

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

**PG. 1**

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

**Council members in attendance:**

Samuel Snyder

Ryan Harper

William Bankoske

George Howett

Seth Noll

Dustin Claycomb

**Others in attendance**

Seth Springer, Solicitor

Diana Dvorak, Secretary-Treasurer

Steve Malesker, Engineer

Dana Shearer, Maintenance Supervisor

John Sanford, Mayor

Sandy Richard, Resident

**Minutes**

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

**Visitors**

Mrs. Sandy Richard was in attendance to discuss issues with truck traffic on Broad Street. Mrs. Richard resides at 8 West Broad Street. On Monday night a tractor trailer was travelling down Broad Street and knocked off a section of the stone wall on her property. Mr. Harper took pictures of the damage and also called the Police. This is not the first occasion that the wall has been knocked down. Mr. Harper said that when the trucks turn onto Broad Street, in order to avoid the telephone pole, the trucks are driving over the curb, and onto personal property. Mrs.

### **Visitors Continued**

Richard wants something to be done about the traffic, as damage inflicted by the trucks is her responsibility to repair. Mr. Harper called the Police on another truck this evening prior to the council meeting. Fortunately, there was an office in the area and was able to quickly respond.

Mayor Sanford has been following up with the Police regarding these issues. The driver that Mr. Harper saw tonight was cited. In regards to Mrs. Richard's issue for the Borough or the Police to be able to enforce anything we must have both a picture of the vehicle, and a clear and identifiable picture of the drivers face. The Police were given information about three trucks that were in the area at the time the damage occurred. The Police are following up with the companies to see if any of the drivers reported the damage. Mayor Sanford said that having a camera on the porch would be helpful, assuming that the face of the driver is clearly visible. Discussion continued. Mr. Harper asked if cameras would be an issue if neighboring properties were in view. Solicitor Springer said no, on a public street there is no expectation of privacy. Mayor Sanford feels it would be courteous to notify any neighbors whose property is in view. Discussion continued. Mayor Sanford said that whoever has the camera on their property is the individual who must be the person presenting the evidence to the court. Solicitor Springer said even if you do not have the face, but you have the other information such as the company name and license plate number provide that to the Police, as there is still a possibility the Police will be able to get the driver to admit they were on the street. Discussion continued.

Mr. Shearer brought up several other places where we have issues with truck traffic. Yoe parts, Orchard Street, Walnut Street, and George Street. Discussion continued. Councilman Snyder said maybe we should think outside the box, assuming we could get everyone on Broad Street on board; suggestions such as making Broad Street a one way, putting an island in. This would be very involved, and possibly very costly. An LTAP study would be required, as well as public meetings.

### **Engineer's report**

Councilman Noll made the motion to approve the application for payment to MacMoore, to be paid directly by the York County Planning Commission in the amount of \$129,462.30, also for Sam to execute the request for payment for the Philadelphia Street project, and corresponding paperwork. Of the \$129,462.30, \$110,178.90 will come from the Philadelphia Street funding, and \$19,283.40 will come from the Main Street funding. Councilman Howett seconded the motion. All in favor, motion carried.

There have been quite a few issues with this project, a lot of it involving utilities. We are separating the stormwater system. We are coming down the East side of the street with new stormwater. We are tying in at Newton. The pipe going down Main Street is going to be full of water most of the time due to the design that was needed. The question is now, do we want to try and tie in downstream, and extend the pipe downstream. No one is sure how far, and it

### **Engineer's Report Continued**

would have to be tied into terra cotta pipe. C.S. Davidson had suggested putting in a new manhole, but that would be over \$4,000 for the manhole, and then the cost of the pipe. It would most likely be a minimum of a \$15,000 change order. Discussion continued.

The consensus of council is to leave the "Bubble" design for the time being. We can use the design to our benefit, as a reason to continue the project. This is a temporary design and continuing the project will eliminate this. Councilman Noll just wanted it noted that with the elevation of the sidewalk if we get any water on the yards on the opposite side it will be a dam. Mr. Shearer and Mr. Malesker said the curb and sidewalk are not being elevated.

Mr. Malesker, Mr. Shearer, and Mr. Myers did meet with the owners of 197 S Main Street to discuss the issues they are having. Mr. Ayres did reach out to an attorney, but no one has been retained at this point. Discussion continued. It has been made very clear to the owners of 197 S Main. that the sidewalk is the responsibility of the property owner.

### **Solicitor's Report**

Report provided. The issues with 359 S. Main Street have been resolved. The Certificate of Use and Occupancy has been provided.

169 E George Street, the Attig property; Solicitor Springer looked into York County SALDO. We can pursue the matter; we should have South Penn Code Consultants issue a citation. Councilman Harper also mentioned that they are moving a fair amount of dirt on the property. Councilman Noll recommended that we get in touch with York County Conservation. Secretary Dvorak will reach out to York County Conservation, and Solicitor Springer will get in touch with South Penn Code Consultants. Councilman Snyder recapped the issues regarding 169 E George Street, and the illegal subdivision. Discussion continued.

Solicitor Springer spoke with Nils Heredlin at American Legal Publishing. We can send in our Resolutions & Ordinances as we pass them, and they can be posted on the website under New Legislation. These documents will then be codified at the end of the year.

The Law Library no longer has Yoe Borough's documents on file. Solicitor Springer asked Diana to send over the last four years resolutions and ordinances, and he will take them over to the Law Library, which is now a self-help center.

The new owners of Yoe Concrete have applied for a tax assessment hearing. Councilman Snyder would like Solicitor Springer to attend the hearing on behalf of the Borough. All three parcels were sold for \$60,000 and is currently zoned industrial. It is zoned commercial but grandfathered as industrial. Councilman Noll feels we need to get the current owners on record on what they plan on using the property for. If they are abandoning any industrial use in the future, we need that on record so it cannot be changed in the future. Discussion continued. Councilman Noll made a motion that we send Solicitor Springer to hearing on June

**Solicitor's Report Continued**

4<sup>th</sup> for the Yoe Concrete hearing. Seconded by Councilman Harper. All in favor, motion carried.

Solicitor Springer apprised us of the updates he found regarding the tax rebate for volunteer fire fighters.

**Maintenance Report**

Report provided. Mr. Shearer thanked Councilman Howett for helping with the drain repair on Broad Street and Poplar.

Mr. Shearer will be attending a Dirt and Gravel Roads seminar on the 21<sup>st</sup> and 22<sup>nd</sup>.

Councilman Snyder thanked Mr. Shearer for all of the extra work he has been doing on Main Street. Discussion continued.

**Zoning Officer Report**

No report this month.

**EMA Report**

State provided the number of tornadoes in April. FEMA newsletter passed around. Still working on corrections to Dam report.

**Mayor's Report**

Report provided. Still working on truck traffic in the Borough.

**Secretary's Report**

Newsletter is ready to be printed and sent out. Audit has been completed. Secretary Dvorak thanked Councilman Howett for the work he has done at the park.

**Unfinished Business**

There is no unfinished business at this time.

**New Business**

Councilman Howett feels that we need a new leaf blower. The consensus of Council is to purchase a new leaf blower.

**Payment of the Bills**

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

**Adjournment**

Councilman Claycomb made a motion to adjourn the meeting at 9:01. Councilman Snyder seconded the motion. All in favor.