

APPROVED- DEB SMITH MADE MOTION, GARY BRAHAM 2ND MOTION, ALL APPROVED

NORTH YORK BOROUGH MEETING MINUTES

JULY 21, 2020

I. CALL TO ORDER

President Richard Shank called to order the regular meeting of the North York Borough Council at 7:03 pm on July 14th, 2020.

II. EXECUTIVE SESSION

Legal Items to be addressed under New Business

III. PLEDGE

Richard Shank, President

IV. ROLL CALL

President Richard Shank, Vice President Bill Jackson, Deb Smith, Vivian Amspacher, Jamie Moore, Chris Kaltreider, and Mayor Nancy Brunk, Gary Braham

V. APPROVAL OF MINUTES

June 9th, Meeting Minutes – Motion to approve with corrections of who responded to the Kochman Insurance Statement from Vivian Amspacher on bottom of the first page of the meeting minutes and who responded to all the questions asked in the Public comment area. (corrections will be noted on approved June 9th, 2020 Meeting Minutes in meeting book) Bill Jackson motioned, Chris Kaltreider 2nd motion, all approved.

VI. AWARDS

Glenn Eyster received a Donation Award/Certificate for his donation of a bike rack for the Lloyd Kauffman Park.

Christopher Wilhelm received an Appreciation Award for his outstanding citizen work cleaning up Cemetery Way.

VII. HANDICAP APPROVALS – COUNCIL

No handicap applications to review

VIII. TREASURERS REPORT – RICHARD SHANK

Recreation - \$2,182.34 Maintenance at the Park in conjunction with the Rail Trail.

Sewer - \$34,312.00 Majority of expense was to the City of York for sewer treatment charges.

Payroll - \$9,534.47

General Fund - \$30,574.31

Vivian Amspacher inquired what Sno Rem Wages- PT on the Payroll report was for. Treasure Sonya grim stated this is Snow Removal Wages for the for Public Works month of June. \$0 amount listed.

Christopher Wilhelm inquired about the “secondary budget report” provided to just the council members. Treasurer Sonya Grim stated that that is not a secondary budget, it is a report that gives the council members how much money has been spent and how much is still available. Christopher Wilhelm asked if this report is available to the public or can a Right-To-Know Request be filed. Solicitor Walt Tilley stated yes, this is available and, yes, a Right-To-Know Request can be filed.

Christopher Wilhelm inquired if the Borough has the entire amount paid to RKL. Treasurer Sonya Grim stated that she does not have a dollar amount off the top of her head, if you have the budget reports since starting business with them you can add them together. Borough has paid final invoice for their services. Richard Shank stated he would have a final dollar amount at the next Borough Council Meeting in August.

Vivian Amspacher inquired about who The Radio Man expense on the General Fund is for. Richard Shank stated this is for the batteries that were bought for the handhelds. Richard Shank said this will probably be a yearly expense.

Jamie Moore inquired who LEAF was on the General Fund and Sewer Expense Report. Treasurer Sonya Grim stated this is for our printers in the office.

Deb Smith made motion to approve the Treasurer's Report, Bill Jackson 2nd motion, all approved.

IX. CORRESPONDENCE: - BRITTANY REED

Reviewed the Comments/Ideas and Community Initiative Form submitted by resident. Stating he appreciates the work and changes being done in the Borough. Just would like to see the yellow lines on the corners for no parking darkened. No parking areas are being abused.

There was an inquiry about the Borough having a community yard sale this year. Deb Smith stated they have not had a recreation meeting to discuss anything due to the COVID-19. As of right now there is not anything scheduled.

X. MAYORS REPORT: NANCY BRUNK

Mayor Nancy Brunk stated she attended the Northern York County Regional Police Board of Commissioners Meeting on Tuesday, June 15, 2020. They had the swearing in of two new officers, Brian Schantz and Connor Holiday. Three officers were appointed into permanent positions, Zachary Werner, Brett Green, and Michael Warfel.

