

**YORK AREA UNITED FIRE AND RESCUE COMMISSION
REGULAR MEETING**

**JANUARY 15, 2008
APPROVED**

The York Area United Fire and Rescue held a Regular Meeting on Tuesday, January 15, 2008 at 7 p.m. at the Springettsbury Township offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

PRESENT: Bill Schenck, Chairman
Austin Hunt, Vice Chairman
John Fullmer, Secretary/Treasurer
Don Bishop, Springettsbury Commission Member
Holly Gumke, Spring Garden Commission Member
Nick Gurreri, Springettsbury Alternate

MEMBERS

NOT PRESENT: Richard Guyer, Spring Garden Alternate

ALSO PRESENT: John Holman, Springettsbury Township Manager
Greg Maust, Spring Garden Township Manager
Steve Hovis, Solicitor
Barry Emig, Chief, Spring Garden Fire
Dan Hoff, Springettsbury Township Fire/Rescue Service
Dave Eckman, FF Local 2377
Andrew Stern, Springettsbury Merger Committee
Scott Curtis, Grantley Merger Committee
Tom Stees, Victory Merger Committee
Don Eckert, Springettsbury Merger Committee
Joe Barron, Victory Fire Co.
Tony Surtasky, Springettsbury Township Volunteer Fire
George Mount, Springettsbury Fire/Rescue Service
Various other members of the fire companies
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

1. Pledge of Allegiance

SCHENCK Chairman Schenck called the meeting to order at 7:10 p.m. He welcomed the attendees and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck reported that there had been no Executive Sessions since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no public comments

4. MANAGEMENT/ATTORNEY REPORTS

A. Steve Hovis, Solicitor

HOVIS Solicitor Hovis reported that everyone should have received an electronic copy of the revised By-laws for their review.

SCHENCK Chairman Schenck asked for the status of the lease agreements including the use of equipment and buildings, etc.

HOVIS Solicitor Hovis responded that he had not received any documentation to review.

HOLMAN Mr. Holman responded that the documentation would include a lease agreement for the Med-York building, human services, computer and financial arrangements and lease agreements for the real estate, use of equipment, fire houses, etc.

HOVIS Solicitor Hovis asked whether any copies could be forwarded to him.

SCHENCK Chairman Schenck noted that he was not aware of any existing documents. He suggested a very simple, one-page document.

HUNT Mr. Hunt added that the goal is not to negotiate terms but to capture the working understanding that exists at this time.

SCHENCK Chairman Schenck suggested that Solicitor Hovis meet with Don Eckert and him for the Springettsbury side. He asked Mr. Maust for his input for the Spring Garden side.

MAUST Mr. Maust responded that he was not aware of any Spring Garden documentation. He asked Joe Barron whether he was aware of any written agreements in place for various equipment and items related to the volunteer companies.

BARRON Mr. Barron responded that there were no written agreements.

SCHENCK Chairman Schenck stated that the goal is just to capture current practice and document it.

HOVIS Solicitor Hovis asked whether the asset list had been created.

FULLMER Mr. Fullmer responded that he had that list.

HOVIS Solicitor Hovis asked Mr. Fullmer to email that list to him and he will review and identify major assets that need to be documented.

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- SCHENCK** Chairman Schenck added that a Memorandum of Understanding is all that is needed in lieu of a formal lease agreement. Any additional information Mr. Holman has through the Springettsbury Solicitor can be forwarded to Solicitor Hovis.
- HOLMAN** Mr. Holman responded that there is an agreement between Springettsbury Township Development Authority and Springettsbury Township.
- CURTIS** Scott Curtis asked whether he and Tom Stees could be copied on the communications.
- SCHENCK** Chairman Schenck stated that, as president of the fire departments, he and Mr. Stees should be involved in any reviews and discussions.
- CURTIS** Mr. Curtis indicated that they would be glad to review any of the documents.
- BISHOP** Mr. Bishop noted that the equipment list is fairly large including an addendum.
- HOVIS** Solicitor Hovis stated that he would address that issue and the Commission should consider that completed.
- SCHENCK** Chairman Schenck asked whether either of the Township Managers had anything to discuss.
- MAUST** Mr. Maust had nothing for discussion.
- HOLMAN** Mr. Holman had nothing for discussion.

5. ACCOUNTS PAYABLE

There were no bills to be presented.

6. BIDS, PROPOSALS & CONTRACTS

There were no Bids or Contracts for discussion.

