

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

**JANUARY 18, 2011  
APPROVED**

The York Area United Fire and Rescue Commission held a Regular meeting on Tuesday, January 18, 2011 at 7 p.m. at the Springettsbury Township Offices, 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Austin Hunt, Vice Chairman  
John Fullmer, Secretary  
Don Bishop  
Tom Warman

**ALSO IN**

**ATTENDANCE:** Brooke Say, Solicitor  
Bob McCoy, Chief, YAUFR  
Dan Hoff, Battalion Chief, YAUFR  
John Woods, Battalion Chief, YAUFR  
Jay Van Pelt, Battalion Chief, YAUFR  
Tom Stees, YAUFR  
Don Eckert, YAUFR  
Sandy Ratcliffe, Finance Officer, Assistant Treasurer, YAUFR  
Jean Abregh, Stenographer

**1. CALL TO ORDER**

A. Opening Ceremony

**SCHENCK** Acting Chairman Schenck called the meeting to order at 7 p.m. He indicated that, inasmuch as it was the first meeting of 2011, it was time to reorganize the board.

1. Pledge of Allegiance

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

2. Reorganization and Election of Officers

A. 2010 Officers  
Chairman – William Schenck  
Vice Chairman – Austin Hunt  
Secretary/Treasurer – John Fullmer  
Asst. Secretary – Fire Chief Robert McCoy

**MR. WARMAN MOVED TO APPROVE THE SLATE OF OFFICERS:  
WILLIAM SCHENCK AS CHAIRMAN, AUSTIN HUNT AS VICE CHAIRMAN,  
JOHN FULLMER AS SECRETARY/TREASURER AND FIRE CHIEF ROBERT  
MCCOY AS ASSISTANT SECRETARY. MR. BISHOP WAS SECOND.  
MOTION UNANIMOUSLY CARRIED.**

3. Swearing in of YAUFR Battalion Chiefs Jay Van Pelt and John Woods

**SCHENCK** Chairman Schenck asked Chief McCoy to lead the ceremony.

**MCCOY** Chief McCoy announced that two additional Battalion Chiefs had met the requirements in the competitive process. They were Jay Van Pelt and John Woods. Each had brought their families to the meeting. Chief McCoy introduced each one and provided qualifications and backgrounds.

**SCHENCK** Chairman Schenck led each Battalion Chief in the Oath of Office. He congratulated them and thanked their families for coming.

## **2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

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

**HUNT** Mr. Hunt asked whether a brief Executive Session would be held to discuss the real estate matter.

**SCHENCK** Chairman Schenck responded that he had been advised that discussions would not be held in an Executive Session.

## **3. COMMUNICATIONS FROM CITIZENS**

There were no public comments.

## **4. MANAGEMENT/ATTORNEY REPORTS**

A. Steve Hovis, Solicitor

**SAY** Brooke Say, Acting Solicitor, stated that with regard to the real estate issue, it must be discussed in public. She had no additional report.

B. Robert McCoy, Fire Chief

**MCCOY** Chief McCoy had submitted his written report.

- HUNT** Mr. Hunt had several questions, summarized:
- Fuel card accounting – Volunteer managed program; difficulty in consistent monitoring. Decision made to make a yearly donation for volunteer incentive - \$2,500 for each group. Budgeted amount at \$15,000.
  - Broken partitions – Design of Pierce pumpers created bent bed dividers; all will be redesigned and replaced.
  - EMS Transportation – Chief McCoy recommended increase for transport service from \$475 to \$550. Springettsbury has lowest rate in York County. Because of the Medicare registration only a flat fee can be billed. Long term goal is to bring number up to market rate.

**5. ACCOUNTS PAYABLE**

- A. Payable Listing as of December 31, 2010

**MR. FULLMER MOVED TO APPROVE PAYABLE LISTING OF DECEMBER 31, 2010. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS**

- A. Authorization to approve Service Agreement with Capital Blue Cross.

**MCCOY** Chief McCoy reported that YAUFRR's health care plan officially took effect in January 2011. From August to December the contract continued under the Springettsbury plan. The item covered authorization of the agreement and had been reviewed by Solicitor Hovis.

**MR. WARMAN MOVED TO APPROVE AUTHORIZATION FOR THE SERVICE AGREEMENT WITH CAPITAL BLUE CROSS. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to approve Business Associate Agreement with the Intergovernmental Insurance Cooperative.

**MCCOY** Chief McCoy stated that the agreement is a basic HPPA Agreement and addresses the issues of security and privacy.

**SCHENCK** Chairman Schenck asked Solicitor Say for input on the item.

**SAY** Solicitor Say responded that many changes had taken place with the Economic Recovery Act and it dealt with information in an organization, how it is dealt with and what might happen if it was inadvertently disclosed, what the requirements are for notification when dealing with

other entities and providers that might have proprietary and/or medical information of individuals. She added that it was an item to pay particular attention to if a breach were to occur. The agreement was based on a model agreement their firm had developed and it was very technical and very regulatory.

**MR. HUNT MOVED TO APPROVE AUTHORIZATION FOR THE BUSINESS ASSOCIATE AGREEMENT WITH THE INTERGOVERNMENTAL INSURANCE COOPERATIVE. MR. WARMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

C. Authorization to approve contract for Financial Audit Services conducted by Sager, Swisher and Company, LLP, for Calendar Year 2010 in an amount not to exceed \$9,500.00.

