

MINUTES
WEST YORK BOROUGH COUNCIL - MONDAY, NOVEMBER 3, 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. WILSON, MR. LARKIN, MRS. LAIRD, MR. MUMMERT AND MS. METZLER. MR. HUNTER WAS ABSENT. ALSO PRESENT WAS SOLICITOR MacNEAL AND MAYOR FIRESTONE.

PUBLIC COMMENT PERIOD

MR. MAUCK ADDRESSED THOSE PRESENT AS FOLLOWS. HE REFERRED TO THE PREVIOUS PUBLIC MEETING WHICH WAS HELD ON THE PROPOSED DOG PARK STATING THAT HE WAS UNABLE TO ATTEND DUE TO FAMILY MATTERS. MR. MAUCK ADVISED EVERYONE THAT COUNCIL HAD ONLY APPROVED THAT A STUDY/COMMITTEE BE PURSUED ON THE PROPOSED PROJECT, UNFORTUNATELY, THE NEWSPAPER ARTICLE DID NOT TRANSLATE THIS TO THE PUBLIC. HE NOTED THAT THE COMMITTEE HAS WITHDRAWN THE PLANS BECAUSE OF THE NEGATIVE PUBLIC OUTPUT. MR. MAUCK STATED THAT JUST BECAUSE SOMEONE HAS AN IDEA AND BRINGS IT TO THE TABLE, THAT DOESN'T MEAN THAT THEY ARE A BAD PERSON IF OTHERS DISAGREE. THE PUBLIC MEETING WAS CALLED BECAUSE COUNCIL DOES CARE WHAT THE RESIDENTS THINK AND COUNCILWOMAN METZLER MEANT WELL. THE COMMITTEE NEVER GOT TO GO THROUGH THEIR PROCESS AND UNFORTUNATELY THE PUBLIC GOT THE IMPRESSION THAT THINGS WERE BEING DONE WITHOUT THEIR KNOWLEDGE AND THIS WAS NOT THE CASE. MR. MAUCK REQUESTED THAT THOSE PRESENT KEEP IN MIND THAT WE CAN DISAGREE WITH EACH OTHER WITHOUT BEING DISRESPECTFUL.

NANCY LAIRD STATED THAT SHE DISAGREED THAT THERE WERE OUTSIDERS ON THE DOG PARK COMMITTEE RATHER THAN BOROUGH RESIDENTS. MR. MAUCK NOTED THAT IN ADDITION TO THE COUNCIL MEMBERS SERVING ON A COMMITTEE SUCH AS THIS, OTHER INTERESTED PERSONS MAY SERVE IF THEY HAVE A PASSION FOR OR EXPERTISE ON THE SUBJECT MATTER AT HAND. AT TIMES THESE PERSONS MAY NOT ACTUALLY BE BOROUGH RESIDENTS. MR. MAUCK AT THIS TIME INQUIRED IF MRS. LAIRD WOULD BE INTERESTED IN SERVING ON THE HUMAN RELATIONS COMMITTEE. MRS. LAIRD STATED THAT AS SHE STATED BEFORE, SHE WAS APPOINTED TO THE HIGHWAY DEPARTMENT COMMITTEE PREVIOUSLY WHICH SHE KNOWS NOTHING ABOUT. SHE FELT THAT MR. MAUCK PICKED WHO HE WANTED TO SERVE ON CERTAIN COMMITTEES AND GAVE THE LEFTOVERS TO THE OTHER COUNCIL MEMBERS. MR. MAUCK STATED THAT HIS COMMITTEE APPOINTMENTS ARE NOT PERSONAL AND COMMITTEES WILL CHANGE, HE WILL APPOINT WHOMEVER HE FEELS WILL HAVE A POSITIVE EFFECT IN THE DEPARTMENT OR AREA COVERED BY THE COMMITTEE.

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THOSE EXPRESSING OPPOSITION TOWARDS THE DOG PARK WERE DARREN HENZE, 1438 W. POPLAR TERRACE (HENZE ALSO INQUIRED WHY CROSSWALKS ARE NOT PAINTED IN THE AREAS OF THE CROSSWALK STANDS), SHERRI SHEFFER, 1434 W. POPLAR TERRACE, CHARLES SLENKER, 12 S. CLINTON STREET, DENNIS DOHME, 1503 W. PRINCESS STREET. LORI URICH, 45 N. PEARL STREET SPOKE IN FAVOR OF THE DOG PARK.

