconded by Councilman Noll. All in favor, so be it resolved.

Resolution 2022-11 is the resolution appointing members of the Zoning Hearing Board. Councilman Howett made a motion to resolve resolution 2022-11. Seconded by Councilman Claycomb. Councilmen Noll and Harper abstained. Resolution still passes with a quorum.

Resolution 2022-13 authorizing execution of the agreement between the Borough and Comcast Cable Television. Councilman Claycomb made a motion to resolve, seconded by Councilman Howett. All in favor, so be it resolved.

Solicitor's Report Continued

Councilman Howett made a motion to advertise the meeting dates. Seconded by Councilman Noll. All in favor, motion carried.

Solicitor Springer has not heard anything regarding 30 E Pennsylvania AVE. Discussion continued.

Maintenance Report

Report provided. Discussion on waiting until spring to fix manhole cover on Water Street. Councilman Claycomb is working on quotes for outlet cleaning as quoted by C.S. Davidson in

their report. Councilman Claycomb would also like to get trickle charges for the trucks. Discussion continued. There are a couple of potholes that need cold patch. Councilman Claycomb will have a contractor come out to take care of that.

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Zoning Officer's Report

Report provided. Discussion of condemning properties at 22 E Pennsylvania AVE and 30 E Pennsylvania AVE.

EMA Report

Training is still ongoing some courses are scheduled in the spring.

Mayor's Report

Report provided. We are drastically over our Police hours. Discussion continued.

Secretary's Report

Council stipend has been distributed.

Unfinished Business

Nothing at this time.

New Business

There has been some activity at the park where people are using the outside receptacles. Council opted to turn the outside receptacles off until the park rentals resume next season.

Payment of the Bills

Councilman Howett made a motion to pay the bills. Seconded by Councilman Harper. All in favor, bills are paid.

Adjournment

Councilman Sprenkle made a motion to adjourn. Seconded by Councilman Snyder. All in favor, meeting adjourned at 9:44 PM.