Date: December 8, 2015

Call to Order: North York Borough Council Meeting for December 8, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, and Angie Kaltreider. Also in attendance were Mayor Jerry Duncan, Solicitor John Elliott, and Attorney Mark Evans of Stock & Leader Law Firm.

Appointment of New Council Member: Two residents were interviewed to fill the vacant council seat.

Melvina Clagg stated that she is a homeowner living on N Duke St for the past 15 years. She ran for a council seat in the 2015 elections. She garnered 74 votes in the November election and felt she had the backing of the citizens of North York Borough. She is honest, dependable, has experience in community service as well as bank reconciliation experience. When asked by Mayor Duncan how many meetings she has attended this past year she said she may have missed one or two meetings. He asked her how many years she has been attending meetings, to which she answered about four years on a regular basis.

Douglas Moore stated that he lives on E. 9th Ave. He has knowledge in the financial and economics fields. He works for Graham Packaging and has not been able to attend meetings in the past due to working night shift. He would like to be able to have some impact on his neighbors.

Rick Shank made a motion to accept Melvina Clagg to fill the vacant council seat. There was no second to this motion, therefore motion died on the floor.

Sandra Hinkle made a motion to accept Douglas Moore to the fill the vacant council seat. Park Cunningham second the motion. A roll call vote was taken with the following results:

Tom Kuhn – Yes
Park Cunningham – Yes
Sandra Hinkle – Yes
Vivian Amspacher – Yes
Rick Shank – No
Angie Kaltreider – Yes

With a 5 yes to 1 no vote Douglas Moore was accepted to the fill the vacant council seat.

Sonya Grim swore-in Douglas Moore as the new council member.

Engineers Report: Jeff Spangler called for a motion to adopt the new flood plain ordinance 2015-7. A new ordinance has to be adopted due to new maps and FEMA updates. A motion to adopt Ordinance 2015-7 was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all. Ordinance was signed at this meeting.

Jeff called for a motion to approve paying material costs of $22,229.83 for street repairs. This money comes from liquid fuels funds. A motion to approve paying material costs of $22,229.83 was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Jeff also called for a motion to approve paying the retainer fee to Fitz & Smith for a total of $4,199.72. The breakdown of this total is as follows: $3,626.59 from liquid fuels funds, $564.38 from sewer funds, and $8.75 from general funds. A motion to pay Fitz & Smith $4,199.72 was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Rick Shank asked Jeff about the surveying that is being done in preparation for the adoption of a nonexistent street to be named Front St. He questioned the validity of adopting a street that cannot be used toward securing more liquid fuels funding therefore having no value for the borough. Council President Vivian Amspacher said she felt the street may be of value to the borough in the future. Since ownership of much of this property has not been established, Solicitor John Elliott suggested council wait until they have all the particulars before pursuing the adoption of Front St. Council President Vivian Amspacher tabled the street adoption issue until a later date.

Rick Shank questioned Jeff about the cost to survey Meade St. Jeff said it would be about $1,500 to $2,000. Council President Vivian Amspacher said she was looking at the building situated on property in that area and was hoping to acquire it by eminent domain. Rick Shank said that the less costly way to acquire the building would be by a quitclaim deed. However since ownership of that building and land is also in question no action can be taken about the building at this point.

A motion to have the building in question and Meade St. surveyed was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Jeff said he would need a motion to approve re-advertising the crack sealing bids. He will set-up a meeting with the engineer and a council member to check the streets for the sealing as well as for street repairs for 2016. A motion to re-advertise the crack sealing bids was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

He also said the City of York will be updating the Inter-Municipal Agreement December 16 at 9:30 AM at the Buchart Horn Office.

Executive Session: Council President Vivian Amspacher called for an executive session at 7:33 PM; meeting reconvened at 8:08 PM. The meeting was for personnel issues.

Minutes for November 10, 2015: Council President Vivian Amspacher called for a motion to approve the November 10, 2015 meeting minutes. A motion to approve the meeting minutes was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Minutes for November 17, 2015: Council President Vivian Amspacher called for a motion to approve the November 17, 2015 meeting minutes. A motion to approve the meeting minutes was made by Angie Kaltreider and seconded by Sandra Hinkle. Motion carried by all.

Secretary/Treasurers Report: Harriet Thomas reported that the bottom line sewer fund was $486,028.05 and the monthly expenses for the sewer fund were $76,836.87. She said the biggest expenditure was $61,468.43 which is the quarterly treatment cost plus debt service costs. She also reported that the expenses for the general fund were $79,383.70, the largest portion of that being the police pension payment. The payroll expenses were $5,872.21 for a combined expenditure total of $85,255.91. A motion to approve the general fund and sewer fund reports was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

A motion to approve paying the general fund and sewer fund bills was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Fire Department Report: David Abbott gave the report. He said there were 16 calls for the month of November, 6 of which were within the borough boundaries. There were no serious calls.

There was also no cost from YAUFR. The department is preparing for next year.

He also reported that Santa will be traveling throughout the borough in the fire truck on Christmas Eve.

Solicitors Report: John Elliott opened the sealed bid for the crack sealer from Stewart & Tate which was for $31,234.56. Since this was the only bid received, a motion to accept their bid was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Mayors Report: Mayor Duncan reported that the effort continues to control drug problems in the borough. There is a meeting at the York Learning Center, December 12 called 'Not One More'. There will be presentations and vendors and also they will have about 200 kits of a generic Narcan available. He hopes the fire company will be able to get some of these kits to take with them to their calls. The Mayor reiterated that the drug problem is not going away.

Administrative Assistant Report: Kathy Stahle Hughes reported the Marsh Creek Bridge has been removed from the borough.

The majority of the street sweeping signs have been installed.

The winter newsletter will be going out and she placed a special notation on the mailing side of the letter stating "North York Borough Newsletter" so that people know what they are getting.

She reported that the borough received a letter from their workers comp insurance questioning what they wanted for their coverage next year. A motion to keep their coverage the same as it has been was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Kathy also asked what dates were to be advertised for the 2016 council meetings. It was decided to keep two dates in January; the first date is January 4 to reorganize and the regular council meeting date will be January 12. All regular monthly meetings will be the second Tuesday of the month, with December having a second meeting date listed in the event it is needed for budget purposes.

North York Borough now has a face book page.

Parks & Recreation Report: The annual children's Christmas party will be December 20. Even though the event is for parents and their children, grandchildren are welcome. However all children must be registered to be able to receive a gift.

Public Comment: Tammy Burkins questioned the validity of council member Sandra Hinkle making the motion to introduce Douglas Moore's name for the vacant council seat, since she is a relative of Mr. Moore. Tammy also stated that at the very least Sandra should have recused herself from the voting process.

Bill Jackson of the 600 block of N George St had some questions for Council President Vivian Amspacher. He had requested a meeting to take place between himself and Vivian to discuss some of these issues he had as a resident of North York Borough. He asked Vivian why she would not sit down and talk to him on a one on one basis. Even when he asked Mayor Duncan to be a mediator in the meeting, she refused. She told him she was not comfortable with doing that. He then suggested Sonya Grim as mediator, but Vivian still refused to meet. At this point Mr. Jackson proceeded to air some of his grievances at the public meeting. He was not pleased with her show of

disrespect at the North York Borough Planning Commission meeting for the rezoning of property for apartments; she told him he could not record that meeting, which in fact he could record any public meeting; and he wanted to know why she did not want him on council. He also stated that he did a Right-to-Know request for fuel usage and cell phone expenditures since the borough is paying for these items for the Council President. He feels council should not be using fuel cards, but in fact should have to account for any mileage paid for by the borough. The phone costs should be part of her tax base. Mr. Jackson did address all of council asking why there are not more council members showing up for volunteer work when a project needs to be done. He explained his statement on gunning for someone; if you are gunning for someone you are ready to help them move forward, however if they do not want to move forward then they need to move over. With what has happened in the past he has lost all trust in the council president and he feels it's time for her to move over. He was also unhappy with how she handled the melee after the planning commission meeting, since she left the area stating she was about to call the cops herself. He felt it was her responsibility to address the situation since she is Council President

Council President Vivian Amspacher's rebuttal to Mr. Jackson was that she did not feel the need to meet with him. She also did not have time to meet with him, she has been very busy. She feels they should agree to disagree and leave it at that. She also explained that she told him he could not record a meeting, because she was told he planned on recording the one on one meeting he wanted to have with her. It was not true that she did not want him on council. At this point she did not want to continue the discussion. Tammy Burkins asked how the council president could refuse to meet with a resident of the borough, since she is an elected official. Tammy questioned Mayor Duncan as to whether Vivian knew Mr. Jackson wanted to meet as a resident. He confirmed that he stated that fact to her when he called her to tell her he was asked to act as a mediator. A guest suggested that Mr. Jackson and Council President just get a meeting together and get it over with. Attorney Mark Evans was asked if he could mediate. He said he could, but it needed to be someone everybody was comfortable with. Sandra Hinkle addressed the melee at the end of the Planning Commission meeting stating that Deb Smith was in charge of that meeting. However Bill Jackson pointed out the problem was after the meeting was adjourned and it was no longer the planning commission's responsibility, it was up to council to step in. Angie Kaltreider asked if a council member can attend a meeting as a resident and not as a council member. She was told they can attend a meeting as a resident, but they are a council member until their term is up. Mayor Duncan said the altercation was really on him since he was the one that asked the question that started it, therefore he takes responsibility for what happened.

Charles Anstine of 38 W 9th Ave asked if the borough had a limit on the number of dogs a resident can have. He stated that his next door neighbor at 40 W 9th Ave has nine dogs and the barking and smell in the summer is a problem. He was told to leave a phone number with the Administrative Assistant and they would get back to him. It was not known if the borough had any limit on the number of animals permitted.

A short break was called for at approximately 8:55 PM with the meeting resuming at 9:03.

Unfinished Business: The contract of the payroll processor, Sonya Grim, had been called into question by Council President Vivian Amspacher and was turned over to Attorney Mark Evans to be reviewed. He made some changes to the contract stating the changes were mostly indemnity issues. When Sonya asked to see the new contract Attorney Evans told her he did not have it with him since it was only in draft form. Rick Shank was able to provide her with a copy of the draft that he had received earlier. Attorney Evans stated any changes made were to better protect the borough in the event of problems. Sonya questioned why her own contract was called into question in the first place. Council President Vivian Amspacher said she was told the borough should not do more than a one year contract; Sonya's was for two years; therefore she forwarded it to the Attorney. Sonya said she only works at the behest of the borough. All time cards and time sheets are signed off on by council and any other time charged

to the borough is upon the request of the borough. Also her contract contains the Intuit costs associated with payroll processing. Attorney Evans questioned if she works for any other company or municipality, when she stated she did not, he asked her if she would be willing to become an employee of the borough and accept her pay on a bi-weekly basis the same as the other employees. She said she could probably do that by taking her contract price and splitting it down bi-weekly. She questioned if she would have to work from the borough office or could she still work from home. She was told she could still work from home. Rick Shank asked what Sonya's contracted salary was; she said it came to $4,620. A motion to use $4,620 as the base salary was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all. A meeting was scheduled for December 17 at 11:00 AM at Attorney Evans' office with Sonya Grim, Rick Shank, Vivian Amspacher, and Sandra Hinkle to handle the details.

New Business: Council President Vivian Amspacher asked if anyone had any questions about the 2016 budget. When there were no questions she called for a motion to approve the 2016 budget. A motion to approve the 2016 budget was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

The installation of cameras at the office building as well as the garage is being considered. Council President Vivian Amspacher thought cameras from Sam's Club would not be that expensive. Tom Kuhn was asked for a ball park figure for the cost of cameras. Since he had no time to check on pricing he thought about $1,000 for four cameras. After being informed that the cameras needed to be recording cameras he raised the cost to $1,200. However he could not estimate the installation costs, plus council did not seem to have an exact count of cameras needed. Rick Shank asked if council needed to go through a bidding process or if they could just get quotes for that amount of money. Solicitor Elliott said phone quotes should be OK at that price but they should have three quotes. After checking he discovered the price could go as high at $18,000 before a bidding process needed to take place. This agenda item had to be tabled at this meeting for lack of information on what was really needed.

Radios are going to be installed in all work vehicles. These vehicles have to be able to communicate with each other as well as with the office. Some will be portable, some will be mobile. The cost will be $2,000. A motion to purchase the radios was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

The Vietnamese Church on N George St. asked for permission to put a pedestrian crossing sign out on Sunday mornings during services. They also needed to know that if council approved doing this would the borough provide the sign or did they have to purchase one. Since the borough already has signs that is not an issue, but a crosswalk will have to be painted on the street. Rick Shank suggested the borough have a painting party. A motion to give the Vietnamese Church permission to put out a pedestrian crossing sign Sunday mornings was made by Rick Shank and seconded Sandra Hinkle. Motion carried by all.

Rick Shank asked Council President Vivian Amspacher what is going on with the church at 6th Ave and N Duke St. She stated that the engineer did not approve opening the church to the public. She also stated that John Ray was awaiting paper work from Codes Administrators. She was not sure what that was about. But she felt she was getting conflicting stories, since some people seemed to think the church could be opened and others said it was not ready. Rick asked Kathy Stahle Hughes if she had or had not checked into other codes enforcement personnel, she confirmed she had been asked to make some phone calls. Since there seemed to be so much confusion on whether the church was safe to be open to the public, Rick suggested that a meeting be called between the church's engineer, a church representative, codes administrator, and some council members to find out exactly where everything stood and what can and cannot be done. Mayor Duncan questioned Council President Vivian Amspacher if she "doubted" the engineers the borough had hired. She said she did not know what to believe because of all the conflicting stories about things past and present. Rick Shank again stated that a meeting needs to be held with the engineers to find out what is going on. Gordon Becker said the church had no idea what it was

getting into by trying to repair the church. It was stated they are doing what they can as fast as they can, but they are using a lot of volunteer personnel and it will take time. Vivian Amspacher said she just wanted the church to get open again so the whole thing can be put to rest. It was suggested that council make a motion to get a stamp of approval from their engineers and then have our engineers give their stamp of approval then everyone would know where everything stands. Rick Shank said he used a two by four and a tape measure many times to check to see if that church wall was moving out any further but it never moved, however everyone seemed to think it needed to be repaired, so now we deal with the repair process and when it is done there will nothing to complain about again.

