

MINUTES
WEST YORK BOROUGH COUNCIL - MONDAY, MAY 5, 2008

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M.FOLLOWING A CODE INSPECTION HEARING ON JR'S TAVERN, 1204 W. MARKET STREET. MEMBERS PRESENT WERE MR. MAUCK, MR. WILSON, MR. HUNTER, MR. LARKIN, MRS. LAIRD, MR. MUMMERT AND MS. METZLER. ALSO PRESENT WAS SOLICITOR MacNEAL AND MAYOR FIRESTONE.

PUBLIC COMMENT PERIOD

THERE WAS NO ONE PRESENT FOR COMMENT.

PRESIDENT'S OUTSTANDING SERVICE AWARDS

PRESIDENT MAUCK PRESENTED THE OUTSTANDING SERVICE AWARDS FOR MARCH AND APRIL, 2008 AS FOLLOWS:

KEN WELSH - OUTSTANDING FOR HIS VOLUNTEER WORK WITH THE COMMUNITY IN THE BLOCK WATCH PROGRAM.

MICHAEL MENDEZ - OUTSTANDING FOR HIS WORK ON THE BIKE PATROL PROGRAM.

CHARLES ZIENKIEWICZ - OUTSTANDING FOR HIS DESIRE TO HELP IN COMMUNITY ACTIVITIES SUCH AS THE TREE PLANTING AT SLAGLE PARK ON EARTH DAY.

WEST YORK BOROUGH POLICE DEPARTMENT - OUTSTANDING FOR THEIR EXTRA EFFORTS IN PAINTING THE POLICE OFFICE.

WEST YORK/RELIANCE FIRE DEPARTMENT (COMPANY) - OUTSTANDING FOR THEIR ACTIVITIES TO RAISE MONEY TO IMPLEMENT A SMOKE DETECTOR PROGRAM FOR THE BOROUGH RESIDENTS.

THE AWARD CERTIFICATE AND PINS WERE DISTRIBUTED BY PRESIDENT MAUCK AND HE EXPRESSED HIS APPRECIATION TO THE RECIPIENTS.

MINUTES OF THE PREVIOUS MEETING

ON MOTION BY MS. METZLER SECONDED BY MR. MUMMERT AND AGREED, THE MINUTES OF THE PREVIOUS MEETING (4/21/08) WERE APPROVED AS PRESENTED.

SOLICITOR'S REPORT

ON MOTION BY MS. METZLER SECONDED BY MR. WILSON AND AGREED, THE ORDINANCE CREATING THE OFFICE OF BOROUGH MANAGER WAS APPROVED FOR ADVERTISEMENT. THE SOLICITOR STATED THAT THE DUTIES IN THE ORDINANCE AND JOB DESCRIPTION MIRRORS THE ADMINISTRATOR POSITION WITH THE ADDITION OF BONDING REQUIREMENTS AND RESIDENCY LANGUAGE.

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THE SOLICITOR REQUESTED AN EXECUTIVE SESSION ON A COLLECTIVE BARGAINING ISSUE.

POLICE & PUBLIC SAFETY

MR. MAUCK PRESENTED A PROCLAMATION RECOGNIZING THAT MAY IS BIKE MONTH AND THAT MAY 24TH IS BIKE SAFETY DAY WHICH WAS ADOPTED ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED. MR. MAUCK REPORTED THAT A BIKE RODEO WILL BE HELD IN THE FIRST BLOCK OF N. CLINTON STREET ON MAY 24TH WHICH WAS COORDINATED BY OFFICER MENDEZ AND WILL PARTNER WITH THE YORK COUNTY SHERIFF'S DEPARTMENT (BRIAN COPENHAFFER).

