

MINUTES  
WEST YORK BOROUGH COUNCIL - MONDAY, JULY 21, 2008

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWING AN EXECUTIVE SESSION WHICH BEGAN AT 6:00 P.M. ON LITIGATION, PERSONNEL AND COLLECTIVE BARGAINING MATTERS. THE CODE INSPECTION HEARING FOR CAROL GLEAVES, 1468 W. POPLAR TERRACE WAS HELD AT 6:45 P.M. MEMBERS PRESENT WERE MR. MAUCK, MR. WILSON, MR. HUNTER, MR. LARKIN, MRS. LAIRD, MR. MUMMERT AND MS. METZLER. ALSO PRESENT WAS SOLICITOR MacNEAL, ENGINEER TREGLIA AND MAYOR FIRESTONE.

ON MOTION BY MR. WILSON SECONDED BY MS. METZLER AND AGREED, THE PROPERTY AT 1468 W. POPLAR TERRACE, OWNED BY CAROL GLEAVES IS SUBJECT TO INSPECTION PER ORDINANCE #497.

ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED, CHAD ARNOLD, VOLUNTEER FIRE CAPTAIN FOR THE WEST YORK FIRE COMPANY WAS REMOVED AS A VOLUNTEER AND BANNED FROM THE WEST YORK FIRE HALL AND ALL WEST YORK BOROUGH FIRE CALLS, REASONS FOR THE DISMISSAL NOT PUBLIC INFORMATION. MR. HUNTER AND MRS. LAIRD VOTED NO, BOTH PREFERRING TO SPEAK WITH CHIEF FEESER BEFORE VOTING.

MAYOR FIRESTONE STATED THAT HE WISHED TO COMMENT, PERMISSION TO COMMENT AT THIS TIME WAS DENIED BY PRESIDENT MAUCK.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, 1230-36 W. MARKET STREET WAS TURNED OVER TO THE SOLICITOR FOR CHARGES UNDER THE PROPERTY MAINTENANCE CODE.

PUBLIC COMMENT PERIOD

CHAD ARNOLD, 1709 STANTON STREET WAS PRESENT AND READ A PREPARED STATEMENT ON THE MATTER OF HIS DISMISSAL AS A VOLUNTEER FIRE FIGHTER FROM THE WEST YORK FIRE COMPANY. HIS STATEMENT INCLUDED AN APOLOGY FOR HIS ACTIONS AT A MEETING WITH MR. MAUCK AND MR. WILSON AS WELL AS EXPLAINING HIS DESIRE IS TO SAVE LIVES AND FIGHT FIRES. THE STATEMENT TOUCHED ON HIS EXPERIENCE AT THE 1226 W. KING STREET FIRE WHICH TOOK THE LIFE OF TRU BARTON WHOM HE (CHAD) CARRIED FROM THE BURNING STRUCTURE. MR. ARNOLD STATED THAT HE HAS NEVER BEEN THE SAME PERSON AFTER THIS EVENT OCCURRED.

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LORI URICH, 45 N. PEARL STREET WAS PRESENT IN REFERENCE TO HER DESIRE TO HAVE N. PEARL STREET A ONE WAY STREET FROM PHILADELPHIA STREET TO MARKET WITH NO LEFT TURN ONTO MARKET. SHE EXPLAINED THAT DRIVERS TRY TO BEAT THE SIGNAL LIGHT AT MARKET AND HIGHLAND BY USING PEARL STREET AND DUE TO THE SPEEDING CARS, A CHILD IS GOING TO GET HIT. DONNA LAVENTURE AND DONALD ANDERSON, 7 N. PEARL STREET, ANDREW SMITH, 5 N. PEARL AND THE MANAGER OF ROBURRITOS WERE IN FAVOR OF SPEED LIMIT SIGNS OR SPEED BUMPS DUE TO THE SPEEDING CARS, HOWEVER THEY WERE NOT IN FAVOR OF A ONE WAY STREET. MS. LAVENTURE SUBMITTED A PETITION TO COUNCIL OF THOSE NOT IN FAVOR OF A ONE WAY STREET. MR. MAUCK STATED THAT COUNCIL IS AWAITING THE TRAFFIC STUDY ON PEARL STREET BEING PERFORMED BY THE YORK COUNTY TRAFFIC ENGINEER AND AFTER THIS HAS BEEN RECEIVED, COUNCIL WILL REVISIT THE MATTER WITH THE RESIDENTS.