There being no further business, Council President Vivian Amspacher adjourned the meeting at 10:05 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

SPECIAL MEETING

Date: November 17, 2015

Call to Order: North York Borough Council Special Meeting for November 17, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Vice President Rick Shank led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, and Angie Kaltreider. Joyce Teare and Mayor Duncan were not present for this meeting. There was no solicitor present.

A moment of silence was held in respect for Byron Good who passed away November 10, 2015.

New Business: A letter of resignation had been submitted by Joyce Teare. Council President Vivian Amspacher read the letter then called for a motion to accept the resignation. A motion to accept Joyce Teare's resignation was made by Sandra Hinkle (with regret) and seconded by Angie Kaltreider. Motion carried by all.

Comment: Rick Shank questioned why a special meeting was called since council legally had 45 days to accept the resignation which was well within the time frame of the next regular meeting. He felt the special meeting resulted in advertising expenses that could have been avoided if they would have waited until the regular December 8 meeting to accept the resignation. Also by waiting until the December meeting they would have had a total of 75 days to fill the position since the vacancy must be filled 30 days after the acceptance of the resignation. He indicated he felt council was being rushed into filling the vacancy, when in fact there was no legal reason to rush to have it filled because they could have meetings with only six council members present. Council President Vivian Amspacher explained she felt they should advertise in the newspaper that there is a vacancy and wanted to be able to do that as soon as possible.

Melvina Clagg questioned why she could not serve in the position since she had just gone through the process of getting put on the ballot for the 2016 council terms and finished fourth in that election. Harriet Thomas explained that she had only run for the 3 seats that would be vacated in 2016 and this was a new vacancy which was not a part of the election process. Therefore it has to be handled through a letter of intent (application) and then a public interview process and the person applying must be at the meeting for the interview. Nobody is allowed to be interviewed privately as this would be a violation of the Sunshine Act.

It was ultimately decided that to avoid any further advertising costs, they would post a note on the municipal office door, put a message on the North York Borough face book page and the North York Borough website. Sandra Hinkle asked about the Community Courier which everyone agreed to if there was no costs involved. Also word of mouth is a good means of getting the word out. Gordon Becker pointed out the large sign the borough has along North George Street would be a really good place to put a message also.

Rick Shank asked why they could not interview Melvina Clagg at this meeting since she had her letter of intent, and was present at the meeting. Council President Vivian Amspacher said she still wanted to get the word out about the vacancy before anyone was interviewed. Sandra Hinkle said she felt that was not morally correct and they needed to wait until the December 8 meeting. When questioned what was morally wrong with doing the interview she realized she used the incorrected wording saying she meant ethically correct.

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There being no further business, Council President Vivian Amspacher adjourned the meeting at 7:20 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: November 10, 2015

Call to Order: North York Borough Council Meeting for November 10, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott

Executive Session: Council President Vivian Amspacher called for an executive session at 7:01 PM; meeting reconvened at 7:51 PM. The meeting was for personnel issues.

Minutes for October 13, 2015: Council President Vivian Amspacher called for a motion to approve the October 13, 2015 meeting minutes. A motion to approve the meeting minutes was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Secretary/Treasurers Report: Harriet Thomas reported that the bottom line sewer fund was $547,983.34 and the monthly expenses for the sewer fund were $5,283.37. She also reported that the expenses for the general fund were $115,593.03, the largest portion of that being the fourth quarter police coverage payment. The payroll expenses were $5,921.63 for a combined expenditure total of $121,514.66. A motion to approve the general fund and sewer fund reports was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

A motion to approve paying the general fund and sewer fund bills was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

Council President Vivian Amspacher asked Duane Doll (Chairman of the Zoning Board) to explain the 5th Avenue condo situation. Duane explained that when the condominiums were built, the Zoning Board was not advised of the work being done, consequently the five townhouses were built on one parcel of land. This resulted in each condo being sold as a townhouse but minus the land it was situated upon. Along with this problem is the absence of a homeowners association to be responsible for the land. This has resulted in serious hardships for homeowners trying to sell their properties as well as refinancing mortgages. The owners of all five townhouses have signed a request to have the land subdivided into five separate lots giving each townhouse its own land. They have agreed to pay $1000 for any engineering costs involved, with the borough refunding any money not used. A motion to move forward with the subdivision was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Duane also stated that since the situation was in fact the fault of past actions of the borough the plans should be allowed to by-pass the Planning Commission. Engineer Jeff Spangler said this would be OK, his only concern is property access to all underground utilities and he will make sure that there are rights-of-ways in place for all five townhouses. A motion to by-pass the Planning Commission was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

Engineers Report: Jeff Spangler reported the street paving is complete except for a ramp at 2nd Ave. which will be addressed in the spring of 2016. He requested a partial payment of $79,794.66 be made to Fitz & Smith. The breakdown of this payment is as follows: $68,905.29 will be paid from liquid fuels monies; $10,723.13 will be paid from the sewer fund since this repair was necessary due to sewer repairs and $166.25 will be paid from the

general fund for a manhole rim. A motion to approve partial payment to Fitz & Smith of $79,794.66 was made by Rick Shank and second by Angie Kaltreider. Motion carried by all.

The FEMA update will be brought up at the December meeting.

Police Report: Northern Regional Police Chief Mark Bentzel was present at the meeting to address any concerns the residents of the borough may have. He stated the police issues in 2015 are in pace with 2014. He asked the public what issues they felt needed to be addressed. Sheldon McMaster said that heroin use is a serious epidemic and more effort should be put into trying to get it off the streets and also into making people more aware of how rampant the use is. He stated that many times the drug use really starts with using pain killers for one reason or another and develops in heroin use from there. Chief Bentzel said the police are very much aware of the problem and pointed out the fact that his department has used Narcan 20 times this year to reverse overdoses. Police are trying to do what they can, but the general public must be proactive in trying to curtail the problem as well.

He also talked about the problem of cars being broken into and items stolen. His advice is that all neighbors look out for each other and do not store valuables in your car if it is left outside. Mayor Duncan pointed out that sometimes people are reluctant to call police for fear of retaliation.

Vivian Amspacher said Block Watches can be started if anyone is interested. There is information available, but it also requires the commitment of the people. Deb Smith started a Block Watch in her neighborhood several years ago and they do not have a lot of trouble in that area.

Matt Steinkamp questioned how police get probable cause to investigate a situation. Chief Bentzel said he could not go into what steps are taken as a precaution for security.

The Chief also said that if you call police and are afraid of retaliation you can advise the 911 dispatcher you do not want to have the police car respond to your house. You can report problems anonymously, however that makes it difficult to press any charges if a witness is needed. He also said you need to have timely information when making a report. When asked about the use of video cameras, he said they can be used as long as you do not record voices or use them in an invasive manner (recording through a window, etc.). When asked about having a Town hall meeting on heroin he said that it could be done, however it would take time to organize it as it involves several different agencies. It would be after the first of the year.

Mel Clagg said there is a parents drug workshop being held Nov. 17 at LIU.

When council was asked about more street lighting in the borough to help combat crime it was stated that they were looking into available street lighting grants, but then the borough has more costs in maintenance fees which the borough cannot afford.

Fire Department Report: David Abbott gave the report. He said there were 10 calls for the month, 3 of which were within the borough boundaries. There were no serious calls. Also if someone needs a smoke detector please have them contact Liberty Fire Department.

He also reported that there is a Toy Bingo to be held November 15 at the fire house. Advance tickets are $8 and at the door tickets will be $15. Doors open at 12 Noon.

Solicitors Report: John Elliott is working on putting out bids to sell the crack sealer at $28,000 and the cooler at $500. When asked if a municipality was interested in purchasing these items did it have to go out for bid, the

solicitor's answer was no. He called for a motion to advertise for bids to sell the crack sealer and the cooler. A motion to advertise for bids was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Mayors Report: Report Attached.

Administrative Assistant Report: Kathy Stahle Hughes reported all the paperwork is in to have the Marsh Creek Bridge moved. The plan was to move it on Friday November 6, 2015 but she was not sure if that happened.

Kathy also advised that there are webinar training courses available designed to help newly elected or already serving council members understand their duties as council members.

There are also 2 day training seminars through the Pa. Boroughs Association. There will be one in Dauphin County, January 15 & 16; there is one scheduled in Lancaster County, February 5 & 6; and also one scheduled in Adams County, January 29 & 30.

Stock & Leader will also be having training sessions in February for newly elected officials.

Mel Clagg found a training session York City will be conducting for landlords. She wanted to get more information on this training.

Parks & Recreation Report: Rick Shank had a copy of a conceptual plan for Kauffman Park that he had hung on the wall for everyone to see. It would have more basketball court area, as well as a walking path to the rail trail and a better tot playing area and a very pleasing appearance.

The annual children's Christmas party will be December 20 starting at 2 PM.

He was asked about the play equipment that is present at the park currently. It appears unsafe and not very sturdy. He said anything new that would be installed now would have to meet Federal Government standards.

He also stated that during the summer, wiffle ball games are played at the park Sunday nights.

Unfinished Business: Sam Juffe, a representative of ADAR, stated that at a North York Borough Planning Commission meeting November 4, 2015 a recommendation was made to council that the parcel of land known as 92A on 5th Ave. be rezoned from LIC to R2. He asked council to move forward on that recommendation.

Council was very concerned about the apartment complex ADAR was planning to building on the lot fearing the individual apartments would not meet the borough's ordinance as regard to size. Solicitor Elliott explained that they could approve to draft and advertise an ordinance rezoning the parcel to R2. There would then be a public hearing and also input from York County Planning Commission. After that meeting council would then be able to vote to rezone the parcel to R2 or reject the rezoning. A motion to draft and advertise an ordinance changing the zoning to R2 was made by Rick Shank and seconded by Park Cunningham. A roll call vote was taken with the following results: Joyce Teare – No

Angie Kaltreider – No
Rick Shank – Yes
Vivian Amspacher – No
Sandra Hinkle – No
Park Cunningham – Yes
Tom Kuhn – No

With 5 - no votes to 2 - yes vote council rejected drafting and advertising an ordinance to rezone Parcel 92A to R2.

New Business: Request for handicap parking space for Dawn Chambers at 739 N. George St. The request is for the parking space to be at the side of the house on 5th Ave instead of on N. George St. The space must be far enough from the corner however to keep the vehicle from getting hit by large trucks turning the corner. Council had some confusion as to whether the space was allowed to be at the side of the house instead of the front of the house. All other requirements had been met by the requesting party. A motion to approve the handicap parking space after zoning requirements were met was made by Vivian Amspacher and seconded by Rick Shank. Motion carried by all.

Request for handicap parking space for Barbara Hess on 8th Ave. She clarified that the space is for her mother. A motion to approve the handicap parking space was made by Rick Shank and seconded by Vivian Amspacher. Motion carried by all.

Street Sweeping: Council President Vivian Amspacher called for a motion to approve the 2016 street sweeping dates. A motion to approve the 2016 street sweeping dates was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all. A copy of the dates is attached to these minutes.

Messiah UM Church asked if the borough would plow the lower church parking lot during snow emergencies so the lot can be used by the residents of the borough during the emergency. Steve Miller said the borough needed to make sure the church understood it would be done during snow emergencies only. Rick Shank said that would be verified and there would also be a letter of understanding between the church and the borough. A motion to plow Messiah UM Church's lower parking lot was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

There being no further business, Council President Vivian Amspacher adjourned the meeting at 9:35 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: October 13, 2015

Call to Order: North York Borough Council Meeting for October 13, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Angie Kaltreider, and Joyce Teare. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott. Rick Shank was not present for this meeting.

Executive Session: Council President Vivian Amspacher called for an executive session at 7:01 PM; meeting reconvened at 7:28 PM. The meeting was for personnel issues.

Minutes for September 8, 2015: Council President Vivian Amspacher called for a motion to approve the September 8, 2015 meeting minutes. A motion to approve the meeting minutes was made by Joyce Teare and seconded by Sandra Hinkle. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas called for a motion to approve transferring $20,000 from the general fund into the payroll account. A motion to approve transferring $20,000 from the general fund into the payroll account was made by Vivian Amspacher and seconded by Sandra Hinkle. Motion carried by all.

Harriet reported that the bottom line sewer fund was $518,116.40 and the monthly expenses for the sewer fund were $6544.14. She also reported that the expenses for the general fund were $19,532.59 and the payroll expenses were $10,238.43 for a combined total of $29,771.02. A motion to approve the general fund report and pay the bills was made by Angie Kaltreider and seconded by Joyce Teare. Motion carried by all.

A motion to approve the sewer fund report and pay the bills was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Council President Report: Council President Vivian Amspacher reported that there had been some social media complaints about parking in the borough. Some people have suggested using parking lines for vehicles to park between. She explained that this had been looked into several years ago, but the borough would actually loose parking spaces, therefore the idea was abandoned. She also suggested that if anyone sees an illegally parked vehicle, they have the right to call the police themselves, they do not have to go through the borough office.

She also reported that the church under renovations at the corner of E 6th Ave. and N Duke St. has poured concrete footers and as soon as the concrete is properly cured they will be replacing the brick work.

She asked for comments and thoughts on giving a two year contract to Sonya Grim for her work in the borough instead of a one year contract. The contract would include a $20 per month increase plus a $5 per hour increase. It was felt that maybe we should do a one year contract with an option to renew another year. However the $5 per hour increase was a concern. Since this is a budget item for the 2016 budget, it needs to be addressed with some serious thought. It was decided to table the item until next month. Also council members had been given a copy of the preliminary 2016 budget and this would give them a chance to see effects to the budget.

Engineers Report: In the absences of the engineer, Council President Vivian Amspacher gave the report. FEMA floodplain ordinance draft has been submitted for review. It will have to be adopted at the December meeting.