MR. WILSON THANKED THE COMMUNITY FOR COMING OUT. HE STATED THAT EVER SINCE THE ORIGINAL DOG PARK MEETING, PEOPLE HAVE ASKED MR. WILSON TO ASK MR. MAUCK TO RESIGN AS PRESIDENT OF COUNCIL WHICH MR. WILSON STATED THAT HE WILL NOT DO, AS HE (WILSON) WAS THE ONE WHO NOMINATED HIM AND HE IS THE BEST PERSON FOR THAT JOB. ANOTHER MATTER WAS THAT SOMEONE QUESTIONED WHY MR. WILSON WAS AT NANCY LAIRD'S BUSINESS. MR. WILSON STATED THAT MRS. LAIRD HAD EXPRESSED SOME VERY KIND WORDS TO HIM ON A PERSONAL PROJECT HE HAS UNDERTAKEN AND HE WANTED TO THANK HER AND THEY DID DISCUSS BOROUGH MATTERS AS WELL. HE STATED THAT HE IS WILLING TO WORK WITH EACH AND EVERY MEMBER OF COUNCIL AND HOPES THAT MRS. LAIRD WILL SERVE ON THE HUMAN RELATIONS COMMITTEE WITH HIM.

MRS. LAIRD STATED THAT MR. WILSON DID AN EXCELLENT JOB RUNNING THE DOG PARK MEETING AND EVERYONE HAD THE OPPORTUNITY TO SPEAK. MRS. LAIRD FEELS THAT WE SHOULD HAVE TOWN MEETINGS AGAIN.

MINUTES OF THE PREVIOUS MEETING

ON MOTION BY MR. MUMMERT SECONDED BY MR. WILSON AND AGREED, THE MINUTES OF THE PREVIOUS MEETING (10/20/08) WERE APPROVED AS PRESENTED.

SOLICITOR'S REPORT

ON MOTION BY MR. WILSON SECONDED BY MR. LARKIN AND AGREED, THE SOLICITOR WAS AUTHORIZED TO ADVERTISE THE 25MPH SPEED LIMIT IN BOROUGH ALLEYS ORDINANCE.

ON MOTION BY MR. WILSON SECONDED BY MR. LARKIN AND AGREED, AUTHORIZATION WAS GIVEN FOR THE SECRETARY TO ADVERTISE THE PROPOSED BUDGET FOR 2009.

ON MOTION BY MR. LARKIN SECONDED BY MR. WILSON AND AGREED, AUTHORIZATION WAS GIVEN TO ADVERTISE THE 2009 TAX ORDINANCE.

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MR. MAUCK REQUESTED AN EXECUTIVE SESSION AT THE END OF THE MEETING (REGULAR MEETING WILL THEREAFTER RECONVENE) ON A PERSONNEL MATTER.

POLICE AND PUBLIC SAFETY

MR. MAUCK REPORTED THAT HALLOWEEN WAS SAFE ACCORDING TO THE POLICE AND ONLY A FEW INCIDENTS WERE REPORTED. HE STATED THAT HALLOWEEN IN THE PARK WAS A SUCCESS AND THE CHILDREN LOVED IT, APPROXIMATELY 300 ATTENDED.

MR. MAUCK STATED THAT THE POLICE PORTABLE RADIOS HAVE ARRIVED HOWEVER, THE UNITS ARE NOT EQUIPPED WITH SCANNERS AS WOULD BE NECESSARY (NOTING THIS WAS AN OVERSIGHT BY THE COUNTY). ON MOTION BY MR. MAUCK SECONDED BY MR. LARKIN AND AGREED, APPROVAL WAS GIVEN TO EQUIP TWELVE POLICE PORTABLES WITH THE SCANNERS AT A COST OF \$180 EACH. MR. WILSON URGED ANYONE WHO HAS A PROBLEM WITH MATTERS IN THE HANDS OF YORK COUNTY (SUCH AS THE UPGRADE TO THE 911 CENTER) TO CONTACT THE COUNTY COMMISSIONERS WITH THEIR CONCERNS.

FIRE, CODE ENFORCEMENT AND HIGHWAY

MR. WILSON REQUESTED AN EXECUTIVE SESSION ON A PERSONNEL MATTER FOLLOWING THE MEETING.

MR. WILSON REPORTED THE FIRE PERSONNEL HAVE BEEN TRAINED ON THE NEW RADIOS AND PAGERS AND COMMENDED CHIEF FEESER AND ED WASHINGTON FOR THE QUALITY TRAINING THEY GAVE THE DEPARTMENT AND VOLUNTEERS.

