

Approved with corrections. Gary Braham motioned approval, Seth Hightman 2nd motion, all agreed.

NORTH YORK BOROUGH MEETING MINUTES

March 3rd, 2021

I. CALL TO ORDER

President Richard Shank called to order the regular meeting of the North York Borough Council on February 9th, 2021 at 7:04pm.

II. EXECUTIVE SESSION

Nothing to report.

III. PLEDGE

IV. ROLL CALL

President Richard Shank, Deb Smith, Gary Braham, Vivian Amspacher, Vice President Seth Hightman, and Tina Strine

Absent: Mayor Nancy Brunk

V. APPROVAL OF MINUTES

Vivian Amspacher stated that there were some questions asked at the end of the January Meeting and in the meeting minutes it does not state who asked the questions. Vivian Amspacher will not be voting on the January Meeting Minutes because she feels that her mic was intentionally shut off during the meeting. Vivian Amspacher also stated that the discussion about the grant writer and the fees associated with the grant writer were not put in the minutes. Sonya Grim stated that she did not have that information to input in the minutes.

Approval of the January 12th, 2021 Meeting Minutes **with corrections** – Seth Hightman motioned to approve, Gary Braham 2nd motion. Roll Call Vote 5 YES / 1 NO (Tina Strine YES, Vivian Amspacher NO, Seth Hightman YES, Gary Braham YES, Deb Smith YES, Rick Shank YES)

VI. COUNCIL CANDIDATES

NO CANDIDATES – Vacancy Board will take the next step to fill position.

VII. HANDICAP APPROVALS – COUNCIL

Romey –DENIED – Gary Braham motioned, Tina Strine 2nd Motion. Roll Call Vote 0 YES / 6 NO (Tina Strine NO, Vivian Amspacher NO, Seth Hightman NO, Gary Braham NO, Deb Smith NO, Rick Shank NO)

Amendt – DENIED- Gary Braham motioned, Tina Strine 2nd Motion. Roll Call Vote 0 YES / 6 NO (Tina Strine NO, Vivian Amspacher NO, Seth Hightman NO, Gary Braham NO, Deb Smith NO, Rick Shank NO)

VIII. TREASURERS REPORT – SONYA GRIM

No Expenses for the Recreation and Liquid Fuels Funds

Sewer Fund: \$57,025.75

General Fund: \$148,502.16

Vivian Amspacher questioned what the Cumberland Plow and Engine for plow control that went bad. Total \$1,298.97.

Sewer CD is coming due. Amount of current CD for sewer is \$316,065.54 with a 2.76% current rate through Peoples Bank.

Best Rate offer for new CD is through Peoples Bank with 2 options available - .35% for 14 months or .55% for 26 months.

Vivian Amspacher motioned to approve the money be moved to the Peoples Bank CD for .35% for 14 months, Gary Braham 2nd motion, all approved.

No issues with the 2020 Borough Audit

There was \$200,000 left over from the 2020 Budget. \$70,000 of that money will go to paying for Fire Service through York City Fire Department. General Fund owes the Sewer Fund approx. \$200,000 from fund that were borrowed prior to 2014. If Council takes \$100,000 of what is left of the 2020 budget and puts it in the Sewer Fund the General Fund would only owe the Sewer Fund \$100,000. This will leave a remaining balance from the 2020 Budget at \$30,000. Richard Shank made motion to take \$100,000 from the General Fund of the remaining balance of 2020 and transfer it to the Sewer Fund. Seth Hightman 2nd motion, all approved.

Richard Shank stated the auditors as they see fit transfer money from General Fund to Sewer Fund also to make payments on the deb the General Fund owes the Sewer Fund.

Richard Shank also wanted to let residents know the Borough is not in debt, it is doing well, and there is no intention at any time right now to increase taxes.

Amended Budget – Since Fire Services some of the line items will not be used. They were moved to other areas within the budget.