Northern Regional is looking for contributions for National Night Out. Anyone interested in donating can contact Northern York County Regional Police Department at 717-292-3647.

Police activity in the Borough for the month of May 2020 are as follows:

5/2 Overdose – 1100 block of N. George St. – 46 year old male was found dead from a heroin overdose.

5/5 Theft – First block of E. 9th Ave. – The resident had a 9mm handgun stolen from her home after she hosted a party.

5/8 Overdose – First block of E. 7th Ave. – A 47 year old female died of a heroin overdose.

5/14 D.U.I. – N. George St. at E. 10 Ave. – A 28 year old male was charged with D.U.I. after he struck a legal parked police vehicle.

5/14 Naloxone – 500 block of N. George St. – A 40 year old overdosed on a Zoom meeting. York City PD gave him one dose of Naloxone to revive him. It was dispatched to York City PD prior to being dispatched to NYCPRD due to the complainant's confusion on the victims location.

5/19 Assault – First block of E. 4th Ave. – A 32 year old male attacked his 25 year old co-worker at Wolfgang Candies. All witnesses interviewed advised the attack occurred for no reason at all

5/21 Overdose – 1400 block of N. George St. – A 46 year old male died from a opioid overdose. Naloxone and CPR was administered to no avail.

5/22 Terroristic Threats – 800 block of Latimer St. – 22 year old male employee of Wolfgang Candies called in a fake bomb threat to the business.

5/25 Criminal Attempt Homicide – 1000 block of N. George St. – 39 year old female was arrested for striking her aunt and her aunt's husband with an automobile.

Christopher Wilhelm asked if it was possible to get the Release of Use of Force Policy from the Northern York County Regional Police Department. Mayor Nancy Brunk stated they have a meeting next Tuesday and she will ask them if she can get a copy for residents. It was also mentioned by a few Council Members that they should have that available online.

Christopher Wilhelm asked if there was a plan of action at 5th Ave and North Duke St with drug activity that was brought up on Facebook. Bill Jackson responded that if there are any questions, he can meet with Mayor to discuss. Vivian Amspacher stated that the Mayor is aware and thinks she has reached out to the people involved not sure how far or extensive it is.

Angela Ramsay stated that after an incident occurred at the Lebanon Cemetery with some drunk individuals at the Cemetery and Police having to be called as well as a nuisance suit being filed on the Cemetery's Board they finally installed a Dusk to Dawn sign on the property. She would appreciate if you could make the Police Officers aware of that.

Jamie Moore mentioned about speaking with Chief Lash about the Super 8 motel – it's a nuisance business and would like to have it shut down if possible due to all the drug and illegal activity that occurs at the hotel and in the Borough with people coming from the hotel.

XI. ENGINEERS REPORT: JEFF SPANGLER

MS4 Stormwater Permit – ongoing, training was provided to the North York Borough employees. Jeff Spangler will be working on the year end report which is due to DEP by September 30, 2020.

Jeff Spangler inspected the last underground detention basin for the project at Parkview Apartments on June 16th and June 17th.

XII. ZONING OFFICER REPORT: LARRY SHROYER

Christopher Wilhelm made a comments about years back there was a change to the Ordinance regarding the types of materials that can be stored on porches (couches, anything that would cause health, safety concerns) currently throughout the borough there are a lot of properties with those types items on the porch. It was originally changed due to the fact of it blocking means of egress. Complaints have been previously filed both on paper and online with no action taken. Richard Shank and Bill Jackson asked that Christopher Wilhelm let Brittany Reed, the Secretary of the Borough, know the complaints if possible, to be looked at. Vivian Amspacher stated that in the past anything that had cushions that can create infestation or safety concern it had to be removed. Richard Shank stated he will inform Larry Shroyer.

