

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

**PG. 1**

The regular monthly meeting of Yoe Borough Council was held on August 7, 2018 at the Yoe Borough Municipal Building, 150 N. Maple Street, Yoe, PA 17313. The meeting was called to order by Council President Seth Noll at 7:01 PM followed by the Pledge of Allegiance.

**Council members in attendance:**

Barry Myers

Ryan Harper

William Bankoske

George Howett

Seth Noll

Dustin Claycomb

**Others in attendance**

John Sanford, Mayor

Seth Springer, Solicitor

Steve Malesker, Engineer

Dana Shearer, Maintenance Supervisor

Diana Dvorak, Secretary-Treasurer

Eric Thompson, Resident

**Minutes**

Councilman Noll wanted to thank Diana for bringing cake to celebrate the 125<sup>th</sup> anniversary of the founding of Yoe Borough. Councilman Noll asked if everyone had a chance to review the minutes. Councilman Howett made the motion to approve the minutes. Seconded by Councilman Bankoske. All in favor, motion carried.

**Visitors**

Mr. Eric Thompson, residing at 219 W Broad ST has been in touch with Mr. Shearer regarding water runoff at his residence. Since Broad ST has been repaved he gets some pretty heavy water runoff. The water is coming down his driveway and going into his garage and his house. Councilman Noll asked if we added anything in the repaving that would cause the increase. Both Mr. Malesker and Mr. Shearer said they did not believe this to be the case. Mr. Thompson stated that he had water runoff before the paving, but it seems to be coming down faster now.

**Visitor's Continued**

Councilman Noll said it may be that the street is now uniform now, so it could be coming down at a more concentrated rate. Mr. Malesker was actually in the area recently during a heavy downpour. Mr. Malesker noticed that one of Mr. Thompson's rain spouts is not connected. Water was pouring down at that location. Mr. Malesker did not see the water jumping the driveway, but he did see it running down the sidewalk. Mr. Thompson's sidewalk is sloping towards his house, and this could also be a contributing factor. Councilman Noll asked if we had any stormwater facilities above this property that can catch. Both Mr. Malesker and Mr. Shearer both said no. Mr. Shearer said Mr. Thompson is three properties above the inlet. Mr. Malesker said it would help if the sidewalk was sloped away from the house, but with the significant rainfall, it will not solve the problem. Discussion continued. Councilman Noll asked if there was anything Mr. Malesker or Mr. Shearer felt that the Borough had done to exacerbate the problem. Both replied no. Discussion continued. Mr. Noll said we would take everything under advisement. Mr. Noll said he could also take a look at it. The Borough has not done anything out of spec which makes it a little more difficult. The curb depression will also be looked at, but the homeowner is responsible for any sidewalk improvements. Councilman Noll also encouraged Mr. Thompson to send in pictures or video to either Diana or to Dana. Mr. Thompson said his neighbors have a lip on their driveway, would he be able to do something like that. Councilman Noll said that should not be a problem, as long as it is not a trip hazard. Discussion continued.

**Solicitor's Report**

There are four ordinances for consideration/adoption. Two pertain to S Elm St & Philadelphia.

Ordinance 2018-04 is an ordinance that changes the no parking area on the East side of Elm Street from 60 feet to 100 feet. Councilman Harper made the motion to accept Ordinance 2018-04. Seconded by Councilman Howett. All in favor, motion carried.

Ordinance 2018-03 is an ordinance to eliminate the two stop signs on Elm Street and installing one on West Philadelphia. Councilman Howett made the motion, seconded by Councilman Bankoske. All in favor, motion carried. The consensus of Council is to get the flashing lights to alert motorists of the change. Mr. Shearer was going to see if he can borrow one from York Township. If Mr. Shearer cannot borrow one he was instructed to go ahead and purchase one.

Ordinance 2018-02 is an ordinance establishing regulations of fireworks in the Borough. Solicitor Springer has made a few changes which has been sent to Chief Damon, who gave approval. Councilman Bankoske made the motion to accept. Seconded by Councilman Harper. All in favor, motion carried. Discussion continued. The ordinance references a permit application for setting off fireworks on municipal property. A form will need to be developed. Councilman Noll is going to ask at the August manager's meeting to see if anyone has one.

**Solicitor's report continued**

Ordinance 2018-01 is an ordinance modifying the tax collector compensation. The compensation rate is tied to what the Treasurer's Office is charging the Borough. The Borough cannot eliminate the position of Tax Collector. Councilman Howett made the motion to accept ordinance 2018-01. Councilman Myers seconded the motion. All in favor, motion carried. Councilman Noll asked for clarification regarding election law as it pertains to the tax collector's position and if someone could run during the next election cycle, as the position has technically not been filled. Discussion continued. Councilman Noll asked if Councilman Howett and Councilman Myers would be amendable to amending the language on the ordinance to either 2020 or 2022 depending on what election law is. Both Councilman Howett and Myers were okay with amending the motion. All in favor, motion carried.

Solicitor Springer asked if he should advertise the garbage contract for the September meeting. Councilman Harper made the motion to advertise. Seconded by Councilman Claycomb. All in favor, motion carried. Brief discussion of recycling.

Mrs. Dvorak brought up the easements that are needed for the Stormwater improvements. As of yet neither party is responding to letters being sent regular and certified mail asking for them to get in touch with the office to set up a time to sign the easements.

**Executive Session**

Councilman Bankoske made the motion to go into executive session at 7:49 PM. The regular meeting was reconvened at 8:13 PM. Pending legal matters were discussed.