The 3 items that stated within the Fire Services – York City Fire Department – for Fire Services, The Fire Hydrants invoices, and the Voluntary Relief Fund.

The Gas, Water, and Electric were moved to the Maintenance of Government Buildings. Equipment, Vehicle Repair, etc. went to Public Works item list.

\$70,000 more than the originally approved budget this is to pay for the Fire Services for York City Fire Department.

Gary Braham motioned to approve amended budget. Vivian Amspacher 2nd motion, all approved.

Vivian Amspacher asked Sonya Grim if she backs up her computer in the office and how often. Sonya Grim stated that she does not but that Treysta our IT Department does. Vivian Amspacher inquired how long they have been backing up the computers? Sonya Grim stated that it has been that way since she started working for the Borough. Vivian Amspacher inquired if the data prior Treysta has in their possession? Sonya Grim state she was unsure that they do online back up, so she assumes that whatever is in the computer is backed up.

Vivian Amspacher inquired if Sonya Grim ever filled in for Vanessa Dickson when Vanessa was off or on vacation? Sonya Grim stated she did what was asked **when Vanessa Dickson was in the hospital**. Vivian Amspacher inquired if we still use QuickBooks for our accounting program, Sonya Grim stated yes. Also discussed the function/capabilities of QuickBooks.

Sandra Hinkle inquired on if the Relief Fund money was going to be given to the Borough or is it going to go straight to York City, the Relief Fund will be issued to the Borough and then the Borough has 60 days to send it to the York City Fire Department and a report must be completed and sent to the state once done.

IX. CORRESPONDENCE: - BRITTANY REED

Nothing to Report.

X. MAYORS REPORT: NANCY BRUNK

Mayor Nancy Brunk attended the YCRPBC Meeting on Tuesday January 19th, 2021.

Two new police officers were sworn in. Courtney Herring and Adam Eisenhart. Two Officers were appointed into permanent positions. Aaron Witmoyer and Kyle Forry.

November had 6 Police Incidents within the Borough 2 Burglary, 1 Robbery, 1 Theft, and 2 Overdoses.

December had 3 Police Incidents within the Borough 1 Burglary, 1 DUI, and 1 Robbery.

XI. ENGINEERS REPORT: JEFF SPANGLER

Community Development Block Grant 2021-2023 Application – Application for the 2021 – 2023 cycle of block grants was submitted to the York County Planning Commission.

Duke Street Sewer Main – Engineer had requested quotes from three contractors for repair to the sanitary sewer main located between 8th Ave and 9th Ave. A break in the main was discovered when televising the section. Quotes E.K. Services Inc. \$11,496, Fitz & Smith Inc. \$19703.35, and Clearview Excavation Inc. \$16,350. Seth Hightman made motion for approval to use E.K. Services Inc. for the Repair to the Duke Street Sewer Main. Tina Strine 2nd motion, all approved.

7th Ave Storm Sewer Replacement – Survey work is complete. Plans are currently being prepared.

Chapter 94 Report (Sanitary Sewer System) – Beginning to prepare information for Chapter 94 report to provide to the city.

York Water Company Main Replacements – The York Water Company is proposing a project that will replace water mains and services in a substantial area of the Borough on the east side of George St. Engineer Jeff Spangler will be setting up a meeting with the water company (and gas company) to discuss the project.

Tina Strine asked if the Grant Writer could look into if any Grants are available for sewer replacement projects. She stated there are usually grants to help with major projects such as 7th Ave.

XII. ZONING OFFICER REPORT: TOM ARNOLD

First Fee was paid to the Recreation Fund for the 1st set of apartments on E 5th Ave.

2021 Registration Forms mailed out

Still trying to work with Police Department and Judge Clancy on abandoned vehicles.

Violations issued for no snow removal.

XIII. FIRE CHIEF REPORT:

Both trucks were found to be overdue on inspection.

XIV. EMA: TRAVIS NESS

Nothing to Report

XV. SOLICITORS REPORT: Walt Tilley, Stock and Leader

Nothing to Report.