XIII. FIRE CHIEF REPORT:

Richard Shank reviewed Fire Report
Fire Department ran a total of 15 calls in the month.
6 of those calls were within North York Borough

XIV. EMA: TRAVIS NESS

Nothing to Report

XV. SOLICITORS REPORT: Walt Tilley, Stock and Leader

Termination of Easement for 531 – 533 North George St. This was an old easement approx. 20 years for the demolish of the property. The current owner is selling the property so needs it settled to complete sale of property. Richard Shank asked for motion to approve and sign easement of 531-533 N George St. Jamie Moore made motion, Vivian Amspacher 2nd motion all approved.

No Parking Ordinance needs signed for W 8th Ave, no parking on the North Side. Richard Shank asked for motion to approve for signature. Bill Jackson made motion, Jamie Moore 2nd motion, all approved. Goes into effect July 20th, 2020.

XVI. RECREATION REPORT: DEB SMITH

Nothing to Report from Recreation Committee.

Vivian Amspacher inquired if there are any events planned for the park such as Food Trucks or anything that can be done during this COVID-19. Deb Smith stated due to there not being a Recreation Meeting there has not been any planning. Deb Smith to contact Mark Taylor and see if there is anything they are thinking about planning. Jamie Moore made comment she knows a lot of the food vendors and could reach out to them once more information is given. Christopher Wilhelm inquired about the spacing at the park if that would be a good location to have it or would the Fire Department Parking lot be a better location. Jamie Moore stated that if lined up from top to bottom of property at the park properly they would all fit and there would be areas marked for individuals to wait for their food.

XVII. PERSONNEL COMMITTEE: JAMIE MOORE

Nothing to Report.

XVIII. PUBLIC WORKS: BILL JACKSON

Bill Jackson spoke about the Vinyl for crosswalks being available from the state, currently use reflective paint that does not last long. Bill Jackson is looking into purchasing this. More information to come.

Bill Jackson stated that the Borough is going to have to get together with the Rail Trail, there are people who are using the one bank with the flowers on it from the top of the hill at the park to the small bridge as a pass thru damaging the garden. Need to come up with a solution to keep the individuals off the garden.

Chris Wilhelm wanted to just voice a concern he seen Public Works employee approx. 2.5 weeks ago going up the Wrong Way of W 6th Ave across N George St on the lawn mower. Bill Jackson asked that if he does happen to see this happening to please contact Bill Jackson and make him aware so this can be addressed at the time. They will try to figure out a safer way to get across at George St to W 6th as well.

Bill Jackson stated that the signs for the No Left hand turn on 4th, 5th, and Dewey will likely be installed within the next week.

Chris Wilhelm stated that the trash in the storms drains needs cleaned up. He stated he tries to do what he can on his block and with the construction going on it is not really helping but can Public Works clean the drains up. Bill Jackson stated there are 62 drains in the Borough and the Public Works does try to get out to the weekly to clean them off. They need to be cleaned thoroughly but it is time consuming and does require large equipment to do, Public Works will try to get out and clean the drains as they can. Vivian Amspacher stated that if the Borough could get 2 extra people to help with the drains it would be a benefit. Christopher Wilhelm stated that he does agree if everyone would take time (residents) to go to nearest storm drain and just check it out and clear it that it would help a lot because it affects us all. Jamie Moore asked for recommendations from him on how he thinks we can get the community to help.

Discussion about Sewer issue with sewer coming into the property basement at 119 West 6th Ave (Vivian Amspacher Property). Email was sent from plumber stating that he feels that it is the Boroughs issue as to why the sewer is coming back into the property and explained in email presented as to why. The Borough had received a call about this issue and responded when they were notified. When Bill Jackson, Richard Shank, and

Juan Rivera went out to inspect issue they could not find any problems. Manchester Township was called into run their camera to try to determine what the issues was. Nothing was found. There is conflicting information between the Borough's findings and the Plumber of the property owners' findings. The Boroughs Public Works would like to be reimburse for fees incurred to call for the Township to come out and inspect along with man power hours, Property Owner Vivian Amspacher does not feel she should be responsible for this reimbursement back to the Borough as her plumber stated it is the Boroughs issue. Currently it is in the ordinance that from the private property to the main is the homeowner's responsibility. From the main and out is the Boroughs responsibility. Property Owner's Plumber stating that it is an infrastructure issue where the main and the lateral connect making it the Boroughs responsibility.

