

YOE BOROUGH
150 NORTH MAPLE STREET
YOE, PA 17313

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The regular monthly meeting of Yoe Borough Council was held on April 6, 2021 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

George Howett

Seth Noll

William Bankoske

Barry Myers

Ryan Harper

Dustin Claycomb

Others in attendance

John Sanford, Mayor

Diana Dvorak, Secretary-Treasurer

John Klindedinst, Engineer

Seth Springer, Solicitor

Kevin Uhlick, Dellco

Della Uhlick, Dellco

Tom Estermyer, Property Owner

Chris Carr, Property Owner

Patricia Myers, Zoning Officer
Police

Lieutenant Schollenberger, York Area Regional

Minutes

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

Visitors Report

Lieutenant Shellenberger was in attendance to go over the 2020 Annual Police Report. First Lieutenant Shellenberger wanted to provide a progress report on the recent vandalism at the park. The Youth involved were identified by an anonymous person in the area. One of the boys involved has two other brothers and a reportedly responsible for a lot of the vandalism in the area; Officer Sterner is going to look into that. One of the youth lives in the Borough, the other is a relative and lives in York City. How the situation is handled from here will depend on the boys. Discussion continued.

For the entire coverage area Part I calls were down. Part II was up. Miscellaneous calls were down, crashes were down, total calls were down, traffic and arrests were down. A lot of this can be contributed to 2020. For Yoe Borough Part I and II calls were up, traffic citations and arrests were up. Overall calls and accidents, and miscellaneous calls were down. There was an increase in time from February to March which are attributed to several investigations including the stolen vehicles. The Officer tracked the kids involved with the stolen investigations to Dallastown where additional stolen vehicles were discovered.

Mayor Sanford asked if there were any updates with the merger with North Eastern Regional. Lieutenant Shellenberger has no updates on that at this point only that negotiations are ongoing. Councilman Noll asked if the coverage areas would connect. Lieutenant Shellenberger said no, there would be a gap.

Councilman Snyder wanted to commend the Police for their quick work on the vandalism at the park. Lieutenant Shellenberger said the community was integral in the apprehension. Mayor Sanford asked if the police have noticed a decrease in vandalism now that the youth suspected have been apprehended. Lieutenant Shellenberger said unfortunately no, there is always someone there to take that roll.

Councilman Noll asked if there were any trends of crime we should be watching for. Lieutenant Schollenberger said no, the theft of vehicles and the theft from vehicles were the two biggies. Theft from vehicles has increased significantly, almost everyone was unlocked. Unlocked vehicles with handguns inside, laptops.

On the York Area Regional webpage there is a camera registration. Lieutenant Schollenberger strongly suggests registering your home camera. All that it does is tell the Police that the resident has a camera at their residence. The Police do not get access to the camera. The Police can go and check the area where a crime event occurred and see that there may be residents in the area that have a registered camera. At that point the Police may reach out to the resident and ask if they have any footage they could share. Discussion continued.

Councilman Bankoske asked how much the drug use has increased. Lieutenant Schollenberger said he did not have figures on that. However, Meth has come into the area.

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Visitors Continued

Mr. Uhlick, and his wife are the owners of Dellco. Mr. Uhlick, listed some of the various services that Dellco provides. Dellco is interested in working with the Borough in regards to various maintenance work we need done. Discussion of adding each other as additionally insured. Mr. Uhlick's son and two office staff will be the Borough contact, and this information has been provided to Diana.

