

YOE BOROUGH
150 NORTH MAPLE STREET
YOE, PA 17313

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The regular monthly meeting of Yoe Borough Council was held on October 1, 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 7:04 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

Michael Diem, Resident

Minutes

Councilman Myers made the motion to accept the minutes, seconded by Councilman Howett. All in favor, motion carried.

Visitors Report

Mr. Michael Diem from 93 Pennsylvania AVE was in attendance to discuss the possibility of paving or repairing Clark Alley. There are no plans to pave Clark Alley at this time, however we can fill in pot holes with crusher waste. We have been trying to get this alley covered under dirt and gravel roads and have been unsuccessful. Mr. Diem would like for us to budget repair for next year. Discussion continued. There are no other visitors.

Engineer's Report

CDBG project – Mr. Malesker thanked Councilman Noll for being there for the walk through with York County Planning. Change order number five is a balancing change order where items that were not used are being deleted. Mr. Malesker provided a breakdown of these items. The net deduct was \$12,997.00. The contractor did submit an addition of \$2,243.06 for curb ramp that was installed, demo and to install cheek walls. The demolition was a point of contention at the site visit. Discussion continued. Councilman Noll made clear at the walkthrough that the Borough was not going to pay for demolition when the sidewalk needed to come out anyway. Councilman Noll did note that there was some legitimate additional work, such as grade work, that had to be done so there is a portion we will have to pay out. Discussion continued. Councilman Snyder asked if there was a breakdown of the costs. Brief discussion. Councilman Snyder feels we could deduct \$400 for demolition. Discussion continued. The determined total being \$1,843.06. Councilman Noll said the sidewalks are now complete, the testing came back okay. Mr. Malesker detailed testing results. The steps for 197 S Main signed off on the new steps. The property owners are very happy with the new steps. Councilman Noll feels that all of the issues that the Borough had have been addressed and we should close out the project. Councilman Noll asked if we were holding any retainage. York County Planning asked we not hold retainage and if we have any issues go against the two year performance bond. Councilman Noll made a motion that we accept change order number five, minus the \$400 for the removal of the concrete that was removed to contractor not doing sampling the first time. Councilman Howett seconded the motion. Councilman Snyder said nay, all others in favor. Motion carried.

Final application for payment will be \$25,586.21. Councilman Howett made the motion to approve application for payment number three in the amount of \$25,586.21, this reflects the \$400 decrease from the change order. Councilman Myers seconded the motion. All in favor, motion carried. Councilman Myers made a motion for Sam to execute the application for York County Planning releasing the CDBG funds. Councilman Howett. All in favor, motion carried.

Basin inspections are coming up and will need to be submitted by the end of the year. Councilman Harper made a motion for C.S. Davidson to perform the basin inspections. Seconded by Councilman Bankoske. All in favor, motion carried.

The wetlands have been inspected. We are waiting to hear back from Danko, but we are not sure if we will be released. The soonest we expect to hear anything is mid-October.

Long's Excavating has mobilized. There were a couple of areas that required additional work. Mr. Malesker detailed the projects and quantities and cost. Councilman Noll made a motion officially increase the quantity of paving with a total increase of \$5,869.60. Seconded by Councilman Howett. All in favor, motion carried. Discussion continued.

Solicitor's Report

Ordinance 2019-01, establishing a volunteer service credit program for volunteer members of volunteer Fire Companies. There are some issues with timing, as it has not been 30 days since the public hearing. The ordinance can be conditionally approved tonight and signed after the 30 day period.

Solicitor Springer spoke with Chief Searle. The 20% involvement is up to the Chief, and for the Chief to certify. The Borough would need to compile a registry which is sent to the Tax Bureau. Discussion continued. The applicants need to submit the certificate to YATB after it has been signed by the Borough Secretary. The resolution provides the program criteria - detailed by Solicitor Springer. The resolution must be passed each year. Councilman Noll asked when the credit would be effective. Solicitor Springer said it could go back to 2018 as long as Chief Searle has the service records. Councilman Noll made a motion that we adopt Resolution 2019-05 on or between the week of October 7-October 11, 2019. Seconded by Councilman Harper. Councilman Myers abstained, all others in favor, motion carried. Councilman Bankoske made the motion to conditionally ordain Ordinance 2019-01 on the same date after the signing of the resolution. Councilman Harper seconded the motion. Councilman Myers abstained, all others in favor, motion carried.

Update on the Attig property. York Township has conditionally approved the plans, but the conditions have not yet been met. We are still on a wait and see. The property owner needs to move on the condition before they can close on the property. As soon as the condition has been met it will be presented to Yoe Borough for approval. Once that has been done YCPC can record it. Solicitor Springer will need to be present at closing in order to turn over the permit.

Solicitor Springer requested we break into executive session to discuss a legal matter. Councilman Myers made the motion, seconded by Councilman Noll. All in favor, motion carried. Executive session began at 7:51 PM. The regular meeting reconvened at 8:17. No action has to be taken at this time.

Councilman Snyder came across a new law that states Boroughs that do not have a tax increase do not need to pass a tax ordinance. You would need to pass a tax resolution. The only time you need to pass an ordinance is if you raise taxes for the following year. Councilman Snyder is working on a template for that resolution. The budget will still need to be advertised.

Maintenance Report

Councilman Myers came across an insurance cooperative that he would like Secretary Dvorak to look into to see if we can provide insurance for the new maintenance position.

Discussion of sign placement. Councilman Noll made a motion authorizing up to \$1000 for signage to post West Broad Street for trucks. Councilman Harper seconded the motion. All in favor, motion carried.

Maintenance Report Continued

The hiring committee is meeting again to look at candidates.

Zoning Officer Report

The vehicle at 22 E Pennsylvania Ave has not been back. Most of the clutter at 22 E Pennsylvania has been removed. Patti is also working on the trash issue on George Street.

EMA Report

Mayor Sanford is not in attendance. So no EMA report.

Mayor's Report

No report tonight.

Secretary's Report

Secretary Dvorak reminded everyone that the budget meeting is on October 10th. The SPCA contract has increased to \$527 for the year.

We are expecting a 4% increase for Police coverage.

Trick or Treat will be held on Thursday at 31st.

Unfinished Business

The Fire Company merger is moving forward with Dallastown. They did pick a name, Southern Area Fire and Rescue.

New Business

Councilman Noll made a motion to sign the agreement for the SPCA. Councilman Harper seconded the motion. All in favor, motion carried.

Payment of the Bills

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

Adjournment

Councilman Claycomb made a motion to adjourn the meeting at 8:44. Councilman Snyder seconded the motion. All in favor.