Vivian Amspacher asked for a motion to change the Ordinance to make it the property owners' responsibility out to the curb and then from the curb to the main the Boroughs responsibility. Mayor Nancy Brunk stated that before the motion was to be finalized that whether passed or not it would still make Vivian Amspacher responsible for the reimbursement if found that it's property owners' responsibility in the street to the main. Motion was tabled.

Richard Shank asked for motion for approval to get our Engineer for the Borough and the Plumber he works with to see if there is a problem with our connection or if this is Property Owners responsibility, No Borough Council members will be present at that time. There will be a report of the findings available at next months meeting in August and then a decision can be made on how to address. The Borough will pay for the Engineer and their Plumber to inspect. Deb Smith 2nd motion. All approved Roll Call Vote 5 Yes – Bill Jackson, Chris Kaltreider, Deb Smith, Jamie Moore, and Richard Shank. 1 No – Gary Braham. Vivian Amspacher did not vote as this is her property and it is a conflict.

XIX. FINANCE: JAMIE MOORE

Nothing to Report.

XX. BUILDINGS AND GROUNDS: GARY BRAHAM

Nothing to Report.

XXI. SANITATION

Nothing to Report.

XXII. SEWER

Nothing to Report.

XXIII. NEW BUSINESS

Resident sent in complaint inquiring if an ordinance for fireworks be put into place. Fireworks are not allowed within 150 feet of any occupied building/structure. Due to the federal laws on fireworks, you are unable to set ordinances with stiffer penalties. If you catch kids and/or adults setting off fireworks illegally you must contact the police department. Mayor Nancy Brunk had a group of kids charged for setting off the fireworks in the Liberty Fire Company Parking Lot. Solicitor Walt Tilley gave some guidance on how other municipalities have been trying to combat the use of fireworks. Installing some type of device/camera to notify the borough/police when fireworks are set off for a quicker response time for cops or the Borough in citing/catching the individual setting off the fireworks. Deb Smith and Christopher Wilhelm made mention that a few other municipalities designated areas that residents could set up fireworks. They worked with the community, offered free firework safety training prior to residents setting off fireworks in designated location. Would like to look into seeing if this is something that the Borough would be able to do at either the Borough Park or if permission was granted the old Central York football field without causing liability on the Borough if an accident/incident was to happen.

Richard Shank would like to set a fee in the fee schedule for someone to have a car storage area of no larger than 200 square feet. The Ordinance book states that such areas are permitted with fee from Borough.

Also proposed was that we have our Zoning Attorney review our zoning code book and make corrections and/or close loopholes that make the code hard to enforce.

Parking Lot Issues-

2nd Ave the property is being sold and the cars are to be removed immediately per the owner.

Brad Wilt who has the lot behind Duncan Donuts will have an extending fence put in to be able to keep the cars within the fenced in area. Mr. Wilt will also be installing a fence around the 10th Ave parking lot.

6th Ave Rear Parking Lot – Meeting to be held Thursday 7/16/2020 to address.

PUBLIC COMMENT/QUESTIONS/REMARKS SUBMITTED PRIOR TO MEETING

Angela Ramsay brought up the Lebanon Cemetery property. The violation notice posted on the front door by code enforcement officer Larry Shroyer has been removed and there has not been any repairs done that were noted on the violation notice. Borough will get with the Cemetery to see if something can be done to help remove the trash/debris off the property. Discussion of taking ownership of the home at the Lebanon Cemetery.