Mr. Estermyer and Mr. Carr were in attendance to follow up on an email that was sent. Councilman Noll said that the issue would be discussed under executive session as it is a legal matter. Mr. Estermyer was hoping there would be some discussion tonight, and then sit down again as they had in the past. Councilman Noll said we will talk with our Solicitor and then move forward with a game plan. Solicitor Springer wanted to have a full understanding of the issue and asked Mr. Estermyer what it was they wanted to discuss. Mr. Estermyer said he did send an email with the question, the response from the Borough was that they wanted to discuss with the Solicitor. Councilman Noll said it was the one about the possible tenant in the building. Solicitor Springer said we can't offer legal advice. Mr. Estermyer said he wasn't asking for legal advice. I'm just, in the past we may have stumbled on the process, so... Mr. Carr intervened saying that at a previous meeting we were talking that if we had any other thoughts or ideas of what we wanted to do we would bring them forward, but we are not asking for legal advice we are just telling you what we would like to do, and get you involved. Solicitor Springer said we will discuss this in executive session. What we are likely to do is to direct you to the codes person. But we will confer and give you an ultimate decision on that. But I think that is where you want to go. You should contact the codes person and say this is what we want to do. Mr. Estermyer said he understood that is kind of where we are at. We just need to figure out what we need to do so we don't get ourselves where we don't want to be. Solicitor Springer said before when we met it was on a noncompliance issue. Is that prior tenant out now? Mr. Estermyer said no. Solicitor Springer asked if they were still in there. Mr. Estermyer replied in the affirmative. Solicitor Springer asked if Mr. Estermyer intended on leaving the current tenant on the property and letting it to someone else? Mr. Estermyer said the current tenant is renting the garage that is on the one side. It is a big office building, there is a front office, there is that garage off the north side, and there is an additional garage on the south side. Chris and I have our storage, keep our equipment there for rehabbing houses, obviously the trailers are there, that kind of stuff. A neighbor of mine who has a business, he does electronics repair, but he is not a walk in electronics repair shop, he does insurance claims and stuff like that. Majority of his work is out on the streets he just needs a home base. Solicitor Springer said okay, you are renting the one garage to somebody who is storing stuff there, you want to rent this out to somebody who does insurance work and electrical repair, and you are using another part of the building for storage. You have so many uses here. Mr. Estermyer said

well two of them are storage yes. Solicitor Springer asked what Mr. Estermyer would describe his primary use as for this facility to be. Mr. Estermyer said currently storage. Solicitor Springer said well it is not going to change, it's not like you can change it tomorrow. So just off the top of your head what are you using it for, storage? Mr. Estermyer said storage.

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Visitor's Report Continued

Solicitor Springer said he just needed that information so we could have a more productive executive session. We are still probably going to direct you to the codes person but we will get back to you with an answer.

Engineer's Report

Report provided. Just a few updates with the Ruth Seeger right of way. We have contracted with Attorney Ogden to prepare that plan, so hopefully that will come to resolution and back before Council.

Just continuing to list grants. The American Rescue Plan, you will get \$100,252.00, very few strings attached. You will get a check in June, and then another will come the following year. You have until 2024 to spend the money. There is very little guidance at this point, but hopefully more will be forthcoming. Discussion continued.

We have a meeting for MS4 coming up on April 15th at 10am.

Pennsylvania One Call is being worked by C.S. Davidson while the Borough works on contracting this out.

For sanitary sewer repair, we got only one bidder, Standard Pipe Services LLC. Their price is \$82,120.00. Standard Pipe Services is proposing a hybrid lining, and spot repairs, all coming from the report that the Sewer Authority had done before the Borough took it over. Mr. Klinedinst is prepared to recommend that Council award the contract to Standard Pipe Services, conditionally, on C.S. Davidson verifying their qualifications, as C.S. Davidson has never worked with them. Councilman Snyder asked if any of this would interfere with the CDGG project, Mr. Klinedinst said no. The only thing is we can't move forward without the Penndot permit. Councilman Howett made a motion to conditionally approve Standard Pipe Services for the amount of \$82,120 on the condition that they check out with C.S. Davidson for qualifications, and once we get the Penndot permit in hand for Councilman Snyder to sign the contract to proceed. Seconded by Councilman Noll. Councilman Myers abstained. All others in favor, motion carried.

The only other thing was the Chapter 94 report to Springettsbury Township, this has been submitted. C.S. Davidson has not heard anything yet.

USIC provided a proposal to handle PA One Call. Diana went over their proposal to discuss the annual fee. The annual fee is \$4,400 per year with a \$21 per call unless it exceeds half an

hour, at which point it is an additional \$15 per half hour. Discussion continued. Councilman Myers asked if we could grant access to CS Datum for only certain layers. Mr. Klinedinst is going to check and get back to us. Councilman Noll made a motion that we do our PA One Call through USIC and sign the contract for \$4,400 along with the additional terms and conditions listed within for individual inspections. Councilman Bankoske seconded the motion. All in favor, motion carried.

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Sewer Billing

Several people have been set up with payment plans, and at this point everyone has kept to that agreement. There are a few properties that will need to be liened, but it is far less than we originally started with.

Mayor Sanford asked if there was anything we needed to update Mr. Klinedinst on with the Cougars and the building they want to put in at the park. Councilman Noll said where they want to place the building it will be very difficult to get the building connected to the sewer. Can we let the Cougars put an on-lot, or must we make them connect. Mr. Klinedinst said it is going to be a Borough ordinance, not a DEP requirement. If they are within a 150 they will need to connect. Councilman Noll said we are well beyond 150 feet. Discussion continued.