Also the street repair work will be starting the week of October 19.

Fire Department Report: David Abbott gave the report. He said the borough, members of Liberty Fire Company and YAUFR had a very beneficial meeting the past month.

He also reported that there is a Toy Bingo to be held November 15 at the fire house. Advance tickets are $8 and at the door tickets will be $15. Also on October 28 there will be a Cash Bingo held at the fire house and this will be I conjunction with Parks & Recreation.

Battalion Chief John Woods reported there were no charges to North York Borough from YAUFR, for the month of September. He also noted that Liberty Fire Company has six people responding to all calls which is an outstanding number of responders for a volunteer fire company; and David Abbott is responding to 70% of the calls, which is also an outstanding number.

Emergency Management Report: David Abbott said that Lucas Teare has been doing training sessions, but he had no knowledge of anything else to report.

Solicitors Report: John Elliott recommended that the borough retain Jennifer Brown as legal counsel for tax assessment appeal hearings. Her expertise is in municipal tax law and her fee to the borough would be $250 per hour. She would be handling the appeals that involve large amounts of money. He called for a motion to allow Council President Vivian Amspacher to sign a letter of engagement to retain Jennifer Brown as the borough's tax appeals legal counsel. A motion to approve Council President Vivian Amspacher signing the letter of engagement to retain Jennifer Brown was made by Vivian Amspacher and seconded by Sandra Hinkle. Motion carried by all. Letter was signed at this meeting by Council President.

He is also working on an ordinance that would open and then allow the borough to adopt Meade St. between Elk Ave and a street that parallels Elk Ave which would be known as Front St.

Mayors Report: Had nothing to report for the month.

Administrative Assistant Report: Kathy Stahle Hughes is working on some grant writing meetings. She is also working on sewer lien payment plans and the codification of the borough ordinances as well as street sweeping signs.

There will be pedestrian crossing signs placed in the street at 6th Ave and also in the area of Dunkin Donut.

Parks & Recreation Report: October 28 there will be Cash Bingo at the fire house. The Halloween parade & bonfire will be held October 31. The parade will start at the fire house at 5 PM. Action Church will be helping with entertainment for the kids. Trick or Treat night will be held October 30.

New Business: Council President Vivian Amspacher said the borough is looking into purchasing a vehicle for use in the borough during the winter months when the spreader is on the pickup truck. Bill Jackson said he is torn about doing that since it involves extra expense and the borough has the gator it can use to get around if something needs to be repaired.

She also said she needed a motion to approve property surveys on property off of Elk Ave. This need resulted from the sale of property at 351 Meade St. When this property was sold, it was discovered that there was land that was not deeded to the 351 address. The borough solicitor is working on finding the proper boundary lines so Meade St can be opened as well as finding out who owns the surrounding land. The cost of the survey is about $1500. A

motion to have this land surveyed was made by Park Cunningham and seconded by Tom Kuhn. Motion carried by all. If by research of deeds the property lines can be determined the survey would then not be necessary.

There is also a garage type building on a piece of property that is suspected to be owned by the city of York that maybe could be bought for a reasonable amount or leased by the borough for storage. However property ownership must first be established.

Vivian also called for a motion to have Kauffman Park surveyed at a cost of $1500. A motion to have Kauffman Park surveyed was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

She said there is also a small pie shaped piece of land next to the park within the sewer right-of-way that maybe the borough could purchase for around $1500 or maybe even acquire by eminent domain. Again this part of the property ownership problem and the solicitor will need to advise the borough as time goes on.

Vivian Amspacher called for a motion to pay the Liberty Fire Company the volunteer relief fund money. A motion to pay the Liberty Fire Company the volunteer relief fund money was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

Public Comment: Jim Doudrick said that some years ago the borough approached him about clearing some land that had been left to overgrow and was a source of forms of vandalism in the area. In return he would be given the land. The land is between his own property, that of Charlies Repair garage, land of Wolfgang Candy company, and land of Rotz. He has now been informed that this property is really owned by all four abutting land owners, not just himself. He is very upset about this since he has cleared the land four times over the years. He is not interested in owning a small portion of the land and wants the borough to pay him his costs to clear it and they can have the land back. It was explained to him that the borough had in fact signed a quitclaim deed turning the property over. However he did not file the quitclaim deed properly so in essence this turned the property over to all abutting owners. The borough can no longer do anything for him since they have already turned the land over. He was told to have his attorney call the borough solicitor and get the situation worked out.

Sam Joffe, a representative of ADAR Enterprises stated that on October 7 he had taken Vivian Amspacher, Rick Shank and Kathy Stahle Hughes on a tour of the Cityside Apartment complex on E 7th Ave. He wanted them to see the inside of the complex in hopes of getting support for his rezoning request for property ADAR owns on E 5th Ave. This piece of property must be rezoned from light industrial to R2 in order for an apartment complex to be built.

He stated that the property on E 7th Ave brought in $27,000 in tax dollars this year as well as $3200 in inspection fees the first of the year. To the best of his knowledge there have been no police calls to the complex; making it a safe environment. However the objections to another similar complex, is the size of the apartments, which do not meet the borough ordinance of 1000 square foot of space and there is no central air conditioning system. Mr. Joffe stated the borough ordinance cannot be enforced because it does not meet Federal Housing Laws. He cannot install a central air conditioning system and keep the rental fees as low as they are without central air conditioning.

After a question from the public asking why they do not submit the plans to the North York Borough Planning Commission, the Mayor said it was up to council to make that decision, not ADAR. Angie Kaltreider asked what would happen if it went to the commission and council did not like the decision. She was informed that council still has the option to turn down the request. A motion to send the rezoning request to the North York Borough Planning Commission was made by Angie Kaltreider and seconded by Vivian Amspacher. Motion carried by all.

There being no further business, Council President Vivian Amspacher adjourned the meeting at 9:00 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: September 8, 2015

Call to Order: North York Borough Council Meeting for September 8, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott. Park Cunningham was not present for this meeting.

Executive Session: Council President Vivian Amspacher called for an executive session for personnel issues at 7:01 PM; meeting reconvened at 7:58 PM. Council President announced that part of the discussion of the executive meeting was about pay increases for 2016.

Minutes for August 11, 2015: Council President Vivian Amspacher called for a motion to approve the August 11, 2015 meeting minutes. A motion to approve the meeting minutes was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

After approving the minutes it was discovered some corrections had to be made, therefore a new motion was called for. A motion to approve the minutes with proper corrections was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the bottom line sewer fund was $499,016.50 and the monthly expenses for the sewer fund were $35,432.66. Harriet also reported that the expenses for the general fund were $28,521.09. The payroll expenses were $7,211.89 for a combined total of $35,732.98. A motion to approve the general fund and sewer fund reports and pay the bills was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Engineers Report: Jeff Spangler called for a motion to approve Council President Vivian Amspacher signing the Certificate of Substantial Completion for the curb and sidewalk work done by Washington & Dowling. A motion to approve the signing of the certificate was made by Rick Shank and seconded by Joyce Teare. Motion carried by all. Certificate was signed at this meeting.

Jeff also called for a motion to approve the final payment of $4,035.07 to Washington & Dowling to be paid by York County. A motion to approve final payment was made by Vivian Amspacher and seconded by Angie Kaltreider. Motion carried by all.

He also reported the street repair work should start the end of September.

Jeff gave a presentation on the MS4 storm water permit. He stated it is a five year permit, but a yearly report to DEP is required. This is a cooperative effort within York County as doing this on an individual municipality basis would be cost prohibitive. He said there are pamphlets that give good tips on how to help cut down on storm water pollution in the borough office as well as online sites that give helpful information. There is also a form available to report someone dumping anything into storm sewers.

Fire Department Report: Weston Teare reported there were 10 calls for the month of August, 3 of which were in the borough. The year to date total is 125. The fire department is continuing training, with several sessions scheduled for October.

There is to be a book sale held at the Yorktown Business Institute building in September. The books were donated to the fire company by Dr. Murphy. There will also be a toy bingo held in November.

Battalion Chief Dan Hoff reported there were no charges to North York Borough from YAUFR, for the month of August.

Solicitors Report: John Elliott reported that he will continue to work on the storm water permit with Jeff Spangler as needed. He also stated that any proposed sale of the crack sealer which will be a topic of discussion later in the meeting would have to be advertised.

Mayors Report: The Mayor reported that the police budget for 2016 will have a 4.41% increase, or a dollar increase of $12,374.69. He also reported that the Spanish Church is continuing their work to repair the church wall. He stated that through discussion with Mike Laugherman he was told Mr. Laugherman is interested in selling the building that houses the fire company and since everything has been subdivided he can sell the building as a fire station. The Mayor stated that the borough has first chance to purchase the building, after that it will be sold to the next interested party. When asked if that included the parking lot he stated it did not include the parking lot. He also was not given an actual dollar amount as a purchase price. Rick Shank said the borough would have to do a thorough study of next year's budget before considering any such purchase.

A copy of the Mayor's entire report is attached.

Administrative Assistant Report: In the absence of Kathy Stahle Hughes, Vivian Amspacher gave the report. She said that the maintenance contract on the copy machine would remain the same as in the past since any new contract would mean we would have to lease a copier; the borough owns the copier it has now; therefore any savings would be minimal.

There has been some checking done on installing cameras at the park, the most basic camera would cost $13,000 and any high end system would be $27,000.

She also stated that the borough needed to purchase cones and barricades that were four foot high to use to block off parking spaces or traffic areas. This is regulation height. Since the cost of these items was not available a motion was made to purchase 20 four foot cones and material for barricades by Angie Kaltreider and seconded by Sandra Hinkle. Motion carried by all.

Parks & Recreation Report: Rick Shank reported cash bingo is planned for Sept. 23, Oct. 28, Nov. 25, Jan. 27, Feb. 24, and Mar. 23. You must be 18 years of age to play. Doors open at 5 PM at the firehouse.

He said Trick or Treat night will be held Fri. Oct. 30, 6 to 8 PM and a parade and bon fire will be held Oct. 31 at the park.

The Christmas party will be held December 20.

Public Comment: Becky Pritz asked council if the borough could have one of the employees set wild animal traps to trap groundhogs in her yard, since they have become a menace. She stated that some surrounding yards have become weed infested thus attracting the groundhogs. She was told the borough employees can no longer trap

animals due to new laws. You must be licensed to do any trapping other than doing your own individual trapping. Vivian Amspacher said however the weed issue will be looked into.

Unfinished Business: Bruce Wilt, a representative of ADAR Enterprises stated he was there to petition the rezoning of a piece of property on 5th Ave also known as Parcel #92A in the borough. He stated that this parcel is surrounded by R2 zoning to the west and R1 to the north and east, so he felt parcel 92 could suitably be rezoned to R2 and still be an asset to the borough. He stated that ADAR owned this parcel of land about a year and a half and they also own the apartment complex on 7th Ave. They would be looking at building a similar complex on 5th Ave. They were asked if they were willing to abide by the new square footage ordinance and they were also questioned about the square footage of the apartments on 7th Ave. They felt all the apartments on 7th Ave were at least 500 plus square feet each. Solicitor John Elliott explained that if a variance was requested it would have to go to court. A motion to forward the rezoning petition to the North York Borough Planning Commission was made by Rick Shank and seconded by Tom Kuhn. A roll call vote was called for by Council President Vivian Amspacher. The roll call results were: Joyce Teare - No; Angie Kaltreider - No; Rick Shank - Yes; Vivian Amspacher - No; Sandra Hinkle - No; Tom Kuhn – No.

Rick Shank asked what council wanted to do about the rezoning petition. A motion to deny the rezoning request was made by Sandra Hinkle and seconded by Tom Kuhn. Rick Shank voted against denying the rezoning request, therefore the vote was 5 yea and 1 nay. At this point Mr. Wilt said since ADAR owned the property and needed to make use of it, they would pursue building a motel on the property.

New Business: Rick Shank said since they have not been able to get enough people to use the crack sealer to get the cracks in the streets sealed he feels it should be put up for sale. When Karen Wagman asked why they would sell an asset she was told the crack sealer has been sitting idle for some time and is being wasted just sitting in the garage. She said it was purchased with grant money. A motion to advertise the crack sealer for municipal bid and then for private bid if there is no municipal interest was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Rick Shank said there is a company that has expressed interest in renting the sealer. He feels this may be another option that can be taken. He asked the solicitor to check into the feasibility of doing this, keeping in mind it was purchased with grant money. A motion to have the solicitor check into renting out the crack sealer was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

There being no further business, Council President Vivian Amspacher called for a motion to adjourn the meeting. A motion to adjourn was made by Sandra Hinkle and seconded by Joyce Teare. Meeting adjourned at 9:16PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

CORRECTED August 11, 2015 Minutes

Date: August 11, 2015

Call to Order: North York Borough Council Meeting for August 11, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, and Angie Kaltreider. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott. Joyce Teare was not present for this meeting.

Minutes for July 14, 2015: Council President Vivian Amspacher called for a motion to approve the July 14, 2015 meeting minutes. Rick Shank said a correction had to be made to those minutes to clarify that the payment to Washington & Dowling was made by York County and not the borough. A motion to approve the corrected meeting minutes was made by Sandra Hinkle and seconded by Rick Shank. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the bottom line sewer fund was $508,630.64 and the monthly expenses for the sewer fund were $70,700.89; $63,400 of this amount was paid to Wexcon, Inc for the sewer repair work done on 5th Ave in the area of the park. Harriet also reported that the expenses for the general fund were $169,049.24 with $89,610.61 of that expense being the 3rd quarter payment to NYCRP; $10,000 was paid to Recreation as an allotment for their expenses; and a $50,000 payment was made into the sewer fund to start to repay money inappropriately used from that fund several years back. The payroll expenses were $11,197.58 for a combined total of $180,246.82. She explained the Recreation allotment is a new way to handle Recreation's money. The borough will no longer show Rec's budget in the general budget. It will be shown as a one line item and given to Recreation on a basis to be determined, but most likely quarterly. Recreation will be responsible for their own budget and keeping track of their expenses and income. A motion to approve the general fund and sewer fund reports and pay the bills was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Engineers Report: Jeff called for a motion to approve making a payment of $49,353.01 to Washington & Dowling since they are done with the project except for some cleanup. He explained that $4,000 will be withheld until all clean-up is finished. A motion to approve payment to Washington & Dowling of $49,353.01 to be paid by York County was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Jeff updated the solicitor on the FEMA floodplain ordinance, stating that additional language will be necessary and he would get in touch with the solicitor to address this. The updates must be done and approved by the end of 2015. Jeff also stated the Codorus Creek study is not finished and depending on the Army Corp of Engineers determination there could be further updates needed down the road.

