

APPROVED – BILL JACKSON MOTIONED, GARY BRAHAM 2ND MOTION, ALL APPROVED

NORTH YORK BOROUGH MEETING MINUTES

August 21, 2020

I. CALL TO ORDER

President Richard Shank called to order the regular meeting of the North York Borough Council at 7:00 pm on August 11th, 2020.

II. EXECUTIVE SESSION

Acquisition of WWTP and formation of the York Area Regional Sewer Authority (YARSA)
Personnel and Contractual

III. PLEDGE

Richard Shank, President

IV. ROLL CALL

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

Not Present – Christopher Kaltreider

V. APPROVAL OF MINUTES

July 14th, 2020 Meeting Minutes – Debra Smith motioned for approval, Gary Braham 2nd motion – all approved.

VI. HANDICAP APPROVALS – COUNCIL

Busha – Approved

Roll Call Vote 4 YES / 2 No (Bill Jackson NO, Gary Braham NO, Vivian Amspacher YES, Deb Smith YES, Jamie Moore YES, Richard Shank YES)

VII. TREASURERS REPORT – SONYA GRIM

Recreation \$222.31

Sewer \$57,335.97

Payroll \$8,164.72

General Fund \$209,290.88

Vivian Amspacher inquired if we are still using Quick Books for finances, Sonya Grim stated YES.

Vivian Amspacher inquired the \$94,265.40 payment to Stock and Leader. Sonya Grim and Solicitor Walter Tilley stated that this was for the closing and down payment of the Fire Department Building. Property was \$750,000 the Borough borrowed \$700,000 and paid the additional \$50,000 out of pocket. So, the \$94,265.40 included the our of pocket payment of \$50,000 plus cost of closing costs and taxes towards Mortgage.

Sonya Grim had to update the Account Codes to add additional line items to budget since purchase of fire department building. Added to the Revenue section – Rent (for the 2 businesses that came with the Fire Department Building), Fire Department Parking Lot income, Social Hall income, and Pavilion Income. Also added were Leases, Amusement Fee for Juke Box. Added to the expenses were Electric, Maintenance, Gas, and Water for the Fire Department Building. Vivian Amspacher motion to approve additions, Jamie Moore 2nd motion, all approved.

VIII. CORRESPONDENCE: - BRITTANY REED

Nothing to report

IX. MAYORS REPORT: NANCY BRUNK

Mayor attended the Northern York County Regional Police Board of Commissioners on Tuesday, July 21, 2020. They had the swearing in of Officer Destiny Marshall.

Chief Lash reported this is the last year for the big National Night Out that they will be attending in Dover. From this point forward they will be going to different National Night Out activities throughout their jurisdiction.

Mayor brought the resident concerns to Chief Lash from Christopher Wilhelm, Angela Ramsay, and Jerrold Duncan.

Police Activity in the Borough 1 Motor Vehicle Theft - 1100blk of North George St., 1 Escape - 1200 blk North George St. (Boys Home) 1 Corruption of Minors – 900blk North Duke St., 2 Overdoses – 400blk North George St. and 1000blk North George St., 1 Resisting Arrest – Olympia St. and Chapel Dr., 1 Burglary – 600blk North George St.

A correction to last month's mayors report – the meeting was Tuesday, June 16th, 2020.

X. ENGINEERS REPORT: JEFF SPANGLER

118 W 6th Ave Sewer Update – Discussion of findings. Engineer Jeff Spangler and York Township Public Works Department on July 16th, 2020 went out to location as they have cameras that can go into laterals after main. Started at the manhole at West 6th Ave and Cemetery Way and ran the camera upstream found the lateral at a 9:00 position. No blockages or anything at the main where found. Then they started lateral inspection which ran back about 5 feet at that point they found an actual Y in the lateral itself going straight ahead there was a plug that was put in and the connection was put into the Y and pushed off to the 9:00 position and then does a bend and goes into the home. No blockages found. Video is available. Vivian Amspacher asked Jeff Spangler about where the connection having corrosion, is it possible because angle being that tight that there is different view from house out to lateral connection? Jeff Spangler could not answer because he was not there to see what the initial camera from the plumber saw. Produced photos and diagram of lateral/main lines.

Vivian Amspacher (from email from Karen Wagman) questioned When was this change to have homeowner responsible discussed in public? When was this voted on? How was the public notified? And If the public was not notified, why not? Vivian also inquired if a policy was in place and if there is no policy in place then there needs to be one created and homeowners made aware of policy/process. After reviewing ordinances Vivian could not find anything stating it is the homeowner's responsibility for repairs. Richard Shank provided and Bill Jackson reviewed ordinance 51.21 stating that from lateral to home is responsibility of homeowner. Unsure when changes were made ordinance is dated 2006.

