

MINUTES
NORTH YORK BOROUGH COUNCIL MEETING
September 13, 2022

The Public Council Meeting was called to order at 6:38 pm by President Hightman. President Hightman asked Mayor Brunk to lead the moment of silence and the Pledge of Allegiance to the Flag. At this point, Manager Bolton asked Solicitor Tilley if we had a quorum to continue with the meeting. Solicitor Tilley said that we had three out of six so we could continue with the meeting.

Roll Call of Council Members and Mayor by Sonya Grim: Members in attendance were Gary Braham, Seth Hightman, Dhani Thomas. Vivian Amspacher and Joel Collier attended by telephone, which was approved on a motion by Dhani Thomas, second by Gary Braham, and unanimously approved. Solicitor Walt Tilley was also in attendance.

Announcements: There was an Executive Session held tonight at 6:00 pm at this building to discuss pending litigation with the Solicitor.

Public Comment (on agenda items only): None

Approval of Minutes: The August 9, 2022 minutes were presented for approval. On a motion by Gary Braham, second by Dhani Thomas, these minutes were approved with one "No" vote by Vivian Amspacher.

Mayor's Report: Mayor Brunk's report from the Northern York County Regional Police Board of Commissioners' meeting on Tuesday, August 16, 2022 was presented. Our calls increased in July 2022 by 39 calls from the same time last year. We had a total of 171 calls for the month of July 2022, which is an increase of 18 more calls than the same time in 2021. The Mayor also reminded residents that if you see something call 911 to report it—going to social media and stating what happened doesn't get the issue resolved.

Police Report: Lt Anderson stated that the ATV driver that was caught and cited was from Lancaster. The Department also received a guilty plea on a cold third-degree murder case.

Fire Report: Chief Sleeper reported there were six calls in the Borough but nothing of significance. New trucks are now in full service, and we will try to get them down to the office before too long so that you can see them.

EMA Report: Dr. Olewiler gave Narcan Kits to North York Borough to have at the office and at the park to be used by those trained to help with drug overdoses. These were donated by the York Adams Drug and Alcohol Commission. There have also been N95 masks donated to Public Works Director, Charlie Brashears for use in public works. Fall Community Event will be held on September 28, 2022. There will be a Simulation for Failure of Utilities and what will need to be done on October 1, 2022 at the Borough building. Invitations will be sent out to those that should attend. Motion was made by Gary Braham, second by Dhani Thomas, and unanimously carried to approve the request for the Simulation.

**MINUTES - NORTH YORK BOROUGH
COUNCIL MEETING - September 13, 2022**

Engineering Report: A request was made to ratify authorization for York County Planning Commission to pay Kinsley Construction \$200,209.95 and \$189,517.55 for 5th Street Curb and Sidewalk Grant from CDBG funds. On a motion by Gary Braham, second by Dhani Thomas, and unanimously carried, this request was approved. Authorization was requested for Jason Brenneman and Lucas Ensor to sign MS4 Annual Reports and submit the \$500 Fee. On a motion by Gary Braham, second by Dhani Thomas, and unanimously carried. The Engineer's Report has been placed in the Members' folders.

Solicitor's Report: Solicitor Tilley mentioned that there was no action to be taken on the Park View Apartments Easement Agreement. This should be ready for the October meeting. Ratification to hire a consultant for Industrial Piping settlement (\$200 X 10). On a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried, the motion to engage Kevin Barnett as an auditor consultant for years 2011-2021 at 25 (twenty-five) hours for \$5000 was approved.

STAFF REPORTS:

Borough Manager's Report: Manager Bolton stated that the stadium chairs from the Council Room are still available. He will place the information on sale sites to see if they will be bought since we already advertised on Municibid. Employee Handbook draft was given to the Council members for review and/or revisions: no action will be taken at this time. Authorization was requested to approve the 2023 SPCA Agreement in the amount of \$985.71. On a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried, this motion was approved. Resolution 2022-XX to schedule fees for credit card use was presented for approval. On a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried, the credit card fee of \$4.50 was approved. Resolution 2022-XX for the Second Tranche of ARPA funds of \$106,417.65 was approved on a motion by Gary Braham, second by Dhani Thomas, and unanimously carried. York City has requested by North York Borough waive zoning fees for the North George Street Safety Project. On a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried, this request was approved. PA Rural Water presented a proposal for Storm Sewer Mappings updates at \$5,500. Will print out maps for the Borough. On a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried, this proposal was approved. CCIS Agreement, due to expire on December 31, 2022, authorized at the prior meeting requested monthly reports. Zoning Officer has not received any at this time. There was a short discussion on this issue. We continue to have garbage problems with Penn Waste. On a motion by Gary Braham, second by Dhani Thomas, and unanimously carried, the Borough will begin to fine Penn Waste \$1,000 when garbage is not picked up according to schedule. Lastly, Manager Bolton spoke about borough projects, staff updates and general information. The Manager's Report has been placed in all Members' folders.