Jeff said the street repair work will start after Labor Day with some ramp work being done before then.

Fire Department Report: Steve Miller reported there were 12 calls for the month of July, 3 of which were in the borough. The fire department will be completing their door to door check on smoke detectors. They will also have several training sessions coming up.

Battalion Chief John Woods reported there were no charges to North York Borough from YAUFR, for the month of July.

The borough should continue to mention the smoke detector program in the newsletter.

Council President Vivian Amspacher thanked the fire department for making their appearance at 6th Ave and N. Duke St. when a part of an outside wall collapsed at the church on the corner during construction?

Presidents Report: Council President Vivian Amspacher reported on the construction and subsequent problems with that construction at Iglesia de Dios Church. With the collapse of an outside wall, there was concern as to who could be held responsible if any injuries occurred if there was more collapsing. The Codes Administrator said it would be the engineer's responsibility not the borough. Melvina Clegg asked if the situation was costing the borough any money, Vivian confirmed that an engineer from C.S. Davidson was called and that will be a bill the borough will have to pay as well as some attorney's fee since she had also contacted the borough solicitor for clarification as to who pays engineer charges concerning the church. Rick confirmed that he did call the engineers in to ensure the safety and security. Council could not say how much Davidson would charge the borough. They also said maybe they could charge the church for reimbursement. Gordon Becker asked what has been done. He was told that C.S. Davidson had advised the church on how to support the interior of the church while it was being worked on and that part had been done and that support had held during the collapse of the exterior wall so that has made the church structurally sound for it to be worked on internally. However any external support work was not done by C.S. Davidson but was instead done by the contractor. John Elliott confirmed that the church is responsible for their engineer cost.

Solicitor John Elliott advised council that it is the responsibility of the Codes Administrator to make sure that qualified people are coordinating and supervising any work being done. Rick Shank said they should probably get the Codes Administrator, Jack Graybill and a structural engineer to meet at the church Wednesday and get everything straightened out. It was confirmed that the Codes Administrator can shut the job down until everyone's concerns are met. Angie Kaltreider asked if a time limit could be put on getting the work done so the street can be reopened and everything is safe and back to normal.

A motion to call a meeting August 12, 2015 between the Codes Administrator, Jack Graybill, the job foreman, and church officials and require that the church get a certified structural engineer and give emergency contact information to the fire chief and Jack Graybill was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

It was questioned as to how long Duke Street would be closed to traffic, since school will soon be open and there is a bus stop on that section of Duke Street. Kathy Stahle Hughes will contract the school and notify them of the street closing, the school can decide what they want to do about the bus stop.

A copy of the council president's full report is attached.

Solicitors Report: John Elliott reported that the joint letter between York City and North York Borough dealing with the commercial use of recreational property has been sent out and will be resolved.

Mayors Report: A copy of his report is attached. The Mayor pointed out that the listed items are only a few highlights. There are many more cases worked on each month.

He was very happy to report that there is a proposal to add a laundromat within the Round the Clock Storage building.

Administrative Assistant Report: Kathy Stahle Hughes reported she still needs a few Pa. child abuse and FBI affidavits returned.

The Penn Waste contract can be extended without any changes. A motion to extend the Penn Waste contract was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Mayor Duncan said something should be in the contract to cover situations when the drivers do not stop and pick up someone's garbage. Rick Shank told him to call the office if this situation occurs and they will talk to Penn Waste.

Parks & Recreation Report: Rick Shank reported on the National Night Out Event saying there was a good response to this event. Bounce house and probation department give away were big hits.

He said the next event will be Trick or Treat night which will be held Fri. Oct. 30, 2015 and a parade and bon fire will be held Halloween night, Oct. 31, 2015 at the park.

The vandalism at the park is not as bad as it had been, but a drinking fountain had to be removed due to being constantly vandalized.

An area that has been cleared at the park is larger than was originally expected and may eventually be able to be used as a soccer field.

Also the storage trailer at the park is being painted and will have a mural painted on it.

Council President Vivian Amspacher said that they have started looking into cameras for the park to enhance security.

New Business: Sam Jaffe, a representative of ADAR Enterprises stated he was requesting rezoning on a piece of property on N. Duke St. He was told to fill out an application and submit it to council, which was his purpose for being at the meeting. He explained that he had originally purchased one parcel of land and then subdivided it into two parcels; one parcel contains an industrial building which will remain as such, but the second parcel which is approximately 1.86 acres he wants to rezone from LIC to R2. He was told the Planning Commission would have to look at it then they will advise council on their findings. Council does have the ultimate say as to any rezoning. Council President Vivian Amspacher took exception to turning the application over to the Planning Commission, saying she just got it and wanted to review it herself. She advised Mr. Jaffe that it will take time, since any changes would have to be advertised. John Elliott advised it could be November or later before any decision is made.

The solicitor said there is no legal mandate as to how to rezone property.

Council President said she is concerned about rezoning property from LIC zoning to more residential zoning. Considering that it is one of the last undeveloped LIC lots within North York Borough.

It was again stated it is The Planning Commission's job to look at the application and study the impact of the rezoning.

When Mr. Jaffe was asked about his building plans he hedged saying he would like to get the zoning first before laying out any plans, however he did state he at one time thought of a facility similar to the one he built on 7th Ave. in the borough. He also said the industrial building would probably be used as a storage warehouse.

Council President Vivian Amspacher started to table the rezoning request; however a motion to send the application to The Planning Commission for review was made by Rick Shank but when no other council member seconded the motion Mayor Duncan asked for a show of hands from the council members as to who understood the motion. Everyone said they understood the motion.

Council President then stated the request was tabled for lack of a second on the motion.

Executive Session: Rick Shank called for an executive session at 8:08 PM for personnel issues. The council meeting reconvened at 8:35 PM.

Public Comment: Sheldon McMaster of 607 N. George St. stated that when a fire hydrant was moved from 2nd Ave. and George St. to approximately 25 feet up the street the concrete was cracked across George St. which now makes a very annoying clicking sound as traffic crosses it as well as makes for destabilization of the area. Also the water company left a "speed bump" in the street so as you pull from 2nd Ave onto George St. you wind up hitting that with your tires and this also is a source of unusual traffic noise. He also noted that the light at 2nd and George is on a very short cycle allowing only one or two cars to get through on one cycle and on this particular day the traffic on Albright Ave was so backed up it took forever to get through the light which prompted him to question what all the traffic was about.

Rick Shank said they would have to call Penn Dot (since George St. is a state highway) and the water company about the condition of the street, which Kathy Stahle Hughes was instructed to do on Wednesday. The traffic situation was caused by the school having an in-service day which brought traffic from York and Adams counties and is not going to be a daily routine.

There being no further business Council President Vivian Amspacher called for a motion to adjourn the meeting. A motion to adjourn was made by Sandra Hinkle. Meeting adjourned at 8:48PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: July 14, 2015

Call to Order: North York Borough Council Meeting for July 14, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, and Angie Kaltreider. Also in attendance was Mayor Jerry Duncan. Joyce Teare was not present for this meeting. The solicitor was not present.

Executive Session: Executive session was called at 7:02 PM for personnel issues. The council meeting reconvened at 7:15 PM.

Minutes for June 9, 2015: Council President Vivian Amspacher called for a motion to approve the June 9, 2015 meeting minutes. A motion to approve meeting minutes was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the bottom line sewer fund was $482,095.20 and the monthly expenses for the sewer fund were $19,947.69; $1,879.50 of this amount will have to be repaid from the general fund because the expense was for roll off dumpsters for street sweeping. Harriet also reported that the expenses for the general fund were $29,909.16 with $6,200 of that expense being for a new spreader for the truck to spread anti-skid material this winter. The payroll expenses were $10,170.82 for a combined total of $40,079.98. The borough had to pay an $800 unemployment expense left over from 2012. Council President Vivian Amspacher called for a motion to approve the general fund expenses and the sewer fund expenses and pay the bills. A motion to approve the general fund and sewer fund reports and pay the bills was made by Park Cunningham and seconded by Tom Kuhn. Motion carried by all.

Engineers Report: Jeff Spangler reported on the rebids for the street repairs to be done for 2015. The bids were advertised as time and material. Proposal 1 was time; Proposal 2 was material. On the rebid there were only two bids received for Proposal 1 of the project. The lowest bid was from Fitz & Smith at $68,069.00. Jeff recommended that council approve the bid from Fitz & Smith pending proof of insurance and bond. A motion to accept the bid from Fitz & Smith was made by Rick Shank and seconded by Sandra Hinkle. When the vote ended in a 5 to 1 vote, a roll call vote was called for. The roll call vote results were: Tom Kuhn – Yes; Park Cunningham – Yes; Sandra Hinkle – Yes; Vivian Amspacher – No; Rick Shank - Yes; Angie Kaltreider – Yes.

Proposal 2 (Material) bid price of $26,060 from York Materials Group LLC is a good price but had been tabled at the June meeting, Jeff now asked for council to approve Proposal 2 bid price. A motion to approve Proposal 2 bid price was made by Park Cunningham and seconded by Sandra Hinkle. Motion carried by all.

Jeff reported there were no bids received for the crack sealing project in the borough. Rick Shank advised that they will let that project ride for the time being.

He reported that the 5th Ave. sewer project is finished and asked for a motion to approve paying Wexcon, Inc. $63,400. A motion to pay Wexcon, Inc $63,400 was made by Rick Shank and seconded by Vivian Amspacher. Motion carried by all.

Jeff said that Washington & Dowling was about 45% complete with the 7th Ave project. He called for a motion to approve making a partial payment of $27,313.25 to Washington & Dowling. A motion to approve partial payment to Washington & Dowling of $27,313.25 was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Jeff reported that FEMA updated it maps and the borough will have to update its floodplain ordinance by the end of 2015. A motion to approve updating the floodplain ordinance was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Jeff said the approval letters from DEP and York City Sewer Plant were received for the subdivision at 801 N. Duke St. and therefore the council could sign the plans. Plans were signed at this meeting.

Jeff asked for a motion to approve the repair of the manhole at 7th Ave. and Queen St. by Washington & Dowling at a cost of not more than $600.00. A motion to have Washington & Dowling repair the manhole at 7th Ave. and Queen St. was made by Rick Shank and seconded by Tom Kuhn. Motion carried by all.

Steven Schneider owner of property at 36 E. 8th Ave. asked what the procedure should be to have property damage caused by the contractors doing sidewalk repair in the area addressed. He stated that the contractors used heavy equipment to remove the broken up concrete and thus caused cracks in walls and porches on homes. Jeff said he would contact Mr. Schneider and set up a time to meet with him and see what the issues are and how to address them. It was stated that there are issues with water getting into basements also. Rick Shank said home owners should contact the borough office and place complaints through the office so all issues get addressed. Mr. Schneider stated that the new sidewalks are very nice looking and he had no problem with the finished product.

Fire Department Report: Steve Miller reported there were 17 calls for the month of June. The fire department will be going door to door to check about smoke detectors and provide them if people need them. The next chicken barbeque is in August.

Battalion Chief Jay VanPelt reported there were no charges to North York Borough from YAUFR, for the month of June. Training took place during some demolition at the North Gate Shopping Center with 8 Liberty Fire department volunteers participating.

Solicitors Report: Rick Shank addressed the solicitors answer to the commercial use of park property which is illegal. Resolution 2015-5 authorizes the borough solicitor to take joint action with the York City School District to demand the business use of the property be stopped immediately and all materials be removed from the park area. He asked for a motion to approve Resolution 2015-5. A motion to approve Resolution 2015-5 was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Mayor Duncan addressed the solicitor's answer to the drug paraphernalia issue. The solicitor advised that there are already state laws in existence to take care of drug related issues and that any ordinances the borough would be able to have drafted would be redundant or pre-empt already existing laws.

Rick Shank addressed Act 192 (firearms law). This was ruled unconstitutional & void by the Commonwealth Court, but does not mean we need to re-adopt our gun ordinance. We will just let it ride.

Mayors Report: Mayor Duncan talked more about the drug problem in the borough. He talked about the guy found in the park under the influence of drugs and arrested and the attempted kidnapping of a youngster which was also drug related. He hears people complaining about having to clean the park so their kids can play there, and worrying about used needles thrown around. The residents need to take back the borough by being proactive

on the fight against drugs by calling police when they know or suspect something is going on that should not be. The use and or selling of drugs is not a victimless crime, it results in theft and sometimes death. Due to a new drug the police now have available to them there have been 5 deaths avoided due to drug overdoses. The borough will be putting signs up declaring "Drug Free Areas" but the signs do not give any special legal powers against the drug user or dealer. They will be placed at each end of the borough as well as some areas around schools, churches, and the park. There have been more lights installed at the park to hopefully deter drug dealers. When asked if we could provide programs to give kids more things to do, Rick Shank said he has hopes of doing something next summer, but we need volunteers and we need parents to accompany their children so they know where they are and what they are doing. Mayor Duncan said we need to take control of our borough because if we don't, someone else will.

Administrative Assistant Report: The electronic sign the borough has on North George that was damaged in an accident has been ordered, but the bench that was damaged was out of stock. The costs are covered by insurance.

Parks & Recreation Report: Rick Shank reported on the Fourth of July Event at the park. $464.38 was spent with $182.34 made in profit.

The borough section of the rail trail should be started by the end of this year or the beginning of next.