Chris Wilhelm asked per Karen Wagman email – it was brought up that homeowners are now responsible for repairs to the laterals in the street being that this has never been this way when was this discussed in public, when was this voted on, how is the public notified and if not why not. It is a large expense to the taxpayer, if they are aware this is something, they may be able to add a rider to their insurance policy. Also, should not there be a defined policy in writing that should be distributed to all residents to allow them to prepare/proceed correctly when having a sewer issue. It seems the council is randomly choosing who pays and who does not and deciding on whether someone's plumber is competent. How does the Borough know that there was not a clog in the main that resolved itself before the camera truck got there? Is there a set fee for the cost of cameraing the line to the homeowner or is this dependent on how many people show up? Reviewing borough website and ordinances and could not find a policy on this. Richard Shank responded to begin with when the Borough employees go out this is part of their job and there is no charge, but when another township is called in it is billed to the property owner. The ordinance was around since 2006, he is unsure if when it was voted on in 2006

if residents were notified. Discussion of the sewer line replacement on Laurel St and why the entire line was replaced. That was a main issue, not lateral.

Sandra Hinkle said Richard Shank stated that anytime the Township comes in property owners must pay that fee. If its not in the main, then yes, they are charged. If it is a problem in the main, they are not charged. She inquired if ADAR was charged for the scope ran through for the sinkhole in there parking lot, stating that Richard Shank was the one who called that “favor” in. Richard Shank he has no idea if they were charged, stated that it was problem in the street with evacuation problem, it was a Borough related issue not a sewer issue. Vivian Amspacher stated she knew what happened with this, she remembers speaking with Jack and he stated that him, and whoever had the township down there to camera it, Vivian stated she said to Jack she didn’t think it was allowed to camera the parking lot. Jack stated to her that we were doing them a favor. Then she spoke with Rick and then she called Steve Hovis and asked if we should be cameraing the parking lot and he said absolutely not. She then called the guys back and told them. Richard Shank stated there was not favors they were brought in to see where it started and wanted to prove that the Borough did not cause the problem of the undermining in the street.

Vivian Amspacher would also like to see the last 5 years of copies for bills sent to property owners for charges from sewer cameraing. Jamie Moore stated a RTK will have to be completed to obtain that information. Walt Tilley stated an RTK should be submitted. Walter Tilley will work with Sonya Grim and Brittany Reed to gather information.

In conclusion asking for a motion to charge owner of 118 West 6th Ave cost of Manchester Township Laborer and Equipment used. The amount was broken down from invoice received from Manchester Township. Total Cost of Invoice – (this does not include the amount for engineer or York Township crew) was \$966.26. After breakdown of invoice motion was made by Bill Jackson to bill owner at 118 West 6th Ave \$435.15, Gary Braham 2nd motion, all approved. Roll Call Vote – 5 YES/0 NO (Vivian Amspacher abstained due to being the property owner) Bill Jackson YES, Gary Braham YES, Deb Smith YES, Jamie Moore YES, Richard Shank YES.

Jeff Spangler will be doing the MS4 presentation next month meeting (September 8, 2020)

XI. ZONING OFFICER REPORT: VACANT

Still no inspections taking place for rental properties due to COVID-19 but complaints are still being addressed.

Resignation of Larry Shroyer. Vivian Amspacher motioned to approve, Jamie Moore 2nd motion, all approved
Roll Call Vote 6 YES / 0 NO

(Bill Jackson YES, Gary Braham YES, Vivian Amspacher YES, Deb Smith YES, Jamie Moore YES, Richard Shank YES)

Advertisement went out for open position of Zoning/Codes Officer. 2 interviews to be set up.

Parking lot issues UPDATE- Meetings were held with owners of parking lots with issues.
2nd Ave – this property is sold, and cars will be removed.

Pump St Parking Lot- agreement was made all cars on lot must be drivable with dealer tags on the vehicles (copy) If they are on a dealer property they do not have to have tags they are able to use the dealer tags. Borough asked if they could place a copy of the dealer tag in window. 2 left that are in question but working on this issue. Jamie Moore questioned if they had to be registered or inspected and Richard Shank stated because it is a dealer tag, he is unsure if they must be inspected or registration current. Gary Braham stated if he has dealer tags that would mean he has a business would not he have to pay taxes for the business. Richard Shank replied he is not sure because he is just storing the vehicles at the location his business is in Dover Township.

Wilt Properties – agreed to install fences and extend fence at Duncan Donuts to make sure all vehicles are inside the fence. Jamie Moore is to follow up about height of fence. Also informed that due to COVID-19 there is a backlog to complete process through PENNDOT, etc.

Sandra Hinkle inquired when the ordinance was changed that cars must be registered/inspected vehicles on properties. Richard Shank stated in the ordinance it does not clearly state it has to be, but it must be operational and not have parts missing on it. Jamie Moore asked can this be changed. Ordinance will be looked at for update/change. Vivian Amspacher stated it was under her understanding that a police officer must determine if the car is registered. Richard Shank stated that all you have to do is contact the police and they will come and verify whether vehicle is registered or not, but zoning officer does have the right to go on a property and inspect any issue that arises per Borough Ordinance, if zoning/codes has to go into a property then he would need to go to the magistrate for a warrant to enter a property.

Sandra Hinkle brought up car issue/dealer on 900 N Duke St. Richard Shank stated that if she completes a complaint form it will be investigated.