MR. MAUCK PROPOSED INCREASING PARKING TICKET FINES AS FOLLOWS:

METER FINES - \$15 FROM \$5 IF PAID WITHIN 48 HOURS; TOO CLOSE TO CROSSWALK, NO PARKING ZONE, DOUBLE PARKING, TOO FAR FROM CURB, BUS/CAB ZONE, TOO CLOSE TO INTERSECTION, WRONG DIRECTION, TOO CLOSE TO STOP SIGN, FIRE LANE ZONE - ALL FROM \$15 TO \$20.00; FIRE HYDRANT, ON SIDEWALK, PRIVATE PROPERTY FROM \$15 TO \$30; SPECIAL EVENT FROM \$20 TO \$30 AND HANDICAPPED ZONE FROM \$15 TO \$50. MR. WILSON AND MR. HUNTER FELT THAT THE HANDICAPPED SPACE FINE SHOULD BE INCREASED TO \$100-\$125. A ROLL CALL VOTE, AFTER A MOTION BY MR. LARKIN, SECONDED BY MR. MAUCK ON \$50 FOR THE HANDICAPPED ZONE RESULTED IN FIVE NAYS, MR. MAUCK AND MR. LARKIN VOTING IN FAVOR OF. MOTION DID NOT CARRY.

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, ALL FINES WERE INCREASED AS STATED ABOVE WITH THE EXCEPTION OF

HANDICAPPED PARKING ZONE FINES WHICH WILL BE FOLLOWED UP ON AT THE NEXT MEETING (SOLICITOR CHECKING ON).

FIRE, CODE ENFORCEMENT & HIGHWAY

MR. WILSON REQUESTED AN EXECUTIVE SESSION (TO INCLUDE CHIEF FEESER) ON A PERSONNEL MATTER.

MR. WILSON REPORTED THAT THE FIRE COMMITTEE HELD THE PUBLIC MEETING ON THE CODE ENFORCEMENT PROGRAM WITH COMMONWEALTH CODE INSPECTION SERVICE REPRESENTATIVES IN ATTENDANCE.

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, A STUDY WILL BE MADE TO HAVE THE WEST YORK FIRE COMPANY RESUME THE PROPERTY MAINTENANCE CODE ENFORCEMENT PROGRAM UNDER ORDINANCE 497 AND ALLOW

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COMMONWEALTH CODE INSPECTION SERVICES TO COMPLETE THEIR CONTRACT WITH THE BOROUGH FOR 2008 WITH THE UNDERSTANDING THAT THE BOROUGH FIRE DEPARTMENT WILL RESUME THE PROGRAM THEREAFTER. THE BOROUGH WILL ALLOW COMMONWEALTH CODE INSPECTION SERVICES TO BE CONTRACTED TO PERFORM THE UCC CODE ENFORCEMENT AND CONSTRUCTION PERMIT INSPECTIONS. THE MOTION ALSO INCLUDES THAT THE FIRE DEPARTMENT WILL RESUME THE CODE ENFORCEMENT PROGRAM UNDER A REVAMPED ORDINANCE 497 AND THE PAID FIRE DRIVERS BE ALLOWED TO DO INSPECTIONS UNDER ORDINANCE 367 THUS ELIMINATING THE NEED FOR A HOUSING INSPECTOR. MR. HUNTER AND MRS. LAIRD VOTED NO. MRS. LAIRD STATED THAT WHEN THE BOROUGH ATTEMPTED TO HAVE THIS DONE BY THE FIRE DEPARTMENT PREVIOUSLY, THE PROGRAM DID NOT WORK.

STEVE HERMAN, PRESENT IN THE AUDIENCE, REQUESTED THAT COUNCIL CONSIDER A THIRD PARTY INSPECTION SERVICE RATHER THAN DO THE PROGRAM WITH BOROUGH EMPLOYEES DUE TO THE IMPACT OF THE SANCHEZ DECISION.

PARKS/RECREATION, ZONING, BUILDINGS AND GROUNDS, SEWER

MR. MUMMERT REPORTED THAT THE LIGHTS AT SHELLY PARK WERE MALFUNCTIONING HOWEVER THE PROBLEM WAS SOLVED, LIGHTS HOWEVER AT SLAGLE PARK ARE IN NEED OF REPLACEMENT.