The rail trail meeting was held at Kauffman Park last month. Vivian Amspacher talked to a woman at that meeting who will be willing to help the borough get recreation grants.

The next event at the park will be National First Night Out which will be held August 4th. The Action Church will be helping again with a bounce house (weather permitting), music, etc. Their presence was appreciated at the Fourth of July event and a thank you note has been sent to them.

Rick Shank asked for a motion to approve transferring $10,000 from the general fund into the recreation fund. A motion to transfer $10,000 from the general fund into the recreation fund was made by Vivian Amspacher and seconded by Angie Kaltreider. Motion carried by all.

New Business: Council President Vivian Amspacher asked for motion to approve a pay rate of $12 per hour for Terry Sterner. A motion to approve a pay rate of $12.00 per hour was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Rick Shank asked for approval to move $50,000.00 from the general fund into the sewer fund to start repaying the debt that the borough incurred by borrowing from the sewer fund. A motion to move $50,000.00 from the general fund into the sewer fund was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Rick Shank addressed the sewer liens. A year ago a dollar amount was talked about for placing a lien on properties with delinquent sewer bills but an amount was never approved. He wants that dollar amount to be $500. If a sewer bill is delinquent by $500 that will be the trigger point for putting a lien on a piece of property. After the lien is placed on the property the property owner must contact the borough office and set-up a payment plan to pay off the outstanding sewer debt as well as keep up current payments. If this is not done or if the payment plan is not followed through with, the water will be shut off and the building becomes uninhabitable. A motion to use $500 in delinquent sewer fees as the trigger point for placing a lien on property was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Rick Shank said some scrap metal had been sold and council had to decide if they wanted the money to go to the recreation fund or the general fund. Vivian Amspacher said it could go directly into the recreation fund if council so desired. A motion to deposit the proceeds in to the recreation fund was made by Sandra Hinkle and seconded Angie Kaltreider. Motion carried by all.

Deb Smith asked if the 900 block of N Duke Street could be blocked to traffic Saturday, August 8th for the block party. This is between Meade St. and 6th Ave. A motion to block the 900 block of N Duke St to traffic August 8th was made by Rick Shank and seconded by Vivian Amspacher. Motion carried by all.

Rebecca Wolfe asked about the handicapped parking space she had in front of her home. She explained that she had asked the borough to let her keep the space and she would bring her check into the office, however the sign was removed and the line painted out before she got her check down to the office. Vivian Amspacher said she was under the impression that Rebecca had relinquished her spot when she found out she had to pay for it, but she would have to check the chain of events to see what happened. Since all the people involved in the situation were on vacation it would have to be addressed the following week. Someone would get back to her when they had an answer.

There being no further business Council President Vivian Amspacher called for a motion to adjourn the meeting. A motion to adjourn was made by Sandra Hinkle and seconded by Angie Kaltreider. Meeting adjourned at 8:21 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: June 9, 2015

Call to Order: North York Borough Council Meeting for June 9, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott.

Minutes for May 12, 2015: Council President Vivian Amspacher called for a motion to approve the May 12, 2015 meeting minutes. A motion to approve meeting minutes was made by Sandra Hinkle and seconded by Joyce Teare. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the monthly expenses for the sewer fund were $63942.11; $28,600 of this amount is for the debt service the borough owes to the city sewer authority. She also reported that next month the borough will owe the sewer authority another $14,000 for debt service due to a miscalculation on the amounts that should have been collected in 2008 and 2010. Rick Shank said that even though the error was not ours we are still responsible for paying the amount owed. Harriet also reported that the expenses for the general fund were $27,435.19 and payroll expenses were $8687.60 for a combined total of $36,122.81. Council President Vivian Amspacher called for a motion to approve the general fund expenses. A motion to approve the general fund report and pay the bills was made by Park Cunningham and seconded by Joyce Teare. Motion carried by all. Council President Vivian Amspacher called for a motion to approve the sewer fund expenses. A motion to approve the sewer fund report and pay the bills was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Engineers Report: Jeff Spangler reported on the bids for the street repairs to be done for 2015. The bids were advertised as time and material. Proposal 1 is time; Proposal 2 is material. There were only two bids received for Proposal 1 of the project. Since both of these bids are high his recommendation is to reject both and rebid the job in hopes of getting more bidders and lower priced bids. Otherwise the borough will have to cut some of the streets to be repaired. A motion to reject both bids and rebid the job was made by Rick Shank and seconded by Joyce Teare. Motion carried by all.

Proposal 2 (this is for the paving material) bid price of $26,060 is a good price and council can table that bid until next meeting.

Council had been questioned about putting an access drive into Kauffman Park from the creek side of the park. This is a decision that must go through the Corp of Engineering and cannot be decided by the borough. Jeff will look into what can or cannot be done.

He will also look into the sidewalk work that is to be done with the block grant money. Some areas have been blocked from parking but no work has been done.

Fire Department Report: Steve Miller reported there were 20 calls for the month of May with 7 of the calls being in the borough. He said the chicken barbeque was a sell out again.

Battalion Chief John Woods reported there were no charges to North York Borough from YAUFR, for the month of May. Volunteers took part in the training program. Also a smoke detector program is being worked on that will have firefighters going to each home and making sure everyone has a working smoke detector.

Vivian Amspacher said she was happy to see that there are young men (teens) showing interest at Liberty fire company.

Emergency Management Report: Lucas Teare said he is working on updating the emergency plan for the borough. Also he will be going to training next month.

Solicitors Report: Solicitor John Elliott called for approval of Ordinance 2015-6. This ordinance revises The Code of Ordinance Book, Section 15-107-3. It increases the fines from $25 to $50 for parking violations during street sweeping or construction. Mel Clagg asked if it would also apply during snow removal, council said that snow removal is different and this ordinance is mainly for street sweeping. A motion to approve Ordinance 2015-6 was made by Sandra Hinkle and seconded by Rick Shank. Motion carried by all. A copy is attached to these minutes.

The solicitor called for approval of Resolution 2015-3. This resolution would terminate North York Borough's participation in the Professional Firefighters Pension Fund. A motion to approve Resolution 2015-3 was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all. A copy is attached to these minutes.

The solicitor called for approval of Resolution 2015-4. This resolution provides for the proper disposition of municipal records. A motion to approve Resolution 2015-4 was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all. A copy is attached to these minutes.

Mayors Report: Mayor Duncan said unlike April, May was not a quiet month. There was a drug related shooting and a burglary at York Tent & Awning. A copy of his full report is attached to these minutes.

The mayor asked if an ordinance could be adopted that would make it illegal to sell any and all drug related paraphernalia within the boundaries of the borough. He stated he wants to be proactive against drugs and drug dealing. He would like to know if there is any way a person charged for drug activity could be held accountable for reimbursement of the police expense for the call. Also can a landlord be held accountable if someone is doing drug activity from their apartment building?

The solicitor will check into what can be done.

Council will check into signs that designate areas as "drug free zones". Also what can be classified as drug free zones?

Bill Jackson stated that his experience has been you cannot get landlords to make sure trash from their property is being picked up, let alone have them take responsibility for drug dealing from their buildings.

Administrative Assistant Report: Kathy Stahle Hughes said the York County Borough Association's quarterly meeting will be held 6:30 PM, June 25 at Lake Williams. The cost is $14.

She also stated that the borough can get a three year contract with Ross Industries at the same cost as this year, which was $3000. This contract is for 3 days at $1000 per day. She needed council to provide a date of service so she can proceed with the contract. It was determined the third week of May would be the street sweeping week for the duration of this contract. Council President Vivian Amspacher called for a motion to approve a 3 year

contract with Ross Industries for street sweeping. A motion to approve the contract with Ross Industries was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

She also asked about the maintenance contract for the copier since our present contract will expire in September. She was told to look into what type of contracts may be available and what the cost will be.

She reported that since the tree was removed from the front of the building there is a problem with carpenter ants. A motion to get 3 bids from exterminators was made by Rick Shank and seconded by Park Cunningham. Motion carried by all.

Harriet Thomas stated that contracts for wildlife and stray dog control should also be looked into. Rick Shank suggested that a committee be formed to look into what is needed for next year for these contracts. Council President did not appoint a committee at this meeting.

Parks & Recreation Report: Rick Shank reported that there will be a Fourth of July Event held at the park. Also the Parks & Recreation committee meeting will be held June 17 at the park.

Kathy Stahle Hughes reported the Rail Trail committee meeting will be held June 16 at the park also.

Public Comment: James McNabb stated he is helping Earl Gibbs with his property at 351 Meade St. He was looking for clarification of the condemnation notice posted on the property. He wanted to know what infractions had to be corrected to have the condemnation lifted. He was given a complete list of what needed to be done by Mayor Duncan with the Mayor offering volunteers from organizations within the borough that could and would help him at no costs to get the conditions corrected. Jack Graybill (Codes Officer) made sure Mr. McNabb and everyone else understood that the unsanitary condition of the property was what was at issue. There is no water to the property due to unpaid bills. Mr. McNabb said the water had been shut off due to water leaks on the property and Mr. Gibbs was trying to prevent water damage to his property. Mr. Gibbs stated he had paid the water bill, but Mr. Graybill said he also needed to pay the sewer bill. If the sewer bill is not paid the water will not be turned on.

Mr. McNabb asked on what grounds the warrant to enter the property was secured. It was stated that a present council member was tasked with taking care of a cat within the property. When the property owner could not be contacted by the person caring for the cat the person went to the codes officer and stated the condition of the property. The person also stated they wanted to quit caring for the cat. The SPCA was contacted about the cat and found the property so deplorable they removed the cat from the property.

When Mr. Gibbs was confronted about what he is going through that he cannot care for the property, he stated that he has been in and out of hospitals and just cannot get things done. Again Mayor Duncan advised that there are volunteers available from the community that will help Mr. Gibbs, but he has to be the one to ask for the help.

New Business: Rick Shank stated that Jack Graybill's computer is very old and in need of replacement. A motion to purchase a new computer for Jack Graybill was made by Joyce Teare and seconded by Tom Kuhn. Motion carried by all.

A request for handicapped parking at 821 N George St. was made by Mary Jackson. Deb Smith questioned handicapped parking on a state road, but there are already two such spaces on N George St. so council feels it should not be a problem, however they will check with Penn Dot before adding a new one. When questioned about the necessary paperwork Kathy was not sure if they had everything necessary. A motion to approve the

handicapped parking at 821 N George St. pending all proper paperwork and approval by Penn Dot was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

A motion to have James R. Holley & Associates advertise for bids to do crack sealing in the borough was made by Rick Shank and seconded by Tom Kuhn. Motion carried by all.

A motion to get bids (not to exceed $2,000) to do an enclosure at the Pump Street property was made by Vivian Amspacher and seconded by Joyce Teare. Motion carried by all.

Terry Sterner was introduced as a temporary part-time maintenance/utility worker for the borough.

Mayor Duncan asked who has been painting the yellow lines for the borough, because they have been doing a fabulous job. He has had a number of people tell him the same thing. He was told the gentleman's name is Todd Taylor.

Rick Shank said the borough was notified that the Spanish Church at 6th Ave and Duke St will be posted as uninhabitable on Monday June 15, 2015 by the codes administrator because they have not followed through with what needs to be done to make it safe.

There being no further business Council President Vivian Amspacher called for a motion to adjourn the meeting. A motion to adjourn was made by Sandra Hinkle and seconded by Angie Kaltreider. Meeting adjourned at 8:15 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: May 12, 2015

Call to Order: North York Borough Council Meeting for May 12, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance was Mayor Jerry Duncan. The solicitor was not present at this meeting.

Executive Session: Executive session was called by Council President Vivian Amspacher at 7:03 PM due to employee issues. The council meeting reconvened at 7:15 PM.

Minutes for April 14, 2015: Council President Vivian Amspacher called for a motion to approve the April 14, 2015 meeting minutes. A motion to approve meeting minutes was made by Rick Shank and seconded by Joyce Teare. Motion carried by all.

Minutes for Special Meeting April 28, 2015: Council President Vivian Amspacher called for a motion to approve the April 28, 2015 Special Meeting minutes. A motion to approve the Special Meeting minutes was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the monthly expenses for sewer fund were $2961.28 with the highest expense being $2077.90 from James R .Holley & Associates to do the engineering to retrofit the Pump St. garage to house the backup generator. The bottom line total in the sewer fund is $514,975.65. She also reported that the general fund expenses were $111,747.54 with the largest amount being the quarterly payment to the Northern York County Police Department of $89,610.61. Also the second quarter $5,000 allotment was paid to Liberty Fire Company. The payroll expense for the month was $16,797.05 for a total monthly expenditure of $128,544.59. Melvina Clegg questioned the tax collector's commission. She was told that the tax collector is paid a percentage of the tax monies he collects. At one time the tax collector was paid as an outside vendor since it is an elected office, but the laws changed and that position is now classified as a borough employee and the commission is paid through the borough's payroll system. The commission is paid as the tax dollars are collected. Council President Vivian Amspacher called for a motion to approve the Secretary/Treasurer reports and pay the April bills. Rick Shank said the sewer fund bills and the general fund bills should be approved separately. A motion to approve the sewer fund report and pay the bills was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all. A motion to approve the general fund report and pay the bills was made by Sandra Hinkle and seconded by Rick Shank. Motion carried by all.

Engineers Report: Rick Shank gave the engineer's report. He said the start of the sewer project on 5th Ave near the park was delayed from last week until Monday May 18.

There will be a meeting Thursday May 14 at 6:30 PM for all those people that will be affected by the block grant improvements. This involves only the people who received letters that their property will be affected. The additional $10,000 requested to cover the entire bid was received except for twenty five cents.

The list of streets that need repairs has been prepared and is ready to be advertised for bid. This is the work that is covered by liquid fuels money. Rick Shank called for a motion to approve advertising road work for bid. A motion

to advertise road work for bid was made by Sandra Hinkle and seconded by Vivian Amspacher. Motion carried by all.