XII. FIRE CHIEF REPORT:

No report given

Discussion of Fire Department not getting out to call. Meeting to be held with trustees and line officers including Bill Jackson, Gary Braham, and Jamie Moore.

Jamie Moore brought up option of reevaluating if the Borough needs to take over again since the Fire Department does not seem to be able to run on their own. Will discuss more after the meeting with the trustees and the line officers.

XIII. EMA: TRAVIS NESS

Nothing to Report

XIV. SOLICITORS REPORT: Walt Tilley, Stock and Leader

Under new business

XV. RECREATION REPORT: DEB SMITH

Community Yard Sale 9/12/2020 8am – 4pm out front of owner’s properties.

Brought up option of Trick or Treat and the Kids Parade, to review options with Recreation Committee.

Sandra Hinkle also mentioned about doing trunk or treat if residents are not going to participate in trick or treat.

XVI. PERSONNEL COMMITTEE: JAMIE MOORE

Resumes have been submitted to office for vacancy of Zoning/Code Officer. Only 2 meet qualifications.

XVII. PUBLIC WORKS: BILL JACKSON

Incident/Accident involving public works employee. No time loss – returned to full duty.

XVIII. FINANCE: JAMIE MOORE

Budget Meeting dates need determined

XIX. BUILDINGS AND GROUNDS: GARY BRAHAM

Purchased Fire Department Building would like to do a video walk through for documentation.

XX. SANITATION

Vivian Amspacher spoke with Chris from Penn WASTE which is the Route Supervisor he just asks to work with them during the road construction as it is hard for the trucks to get through some roadways.

Question from Jamie Moore on when the road work is going to be completed, we do not have a definite date of completion for the work in the borough to be done. Richard Shank stated some of the areas they are working on is part of our block grant but due to COVID the grant was put off until next year. Some of the streets will have rough paving because when we get the grant money, we are going to just have to tear the road back up putting in the sidewalks and curbs needed. Final paving will not be done until next year. The sidewalks on Queen St, 5th Ave between Duke and George is going to be done with macadam until we go through and do our part. Discussion on other road work throughout borough.

Mary questioned her sidewalk on Queen St at E 6th Ave, Richard Shank explained that that area will have macadam as well.

XXI. SEWER

Sewer issue at 1015 N Duke St, checked out and determined was the property owners' issue.

XXII. NEW BUSINESS

Lebanon Cemetery – Spoke with the board awaiting on letter of approval to come put the traps down for the ground hogs. They were given names of some people who haul junk metal to remove the junk metal on property. The Brush they were told if they can get it to the 10th Ave side of property we will mulch and put at the park. On hold until meeting with grave site owners and board for approval.

Reviewed letter from Auditor General Eugene DePasquale to the York County Commissioner asking for their assistance with the Cemetery.

York Area Regional Sewer Authority formation – need approval to advertise public meeting September 15th, 2020 at 7pm at the North York Borough Office. Gary Braham motioned to advertise public meeting, Bill Jackson 2nd advertisement, all approved.

Motion needed for us to participate in the formation of the York Area Regional Sewer Authority. Jamie Moore made motion, Gary Braham 2nd motion, all approved.

Richard Shank was voted to be the member on the Board for the Article of Incorporation for YARSA.

Sonya Grim, Deb Smith, to attend NYCRPD budget meeting Wednesday August 12, 2020.

XXIII. PUBLIC COMMENT/QUESTIONS/REMARKS SUBMITTED PRIOR TO MEETING

Chris Wilhelm previously inquired how much was paid to the RLK for the Fire Department Audit, Richard Shank stated final bill amount was \$29,153.63. Audit finding if got out can be a personal liability per Walt Tilley. Chris Wilhelm asked why releasing the audit information would compromise investigation? Ashley Stine asked specifically about the laptop and why it was not turned over to the auditors? Vivian Amspacher asked Borough Council if they wanted an investigation of the forensic audit. Was advised by Solicitor Walt Tilley to not discuss anything else about the investigation that it should be brought up in executive session.

Jamie Moore asked if there was a contract in place with the Grant Writer we are currently using? Sonya Grim and Brittany Reed to pull file and see if contract is in place. More discussion on the grant writer and YSMs

involvement with the entire process. To be investigated further. Determine whether to continue using the current grant writer and paying \$7,500 per month for the services. Chris Wilhelm inquired is it a definite that we will get the money back in a grant from paying the Grant Writer as she explained. Richard Shank stated it sounds like it is. Until we get grant money, we can not collect other money for paying the Grant writer.

Sandra Hinkle asked when there are sign changes within the borough like the speed limit change and new installation of signs can we provide residents with information making them aware. It is post normally on the Facebook pages and in Newsletter when able. Borough will also try to make sure it is posted on the website.

Vacancy of Chris Kaltreider Council Position. Needs advertised and selection will be done as done in the past with a Public Interview. All approved.

Bill Jackson made motion to adjourn meeting, Jamie Moore 2nd motion, all approved.

Minutes submitted by Brittany Reed