ON MOTION BY MR. MUMMERT SECONDED BY MR. MAUCK AND AGREED, THE HIGHWAY DEPARTMENT WILL REMOVE THE BASKETBALL POST ADJACENT TO THE TEACHERS PARKING LOT AT SLAGLE PARK.

MR. MUMMERT REPORTED THAT STREET SWEEPING HAS BEGUN TODAY. MR. HUNTER INQUIRED IF MR, MUMMERT COULD CHECK WITH HIGHWAY TO SEE IF SWEEPING CAN BE DONE MORE FREQUENTLY OR EXTEND THE TIME BETWEEN SWEEPING.

FINANCE & GRANTS

MR. MAUCK NOTED RECEIPT OF THE FINANCIAL REPORT AS OF 4/30/08.

MAYOR'S REPORT

THE MAYOR READ THE POLICE REPORT FOR APRIL. IT WAS NOTED THAT OFFICER DIAZ IS SCHEDULED FOR HER NEXT MEDICAL APPOINTMENT ON MAY 9.

MAYOR FIRESTONE THANKED THE BOROUGH FOR THE FLOWERS AS WELL AS THE FIRE COMPANY FOR THE PLANTER, BOTH RECEIVED AFTER THE LOSS OF HIS MOTHER.

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NEW/UNFINISHED BUSINESS

AFTER AN INQUIRY FROM MR. LARKIN REFERENCE THE BOROUGH'S PARTICIPATION IN THE MEMORIAL DAY PARADE, MR. MAUCK STATED THAT ANYONE WHO DID NOT CONTACT THE VFW SHOULD DO SO AS SOON AS POSSIBLE. MS. METZLER STATED THAT THE WEST YORK BLOCKWATCH COMMITTEE WILL BE RIDING IN THE BOROUGH'S HIGHWAY TRUCK.

MR. HUNTER INQUIRED ABOUT THE YIELD TO PEDESTRIAN SIGN MARKERS WHICH HE HAS NOTICED ON MARKET STREET AND STATED THAT STREETS SUCH AS FILBERT AND KING COULD BENEFIT FROM THEM (DUE

TO THE RABBIT TRANSIT STOP AND OTHER FACTORS) IF THEY ARE AVAILABLE. MR. MAUCK STATED THESE WERE OBTAINED THROUGH A STATE GRANT WHICH IS NOW FINALIZED. MR. MAUCK STATED THAT IF ANYONE WISHES TO CHECK ON PRICING FOR THE STANDS, THEY ARE WELCOME TO DO SO.

MR. WILSON REPORTED THAT THE FIRE COMMITTEE INTERVIEWED PARTTIME FIRE DRIVERS AND STATED THAT THE INTERVIEWS WENT WELL. MR. WILSON RECOMMENDED JOSEPH YAHNKE FOR HIRE ,NOTING THAT MR. YAHNKE IS EXTREMELY QUALIFIED AND PROVIDED FOR COUNCIL'S REVIEW HIS CERTIFICATIONS, ETC. ON MOTION BY MS. METZLER SECONDED BY MR. WILSON AND AGREED, JOSEPH YAHNKE WAS APPROVED FOR HIRE CONTINGENT UPON SUCCESSFUL COMPLETION OF ALL REQUIRED TESTING.

MR. MAUCK REPORTED THAT THE EARTH TREE PLANTING WENT WELL.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, THE SCHOOL ZONE WILL BE PAINTED AT LOUCKS SCHOOL. MR. WILSON STATED THAT THE LINE PAINTER WE USE DOES NOT PAINT STRAIGHT LINES. MR. MAUCK STATED THAT THEY WILL HAVE TO BE HAND PAINTED AND HE WILL BE WILLING TO ASSIST IN THE PROJECT. MR. HUNTER STATED AT HIS SCHOOL, THEY USED PAWPRINTS AT SCHOOL ZONES AND IT GAVE STUDENTS MORE SCHOOL SPIRIT. THE PREVIOUS MOTION WAS WITHDRAWN AND ON MOTION BY MS. METZLER SECONDED BY MR. MAUCK AND AGREED, SCHOOL ZONES WILL BE PAINTED WITH PAWPRINTS.

