

MINUTES

WEST YORK BOROUGH COUNCIL - MONDAY, MARCH 17, 2008

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. BY PRESIDENT MAUCK FOLLOWED BY PRAYER AND PLEDGE TO THE FLAG. MEMBERS PRESENT WERE MR. MAUCK, MR. MUMMERT, MS. METZLER, MRS. LAIRD, MR. WILSON AND MR. HUNTER. MR. LARKIN WAS ABSENT. ALSO PRESENT WAS SOLICITOR MacNEAL, ENGINEER TREGLIA AND MAYOR FIRESTONE.

PUBLIC COMMENT PERIOD

DONALD NICKLOW, BARRY SHEPP AND TONY STABILE, REPRESENTATIVES FROM THE YORK COUNTY VIETNAM MEMORIAL COMMITTEE, WERE PRESENT TO FAMILIARIZE COUNCIL ON THE PROJECT AND REQUEST THEIR SUPPORT. A 16' VIETNAM WAR VETERAN MONUMENT WILL BE ERECTED INSIDE THE YORK FAIR AREA AND THE REPRESENTATIVES EXPLAINED THE FUNDRAISING ASPECT. THE COMMITTEE IS OFFERING VARIOUS SHIRTS (BEARING THE PROJECT NAME), COINS, PINS, ETC. AS WELL AS THE PURCHASE OF A BRICK FOR A \$100 DONATION. MR. MAUCK STATED THAT HE WILL PERSONALLY SUPPORT THIS PROJECT WITH A DONATION AND THE BOROUGH SHOULD CONSIDER THIS AS WELL. COUNCIL THANKED THE COMMITTEE FOR THEIR PRESENTATION.

MINUTES OF THE PREVIOUS MEETING

ON MOTION BY MS. METZLER SECONDED BY MR. MUMMERT AND AGREED, THE MINUTES OF THE PREVIOUS MEETING (3/3/08) WERE APPROVED AS PRESENTED.

ENGINEER'S REPORT

THE ENGINEER'S REPORT IS ATTACHED AND BECOMES A PART OF THESE MINUTES.

ON MOTION BY MS. METZLER SECONDED BY MR. MUMMERT AND AGREED, A CHANGE ORDER TO THE 2007 SEWER MAINTENANCE CONTRACT FOR \$964.70 WAS APPROVED, FOR SHORT RUNS THAT WERE MISSED BY THE CONTRACTOR VIDEO PIPE SERVICES, INC.

ON MOTION BY MR. MUMMERT SECONDED BY MS. METZLER AND AGREED, COUNCIL REQUESTED THAT THE ENGINEER PREPARE COST ESTIMATES ON THE SANITARY SEWER REPAIRS UNDER THE STATE ROUTE (PROJECT).

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ON MOTION BY MS. METZLER SECONDED BY MR. WILSON AND AGREED, THE FOLLOWING PROJECTS WERE APPROVED FOR BID PREPARATION IN THE 2008 STREET IMPROVEMENT PROJECTS – POPLAR STREET FROM HOKE TO HERMAN \$38,185 AND ORANGE STREET FROM CLINTON TO SUMNER STREET \$20,955.

SOLICITOR'S REPORT

THE SOLICITOR REQUESTED AN EXECUTIVE SESSION FOLLOWING THE MEETING ON A POLICE PERSONNEL MATTER WITH THE NEED TO RECONVENE THE MEETING AFTER THE SESSION.

THE SOLICITOR WILL BE FORWARDING LETTERS TO THE PROPERTY OWNERS WHO HAVE NOT RESPONDED TO CODE INSPECTION LETTERS.

POLICE AND PUBLIC SAFETY

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, THE CURFEW ORDINANCE WAS APPROVED AS ADVERTISED. MS. LAIRD VOTED NO.

ON MOTION BY MS. METZLER SECONDED BY MR. MAUCK AND AGREED, THE REVISED SKATEBOARD ORDINANCE WAS APPROVED AS ADVERTISED. MR. HUNTER VOTED NO.

DONNA BOTTERBUSCH, 981 E. CANAL ROAD, DOVER WAS PRESENT AND REQUESTED TO BE RECOGNIZED FOR COMMENT AT THIS TIME. SHE STATED THAT ALTHOUGH SHE DOES NOT RESIDE IN THE BOROUGH, SHE STRONGLY SUGGESTS THAT THE BOROUGH DOES NOT ADOPT THE CURFEW ORDINANCE CONTAINING THE DAYTIME CURFEW AS THIS IS BEING REVISITED BY THE COUNTY AND OTHER MUNICIPALITIES. MR. MAUCK THANKED MS.

BOTTERBUSCH FOR HER INPUT HOWEVER STATED THAT THE ORDINANCE IS ADOPTED AND HE IS CONFIDENT WITH THE CONTENTS AT THIS TIME.