Fire Department Report: Steve Miller reported there were 25 calls for the month of April with 6 of the calls being in the borough. Most of these calls are auto accidents. The year to date calls stands at 73. Rick Shank asked if he had the average number of responders per call, he did not but said it was being worked on.

Battalion Chief Jay Van Pelt gave the report for YAUFR. He reported that there were no charges to North York Borough from YAUFR, for the month of April. He also stated he was very impressed at the timely response of Liberty Fire Co. to a York City fire at 2:30 in the morning.

He also reported the four ISO rating will become effective July 1, 2015.

Emergency Management Report: Joyce Teare gave the report in the absence of Lucas Teare. She stated Lucas had finished his quarterly emergency management training and was revising the emergency plan for North York Borough.

Mayors Report: Mayor Duncan said it was a very quiet month and he had nothing to report.

Administrative Assistant Report: Kathy Stahle Hughes said that Julie Bowers is the contact person for the old bridge that has been sold and she has told Kathy the bridge will be moved by the end of June.

The codes officer has been working on some code violation complaints.

Kathy also asked council to look into adopting a record retention ordinance. This would allow the records to be scanned into the computer and retained as opposed to retaining the paper copies. A motion to prepare a record retention ordinance was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Parks & Recreation Report: Rick Shank reported that there has been work done to the wiffle ball field, trees have been planted around the park and the volleyball net will be put up by the weekend. There has been vandalism to the picnic tables and the playhouse (this is in the form of graffiti) and will have to be painted over. There were also needles found in the park. It was requested by council, that if anyone finds needles while in the park please call Northern Regional Police.

Tom Kuhn said cameras may help catch people doing illegal activities but it was stated that in the past when there were cameras they were vandalized as well. Rick Shank said the borough's security company is looking into options.

Public Comment: Carl Linquist thanked council for their help in resolving his squirrel issue at his home and his daughter Grace thanked them for the Easter egg hunt that she enjoyed very much.

Rebecca Wolfe asked about the parking permit issue for her husband's motorcycle. Rick Shank had not gotten a response back from the police before this meeting. At issue was the owner living on a parking permit only street and having his bike parked there without a permit therefore getting ticketed. Council was not sure how to provide a parking permit for a motorcycle other than the use of some sort of decal. The cost of decals and would people use them were questions left unanswered. The unpermitted ticket in this case was issued in conjunction with a ticket for violating the "no parking for street sweeping" order which lead to another problem for some residents since they claimed they did not get notification of the street sweeping. Council is looking into getting a multi-year

contract with the street sweeping company keeping the times the same each year. Without knowing for sure at this meeting if a multi-year contract was possible any decisions made were contingent on that happening.

Council President Vivian Amspacher called for a motion to put the street sweeping signs back up that had been taken down two years ago if we can get the contract agreement. How the dates would be stated on the signs would have to be worked out. A motion to reinstate the signs contingent on the contract agreement was made by Sandra Hinkle and seconded by Park Cunningham. Rick Shank voted against reinstating the signs. Therefore the vote was 6 yes and 1 nay.

Bill Jackson said that through a company by the name of Embedco you can get 50 stickers for $58.00 for the motorcycle parking permits. Council President Vivian Amspacher asked Kathy Stahle Hughes to look into it.

Deb Smith asked if the borough had a nuisance ordinance. She stated that the Spanish Church on the corner of N. Duke and E. 6th Ave had very loud music playing from about 9 PM until after 2 AM over the weekend. She was advised to call the police if and when a situation like occurs again. It does not have to be late at night either, if something is loud and very disturbing it does not matter the time of day.

Rick Shank also advised that the Spanish church is being worked on and the footer and wall along E. 6th Ave has been stabilized on the inside. The bulge has not gotten any worse than it had been even though people seem to notice it more. He feels it is more noticeable because the sidewalk is blocked off.

New Business: Rick Shank called for a motion to advertise for a part-time employee in the borough to do somethings around the borough and the borough buildings. A motion to advertise for a part-time employee was made by Angie Kaltreider and seconded by Joyce Teare. Motion carried by all.

A motion was made by Rick Shank to advertise raising the fine to $50.00 for illegal parking during street sweeping and seconded by Sandra Hinkle. Motion carried by all.

Rick also said two abandoned cars had been removed during the street sweeping this time.

There being no further business Council President Vivian Amspacher made a motion to adjourn the meeting the motion was seconded by Sandra Hinkle. Meeting adjourned at 8:18 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: April 28, 2015

Call to Order: North York Borough Special Council Meeting for April 28, 2015 was called to order at 7:02 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, and Angie Kaltreider. Joyce Teare was not present for this meeting. Also in attendance was Mayor Jerry Duncan. The solicitor was not present at this meeting.

New Business: Adoption of Ordinance No. 2015-5. This ordinance sets forth regulations for the Business Privilege Tax and Mercantile License Tax Ordinances. The adoption of these regulations allows and regulates independent audits to be done to assure the proper amount of tax is being collected. Kevin Barrett (an independent auditor) was present to answer questions. Mayor Duncan asked who calculates the Mercantile and Business Privilege Tax. Mr. Barrett explained that it is a self-assessed tax in that it is based on the income revenues reported on income tax returns. He also explained that how a business reports certain transactions within their business can affect how much tax they pay. Their reporting may or may not be accurate. This is why it is necessary for a municipality to have regulations in place for an independent audit to be performed. The regulations also assure that the audit is performed uniformly. Mr. Barrett works on a contingency fee basis. If he finds taxes still owed he gets a percentage of that tax; if he does not find anything he does not get paid anything. He also explained that he does the research work, makes reports, then he turns that information over to the York Adams Tax Bureau and Al Timco assesses the information and determines the taxes. All political parties (borough council members) must remove themselves from making any determinations in this area. Mr. Timco will share the results with council.

Rick Shank said they must get a list of all businesses in the borough. Kathy Stahle Hughes said she will start making a list; Mr. Barrett said he will also look at some areas for businesses and also looking at Google can give a good idea of the possibility of a business operating in an area.

Council President Vivian Amspacher called for a motion to adopt Ordinance 2015-5. A motion to adopt Ordinance 2015-5 was made by Rick Shank and seconded by Park Cunningham. Motion carried by all. Ordinance signed at this meeting.

Council President Vivian Amspacher called for a motion to approve Kevin Barrett on a contingency fee basis to audit North York Borough Business Privilege Tax and Mercantile License Tax for 2014. A motion to approve Kevin Barrett to audit 2014 Business Privilege Tax & Mercantile License Tax was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all. Contract signed at this meeting

There being no further business Rick Shank made a motion to adjourn the meeting. Council President Vivian Amspacher adjourned the meeting at 7:43 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: April 14, 2015

Call to Order: North York Borough Council Meeting for April 14, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Vivian Amspacher, Rick Shank, and Joyce Teare. Sandra Hinkle and Angie Kaltreider were not present for this meeting. Also in attendance was Mayor Jerry Duncan. The solicitor was not present at this meeting.

Executive Session: Executive session was called by Council President Vivian Amspacher at 7:02 PM due to personnel issues. The council meeting reconvened at 7:22 PM.

Minutes for March 10, 2015: Council President Vivian Amspacher called for a motion to approve the March 10, 2015 meeting minutes. A motion to approve meeting minutes was made by Joyce Teare and seconded by Tom Kuhn. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported the sewer expenses for the month were $38,642.68; $34,000 of this total was the payment for the Pump Street property for the emergency generator. The amount of the sewer fund at this time is $476,747.52. She also explained that the borough's assessed amount to pay to York City for the year of 2015 for wastewater treatment was $130,323 plus any gallon overages. This is broken down into quarterly payments of $32,581 plus the gallon overages for that quarter. She went on to report payroll costs for March 2015 were $14,399.43 and general expenses were $23,892.25 for a total of $38,291.68 for the month. She again expressed her concern over legal fees being paid to Ream, Carr, Markey & Woloshin law firm. According to their invoice only $1,115.60 of the total of $3,974.60 could be cross referenced with actual work that was requested by the borough. She again cautioned them to be very vigilant of what is being handled through the solicitor. Council President Vivian Amspacher called for a motion to approve the Secretary/Treasurer reports and pay the March bills. A motion to approve the reports and pay the bills was made by Rick Shank and seconded by Park Cunningham. Motion carried by all.

Engineers Report: Jeff Spangler presented the subdivision plan for 801 N Duke St. He explained that the owners had not received their sewer planning modular exemption from the city therefore the plan could not be signed at this meeting. They also have to have the owner's signature corrected on the final plan as well as a statement that they are responsible for all James Holley & Associates engineering fees in connection with this subdivision plan. Jeff suggested that council make a motion that would allow Council President Vivian Amspacher to sign the exemption letter and to approve the subdivision plan contingent on all three conditions having been met. A motion to allow Council President Vivian Amspacher to sign the exemption letter and to approve the subdivision plan contingent on all three conditions having been met was made by Rich Shank and seconded by Joyce Teare. Motion carried by all.

Jeff also had the block grant agreement (curb & sidewalk improvement) that needed to be approved and signed. He had not heard anything back from the county on the additional $10,000 that was requested but we can still move forward with the project. Rick Shank asked if the borough would be allowed to cover the costs if the county does not come through with the money instead of scaling back the project. He was told that could be done as well. A motion to approve and sign the block grant agreement was made by Rick Shank and seconded by Park Cunningham. Motion carried by all. Agreement was signed at this meeting.

He reported the 5th Avenue sewer project will start the first week in May. That is also the week for street sweeping; therefore 5th Ave may have to be skipped by the street sweeper.

Fire Department Report: DJ Abbott reported there were 19 calls for the month of March; 5 of those calls were within the borough and 48 calls year to date.

Chief Robert McCoy gave the report for YAUFR. He reported that there were no charges to North York Borough from YAUFR, for the month of March.

The ISO review is back and the rating is now at a four. This is a very good rating and if people contact their insurance carrier they may be able to get a reduction on their insurance premium.

Contact person on file for Knox Boxes (businesses) is Steve Miller.

YAUFR has entered into an agreement to be EOC for Spring Garden, Springettsbury and Manchester Townships. Chief McCoy pointed out that Lucas Teare has been appointed North York Borough's EOC.

Rick Shank also pointed out that there are 7 members of Liberty Volunteer Fire Department that have over 50% call response. This is something to be very proud of.

Emergency Management Report: Lucas Teare announced that he got his letter of acceptance from the Governor's Office appointing him EOC for North York. Rick Shank said Lucas is the first person to ever have been legally appointed to this position in the borough. Lucas is looking over present plan and revising anything that may need to be updated.

Solicitors Report: Rick Shank said they want to audit the Mercantile Privilege Tax for North York to make sure all businesses are in compliance. They want Kevin Barrett to do the audit; he will only get paid a percentage of any monies he finds that are owed to the borough. If he does not find anything he will not get paid anything. In order to move forward with this, council must adopt Rules & Regulations and this must be done by the end of April 2015 to be able to audit 2014 taxes. Therefore a special meeting must be held which has to be advertised. A motion to approve advertising a Special Meeting for April 28, 2015 at 7 PM was made by Rick Shank and seconded by Joyce Teare. Motion carried by all.

Settlement was paid to Robert Myers $34,000.00 for pump street property.

Mayors Report: Mayor Duncan reviewed his March schedule. A copy of which is attached to these minutes. He pointed out that police calls were down by 43 calls for the month of March compared to 2014. Year to date calls were down 48 calls compared to 2014.

He introduced Terrence Downs who asked to speak to the council regarding some ideas he has for the N. George Street corridor.

Terry said he thinks North York Borough should look at forming some sort of preservation society or committee to preserve the history of the borough. He has experience with preservation committees and he knows if nothing is done to preserve the history it gets lost and then is gone forever. He also has some ideas for street scaping the N George St. corridor and would be willing to work on some conceptual ideas and present them to the council. He would do this on his own time at no cost to the borough. Mayor Duncan asked council to have Terry follow thru with some ideas and then share them with council. Council President Vivian Amspacher agreed that Terry should present some ideas to council.

Administrative Assistant Report: Kathy Stahle Hughes reported the SPCA received 22 stray animals for the month of March and issued ID tags for 5 of them.

She also stated Phase 2 of the rail trail will open April 22, 2015. This is on the north side of Rt. 30. North York side of the rail trail will not open until the end of 2015. They will start working on the ramp. When questioned about the crossing of Willis Run she said there is a plan to use a prefabricated bridge for the crossing. She confirmed the old bridge is still to be removed from the borough.

She read Ordinance 7-210 which clarifies the requirement of Knox Boxes. A copy of this Ordinance is attached to these minutes.

Parks & Recreation Report: Rick Shank reported the Easter Egg Hunt was a success. They had about 80 kids participate.

Also a yard sale is planned for April 25th in the parking lot of Liberty Fire house from 8 AM till 1 PM. Rain date is May 2nd. The fire Company will be selling food.

Deb Smith said Sara Linquist had a nice article published in the newspaper stating how well the Easter Egg Hunt was run.

Rick Shank announced that everyone working with kids on behalf of the borough must have background checks and FBI fingerprinting done. This is at a cost of $48 per person. This includes anyone on Parks & Recreation and the Volunteer Fire Department. If you are involved in both areas, one background check and one fingerprinting will cover both. Ruth Duncan said her church was told if the volunteer had lived in the state of Pennsylvania for 10 years they did not have to be fingerprinted. Rick Shank said the borough solicitor said the borough should have everyone fingerprinted. You must apply for your background check on line; you can do that in the borough office. The fingerprinting is done at the old Central High School on E. 6th Ave. There is also a new location in West Manchester Twp.

Public Comment: Bill Jackson said that if anyone had some free time it would be appreciated if they could come down to the borough garage to help organize the area. Rick Shank and he are doing it, but they could use help. Rick Shank said there appears to be a lot of missing tools. This conclusion was reached judging the size of the tool box compared to the number of tools housed in it. Vivian Amspacher said often tools were not put back in their proper space after use, this is being corrected. Also there are privately owned tools there that must be removed or at least marked as to the rightful owner. After May 1, 2015 all tools will be labeled North York Borough unless marked with the rightful owner's name.