FRANCES CLITES, 1621 MONROE STREET WAS PRESENT REQUESTING SPEED LIMIT SIGNS IN THE 1600 BLOCK OF MONROE AS WELL AS A FOUR WAY STOP AT MONROE AND SUMNER DUE TO SPEEDING VEHICLES AND THE FACT THAT A LOT OF SMALL CHILDREN LIVE IN THIS BLOCK. MR. MAUCK STATED THAT THE SPEED LIMIT SIGNS WILL BE LOOKED INTO.

C. R. LLOYD, EMA COORDINATOR WAS PRESENT AND REQUESTED THAT COUNCIL RECONSIDER THE DISMISSAL OF CHAD ARNOLD. HE GAVE A REPORT ON THE FIRE VICTIMS WHICH WERE TAKEN TO THE FIRE HALL ON 7/15 IN ORDER TO HAVE THEM PLACED INTO TEMPORARY LIVING QUARTERS BY THE RED CROSS. HE THANKED EVERYONE WHO ASSISTED WITH TAKING CARE OF THE FIRE VICTIMS THIS DATE AND THANKED GIANT, LATTUCA'S, GENOVA'S AND SUBWAY FOR DONATING FOOD FOR THE FIRE VICTIMS AND FIREFIGHTERS.

MR. WILSON THANKED C. R. LLOYD FOR HIS ROLE IN ASSISTING AND PLACING THE VICTIMS.

MAYOR FIRESTONE STATED THAT HE IS NOT IN SUPPORT OF COUNCIL'S DECISION TO DISMISS CHAD ARNOLD AND THAT COUNCIL SHOULD SEND AND PAY FOR CRISIS INTERVENTION TREATMENT DUE TO THE INFORMATION WHICH WAS RELAYED THIS EVENING BY CHAD ARNOLD ON THE TRU BARTON MATTER. MR. MAUCK STATED THAT THIS SHOULD HAVE BEEN TAKEN CARE OF AT THE TIME OF THE INCIDENT BY THOSE IN CHARGE.

INFORMATION RELAYED TO COUNCIL LATER ON AT THE MEETING BY CHUCK

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ZIENKIEWICZ WAS THAT AFTER SPEAKING WITH CHIEF FEESER THIS EVENING, THOSE INVOLVED IN THE FIRE AT 1226 W. KING STREET MET WITH THE COUNTY'S CRITICAL INCIDENT STRESS MANAGEMENT DEBRIEFING TEAM FOLLOWING THE INCIDENT AT THE FIRE STATION, INCLUDING CHAD ARNOLD.

MINUTES OF THE PREVIOUS MEETING

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, THE MINUTES OF THE PREVIOUS MEETING (7/7/08) WERE APPROVED AS PRESENTED.

ENGINEER'S REPORT

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

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, APPLICATION FOR PAYMENT #1 IN THE AMOUNT OF \$39,229.06 WAS APPROVED ON THE MARKET AND SUMNER TRAFFIC SIGNAL.

A GENERATOR PLUG WAS QUOTED FOR THE PROJECT IN THE AMOUNT OF \$1200 HOWEVER NOT ELECTED AS PART OF THE CONTRACT BY COUNCIL WAS INADVERTENTLY INSTALLED BY HERR SIGNAL AND LIGHTING. HERR CAN REMOVE THE GENERATOR PLUG OR LET IT IN AT HALF THE COST \$600. ON MOTION BY MRS. LAIRD SECONDED BY MR. HUNTER AND AGREED, THE \$600 WAS APPROVED TO HAVE THE GENERATOR PLUG REMAIN INTACT. MR. MAUCK AND MS. METZLER VOTED NO.

ON MOTION BY MR. MAUCK SECONDED BY MRS. LAIRD AND AGREED, AUTHORIZATION WAS GIVEN TO THE ENGINEER TO MOVE FORWARD WITH ADVERTISEMENT AND BIDDING THE REPAIR PROJECTS TO THE SANITARY SEWER IN CONJUNCTION WITH THE STATE ROAD REPAIRS.