MR. MAUCK REPORTED THAT MET ED WILL INSTALL STREET LIGHTS ON EXISTING POLES AT NO COST TO THE BOROUGH, OTHER THAN THE ELECTRICITY. HE AND MS. METZLER FOUND 30 AREAS WHICH ARE IN NEED OF LIGHTS AND OBTAINED THE POLE NUMBERS FOR MET ED. THE ADDITIONAL STREET LIGHTING WAS APPROVED ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED.

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MR. MAUCK REPORTED THAT THE YORK CITY SEWER FACILITY UPGRADE WILL BE EXTREMELY COSTLY AND AFFECT USER MUNICIPALITIES COSTS. HE WANTED TO ADVISE THE RESIDENTS THAT BEGINNING IN 2009, THEY WILL SEE A DRAMATIC INCREASE IN THE BOROUGH'S SEWER RATES AND THE BOROUGH WILLHAVE NO CONTROL ON THE INCREASE

PERCENTAGE THAT MAY BE NECESSARY TO COVER THE UPGRADE COSTS. HE STATED THAT HE WOULD HAVE RATHER SEEN A GRADUAL INCREASE OVER THE YEARS TO ABSORB THE PROJECT.

ON MOTION BY MR, MAUCK SECONDED BY MR. HUNTER AND AGREED, BIDS WILL BE OBTAINED FROM VARIOUS TREE SERVICES IN HAVING SEVERAL DISEASED LOCUST TREES REMOVED AT EBERTS PARK.

MR. MAUCK RECEIVED INFORMATION FROM THE COMMONWEALTH OF PA DEPARTMENT OF GENERAL SERVICES THAT THEY ARE GIVING AWAY A HISTORIC BRIDGE.

ON MOTION BY MR. HUNTER SECONDED BY MR. MAUCK AND AGREED, A RESOLUTION WAS ADOPTED APPROVING THE ISSUANCE OF GUARANTEED SEWER REVENUE BONDS, SERIES OF 2008, OF THE YORK CITY SEWER AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$10,000,000 PURSUANT TO PROVISIONS OF A FOURTH SUPPLEMENTAL TRUST INDENTURE WITH MANUFACTURERS AND TRADERS TRUST COMPANY AS TRUSTEE.

MR. MAUCK ADJOURNED THE MEETING FOR A PERSONNEL AND POSSIBLE LITIGATION MATTER AT 8:20 P.M. THE MEETING RECONVENED AT 8:59 P.M.

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, THE SOLICITOR WAS DIRECTED TO PROCEED WITH CRIMINAL CHARGES AGAINST 1561 W. KING STREET ON CODE MATTERS.

ON MOTION BY MR. WILSON SECONDED BY MS. METZLER AND AGREED, THE SOLICITOR WAS DIRECTED TO PROCEED WITH CRIMINAL CHARGES ON PROPERTY OWNERS WHO HAVE NOT RESPONDED TO THE VARIOUS NOTICES FOR CODE INSPECTIONS.

INVOICES FOR PAYMENT

ON MOTION BY MR. HUNTER SECONDED BY MR. MAUCK AND AGREED, THE FOLLOWING INVOICES WERE APPROVED FOR PAYMENT:

GENERAL FUND \$95,403.33

ADJOURNMENT

THE MEETING WAS ADJOURNED AT 9:06 P.M., UNTIL MONDAY, MAY 19, 2008 AT 7:00 P.M.

RESPECTFULLY SUBMITTED,

KATHY L. ALTLAND, SECRETARY
WEST YORK BOROUGH COUNCIL
MONDAY, MAY 5, 2008