Terry Downs asked about the yellow lines at the street intersections. Some of them are so worn off that people are parking too close to the corners. The borough plan at this time is to have the lines repainted by the end of 2015. Rick Shank also advised that you can be ticketed for parking too close to the intersection even if the yellow line is not present. The clearance is based on footage not the presence of a yellow line. Terry also reported the parking of cars the wrong way on W 9th Ave and Chapel Drive. Mayor Duncan will talk to Northern Regional Police about that problem.

Unfinished Business: Rick Shank said the borough needed to pay for repairs to a gate owned by Brian Bupp of W. 9th Ave. The gate was damaged by the snow plow in the March snow storm. The borough is responsible for the deductible in the event of property damage. The cost of the repair is $551. A motion to pay for the repair of Mr. Bupp's gate was made by Park Cunningham and seconded by Joyce Teare. Motion carried by all.

New Business: A motion was made by Vivian Amspacher to send Kathy Stahle Hughes to a grant writing class and seconded by Rick Shank. Motion carried by all.

Council President Vivian Amspacher called for a motion to turn on the electric at the Pump St. garage. A motion to turn on the electric at Pump St. was made by Joyce Teare and seconded by Tom Kuhn. Motion carried by all.

Rick Shank reported that a letter has been composed to be sent out to all non-profit entities to ask for a contribution in lieu of taxes. It will state the assessed value of the property and the taxes that would have to be paid if they were not non-profit. A motion to move forward with the letter was made by Rick Shank and seconded by Tom Kuhn. Motion carried by all.

Introduction of Resolution 2015-2 appointing the zoning board. A copy of Resolution 2015-2 is attached. It appointed Duane Doll to a three year term; Alan Kearney to a two year term; Richard Emswiller to a one year term; and Todd Ruppert to a three year Alternate term. Effective immediately. A motion to approve Resolution 2015-2 was made by Rick Shank and seconded by Joyce Teare. Motion carried by all.

A motion was made to approve and appoint Weston Teare and Melissa Shirey to the Planning Commission by Park Cunningham and seconded by Tom Kuhn. Motion carried by all.

Mayor Duncan swore both appointees into office at this meeting.

A handicapped parking space has been requested at 927 N Pine St. It has been checked for compliance. They will need to pay a $45 fee. A motion to approve the handicapped parking space at 927 N Pine St. after payment of the fee was made by Rick Shank and seconded by Joyce Teare. Motion carried by all.

Handicapped parking in the borough is being looked at. There are about 20 spaces in the borough but only 3 applications on file that have paid a $15 renewal fee. A spreadsheet is going to be made to start tracking the handicapped parking. It will track location, how long the space is to be a handicapped space and who has the right to park in a particular space.

Rick Shank called for a motion to accept the lowest bid to remove the oak tree in the front yard of the municipal building. He was questioned why it was being removed and he explained it is dying and becoming a problem. A motion to accept the lowest bid to remove the tree was made by Park Cunningham and seconded by Joyce Teare. Motion carried by all.

The borough wants to purchase lids for the recycling bins to help prevent litter from blowing over the streets. Prices were gotten from Fitzgerald were the bins were purchased. One hundred lids are $6.00 a piece and over one hundred the price would ~~$5.50~~ 4.95 a piece. A motion to purchase lids for the recycle bins was made by Rick Shank and seconded by Tom Kuhn. Motion carried by all.

Bill Jackson asked about security at the borough garage. He feels that the alarm system should be used so that they have better control over who is using the building. A motion to use the alarm system at the garage was made by Vivian Amspacher and seconded by Tom Kuhn. Motion carried by all.

Rick Shank said it was mandatory they get the electrical engineering done to get the new emergency generator moved and operational at the Pump St. garage. A motion to do the engineering was made by Vivian Amspacher and seconded by Rick Shank. Motion carried by all.

As a result of the executive session a motion to give a $1.00 per hour raise to Kathy Stahle Hughes was made by Rick Shank and seconded by Vivian Amspacher. Motion carried by all.

There being no further business. Meeting adjourned at 8:53 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: March 10, 2015

Call to Order: North York Borough Council Meeting for March 10, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Angie Kaltreider, and Joyce Teare. Rick Shank was not present for this meeting. Also in attendance was Mayor Jerry Duncan. The solicitor was not present at this meeting.

Borough Council President Vivian Amspacher & Liberty Volunteer Fire Chief Steve Miller presented York City Fire Chief David Michaels with a plaque thanking him for his years of service to the borough.

Executive Session: Executive session was called by Council President Vivian Amspacher at 7:02 PM due to personnel issues. The council meeting reconvened at 7:17 PM.

Minutes for February 10, 2015: Council President Vivian Amspacher called for a motion to approve the February 10, 2015 meeting minutes. A motion to approve meeting minutes was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that the auditor's report stated that the sewer fund expenditures have to be approved at the council meeting along with the general fund expenditures, so a new report has been generated. She went through the sewer expenditures line item by line item to explain the costs on an individual basis. Since this was the first sewer fund report for the year it contained two months of expenses for a total of $50,351.75. The amount of the sewer fund at this time is $491,177.70. There will be an additional $34,000 coming out of that fund to pay for the Pump St. property that was secured by eminent domain for the purpose of housing the back-up generator for the sewer pump. She went on to report payroll costs for February 2015 were $4,729.26 and general expenses were $111,445.65 for a total of $116,174.91 for the month. She explained that the $89,610.61 expense is the first quarter payment for police coverage. Without this cost the expenses for the month would have been $26,564.30. She then expressed her concern over legal fees being paid to Ream, Carr, Markey & Woloshin law firm. Year to date their costs are $11,361. Since they are the borough's solicitors and handle the borough's routine legal issues their costs are driven by the council members themselves. She suggested that council devise a method to track what is going to the solicitor and may therefore be able to better monitor themselves as to what they are requesting. This could be a tool used to lower costs by deciding if they are doing things in an efficient manner. Council President Vivian Amspacher called for a motion to approve the Secretary/Treasurer reports and pay the February bills. A motion to approve the reports and pay the bills was made by Joyce Teare and seconded by Angie Kaltreider. Motion carried by all.

Engineers Report: Jeff Spangler reported the bids are back for the block grant (curb & sidewalk improvement) of $75,000. The lowest bid was from Washington & Dowling for $84,975.25. This leaves a shortfall of $10,000. He went on to explain that council can request the additional $10,000 from the county through a formal request if they wish to do so or just scale back on the project. When asked by Vivian Amspacher how to make the formal request, he said he had a form letter that he will make available to Kathy Stahle Hughes to do the request. If the additional $10,000 is secured the entire project will be done, if not he will get back to the borough and then they will decide which part of the project to drop. The contract is already written to take this into account. Council

President Vivian Amspacher called for a motion to accept Washington & Dowling bid of $84,975.25. A motion to accept the bid was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Jeff also had the annual progress report for MS4 which council needed to accept and sign. This is in regard to the Chesapeake Bay pollution reduction plan. Council President Vivian Amspacher called for a motion to accept and sign the report. A motion to accept and sign the report was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all. Report was signed at this meeting.

Fire Department Report: Steve Miller reported there were 9 calls for the month of February.

Battalion Chief Jay Van Pelt gave the report for YAUFR. He reported that there were no charges to North York Borough from YAUFR, for the month of February.

Also the IPads are up and running; there will be more outside training starting since the weather is improving and they are awaiting the ISO review.

Emergency Management Report: Nothing to report at this meeting

Solicitors Report: Council President Vivian Amspacher called for a motion to adopt the dog tethering ordinance. A motion to adopt the dog tethering ordinance was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all. Ordinance signed at this meeting.

Council President Vivian Amspacher called for a motion to accept a resolution that will allow SPCA officers Melissa Smith and Nicole Boyer to enforce the ordinance. A motion to accept this resolution was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Council President Vivian Amspacher called for a motion to amendment the snow removal ordinance. The amendment would change the removal time from 12 hours after the storm ends to 24 hours after the storm ends. A motion to amend the snow removal ordinance was made by Joyce Teare and seconded by Tom Kuhn. Motion carried by all.

Council President Vivian Amspacher called for a motion to approve an agreement between the Borough and Robert Myers for Mr. Myers to have all his personal effects removed from the Pump St. property by March 31, 2015. A motion to approve the agreement between the Borough and Robert Myers was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Council President Vivian Amspacher called for a motion to approve a check in the amount $34,000 to be paid upon receiving a signed settlement agreement with Robert Myers. A motion to approve a $34,000 check was made by Angie Kaltreider and seconded by Tom Kuhn. Motion carried by all.

Council President Vivian Amspacher called for a motion to authorize her to sign a settlement agreement. A motion to authorize Council President to sign a settlement agreement was made by Sandra Hinkle & seconded by Park Cunningham. Motion carried by all.

Council President Vivian Amspacher called for a motion to approve advertising the 2014 audit report. She explained that after the report is advertised in the paper it will be available in the office for inspection. A motion to advertise the audit report was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all.

Municipal Liens: Council President Vivian Amspacher said the solicitor was questioned about the procedure for obtaining a lien for any work done by the Borough on a property to remedy a nuisance. She read the answer: All

such Borough work that is unpaid by an owner is a municipal claim eligible for a municipal lien against the property. The lien must be filed within six months of the date of completion of the work. The Borough would also have the option to seek a money judgement from the owners through a civil action to get a money judgment if the Borough would not want to wait for a sale of the property in order to collect payment.

It is hoped that will give the Borough a faster turnaround on money spent doing this type of work,

Mayors Report: Mayor Duncan reviewed his February schedule. A copy of which is attached to these minutes.

Administrative Assistant Report: Kathy Stahle Hughes reported there is a public meeting scheduled March 25, from 4-6:30 PM at the West Manchester Township Building. The topic is Regional Storm Water Authority Feasibility Study.

The borough has received a check from the Pa. Treasurer's Office of unclaimed property for $650.

Parks & Recreation Report: Bill Jackson reported the Easter Egg Hunt for ages 1 thru 12 will be held April 4th. Setup starts at 8 AM with the egg hunt starting at 9:30 AM.

Bill reported a flag pole and a flag have been secured for the park at no cost to the borough. This will be put in place when the weather permits.

Also a yard sale is planned for April 25th in the parking lot of Liberty Fire house from 8 AM till 1 PM. Rain date is May 2nd.

There is a plan to put in horseshoe pits this summer.

Public Comment: Deb Smith stated that there is a property for Sheriff's sale on the east side of Duke St. that now has an unprotected swimming pool in the back yard. The people moved out and took the fence that protected the pool area. Vivian Amspacher asked Kathy to tell Jack Graybill Wednesday morning.

Snow removal was again an issue. This time it was mainly the manner in which plowing was handled. Since there was a snow emergency issued people were expecting that all snow emergency routes would be cleared curb to curb. However W. 9th Ave. was not plowed due to a buildup of ice underneath the snow. With the snow left in place cars had a better chance of gaining traction to get in and out of parking areas along the curb. Another issue was that the snow emergency declaration was not posted on news media until two hours after it was officially declared even though the media was notified early in the day. This was an obvious break down in communications and will be checked into. It was stated that maybe the borough could post the Snow Emergency procedure in a prominent area of the website in the fall of each year so everyone can read it and be familiar with it. This will not work for declaring the snow emergency however because the person doing the website is not always available and many of the elderly do not have computers. There was an issue about facebook postings which led Council President to remind everyone whether they are working for the borough or on their own time they need to be mindful of what they post in public social media. Brian Bupp who lives on W. 9th Ave said his gate facing the alley in the rear of his property was damaged when snow was plowed against it. He said they always plowed it before but never pushed snow against the gate. He was told to give his name and phone number to Kathy and he will be contacted. The snow covered sidewalk on the corner of E. 6th Ave and Duke St. at the church parking lot was questioned. Since the borough used that area to dump excess snow from the streets there will be no citations issued. There are several areas in the borough where this has taken place. The people were reminded that the borough has very limited equipment and all the people working snow removal are employed at full time jobs elsewhere. They have done a good job with the snow removal overcoming many obstacles.

New Business: Council President Vivian Amspacher called for a motion to approve Joe Madzelan as a technical assistant for code administrator inspections. A motion to approve Joe Madzelan as a technical assistant for code administrator inspections was made by Sandra Hinkle and seconded by Park Cunningham. Motion carried by all.

Council President Vivian Amspacher called for a motion to approve the 2015/2016 Anti-Skid Purchase Agreement with Manchester Township. A motion to approve the agreement was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

Council President Vivian Amspacher reported that the sewer ordinance (Chapter 18) was reviewed by the solicitor and he could not find anything that required an unimproved lot to hook up, or to charge a property for sewer that is not connected. The ordinance presumes that charges will begin when a permit application is made (connection charge) and maintenance and billing charges commence when the connection is made.

Park Cunningham asked to speak before the meeting was adjourned. He wanted to thank North York Borough for the flowers that he received upon the death of his son. He was very appreciative of the gesture.

Council President Vivian Amspacher called for a motion to approve the new Employee Handbook. A motion to approve the Employee Handbook was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

There being no further business. Meeting adjourned at 8:33 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: February 10, 2015

Call to Order: North York Borough Council Meeting for February 10, 2015 was called to order at 7:03 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance was Mayor Jerry Duncan. The solicitor was not present at this meeting.

Mark Bentzel, Chief of Police for Northern Regional Police Department visited this meeting to give visibility to the department as well as give the public or council the chance to ask questions of him or his department. He started out by thanking council for the improvement in administration and/or council that now makes sure our bills are paid in a timely fashion making for a better rapport between the police department and the borough.

He summarized the number of calls for 2014. There was a total of 1546 calls which was 32 calls less than 2013. The calls included violent crimes, property damage, alcohol related, vehicle accidents, traffic violations, ordinance violations as well as traffic stops that resulted in warnings only.

Chief Bentzel was asked who would be at fault if a bicycle rider runs a stop sign and gets hit by a vehicle. He explained that the bicyclist would be in violation of the traffic code in that they are required to stop at a stop sign just like a vehicle is required to stop; however the insurance companies assign the "at fault" responsibility.