**Engineer's Report**

Dan did submit a price for the Park Alley work, it was a little over \$16,000, so 2 additional quotes will be required. The work may be modified, if one inlet is done as part of the CDBG project instead. Mr. Malesker brought a plan for work on the East side of the street. Discussion continued. The stormwater fund could be used for this plan. Councilman Harper made a motion to accept the proposed layout of the stormwater project by the engineer. Councilman Bankoske seconded the motion. All in favor, motion carried. Discussion regarding CDBG funds continued.

Bids have been opened for the bridge replacement. Easements have been signed for 2 out of three properties.

### Engineer's Report Continued

Bid opening for CDBG projects was yesterday, and we had no bidders. It was bid on Penn Bid which is state wide. There were some interested parties. Mr. Malesker did communicate this to Joiann. Joiann would prefer this be rebid this year. One contractor did ask if we could extend the deadline until May of next year, but was told no. If you bid the project twice, and have no bidders you can then contract with whoever you want. Joiann said that had never come up before so she is going to look into it. Discussion continued. The other option is to go against the county's wishes and just wait until next year. Councilman Noll would rather keep the county happy, and just rebid the project. However if we need to go until next year, we will. Councilman Howett made the motion to rebid the project through C.S. Davidson as soon as practical to meet the wishes of County Planning, to have bids ready to open for the October meeting. Councilman Myers seconded the motion. All in favor, motion carried.

If we do get a bid we will still need to do a public meeting, and invite all affected property owners. This does not need to be held during a council meeting.

Mayor Sanford received a call from the property owner at 290 South Elm regarding water runoff coming off of the development above him. Apparently over the weekend water lifted some asphalt off of the street. Mr. Shearer asked for clarification on the address, wanted to know if Mayor Sanford was referencing the dead end portion of Third. Mayor Sanford did confirm that was correct. This portion is not an adopted street. The property referenced is Denton Terrace. The Borough does not maintain that street. There are four houses in that area that are in the Borough, but the collection service is in the Township. The property owner will be advised to call York Township. Discussion continued. Mayor Sanford asked that a letter be sent to the property owner letting him know that the issue was discussed but he will need to contact Scott Depoe at York Township.

Mr. Shearer had contacted Stewart & Tate regarding the swale. The only price we currently have is from Clearview. Mr. Shearer will keep record of who he speaks to for pricing.

Mr. Malekser asked if Dallastown Borough had been in touch regarding the hydrant. Mr. Shearer has not heard from them. Discussion regarding replacing the hydrant continued. Councilman Howett made the motion for Dana to purchase a hydrant from Exeter supply company for \$2376, and then to have Kinsley do the work of taking out and replacing the hydrant in the amount of \$1550, subject to any change orders or clarification. Seconded by Councilman Myers. Councilman Noll abstained. All others in favor, motion carried.

Councilman Myers asked why we are expecting the Water Authority to pay for a hydrant. Solicitor Springer recapped what has been going on for Councilman Myers. Discussion continued.

## **Maintenance Report**

Report provided. There are some pot holes that will be patched once there is dry weather. The last load of salt was received. The pricing contract for 2018-19 started August 1<sup>st</sup>. It is 58.08 a ton. Morton Salt is still our provider.

There is a quote from D.E. Gemmill for renewing the pavement markers, as well as to provide traffic control at the traffic signal, in the amount of \$2911. Discussion continued. Councilman Claycomb made the motion to accept the motion from D.E. Gemmill. Councilman Bankoske seconded the motion. Councilman Howett inquired as to whether or not the stop bars will be moved back. Mr. Shearer said that would be something for another time. Discussion on possible work by PENNDOT, and would they replace the markings they removed, continued. All in favor, motion carried.

The drain box tops on Main and George both need to be replaced. Mr. Shearer is still working on getting quotes from outside contractors for pricing. Discussion continued.

Debris needs to be removed from the dam due to recent rain.

The roof on the park pavilion needs to be repaired. Dana has been making calls to get a quote. Discussion continued.

The septic tank at the park was located and pumped. Discussion continued.

Minor vehicle damage at the ballfield. York Area Regional was called.

Mr. Shearer received a call from Mr. Carter Myers at 219 W. Broad ST regarding the flags on the memorial. Mr. Thompson said the flags were displayed incorrectly. However, due to the signal light, we are limited in placement. Discussion continued.

Mr. Shearer attended the meeting regarding the MA&PA Greenway. Discussion continued. Mr. Shearer made it clear that the Borough has no intention of continuing with the project.

The AC unit was serviced. We should consider putting a new until in the 2019 budget. Discussion continued.

Water came into the office and supply area due to last weeks rain storms. The floor will need to be pulled up. Discussion of replacement flooring. Discussion of redirecting the water away from the office.

Working with Mayor Sanford to track and report damage due to the recent storms.

## **Zoning Officer Report**

Patti did go to a hearing regarding a truck driver on Broad ST. The Police Officer had filed charges but was called to another hearing and was unable to attend. Because of this the case was dismissed.

**EMA Report**

Updated EMA coordinator guidelines. NIMS report due in October. Flood protection workshop.

**Mayor's Report**

Report provided. There were some discrepancies on the Police report. Mayor Sanford did speak with Chief Damon, the hours will be credited.

Discussion of letters we received regarding litigation pertaining to the Police commission.

**Secretary's Report**

The new website is almost done. Also looking into new accounting software.

Councilman Harper made a motion to have the free yard Friday, Saturday and Sunday of Labor Day weekend.

**Unfinished Business**

There is nothing at this time.

**New Business**

Discussion of cameras being placed on building to capture the ballfield. Mr. Shearer will get pricing.

**Payment of the Bills**

Councilman Myers made a motion to pay the bills. Seconded by Councilman Howett.

**Adjournment**

Councilman Claycomb made a motion to adjourn the meeting at 9:39. Councilman Snyder seconded the motion. All in favor.