7. COMMUNICATION FROM COMMISSIONERS

- SCHENCK** Chairman Schenck reported that both he and Mr. Hunt had jointly reviewed the status and realized that this meeting, January 15th, was the last functional meeting before the implementation date. They met with Les Adams and have a list of action items for discussion later in the Agenda.

8. CONSULTANT'S REPORT

A. Les Adams

- ADAMS** Mr. Adams reported that he had been involved in the Chief's selection process

and spent some time more recently on updating and revising the implementation work program and objectives. He intended to revise that again and submit another copy in a couple of days.

9. SUB COMMITTEE REPORTS

A. Fire Chief Search Subcommittee

HUNT Mr. Hunt reported that the Fire Chief Search Subcommittee had completed its assignment. He stated that 90 plus applicants had responded out of which five had been selected, and one of those five had declined an interview. A selection and a job offer was made to Chief Robert McCoy.

GUMKE Ms. Gumke thanked everyone for participating, especially to Mr. Adams and Mr. Maust who assisted in the process.

HUNT Mr. Hunt added that Mr. Adams was instrumental and Mr. Maust had done an outstanding job in keeping the Search Committee on task.

SCHENCK Chairman Schenck thanked Barry Emig and Dan Hoff for escorting the candidates around the community. All the candidates came back very positive.

B. Budget Subcommittee

SCHENCK Chairman Schenck brought forward a notation about some grant applications. He noted some discussion concerning applying to the state. He wondered about the status and whether there was anything that needed to be done.

HOLMAN Mr. Holman responded that he had not received any feedback on the subject. He offered to create a draft. He had discussed it with Mr. Adams and Mr. Emig.

HUNT Mr. Hunt indicated that an initial step might be to determine what start up costs would reasonably be included in a grant request and circulate that to the Commission in order to have an understanding of potential costs. He was considering the Med-York building, signage, identification package and perhaps a draft letter including those items would be a start.

BISHOP Mr. Bishop commented that it seemed like a narrow assignment to give the staff when the Commission might want to give them a much more expansive task.

HOLMAN Mr. Holman offered to send the Commission members a grant application including the different items. There would be no reason not to include quite a bit. Both he and Mr. Maust will be visiting DCED soon.

MAUST Mr. Maust stated that comparing notes with DCED had been very helpful in the past and seemed to streamline the process.

C. Negotiation Subcommittee

FULLMER Mr. Fullmer reported that there had been no progress, and the process is at a standstill at this time.

D. Volunteer Subcommittee

ECKERT Don Eckert reported that the Coordinating Merger Subcommittee for the volunteers will be meeting with the attorney later in January to continue the process of establishing a new corporation for a new volunteer fire company. He requested that the Commission give consideration to establishing an office in the new headquarters building for the new volunteer headquarters as well. It would provide an address and facilitate coordination with the deputy chief and the new chief and the other activities of the fire and rescue service. In addition, Mr. Eckert reported that they met with the Spring Garden Fire Police and with the Chief Swartz of the Police Department in Spring Garden and he is very much interested in seeing that the Springettsbury Township and the Spring Garden Fire Police organizations join together as one under the new fire company when it is incorporated. An additional meeting is planned between the Spring Garden Police Department, the Chief's representative and also the Springettsbury Police Department for that purpose. They are continuing to work on this volunteer coordination and merger.

SCHENCK Chairman Schenck indicated that the idea of the office had been discussed. He asked Mr. Holman whether that was a physical possibility with the renovations that were done.

HOLMAN Mr. Holman responded that he would review that with Mr. Lauer as it was almost ready to be used.

SCHENCK Chairman Schenck asked whether a portion of the reception room could be designed for the volunteer company. He added that for the synergy it would be very positive.

FULLMER Mr. Fullmer thought it was a good idea.

GUMKE Ms. Gumke thought it was a great idea.

BISHOP Mr. Bishop commented to be sure there aren't any unintended consequences.

STEEES Mr. Stees stated that he did not think that volunteers would be there on a regular basis. He indicated that if they needed to have a meeting that might be the best place as common ground. If there would be an inbox anywhere for incoming mail addressed to the volunteers that would be good. It could be something very simple.

SCHENCK Chairman Schenck commented that what they're hearing is that the Commission supported the idea. Because it wasn't in the original thought of how the building was configured, they will have to look into the issue.

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ECKERT Mr. Eckert added that they had not thought at that possibility until recently and had just brought it up for consideration.