He was also asked about the legality of letting a car running while unattended. He said this is in fact an illegal practice.

He was asked about the department's policy on ticketing illegally parked vehicles. He said that a lot of parking violations are afforded a blind eye unless a complaint is filed or it causes an unsafe condition for other motorists.

He was asked about driving a jeep without doors on it. He said that is definitely illegal. You cannot get a vehicle inspected without doors therefore it cannot be driven on the highway.

When questioned about suspected illegal activity, he said to give any information that can be safely gathered to him or the Northern Regional Police office.

New Business: Melissa Smith, Director of York County SPCA was present to answer any questions about the dog tethering ordinance North York Borough is planning on enacting. Council President Vivian Amspacher read parts of the ordinance to the guests. She asked that the high temperature allowance for dogs to be tethered outside be reduced from 90 degrees to 80 degrees. She called for a motion to advertise the dog tethering ordinance after the temperature change has been made. A motion to advertise the corrected dog tethering ordinance was made by Joyce Teare and seconded by Angie Kaltreider. Motion carried by all.

A question was raised about the existence of a leash law. Mayor Duncan explained that the law states the dog must be under control at all times. However that condition is met is acceptable.

Snow removal on sidewalks is an issue. Mayor Duncan asked people to make a list of neighbors who cannot do snow removal themselves due to physical impairment. This list could be given to churches in the area that have volunteer groups that would be very happy to go to those homes and clear sidewalks. Sidewalk clearing became a real issue for the date of Friday, January 30, 2015. Due to a snowstorm leaving several inches of snow early in the

day and then again a dusting to an inch or two later in the same day, it became confusing which storm people were charged with for not having cleared the sidewalk. Additionally some people thought they had twenty four hours instead of twelve hours and also felt it should be twenty-four hours. Some people also felt the codes enforcement officer was over zealous in ticketing people. Council informed the people the codes officer was told to make sure people had their sidewalks cleared within the twelve hour period. The enforcement of this ordinance has been very lacks over the years, but the borough must enforce it for the safety of all citizens, especially children and the elderly. Rick Shank asked the guest if they preferred the ordinance be changed to a twenty-four period, the answer was yes. A motion to change the ordinance to a twenty-four period was made by Rick Shank and seconded by Angie Kaltreider. Motion carried by all. This change must be advertised before the ordinance can be changed. However, no ticketing will take place before twenty-four hours.

Also due to the confusion of the January 30th storms, a motion to void those tickets and refund any money already paid was made by Rick Shank and seconded by Tom Kuhn. Motion carried by all. Rick Shank reiterated that regardless of the amount of time allotted, the snow removal ordinance will be enforced after the allotted time expires. The codes officer has a camera to take pictures of the infraction and will be doing so.

Executive Session: Executive session was called by Council President Vivian Amspacher at 7:55 PM due to personnel issues. The council meeting reconvened at 8:30 PM.

Minutes for January 13, 2015: Council President Vivian Amspacher called for a motion to approve January 13, 2015 meeting minutes. A motion to approve meeting minutes was made by Joyce Teare and seconded by Angie Kaltreider. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that payroll costs for January 2015 were $4,609.37 and general expenses were $21,196.33 for a total of $25,805.70 for the month. Council President Vivian Amspacher called for a motion to approve the Secretary/Treasurer report and pay the January bills. A motion to approve the report and pay the bills was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Rick Shank said the auditors were in the office the week of Feb. 2 - Feb. 6 doing the 2014 audit. We should have a report by the end of February. He thanked the administrative staff for helping prepare the paperwork for the auditors.

Engineers Report: Council President Vivian Amspacher said the bids came in for the 5TH Ave sewer project. A motion to accept Wexcon, Inc. as winning bidder was made by Rick Shank and seconded by Park Cunningham. Motion carried by all.

Fire Department Report: Steve Miller reported there were 20 calls for the month of January. 17 calls were borough calls and 3 were outside calls.

Chief Robert McCoy gave the report for YAUFR. He reported that there have been no charges to North York Borough from YAUFR, since Liberty responded to all their calls and met all needs on those calls. He said this was basically a $19,000 savings based on the agreement in place. Liberty was congratulated for their diligence and dedication to the community.

He reported the maps have been converted to a PDF file. They can now be accessed through the IPads. Liberty has their IPads.

They are evaluating training for the men.

As part of the PRIDE program the firefighters will be going door to door the month of April to make sure everyone has a working smoke detector.

ISO rating at this point is Class 5. After an ISO review he is hoping to get to Class 4.

The fire department received a State grant of $12,348 which was used for the purchase of a thermal energy camera.

Emergency Management Report: Nothing to report at this meeting.

Solicitors Report: Council President Vivian Amspacher called for a motion to adopt Ordinance 2015-1. This ordinance repeals the North York Borough gun law. This is to ward off any lawsuits that may arise in the future about gun laws. A motion to adopt Ordinance 2015-1 was made by Rick Shank and seconded by Joyce Teare. Motion carried by all. Mayor Duncan pointed out that you still have to have a carrying permit to carry a gun conceled.

Council President Vivian Amspacher called for a motion to adopt Ordinance 2015-2. This is the Chesapeake Bay ordinance and is a carryover from 2014 due to a timing factor. A motion to adopt Ordinance 2015-2 was made by Angie Kaltreider and seconded by Sandra Hinkle. Motion carried by all. Ordinance was signed at this meeting.

Mayors Report: Mayor Duncan reviewed his January schedule. A copy of which is attached to these minutes.

He asked council about their stance on the purchase from Laugherman of the current firehouse. Council said that is a topic for discussion in later 2015.

Administrative Assistant Report: Kathy Stahle Hughes reported she is working on year-end recycling report & grants as well as state municipal reports.

Parks & Recreation Report: Rick Shank reported the Easter Egg Hunt will be held April 4th. Also a yard sale is planned for April 25th in the parking lot of Liberty Fire house from 8 AM till 1 PM. Rain date is May 2nd.

He is still looking for some trees to be planted. He is also trying to get a flag pole, maybe from a veterans association.

The pavilion roof needs to be replaced this year. All volunteers are welcome.

Public Comment: Jennifer Clancy spoke to the group. She is running for District Judge covering Spring Garden Township, West York Borough & North York Borough. She is putting herself before the public so people know who she is; what she stands for and what her past and present experience is that would make her a good candidate for the position. She does have the support of all five township commissioners.

Unfinished Business: A motion to adjust the fee schedule for dormitories/rooming houses from $250 to $350 was made by Rick Shank and seconded by Vivian Amspacher. Motion carried by all.

New Business: Rick Shank said that if anyone was aware of any street projects needing to be done, bring it to the attention of the borough.

Gordon Becker said E. 6th Ave between Queen St. and Elk Ave was shot and needed replacing.

A question was raised about handicap parking permits. If a resident pays for a handicap parking space in front of their home, but another handicap licensed vehicle parks there is there something that can be done about this situation. Rick Shank said they are in the process of attaching a number to each handicap space and identifying that space to a specific car. Then any other vehicle parking there is in violation of the handicapped parking even though they are a handicapped licensed vehicle.

A question was asked about going to permit parking for everyone. The idea being that each house would be given a certain number of parking spaces. If they had more cars than they had spaces they would have to park in an unnumbered area. Rick Shank said there are not near enough spaces to do something like that. It would be totally unenforceable.

Street sweeping for 2015 was addressed. It will be done once this year, but it takes up front planning and a time line is not available at this point. But there will be plenty of notification before sweeping begins.

There being no further business, a motion to adjourn was made by Park Cunningham and seconded by Rick Shank. Motion carried by all. Meeting adjourned at 9:13 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary

Date: January 13, 2015

Call to Order: North York Borough Council Meeting for January 13, 2015 was called to order at 7:00 PM by Council President Vivian Amspacher.

Pledge of Allegiance: Mayor Jerry Duncan led council and guests in the pledge of allegiance.

Roll Call: Roll call was taken by the secretary with the following in attendance: Tom Kuhn, Park Cunningham, Sandra Hinkle, Vivian Amspacher, Rick Shank, Angie Kaltreider, and Joyce Teare. Also in attendance were Mayor Jerry Duncan and Solicitor John Elliott.

Executive Session: Executive session was called by Council President Vivian Amspacher at 7:03 PM due to personnel issues. The council meeting reconvened at 7:40 PM.

A motion to offer an additional $4,000.00 for the Pump Street property was made by Rick Shank and seconded by Angie Kaltreider. Motion was carried by all. This brings the total offer in at $34,000.00.

Council President Vivian Amspacher called for a motion to advertise an ordinance to repeal the North York Borough gun law. A motion to advertise the ordinance was made by Sandra Hinkle and seconded by Tom Kuhn. Motion carried by all. This action is being taken to protect the borough from having a lawsuit brought against them due to having a gun ordinance in their codes.

A motion to re-advertise the ordinance to join a regional CBPRP was made by Vivian Amspacher and seconded by Sandra Hinkle. Motion carried by all.

A motion to increase snow removal driver and rider pay by $0.50 was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Council wants to have sidewalk snow removal fines set on a graduating scale. $25 for first offense; $50 for second offense; $75 for third offense. The solicitor will check on whether we need an ordinance or if this can be done with a resolution.

Minutes for December 9, 2014: Council President Vivian Amspacher called for a motion to approve December 9, 2014 meeting minutes. A motion to approve meeting minutes was made by Sandra Hinkle and seconded by Joyce Teare. Motion carried by all.

Secretary/Treasurers Report: Council President Vivian Amspacher asked for the Secretary/ Treasurer report. Harriet Thomas reported that payroll costs for December 2014 were $9,380.08 and general expenses were $11,178.09 for a total of $20,558.17 for the month. Rick Shank reported that the total 2014 budget was overspent by 3.5%. Also the $87,000 that was budgeted to be transferred from the sewer fund to general fund was never touched. At present there is some money available to be put into the sewer fund to start paying back our debt to that fund. Council President Vivian Amspacher called for a motion to approve the Secretary/Treasurer report and pay the December bills. A motion to approve the report and pay the bills was made by Rick Shank and seconded by Sandra Hinkle. Motion carried by all.

Fire Department Report: Steve Miller reported there were 7 calls for the month of December and 162 calls year to date that were responded to. There were 52 calls in North York Borough for 2014. Vivian Amspacher and Rick Shank both expressed gratitude to the fire department for the many hours of service.

Battalion Chief Jay Van Pelt gave the report for YAUFR. He reported the aerial maps for the borough are finished. Map books are done & will be put on a PDF file.

They are working on a HazMat refresher course. They are also checking the certifications of the Liberty Firefighters to see if anybody needs to be recertified in any area. They will be visiting borough residents through their PRIDE program. This is a fire prevention program. They check to make sure you have a smoke detector and provide you with one if you do not have one.

Emergency Management Report: In the absence of Lucas Teare, Council President Vivian Amspacher reported there is a seminar Saturday, February 7 at 9 AM for **all** elected officials, managers, and emergency management coordinators. This is held at the County Control Center.

Mayors Report: Mayor Duncan reviewed his December schedule. A copy of which is attached to these minutes.

Don Record introduced himself as the Pastor of Action Church. The church is entering into a long term lease agreement for the building that previously housed the Belmont Club. They are an outreach church supporting charities and community efforts.

Administrative Assistant Report: Kathy Stahle Hughes reported she is waiting for information from the PA treasury department about unclaimed property. They do have the borough's paperwork.

The sale of the old bridge is moving along.

Everyone working for the borough must complete an on-line study program called NIMS ICS-700. It must be done by March 1, 2015. It is a FEMA program and will help us get grants. Kathy will help anyone who needs help. Call her and set an appointment time.

Also everyone must fill out a State Ethics Commission report and turn it into Kathy.

New Business: A motion to add a spreader to the big truck was made by Rick Shank and seconded by Park Cunningham. Motion carried by all.

A motion to approve the 2015 Fee Schedule was made by Rick Shank and seconded by Joyce Teare. Motion carried by all. A Storm Water Planning Engineer's fee has been added to the schedule for 2015.

Council President Vivian Amspacher called for a motion to approve all 2015 meeting dates for the borough. Motion to approve the dates was made by Sandra Hinkle and seconded by Angie Kaltreider. Motion carried by all.

DATES ARE AS FOLLOWS: Council Meeting – 2nd Tuesday of each month
Recreation – 3rd Wednesday of each month
Planning – 1st Wednesday of each month (as needed only)
Zoning – 2nd Thursday of each month (as needed only)

COMMITTEE APPOINTMENTS: Kathy Stahle Hughes will attend York/Adams Tax Bureau meetings.
Fire Chief – Robert McCoy, Jr
Deputy Fire Chief – Steve Miller
Assist. Fire Chief – David Abbott

A motion to approve contracted positions was made by Vivian Amspacher and seconded by Sandra Hinkle. Motion carried by all.

CONTRACTED POSITIONS: Solicitors – Gavin Markey of Ream, Carr, Markey & Woloshin LLP
Stock & Leader
Engineer – James R. Holley & Associates
Auditor – Kochenour, Earnest, Smyser, & Burg
Financial Consultant – Sonya Grim (contract signed at this meeting)

Council President Vivian Amspacher called for a motion to approve the animal control contract with Mary Harris at $17.00 per hour and $0.55 per mile which is an increase of $0.50 over last year's contract and Ellis Wildlife contract at the same rate as last year. A motion to approve the animal control contracts was made by Angie Kaltreider and seconded by Tom Kuhn. Motion carried by all.

Rick Shank said that he and Kathy Stahle Hughes will be meeting with the auditor to close out fire fighter's pension.

Parks & Recreation Report: Rick Shank reported that the Christmas Party went very well.

There being no further business, a motion to adjourn was made by Sandra Hinkle and seconded by Joyce Teare. Motion carried by all. Meeting adjourned at 8:20 PM.

Respectfully Submitted

Harriet C. Thomas

Harriet C. Thomas
Secretary