XVI. GRANT REPORT: RICK SHANK

Phone Conference with DCNR for Park Grant.

Deb Smith motioned to hold off on lower track (bike/skate area) and to focus improvement of the 2 Basketball Courts, Tot Lot, Renovation to Building with the stage area, and turn the whiffle ball court around for better use for activities. Gary Braham 2nd motion. All approved.

XVII. RECREATION REPORT: DEB SMITH

Vivian Amspacher inquired on how much was received from the 5th Ave Apartments Recreation Fee payment. \$7,000 was received for the first building. (\$200 per apt.)

Sandra Hinkle inquired who was all on the Recreation Committee.

Tina Strine, Misty Ness, Travis Ness, Deb Smith

Vivian Amspacher asked if this was the final Committee List, Richard Shank stated he is trying to wait until the open position is filled so committees can be finalized. She also asked to be put on more committees since there are openings. Richard Shank stated he will take that into consideration.

Vivian Amspacher made comment that the Committee List for 2021 needs updated to remove Mark Taylor from the Park Grant Committee.

Discussion on the Public Works Area/Building at Fire Department, making the building at the Park for Recreation only.

Also, discussion on possibility of renting some of the space out for Mitre Wright Inc. storage. Renting out the space to Mitre Wright Inc. would bring an additional \$3,000 a month or \$24,000 a year into Boroughs revenue. (\$8.00 sq/ft 50X60 area). Seth Hightman made motion to negotiate with Mitre Wright on renting out area for their storage. Vivian Amspacher 2nd motion.

Richard Shank asked for a motion to advertise the latter truck. Gary Braham made motion to advertise latter truck, Seth Hightman 2nd motion, all approved.

Richard Shank also ask for a motion to use the Duty Vehicle for our Zoning Officer. Gary Braham motioned to use Duty Vehicle for Zoning Officer. Vivian Amspacher 2nd motion, all approved.

Gary Braham motioned to give the Fire Department personnel from Liberty Fire Company 45 days to remove items off the premises at the Old Fire Department Building. (This would be 45 days after 2/11/2021) Tina Strine 2nd motion, all approved.

Anything that was bought with the relief fund money must go to the new department covering the Borough after all bills are paid. The Borough is not responsible to pay any unpaid bills.

XVIII. PERSONNEL COMMITTEE:

Nothing to Report.

XIX. PUBLIC WORKS:

Seth Hightman just wanted to thank the Public Works/ Snowplow Drivers for the good job during the last storm.

XX. FINANCE:

Nothing to Report.

XXI. BUILDINGS AND GROUNDS: GARY BRAHAM

Blower Motor on the furnace at the Borough office went out needed replaced.

Heating Unit broke at Mitre Wright Inc on the roof, it was replaced. Roof repair needed, there was a temporary fix to the issue until warmer weather.

XXII. SANITATION

Trucks won't ask to get through if the road is closed. The road crews already told the drivers they would be able to get through the closed road.

9th and Duke, contractors are putting bags out along road which looks like a resident's trash and the resident trash is not being picked up due to this issue. Tom Arnold to review.

XXIII. SEWER

Engagement letter for YARSA with Solicitor. This is for approval for attorney to represent YARSA at the PUC hearings. Deb Smith motioned to approve engagement letter; Seth Hightman 2nd motion all approved.

XXIV. NEW BUSINESS

Agreement for the exchange between Mark Taylor and North York Borough. This exchange includes the smoker originally purchased for the Recreation Committee Events at the park with the Easter Bunny Costume, Turkey Costume, and a gas grill to be used at future recreation events. Seth Hightman motioned to approve contract, Vivian Amspacher 2nd motion, all approved.

Treysta Contract – Upgraded

Speaker system – quote was presented, Vivian Amspacher to look at other options and get more quotes. Tabled to next meeting.