Executive Session

Councilman Noll made a motion to go into executive session to discuss legal matters. Seconded by Councilman Howett. All in favor. Executive session entered at 7:50PM. The regular meeting was reconvened at 9:11PM. Multiple legal matters were discussed. Councilman Howett made a motion for the solicitor to draft the proper response to the owners of 277 S Wilson. Seconded by Councilman Noll. All in favor, motion carried.

Councilman Harper made a motion for the Solicitor to start drafting a land lease agreement between Yoe Borough and the Dallastown Cougars association. Seconded by Councilman Bankoske. All in favor, motion carried.

Solicitor's Report

We received the certificate of termination for the Sewer Authority. It was recorded on March 20th.

There are two issues with uncollectable sewer accounts. Both circumstances are because someone died. The one instance, the house is underwater, and we will probably not get any resolution on this one. Solicitor Springer is working on the other issue. Discussion continued.

Solicitor Springer got the corrections into American Legal that were requested.

The garbage contract is being worked. At the last meeting Solicitor Springer was tasked with creating a flowchart for the Volunteer Fire Fighter tax credit. However, everything is under the Yoe Fire Company, not SAFER – Southern Area Fire and Emergency Rescue. This comes into conflict with a bunch of our ordinances. Councilman made a motion for the solicitor to start working on a draft ordinance to change the designation from Yoe Fire Company to SAFER. Councilman Howett made a motion, seconded by Councilman Harper. Councilman Myers abstained. All others in favor, motion carried.

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Solicitor's Report Continued.

Councilman Myers made a motion for the Solicitor to put out a notice to bidders for the residential garbage contract. Seconded by Councilman Bankoske. All in favor, motion carried.

Maintenance Report

Discussion of putting Dellco and Trump on our on call list. Both companies would need to be an additional insured on our insurance policy if they are to use the Borough's equipment. Councilman Noll made a motion that we accept both proposals from Trump and Dellco being put on the on call list and add both companies as additional insured. Seconded by Councilman Harper. All in favor, motion carried. Diana will contact both companies letting them know they will be added to the Borough policy as additional insured, and they will need to add the Borough to their policy as well. Councilman Myers said we should provide contacts for both companies so they know who expect to hear from. The contacts will be Barry Myers, Seth Noll, and Diana Dvorak.

The manhole has been replaced on Broad Street. The Borough did not have a replacement cover, so Rick went to Dallastown and was able to borrow one, until the Borough could get a new one. So we should expect a bill for the cover as well as the tools needed.

The box at the church will need to be replaced because it is significantly damaged. Pictures were provided to Council. Councilman Myers has been working on getting quotes. Discussion continued.

Discussion of roofing quote. Councilman Harper is to work on getting additional quotes. Councilman Howett said we should also have the roof on the salt shed looked at as well.

Discussion of road work. Discussion of stormwater erosion at the park.

Zoning Officer's Report

Patti has been working on dog poop issues at two residences. Discussion of basketball net on East Pennsylvania AVE.

EMA Report

Meeting has been rescheduled for this month.

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Mayor's Report

Report provided. Mayor Sanford was a guest speaker at the ceremony for Christina Snouffer receiving the William Hornaday award.

Discussion of recent sidewalk ordinance and enforcement issues.

Secretary's Report

There was an email about a sidewalk where there is a sinkhole forming. Diana asked for clarification of how Council wanted this handled. Councilman Snyder asked if this was an area of sidewalk that was slated for replacement. Councilman Noll said it is, but it is a time issue. Discussion continued. Diana is to put something in the next newsletter stating the sidewalks are the responsibility of the homeowner so everyone is put on notice.

Mayor Sanford asked if we can write a letter to Penndot about the holes near Mason alley. Councilman Myers is meeting with Penndot and will discuss this as well as the ruts on George Street.

Unfinished Business

There may be another stimulus plan that would include roads and bridges but they may need to be shovel ready. Councilman Myers feels we should take a look at the bridge behind the church, and the one on Maple Street at the alley. Discussion continued.

New Business

If we start losing signal to the cameras at the park we may need to trim trees.

Payment of the Bills

Councilman Myers made a motion to pay the bills. Seconded by Councilman Noll all in favor, bills are paid.

Adjournment

Councilman Claycomb made a motion to adjourn the meeting at 10:14 PM. Councilman Snyder seconded the motion. All in favor, meeting is adjourned.