Angela Ramsay brought up the groundhog issue at Lebanon Cemetery- Richard Shank stated due to the increase in rabies the Borough is unable to trap, Game Commission had to be contacted to remove ground hogs off property and dispose of them properly to not spread the rabies virus.

Karen Wagman asked what grants we have received over the past year or have been approved from. Richard Shank stated they are all in the process none have been paid that we are aware of, but they have been submitted, COVID-19 has put a slow down on some of the grants applied for. Once we get the grants the Grant Writer will then apply for grants to cover costs of her company minus a certain percentage. Vivian Amspacher questioned if we had interviewed anyone else for the Grant Writing position. Richard Shank stated that the council approved of her at the meeting she attended when she came explain her process and company. Karen Wagman asked when are the grants applied for supposed to be received if granted to the Borough? Richard Shank stated the Park Renovation Grant is supposed to be received in 2021 and the highway beautification grant on N George St is supposed to be received in 2022.

Karen Wagman What is the quote on the insurance policy at the Park with the skate park being added? Richard Shanks stated its unknown until it is built that we are unable to get quotes like that until the work is completed. Do we have a current price of liability on the park as is? Richard Shank stated he does not know off the top of his head he would have to contact insurance agent for information.

Christopher Wilhelm thanked everyone for wearing the face masks during the meeting tonight. Richard Shank explained why we did not wear them in previous meetings as the meetings were not open to the public and we distanced at 6 feet apart during the meeting. New regulations state to now wear mask at all time so Council and Employees are to wear mask.

Christopher Wilhelm made mention of the two new food businesses in the Borough. To check them out! Food and service is great!

Mary voiced her concerns of the noise from her neighbors with music, can something be done or said to them? Richard Shank stated he will go talk to the individual to see if there can be a compromise.

Vivian Amspacher made mention that she is not being notified of meetings being conducted in the Borough. 6-8 months ago, it was requested that all members be made aware of meetings being held involving Borough Business. She also does not feel that it's right that there's things going on with other municipalities and other people know about it because our Solicitor is involved with it, but she finds out from a resident. Richard Shank and Bill Jackson asked to clarify what she was talking about. Vivian Amspacher stated it had to do with personnel so it's private but feels all council should know. Vivian Amspacher stated if any communications are going on with the Solicitor all council should be made aware of it.

Vivian Amspacher asked for a figure of how much PPE has been purchased for the COVID-19 items needed to continue operations at the Borough and follow CDC guidelines appropriately. Items she would like to be included is hand sanitizer, gloves, cleaning products, plexiglass, and anything else relating to COVID-19. Also, would like to have fire house included as the building till leased to the Borough. There were grants such as the CARE act that the Borough was able to apply for to be reimbursed for PPE but as stated in previous meeting by Richard Shank we did not purchase much to comply so didn't feel need to apply for the grant. Vivian Amspacher stated regardless of cost, we should have applied.

Vivian Amspacher questioned who oversees the cameras at the Borough Office. Jamie Moore stated that Brittany Reed is the only one with access to the cameras at the office. Vivian Amspacher stated she does not feel comfortable with an employee being in control of the cameras and would like access to view cameras.

Vivian Amspacher would like to purchase a new sound system as she feels the current one is not working properly and it is hard to hear discussions during the Council meetings, she thought we had money allotted for a new sound system. Richard Shank stated that there is no money allotted because when it was brought up in the past and quotes came in, they were rejected. Vivian Amspacher asked can speakers/microphone be purchased. Richard Shank stated all speaker equipment currently in the meeting hall was donated by Bill Jackson.

Discussion of notification to ALL council members of ALL meetings held for Borough Business.

Richard Shank asked Chris Kaltreider after hearing "rumors" if he is moving out of the Borough. Chris Kaltreider said should be moving out end of July and resigning by end of August but will have more information.

Bill Jackson motioned to adjourn meeting, Vivian Amspacher 2nd motion, all approved

Minutes submitted by Brittany Reed