ON MOTION BY MR. HUNTER SECONDED BY MR. MAUCK AND AGREED, THE ENGINEER WAS AUTHORIZED TO PROCEED WITH ADVERTISEMENT AND BIDDING ON THE POPLAR STREET AND ORANGE STREET REPAIR PROJECTS, \$38,185 AND \$20,955 RESPECTIVELY. THE MOTION WAS AMENDED BY MR. HUNTER SECONDED BY MR. MAUCK AND AGREED FOR THE ENGINEER TO PROCEED WITH THE ORANGE STREET PROJECT ONLY (DUE TO TIME CONCERNS) AND SET THE LIQUIDATED DAMAGES AT \$2,000 PER DAY IN THE BID SPECS . MS. METZLER AND

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MR. WILSON VOTED NO, CITING THAT THEY WERE CONCERNED AS TO THE TIMEFRAME AS WELL AS THE CONCRETE REIMBURSEMENT BY PROPERTY OWNERS BEING TOO COSTLY, ESPECIALLY AT THIS TIME OF YEAR.

SOLICITOR'S REPORT

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, THE PROPOSED FIVE-YEAR POLICE CONTRACT, EFFECTIVE 1/1/09 WAS APPROVED, ALSO RATIFIED BY THE UNION. MRS. LAIRD AND MR. HUNTER VOTED NO.

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, THE PROPOSED FIVE-YEAR FIRE CONTRACT, EFFECTIVE 9/1/08 WAS APPROVED, ALSO RATIFIED BY THE UNION. MR. HUNTER VOTED NO.

MR. WILSON THANKED ALL INVOLVED IN THE FIRE NEGOTIATIONS, FIRE AND COMMITTEE MEMBERS.

THE SOLICITOR PRESENTED AN AGREEMENT BETWEEN THE BOROUGH AND CCIS FOR COUNCILS REVIEW, TO ENFORCE ACT 45-1999, THE PA UNIFORM CONSTRUCTION CODE.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, A 25 YEAR FRANCHISE AGREEMENT BETWEEN WEST YORK BOROUGH AND COMCAST WAS APPROVED, TO INCLUDE COMCAST PHONE AND INTERNET SERVICE TO THE BOROUGH AT NO COST AND A \$7500 SIGNUP BONUS. MR. WILSON ABSTAINED AS HE IS EMPLOYED BY COMCAST.

POLICE & PUBLIC SAFETY

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, THE BOROUGH WILL PARTICIPATE IN THE YORK COUNTS METRO POLICE STUDY. ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED, MR. MAUCK AND MS. METZLER WERE APPOINTED TO SERVE AS REPRESENTATIVES IN THE YORK COUNTS METRO POLICE STUDY.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, A PROCLAMATION WAS ADOPTED DECLARING AUGUST 5, 2008 AS NATIONAL NIGHT OUT AND AUGUST AS CRIME WATCH MONTH.

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MR. MAUCK REPORTED THAT THE BLOCKWATCH SPONSORED SUMMER FLING WHICH WAS HELD ON JULY 12 WAS TERRIFIC AND A LITTLE UNDER \$700 WAS RAISED.

MR. MAUCK REMINDED COUNCIL THAT ALL PUBLIC OFFICIALS, POLICE, FIRE AND HIGHWAY MUST COMPLETE THE NIMS TRAINING BY THE AUGUST 4 MEETING.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, BRADLEY POLINSKI WAS APPROVED FOR HIRE AS A PARTTIME POLICE OFFICER, CONTINGENT UPON SUCCESSFUL COMPLETION OF ALL REQUIRED TESTING.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, APPLICATIONS WILL BE ACCEPTED FOR VOLUNTEERS ASSIST THE POLICE IN TRANSLATION OF FOREIGN LANGUAGE WHICH WILL INCLUDE A BACKGROUND CHECK AND INTERVIEW.

FIRE, CODE ENFORCEMENT AND HIGHWAY

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, THE PURCHASE OF A TORCH FOR STREET MARKING WAS APPROVED IN THE AMOUNT OF \$375 (LESS 15%) AND RELATED SUPPLIES, TOTAL NOT TO EXCEED \$600. MR. HUNTER AND MRS. LAIRD VOTED NO.

MR. MAUCK REPORTED THAT HE, CHIEF ALBRIGHT AND JOHN LOVE PAINTED THE CROSSWALKS AT LOUCKS SCHOOL. MR. WILSON THANKED THE THREE FOR THE VOLUNTEER WORK.