THE COMMITTEE FOR THE FALLEN HERO WALKWAY, ALONG WITH MR. WILSON, WILL INCLUDE ED WASHINGTON, CHARLES ZIENKIEWICZ AND DAVID KAHLEY, THE FIRST MEETING IS PLANNED.

MR. WILSON REPORTED THAT HE WILL BE PROPOSING TWO DATES FOR A FINAL LANDLORD/BOROUGH MEETING BEFORE THE INSPECTION PROGRAM IS PLACED INTO EFFECT.

THE HIGHWAY DEPARTMENT WILL BE COLLECTING LEAVES UNTIL THE END OF NOVEMBER UNLESS A SNOWFALL PRECEDES THAT TIME. MR. WILSON ALSO REPORTED THAT THE HIGHWAY PERSONNEL HAVE BEEN

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TRAINED ON THE HEAT TAPE PROCESS FOR CROSSWALKS, LINE PAINTING, ETC.

MR. WILSON REPORTED THAT JOHN LOVE HAS RECEIVED QUOTATIONS FROM THREE SOURCES FOR 25 MPH SPEED LIMIT SIGNS, THE LOW BID FROM KRIEG AT \$29.32. ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED, THE PURCHASE OF 120 – 25MPH SPEED LIMIT SIGNS WAS APPROVED FROM LIQUID FUELS, EXISTING STREET 25MPH SIGNS TO BE REPLACED WITH NEW, ALLEYS TO BE POSTED WITH THE ORIGINAL 25MPH SIGNS FROM THE STREET.

JOHN LOVE REPORTED THAT HE IS IN NEED OF TWO ROAD CLOSED SIGNS AND STANDS AT THE COST OF \$368.68 FROM KRIEG. THE REQUEST WAS APPROVED ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED.

PARKS/RECREATION, ZONING, BUILDINGS & GROUNDS, SEWER

MR. WILSON STATED THAT AFTER THE PUBLIC MEETING FOR THE DOG PARK, RESIDENTS EXPRESSED INTEREST IN HAVING A SIGN ERECTED AT EBERTON PARK. HE WOULD LIKE TO SEE THIS HAPPEN THROUGH DONATIONS AND MR. MAUCK GRANTED MR. MUMMERT PERMISSION TO FORM A SUBCOMMITTEE UNDER THE RECREATION COMMITTEE TO PURSUE THE SIGN AT EBERTS PARK ALONG WITH MR. WILSON AND MRS. LAIRD. ALSO, MR. MAUCK STATED THAT THREE NON-COUNCIL MEMBERS ARE ALSO WELCOME TO SERVE. UPON AN INQUIRY TO THE AUDIENCE BY MRS. LAIRD, INTERESTED IN SERVING WERE ANNA MARIE BAKER, BARBARA WISE AND LORI URICH.

MR. MAUCK NOTED THAT HE WOULD LIKE TO HAVE THE FIRST BLOCK OF THE FALLEN HERO WALKWAY BE TO HONOR FALLEN OFFICER DAVID TOME (NORTHERN YORK COUNTY REGIONAL POLICE DEPARTMENT) WHO WAS KILLED IN THE LINE OF DUTY VERY RECENTLY. MR. MAUCK WILL PAY FOR THE BLOCK. THIS WAS APPROVED ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED.

FINANCE AND GRANTS

MR. MAUCK WILL ATTEND A GRANT SEMINAR IN DECEMBER SPONSORED BY THE PLCB. THE GRANTS WILL AID POLICE WITH DUI OFFENDERS, UNDERAGE DRINKING, ETC.

THE SOLICITOR NOTED THAT THERE WILL BE \$665 MILLION IN GRANT MONEY OFFERED FOR SEWER INFRASTRUCTURE PROJECTS AND A

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REFERENDUM ON TOMORROW'S BALLOT FOR \$400 MILLION FOR REPLACEMENT OF AGING SEWER FACILITIES.

HUMAN RELATIONS AND ADMINISTRATION

MR. WILSON REPORTED HAVING A CONVERSATION WITH RON MILLER, FOOTBALL COACH WAY SENIOR HIGH SCHOOL ABOUT MR. WILSON'S DESIRE TO SEE THE HOMECOMING PARADE PUT BACK INTO THE BOROUGH. HE REQUESTED COUNCIL'S PERMISSION FOR HIM TO GO BEFORE THE BOOSTER CLUB AND TALK TO THEM ABOUT THE POSSIBILITY OF THE PARADE AND HOMECOMING FESTIVITIES IN A BOROUGH PARK. MR. WILSON STATED THAT HE WAS ALSO INVITED TO THEIR NOVEMBER 20 BANQUET. MR. MAUCK FELT THAT THIS WAS AN EXCELLENT IDEA AND MOTIONED TO APPROVE THIS SECONDED BY MR. LARKIN AND AGREED. MR. MAUCK NOTED THAT AFTER WORKING WITH THE PTO ON THE PARKING PROGRAM, THEY TOO ARE INTERESTED IN BECOMING INVOLVED WITH THE BOROUGH.