HUNT Mr. Hunt noted that during the December meeting Mr. Eckert brought up the point concerning the different emergency vehicle operating guidelines between the two townships. He asked whether he had been able to coordinate any of that and get a standard on it.

ECKERT Mr. Eckert responded that nothing had changed in either township yet. However, that was one of the main subjects the Police Chief recognized. They support responding in each other's territories. There will be a meeting on January 16th with the Police Department.

10. RESOLUTIONS AND AGREEMENTS

A. Resolution No. 2008-01: Appointment of Fire Chief

SCHENCK Chairman Schenck stated that the intent of Resolution No. 2008-01 is the appointment and hiring of Robert H. McCoy as the first Fire Chief of the York Area United Fire and Rescue effective February 11, 2008. The Resolution is in draft form and may need to be revised. He asked for additional comments on the Resolutions.

MR. HUNT MOVED TO ADOPT RESOLUTION 2008-01. MS. GUMKE WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck stated that Chief McCoy prefers to be called Bob. He will be spending some time in York prior to his start date. He comes from Prince George's County and will relocate to the area. He is very committed to the new service.

SCHENCK Chairman Schenck brought forward the issue of the overall implementation of the regional fire service. He requested some dialogue concerning pushing back the implementation timeline.

FULLMER Mr. Fullmer asked why.

HUNT Mr. Hunt responded that there are a lot of operational details that need to be finalized.

A lengthy discussion followed regarding the pros and cons of extending the date of operation from February 4, 2008. That discussion is summarized:

- 150 days was a tight implementation timeline; no legal requirement to hold that date.
- Extend to a "not to exceed" number of days.
- Need to formally advise municipalities of any deferred date.
- New Chief will be in place February 11, 2008 as employee of the Commission.

- Contractual agreement will be created for the Chief.
- Firefighters and volunteers fully agree with extending the date in order to be fully prepared; want to do it right the first time; public will be watching for mistakes; safety will be top priority.
- Meetings yet to be held with 911 Center for changing box numbers.
- Need for SOG's to be in place for active emergency firefighting.
- Utmost importance to protect firefighters and citizens.
- Extending out 90 days but could be operational sooner.
- Chief will be tasked with getting the organization operational.
- Insurances can be in place any day.
- Amend the Charter Agreement to allow for the 90-day extension.
- Municipalities should adopt an ordinance to reflect the additional 90 days.
- Taking any and all necessary steps including extending the date to no later than May 5, 2008.

ADAMS Mr. Adams suggested implementing both the Chief and the Deputy Chief on February 11th.

SCHENCK Chairman Schenck responded that it could be reviewed separately in order to have a functional head of the municipal fire department.

HOLLY GUMKE MOVED TO EXTEND THE OPERATIONAL DATE OF THE YORK AREA UNITED FIRE AND RESCUE ON OR BEFORE MAY 5, 2008, A MONDAY AND THAT THE COMMISSION WOULD DIRECT THE SOLICITOR TO SEND LETTERS TO BOTH MUNICIPALITIES TO ACKNOWLEDGE THE NEW OPERATIONAL DATE OF THE NEW DEPARTMENT. DON BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

ECKERT Mr. Eckert suggested that a well-worded news release be issued for the sake of residents in both townships.

GUMKE Ms. Gumke added that the release also could indicate mention of the new implementation date.

HOLMAN Mr. Holman stated that the press release would be ready by January 16th.

SCHENCK Chairman Schenck asked him to send it to the Commission members for review. He noted that it should be a very positive release with regard to moving the start date so that people understand that it's for the right reasons.

FULLMER Mr. Fullmer added that it would further define the operational structure.

HOVIS Solicitor Hovis commented that incorporating the decision of hiring of the Chief with a start date of February 11th that the Commission took action to provide for an operational deadline on or before May 5th to allow the Chief an opportunity for review of operating procedures, etc.

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BISHOP Mr. Bishop commented that the new headquarters building could be announced.

HOLMAN Mr. Holman responded that the release will be a very positive one for everyone to review.

11. ACTION ON MINUTES

A. Approval of Minutes: December 18 Commission Meeting

MR. HUNT MOVED TO APPROVE MINUTES OF THE DECEMBER 18, 2007 YAUFR COMMISSION AS AMENDED. MR. FULLMER WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.

11. OLD BUSINESS

A. York Area United Fire & Rescue Bylaws

SCHENCK Chairman Schenck noted that the Bylaws had been reviewed. He asked whether there was any action to be taken.