PARKS/RECREATION, ZONING, BUILDINGS AND GROUNDS, SEWER

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, RECREATION FUNDS, NOT TO EXCEED \$500 WILL BE SPENT FOR HAY BAILS, CANDY, PUMPKINS AND CORN STALKS FOR A BOROUGH NEIGHBORHOOD

WATCH HALLOWEEN MAZE, ADMISSION DONATIONS WILL BE TAKEN FOR SHOP WITH A COP. MR. HUNTER VOTED NO AS BLOCKWATCH FUNDS SHOULD BE USED FOR BLOCKWATCH EVENTS.

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ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, AN AMOUNT NOT TO EXCEED \$400 WILL BE USED FOR NATIONAL NIGHT OUT EXPENSES.

ON MOTION BY MS. METZLER SECONDED BY MR. MAUCK AND AGREED, THE FAIR PARKING AGREEMENT(SHELLY PARK) BETWEEN THE BOROUGH AND THE WYSD PTO WAS APPROVED FOR THE FINAL YEAR OF THE THREE YEAR CONTRACT.

FINANCE & GRANTS

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, A MEMO OF UNDERSTANDING WAS APPROVED BETWEEN WEST YORK BOROUGH AND HOUSING INITIATIVES COMMUNITY DEVELOPMENT CORPORATION FOR THE PROPERTY AT 1135-37 W. KING STREET.

HUMAN RELATIONS AND ADMINISTRATION

MR. WILSON STATED THAT THE FIRST MEETINGS WITH YCCAR AND YORK COUNTS HAVE BEEN HELD AND BOTH ARE MOVING AHEAD. MR. WILSON REPORTED THAT HE WILL BE ON VACATION THE WEEK OF 8/4/08 AND WILL MISS THE NEXT MEETING.

MAYOR'S REPORT

THE MAYOR REPORTED THAT HE RECEIVED COMPLAINTS ON SCRAPPING AND THE THEFT OF USABLE ITEMS AND RECOMMENDED THAT AN ORDINANCE BE CONSIDERED FOR THIS PROBLEM. MR. MAUCK NOTED THAT THERE IS AN ORDINANCE THAT COVERS SCRAPPING (INCLUDED IN THE RECYCLING ORDINANCE). THE SOLICITOR STATED THAT A THEFT IS A THEFT, NO MATTER WHAT IS STOLEN.

THE MAYOR REPORTED THAT A BASKETBALL POLE HAS BEEN INSTALLED AT THE CURB AREA OF 1610 ORANGE STREET, FACING THE STREET. MR. MAUCK

STATED THAT THIS WAS ADDRESSED TWO WEEKS AGO, THE OWNER ADVISED THAT FAILURE TO REMOVE WILL RESULT IN CITATIONS.

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NEW/UNFINISHED BUSINESS

ON MOTION BY MS. METZLER SECONDED BY MR. MAUCK AND AGREED, BOROUGH ACCOUNTING SOFTWARE WILL BE PURCHASED FROM SOFTWARE INNOVATORS AS THEY HAVE DISCONTINUED THE CURRENT SOFTWARE WILL NO LONGER BE HONORED.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED YORK COUNTY ARTISTS WILL BE ALLOWED TO PAINT THE BOROUGH PARKING METERS. THE SOLICITOR, WHO IS FAMILIAR WITH THIS NOTED THAT CARE MUST BE TAKEN AS NOT TO PAINT THE SLOT AND/OR TIME WINDOW.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, METERS FROM N. HIGHLAND AVENUE WILL BE USED TO REPLACE ANY METERS AS NEEDED ON MARKET AND/OR S. HIGHLAND AVENUE.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, THE PURCHASE OF SEVEN CHAIRS FOR THE OFFICE AREAS WAS APPROVED, IN THE COST RANGE OF \$50 EACH.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, THE BOROUGH WILL WORK WITH THE WEST YORK AREA SCHOOL DISTRICT TO BEGIN A YOUTH IN GOVERNMENT PROGRAM.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, BOROUGH HALL WILL BE CLOSED FOR ONE WEEK FOR COMPUTER UPGRADES, AS WELL AS PAINT THE OFFICE WITH VOLUNTEERS.

INVOICES FOR PAYMENT

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

GENERAL FUND \$ 60536.39

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ADJOURNMENT

THE MEETING WAS ADJOURNED AT 9:30 P.M. UNTIL MONDAY, AUGUST 4,  
2008 AT 7:00 P.M.

RESPECTFULLY SUBMITTED,

KATHY L. ATLAND, SECRETARY  
WEST YORK BOROUGH COUNCIL  
MONDAY, JULY 21, 2008