MAYOR'S REPORT

THE MAYOR READ THE SEPTEMBER AND OCTOBER POLICE REPORTS.

MR. WILSON REPORTED THAT HE RECENTLY RODE WITH OFFICER MUSSELMAN DURING WHICH AN INCIDENT OCCURRED WHERE OFFICER MUSSELMAN AND OFFICER SEIBEL STOPPED A MAN WITH A GUN, DOING A GREAT JOB.

NEW/UNFINISHED BUSINESS

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, EBERTS PARK WILL NOT BE USED FOR ANY PARK OTHER THAN HOW IT EXISTS NOW.

MAYOR FIRESTONE INQUIRED IF RECEIPTS WERE GIVEN FOR DOG PARK DONATIONS. MS. METZLER STATED THAT THERE IS A RECORD AND COPIES OF CHECKS AND RECEIPTS AND DUE TO THE HATE MAIL, ATTACK ON HER HOME, THREATS ON HER LIFE AND FAMILY, THERE WILL BE NO DOG PARK ANYWHERE AND THE DONATIONS WILL BE RETURNED SO EVERYONE CAN STOP HARASSING HER. MR. MAUCK STATED THAT NO ONE SHOULD HAVE TO GET THE TYPE OF PHONE CALLS THAT MS. METZLER WAS GETTING. MRS. LAIRD STATED THAT SHE IS VERY SORRY TO HEAR ABOUT THE THINGS THAT WERE HAPPENING TO MS. METZLER MR. MAUCK ADVISED THAT THERE IS AN OPEN INVESTIGATION ON THE VARIOUS MATTERS AND URGED

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ANYONE IN THE ROOM, SHOULD THEY HAVE KNOWLEDGE OF ANY OF THIS THEY COME FORWARD. MRS. LAIRD ADDRESSED THE PUBLIC AS WELL, NOTING THAT SHE SHARES MR. MAUCK'S STATEMENT. MS. METZLER THANKED MR. MAUCK AND MRS. LAIRD.

MR. MAUCK ADVISED COUNCIL THAT IN ORDER TO COVER BOROUGH WEBSITE/NEWSLETTER COSTS, ADS ARE AVAILABLE TO BUSINESSES. MR. MAUCK THANKED DR. DAVID DELLINGER FOR HIS AD PURCHASE WHICH WAS THE FIRST ONE.

WRITTEN COMMUNICATIONS

MR. MAUCK RECEIVED A CARD FROM THE PTO THANKING MR. MAUCK FOR MEETING WITH THEM AND ALLOWING THEM TO USE SHELLY PARK FOR PARKING. THEY ENCLOSED A CHECK FOR 50% OF THE PARKING PROCEEDS WHICH WAS OVER \$1100.

INVOICES FOR PAYMENT

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

GENERAL FUND \$98,257.58

THE MEETING WAS ADJOURNED AT 8:23 P.M. FOR AN EXECUTIVE SESSION ON A PERSONNEL MATTER. THE MEETING RECONVENED AT 8:53 P.M.

ON MOTION BY MR. MAUCK SECONDED BY MR. LARKIN AND AGREED, UPON RETURN TO WORK, OFFICER LINDA DIAZ WILL SERVE A 90 DAY PROBATION PERIOD WITH THE PAY INCREASE EFFECTIVE PER CONTRACT ON HER FIRST YEAR STARTING DATE.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, OFFICER LINDA DIAZ WILL SERVE TEMPORARY LIGHT DUTY, 8 HOUR DAY/40 HOUR WEEK UNTIL RELEASED FOR REGULAR DUTY.

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ADJOURNMENT

MR. MAUCK ADJOURNED THE MEETING AT 8:58 P.M., UNTIL MONDAY,
NOVEMBER 17, 2008 AT 7:00 P.M.

RESPECTFULLY SUBMITTED,

KATHY L. ALTLAND, SECRETARY
WEST YORK BOROUGH COUNCIL
MONDAY, NOVEMBER 3, 2008