MS. METZLER BRIEFED COUNCIL ON THE STATUS OF THE ECRIN PROGRAM. MR. MAUCK THANKED MS. METZLER FOR HER TIME IN ATTENDING MEETINGS FOR ECRIN AND VOLUNTEERING HER TIME IN AN EFFORT TO INCLUDE BOROUGH RESIDENTS IN THE PROGRAM.

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MR. MAUCK REPORTED THAT THE EASTER BUNNY FIRE TRUCK RIDE WILL BE HELD ON SATURDAY, MARCH 22, FOLLOWED BY THE EGG HUNT AT SHELLY PARK. HE STATED THAT MS. METZLER HAS ALWAYS PARTICIPATED AS MRS. BUNNY AND THIS YEAR HE WILL BE MR. BUNNY.

FIRE, CODE ENFORCEMENT AND HIGHWAY

MR. WILSON REPORTED THAT THERE IS A LICENSED SNOWMOBILE TRAILER WHICH HAS BEEN HOUSED (UNUSED) IN THE HIGHWAY SHED SINCE THE 1970'S. AS THE HIGHWAY DEPARTMENT HAS NO USE FOR IT, HE MADE A MOTION TO GIVE IT TO THE FIRE POLICE FOR USE IN TRANSPORTING TRAFFIC CONES, THE MOTION WAS SECONDED BY MR. MAUCK. MRS. LAIRD INQUIRED WHAT THE COST WOULD BE TO GET THE TRAILER UP AND RUNNING. MR. WILSON STATED THAT OTHER THAN THE TIRES NEEDING CHECKED, THERE SHOULD BE NO COST INVOLVED. THE VOTE ON THE MOTION WAS UNANIMOUSLY APPROVED.

MR. WILSON REPORTED THAT THE CODE ENFORCEMENT COMMITTEE REVIEWED THE INSPECTION MATTER INVOLVING KAROL FEESER'S BEAUTY SHOP. THE COMMITTEE RECOMMENDS THAT THE REQUIREMENT FOR LIGHTED EMERGENCY SIGNS BE WAIVED, AS THE ORIGINAL ZONING DECISION ON THIS BUSINESS APPROVED DAYTIME HOURS ONLY. THIS RECOMMENDATION WAS APPROVED ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED.

MR. WILSON STATED THAT WHEN MRS. FEESER HAD THE INSPECTION DONE ON HER BEAUTY SHOP, CCIS ALSO INSPECTED HER HOME WITH AN ADDITIONAL \$50 INSPECTION FEE. THE COMMITTEE AGREED THAT IT WAS NOT THE INTENT OF COUNCIL TO HAVE THIS TYPE OF PROPERTY INSPECTED, ONLY THE BUSINESS USE AS STATED IN THE ORDINANCE. THIS PROPERTY IS AN OWNER OCCUPIED

SINGLE FAMILY DWELLING AND THIS TYPE OF DWELLING IS NOT TO BE INCLUDED IN THE INSPECTION PROGRAM. ON MOTION BY MR. WILSON SECONDED BY MS. METZLER AND AGREED, A \$50 REFUND WILL BE REQUESTED FOR MRS. FEESER FOR THE DWELLING. THE SOLICITOR SUGGESTED THAT A COPY OF THE MINUTES BE FORWARDED TO COMMONWEALTH CODE INSPECTION.

MR. MAUCK REQUESTED THAT MR. WILSON SCHEDULE A PUBLIC MEETING FOR THE CODE INSPECTION MATTERS, CCIS MAY BE INTERESTED IN ATTENDING IF THEY SO DESIRE. MR. WILSON WILL WORK ON SCHEDULING AND REPORT AT THE NEXT MEETING

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ED WASHINGTON, PRESENT IN THE AUDIENCE, ADVISED COUNCIL THAT THEY MAY USE THE FIRE HALL FOR THE TOWN MEETING, HE WILL ALSO NEED A DATE FOR SAME.

PARKS/RECREATION, ZONING, BUILDINGS AND GROUNDS, SEWER

MR. MAUCK REPORTED THAT MR. MUMMERT WILL REPLACE MR. WILSON AS CO-CHAIR FOR THIS COMMITTEE AS MR. WILSON HAS A FULL SCHEDULE.

MR. MAUCK NOTED THAT MR. MUMMERT SHOULD LOOK INTO WHAT AMOUNT OF MULCH WILL BE NEEDED FOR THE PLAYGROUNDS THIS YEAR AND LOOK INTO FINDING A CONTRACTOR TO INSTALL PLAYGROUND EQUIPMENT WHICH IS CURRENTLY IN STORAGE AT THE PARK.