Treasurer's Reports: Sonya Grim presented the Treasurer's Report through August 31, 2022 which was accepted on a motion by Gary Braham, second by Vivian Amspacher, and unanimously carried. Motion to approve/ratify paying the bills as presented through 9/13/2022 was approved by Gary Braham, second by Vivian Amspacher and unanimously carried.

Recreation \$793.17; Sewer \$32,980.53;
Payroll \$17,533.68; General Fund \$38,866.75

**MINUTES - NORTH YORK BOROUGH
COUNCIL MEETING - September 13, 2022**

Correspondence: A thank you letter was sent out to Martin's Potato Chips for their donation to National Nite Out. Also, we received a Proclamation America250PA from the City of York to commemorate the 250th anniversary of the United States on July 4, 2026 and Pennsylvania's integral role in that event.

Public Works: Director Charlie Brashears presented his report. We are still waiting on the cooling system for the Public Works Building. Hopefully, it will come in within the next two weeks. We are also still waiting on the doors for Mitre Wright. There was some discussion about the "tic" lines for parking. Gemmill's took pictures of the "tic" lines prior to the road repaving. They are willing to replace the lines for free. We have been having some issues with our phone system both at the office and the public works building. We will be receiving a quote from HIG for a new phone system to look at in the future. The new truck and plow should be here by November. The fleet is currently well maintained. Yellow line on Fifth Avenue has been made longer because of the garbage trucks making that turn when they are collecting garbage. Director Brashears suggests we employ an engineer to check into this.

Code and Zoning Enforcement: Tom Arnold, Zoning Officer presented his report. Each Councilmember received a copy in their folder. We are now up to 87 violations filed. Inspections are going well for the rental properties. There will be a Zoning Hearing on the property at 121 East Seventh Avenue because the owner would like to apply for a variance.

Committees and Organizations:

Building and Grounds (Gary Braham): Nothing to report.

Finance (Seth Hightman): 2023 Budget is currently under construction by the Manager.

Parks & Recreation (Wendy Brashears): Trunk or Treat, Bonfire and Children's Halloween Parade will be held on October 22, 2022 starting at 4:30 pm. Messiah Church will be participating. We have had three pavilion rentals.

Personnel (Seth Hightman): Juan Rivera has been off work due to an injury, not work-related.

Sanitation Committee (Vivian Amspacher): Penn Waste was contacted about issues-no response returned.

Sidewalk & Streets Committee (Gary Braham): Nothing to report.

Unfinished Business: None.

New Business: None.

**MINUTES - NORTH YORK BOROUGH
COUNCIL MEETING - September 13, 2022**

Public Comment (any topic): Letters will be sent out to residents that have handicapped parking spaces. A re-evaluation will be completed for previously approved handicapped spaces and enforcement will begin in 2023. Schley Alley will be closed on Thursday, September 15, 2022 for a ceremony at the Paupers' Cemetery. Wendy Brashears was complimented for the great job she is doing with Recreation with a round of applause. Fifth Avenue obstruction of sidewalk; will see if it is a police matter.

For the Good of the Order (Council/Mayor/Staff): Vivian Amspacher has requested that the following statement be placed in these minutes:

"As discussed at the September Council meeting I would send information I wanted added to the minutes under "the good of the order" regarding access and participation of zoon meetings. Regarding Council was voting in the Public Meeting & Executive Session to allow me to attend by zoom. I was able to attend executive sessions and Public Council meetings per zoom since January 3, 2022. I wasn't allowed to participate in the April 12, 2022 Public meeting because council voted against it. During January 11, 2022 Executive zoom meeting the Manager Makayla Zonfrilli turned my Executive Meeting zoom off after an immediate zoom discussion with an outside party. Not allowing me to participate in personnel, contractual or litigation matters. During the next month meeting February 8th, 2022 Executive Session. I was set up for zoom and Mr. Shank ask if I could see and hear them. I stated yes and he acknowledge that I was on video zoom. I could see council and engage. After a Short period of time my zoom was shut off. Some Council had to know because it was a computer screen that was facing them and I didn't engage. A resident that was going to attend the 7 o'clock meeting called me when she got the Borough office and notified me that they were still in Executive Session. I stated that I was cut off. I kept call Mr. Shank's cell phone and the Borough Office phone prior to this information and no one answered. Starting with the June 2022 Executive Session I was no longer allowed to attend through zoom and or phone for executive sessions and going forward by a vote taken by Council during that Executive session."

Announcements: Next regular Council meeting is October 11, 2022, at 6:30 pm.

The meeting adjourned at 8:47 pm on a motion by Vivian Amspacher, second by Gary Braham, and unanimously carried.