Governor Wolf is trying to mandate Municipalities with and/or without state police service to have to pay for a state police fee. Brittany Reed to start petition as the Borough is not in favor. Council gave her approval to send to Congress/Senate. Seth Hightman made motion to approve, Gary Braham 2nd motion, all approved.

Residents and Council on their own can also write a petition and send it to your Congress/Senate.

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

Ashley Stine inquired why the Borough is spending all this money to seal and audit that they paid for with the Fire Department. Walt Tilley (solicitor) explained the due to it being a criminal matter and everything was handed over to the DA's office it is now up to the DA to make that decision on if they want to release the audit or not. Victim impact statements can be done to compensate the Borough and the Fire Department for appeals from RTK, along with restitution from former Fire Chief Steve Miller. Walt Tilley was directed by council to draft the victim impact statement.

Meeting was Recessed until 7:00pm on February 16th, 2021.

CONTINUED MEETING 2/16/2021

I. CALL TO ORDER

President Richard Shank called to order the regular meeting of the North York Borough Council on February 16th, 2021 at 7:00pm.

II. PLEDGE

III. ROLL CALL

President Richard Shank, Deb Smith, Gary Braham, Vivian Amspacher, Vice President Seth Hightman, and Tina Strine

Absent: Mayor Nancy Brunk

Approval of the January 21, 2021 Special Meeting Minutes – Change wording from renegotiate to negotiate as Vivian Amspacher stated she did not make the statement to renegotiate bids, her comment was made strictly on the structural part of the agreement being negotiated.

Seth Hightman approved as amended, Gary Braham 2nd motion. All other council approved except for Vivian Amspacher did not approve.

Resolution 2021-03 Authorization of the Greenways, Trails, and Recreation Program (GTRP Grant) list of approved officials. Tina Strine made motion to approve Resolution 2021-03, Seth Hightman 2nd motion all agreed.

Update on Grant (DCNR) the building at the park cannot be a part of the current Grant, there are other grants out there to apply for to get renovations done to improve the building.

Vehicle Lease to York City Fire Department of the 1998 KME Engine 1250.

The City currently just wants to lease because their equipment is down. There is no interest in the latter truck from the York City Fire Department. Seth Hightman motioned to approve lease, Vivian Amspacher 2nd motion, all approved.

Discussion on the Plaque Memorial for the Liberty Fire Department. Vivian Amspacher is asking for approval to have one made. The Bell in front of the social hall was discussed as it was originally with the Fire Department. Richard Shank created committee to look at getting the memorial. Committee consists of Seth Hightman, Tina Strine, and Vivian Amspacher.

Reviewed victim impact statement drafted by Walt Tilley. There was discussion on what all should be included in the victim impact statement. Vivian Amspacher did not feel that not charging him for certain charges was inappropriate. Roll Call Vote was done to accept the impact statement as Walt Tilley has drafted, 2 YES / 4 NO (Vivian Amspacher NO, Tina Strine NO, Deb Smith NO, Richard Shank YES, Seth Hightman NO, Gary Braham YES)

Sarah Doyle from Stock and Leader (in place for Walt Tilley) explained the process of the RTK appeals and the OOR process followed.

Vivian Amspacher would like to make a motion to make the audit available to public once the trial of former Fire Chief Steve Miller is over. Tina Strine 2nd motion.

ROLL CALL 5 Yes / 1 NO (Vivian Amspacher YES, Tina Strine YES, Deb Smith YES, Gary NO, Richard Shank YES, Seth Hightman YES)

Council was given a breakdown of what the social hall was making doing events to what the amount of Leasing to Mitre Wright would be. Vivian Amspacher asked about what the cost to take down the wall, what all permits are needed. Tabled to next meeting.

There was discussion over the Liberty Fire Company "Forensic Audit" and why it was conducted.

Discussion on various accusations and general disagreements between public, council, and fire department members. Marty Hoover, Ashley Stine, and Sandra Hinkle were present with discussion as public.

Adjourned Meeting at 8:46pm

Meeting Minutes Submitted by Brittany E Reed