HOVIS Solicitor Hovis reported that the latest set of Bylaws had been sent to the Commission with a request for review. He asked that any additional changes be sent to him and/or they could be considered for adoption at any time.

HUNT Mr. Hunt asked Mr. Bishop whether he had completed his review and was ready to move forward with the Bylaws.

BISHOP Mr. Bishop responded that he did not think the Bylaws would be changed dramatically. He indicated that there are some deficiencies related to corporate governance and he had hoped that they could be codified a little bit more, such as the imperative that exists for the Commission to always be extremely efficient and good stewards of the funds entrusted to them. There was no question in his mind that the current Commission would always do so. His concern was for the future. He stated that some mechanisms could be put into place that would allow a municipality to have more control over appointees, etc. should the need exist for change.

SCHENCK Chairman Schenck suggested not taking any action since there was no urgency to adopt the Bylaws.

BISHOP Mr. Bishop agreed that, in taking no action, there is still a chance to improve upon them.

HOVIS Solicitor Hovis noted that the Charter Agreement that was adopted by the participating municipalities indicates that the municipalities have the right to terminate the term of a Commission member.

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SCHENCK Chairman Schenck commented that it is extremely difficult to change Bylaws when under stress and Commission members will not want to change them then.

FULLMER Mr. Fullmer noted that the substance and direction is really within the Charter Agreement.

SCHENCK Chairman Schenck stated that ultimately the budget is the biggest controlling item and the municipality still has the authority within the budget.

HUNT Mr. Hunt stated that he did not see any substantive problems. He asked Mr. Bishop if he was comfortable with the drafted Bylaws or whether he wanted further review.

BISHOP Mr. Bishop responded that he was essentially satisfied.

HOVIS Solicitor Hovis stated that he was comfortable with it and added that the By-laws work consistently with and as a complement to the Charter Agreement.

MR. HUNT MOVED TO ACCEPT THE MOST RECENT DRAFT OF THE BYLAWS AS AMENDED AND SUBMITTED BY THE BYLAWS COMMITTEE. MS. GUMKE WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. York Area United Fire Rescue Charter Agreement Requirements

SCHENCK Chairman Schenck stated that he and Mr. Hunt wanted to highlight some of the open items.

HUNT Mr. Hunt had a document that Mr. Adams had created which he intended to circulate to the Commission members. The document included some refinements that need to take place.

HUNT Mr. Hunt asked what chain of events should happen for the Townships to transfer their funds toward certification authority to volunteer companies over to the Commission and for the Commission to then certify the volunteer companies Operating Agreement, part of which is outlined in the Charter Agreement.

HOVIS Solicitor Hovis responded that he would investigate that and provide a response.

HUNT Mr. Hunt asked whether there would be signage identifying the Med-York building as York Area United Fire Rescue.

HOLMAN Mr. Holman responded that signs will identify the building. Draft sign suggestions will be emailed to everyone.

SCHENCK Chairman Schenck asked whether the 2008 vacation schedules had been completed.

HOLMAN Mr. Holman responded that the vacation schedules with the current contract had been finalized.

13. NEW BUSINESS

HUNT Mr. Hunt noted that Chief McCoy will be starting on the February 11th. He asked whether any thought had been given to a swearing in ceremony and if so, when.

SCHENCK Chairman Schenck agreed with having such a swearing in ceremony and added that it should be a significant one for the merger of the firefighters. The next meeting is February 19, 2008, the third Tuesday.

BISHOP Mr. Bishop commented that the swearing in ceremony should be expanded with regard to who might be invited and perhaps have a small reception.

SCHENCK Chairman Schenck suggested that all the state legislators, county officials and DCED who assisted in this process.

HOLMAN Mr. Holman indicated he and Mr. Maust could prepare a list of all the prospective invitees.

GUMKE Ms. Gumke added that all the individuals who were on the original committee should be invited.

SCHENCK Chairman Schenck stated that the swearing in ceremony, followed by a brief reception, could start at 6:30 and then the regular meeting could start at 7 p.m.

HUNT Mr. Hunt asked who might be selected to do the swearing in ceremony.

ADAMS Mr. Adams suggested that a local Judge be asked to do the official function.

HOLMAN Mr. Holman requested an Executive Session to discuss personnel matters.

SCHENCK Chairman Schenck announced that a brief Executive Session will be held immediately following the meeting.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Fullmer
Secretary