FINANCE AND GRANTS

MR. MAUCK REPORTED THAT PRELIMINARY PLANS ARE IN THE WORKS FOR A POCKET PARK AT 1135-37 W. KING STREET THROUGH THE HOUSING ALLIANCE OF YORK. MR. MAUCK STATED THAT THIS WILL BE A MEMORIAL PARK FOR FALLEN HEROES (POLICE AND FIRE). THE PARK WILL BE DEDICATED TO TRU BARTON, THE CHILD KILLED IN THE FIRE AT 1226 W. KING STREET. MR. MUMMERT NOTED THAT ANOTHER CHILD WAS KILLED BY AN AUTO IN THIS BLOCK. THE MAYOR STATED THAT HIS NAME WAS CODY BRILLHART. ON

MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, THE POCKET PARK WILL BE DEDICATED TO TRU BARTON AND CODY BRILLHART.

MR. MAUCK REPORTED THAT A REQUEST HAS BEEN RECEIVED FROM TANA DELLINGER, 151 S. HIGHLAND AVENUE FOR SIGNS TO BE POSTED IN FRONT AND IN THE REAR OF HER PROPERTY "BLIND CHILD AT PLAY", AS HER VERY YOUNG SON IS BLIND. MR. MAUCK STATED THAT IF THE REQUEST IS GRANTED, A FEE SIMILAR TO THE H/C SPACE (\$25) WOULD SEEM APPROPRIATE. THE COMMITTEE WILL FORWARD THE INFORMATION TO THE ENGINEER FOR INPUT AS HIGHLAND IS A STATE ROUTE.

MAYOR'S REPORT

MAYOR FIRESTONE REPORTED THAT ACCORDING TO THE POLICE DEPARTMENT, THEY ARE HAVING A PROBLEM WITH CHILDREN PLAY BALL IN THE

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STREETS AND ALLEYS, SPECIFICALLY USING PORTABLE BASKETBALL HOOPS. THE MAYOR SUGGESTED THAT THE RECREATION COMMITTEE LOOK INTO INSTALLING ADDITIONAL BASKETBALL HOOPS AT SLAGLE PARK. MR. MAUCK STATED THAT THIS IS A GOOD IDEA AND POSSIBLY ALL PARKS COULD BE CONSIDERED FOR ADDITIONAL HOOPS.

MR. MAUCK WOULD LIKE ANY VIOLATORS (BALL IN STREET) TO BE GIVEN A COPY OF THE ORDINANCE BY THE POLICE DEPARTMENT AS A WARNING PRIOR TO ISSUING ANY FINES.

THE MAYOR RECEIVED AN INVITATION FROM THE VFW #8951 FOR BOROUGH OFFICIALS TO PARTICIPATE IN THE MEMORIAL DAY PARADE AND ACTIVITIES. ANYONE WHO IS INTERESTED SHOULD ADVISE THE MAYOR IN ORDER TO PREPARE VEHICLES FOR THOSE RIDING IN THE PARADE.

MAYOR FIRESTONE AT THIS TIME PERFORMED THE SWEARING IN OF PARTTIME POLICE OFFICER CHARLES SNYDER.

KAROL FEESER THANKED COUNCIL FOR THEIR HELP IN HER CODE ENFORCEMENT MATTER.

INVOICES FOR PAYMENT

ON MOTION BY MS. METZLER SECONDED BY MR. MUMMERT AND AGREED, THE FOLLOWING INVOICES WERE APPROVED FOR PAYMENT:

GENERAL FUND \$107,202.05

ADJOURNMENT

MR. MAUCK ADJOURNED THE MEETING AT 8:08 P.M. TO BE FOLLOWED BY EXECUTIVE SESSION ON PERSONNEL MATTERS. THE MEETING RECONVENED AT 8:35 P.M.

ON MOTION BY MS. METZLER SECONDED BY MR. MUMMERT AND AGREED, JUSTIN SEIBEL'S REQUEST FOR FMLA WAS APPROVED (CHOICE OF ORDER BY MR. SEIBEL ON TIME PERSONAL DAYS, COMP TIME, VACATION) EFFECTIVE 2/26/08 WITH AN UPDATE IN 30 DAYS, BASED ON A CALENDAR YEAR.

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ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, DONALD RUTH WILL BE GRANTED SIX MONTHS OF PAID HEALTH COVERAGE, PER HIS REQUEST, FOR THE SIX MONTHS FOLLOWING HIS RETIREMENT DATE AT THE COMPLETION OF 39 YEARS OF SERVICE TO THE BOROUGH.

MR. MAUCK ADJOURNED THE MEETING AT 8:38 P.M. UNTIL MONDAY, APRIL 7, 2008 AT 7:00 P.M.

RESPECTFULLY SUBMITTED,

*KATHY L. ATLAND, SECRETARY
WEST YORK BOROUGH COUNCIL
MONDAY, MARCH 17, 2008*