**MCCOY** Chief McCoy noted that item C covered the annual agreement for auditing services by Sager, Swisher and Company. The amount noted is a “not-to-exceed” \$9,500, which was an increase of \$250 from 2010 and the amount was budgeted.

**MR. WARMAN MOVED TO APPROVE THE CONTRACT FOR FINANCIAL AUDIT SERVICES CONDUCTED BY SAGER, SWISHER AND COMPANY, LLP FOR THE CALENDAR YEAR 2010. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

## **7. COMMUNICATION FROM COMMISSIONERS**

**SCHENCK** Chairman Schenck reported that he had responded to a request for information on the fire services from West York Borough.

A lengthy discussion took place, points of which are summarized:

- Some informal and verbal interest had been expressed by other municipalities.
- Introduction letters should be sent out to municipalities.
- Mission is to regionalize delivery of fire services in the area.
- Charter Agreement indicated organization and expansion.
- Put together a list of potential municipalities for board approval.

**Consensus was to move forward with a list of municipalities for letters to be sent.**

**HUNT** Mr. Hunt reported that several emails had been exchanged, and he and Chief McCoy were asking for direction from the Spring Garden caucus on if and how to approach York College with the feasibility and value of the on-campus firehouse.

**FULLMER** Mr. Fullmer responded that they do want to pursue it and will be discussing it at the next Spring Garden Commission meeting. He noted he would be bringing the subject back to the Commission.

**8. COMMITTEE REPORTS**

- A. Volunteer Committee
- B. Building Committee

**ECKERT** Don Eckert provided a combined report on the volunteer and building committees, summarized:

Volunteer Committee –

- STVFC had its annual membership meeting and re-elected two new board members, which included Bill Schenck as representative of Springettsbury Board of Supervisors.
- York Area United Volunteer Fire Rescue Board of Directors will have its meeting on January 19<sup>th</sup> at Victory firehouse at 6 p.m. and the public is invited to attend.

Building Committee –

- Springettsbury Township Board of Supervisors was updated on current events. Financial documentation is being prepared. Letter of Intent was executed accepting the price for 3013 East Market Street; formal contract is being prepared.
- Professional appraisal for new property purchase was secured and a Letter of Intent executed.
- Meeting to be held with Bob Kinsley to go over estimates, information and criteria for the facility.
- Press release important when deals are consummated.

**9. RESOLUTIONS AND AGREEMENTS**

- A. Approval of Resolution 2011-01 Undesignated Fund Balance

**SCHENCK** Chairman Schenck asked Solicitor Say if any changes had been made to the Resolution.

**SAY** Solicitor Say indicated that there were no changes made.

**FULLMER** Mr. Fullmer noted that action on the Resolution had been tabled during the last meeting so that Messrs. Bishop and Warman could be included in a decision.

**WARMAN** Mr. Warman noted that it appeared the same and that the numbers had not changed.

A lengthy discussion took place, summarized:

- Capital Reserve Fund – Account to hold funds as capital assets are sold.
- Funds to be used for capital expenditures and unanticipated mandatory expenses.
- Range of 3% to 5% - Money set apart to operate.
- Any expenditure would require Commission approval.

**MR. FULLMER MOVED TO APPROVE RESOLUTION 2011-01. MR. WARMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

## **10. ACTION ON MINUTES**

A. Approval of Minutes: November 16, 2010 – Fire Commission Meeting

**MR. WARMAN MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 16, 2010 MEETING. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. FULLMER ABSTAINED AS HE WAS NOT PRESENT.**

B. Approval of Minutes: December 21, 2010 – Fire Commission Meeting

**MR. FULLMER MOVED TO APPROVE MINUTES OF THE DECEMBER 21, 2010 MEETING AS AMENDED. MR. HUNT WAS SECOND. MOTION CARRIED. MR. WARMAN ABSTAINED AS HE WAS NOT PRESENT.**

## **11. OLD BUSINESS**

**SCHENCK** Chairman Schenck had sent an email to the Commission members and asked for comment. One comment he had received was the process of placing the word “draft” across the top and putting it on the website. It was suggested that not having the minutes posted was in violation of the Sunshine Law. The minutes are only posted following approval.

**SAY** Attorney Say stated that nothing in the Sunshine Law requires posting of records. The only complaint would be with a Right to Know request if it was not handled in timely fashion.

Additional discussion included the following:

- Minutes are posted as a pro-active community outreach; nothing to hide.

- Placing draft minutes on the website discouraged; potential that they would not be removed.
- Unfortunate that minutes cannot be posted more quickly but there are no violations.
- Past practice protocol is to approve minutes by motion; if a Commissioner was not present they did not vote.
- Minutes are a summary of what happened at the meeting. Approval is what one believed happened during the meeting.
- Charter Agreement may indicate that minutes do not need to be approved by motion.
- Minutes are a legal record of a public body and are required as an official action.
- November and December minutes were held due to lack of Quorum of those in attendance.

**12. OLD BUSINESS**

A. Manchester Township

**MCCOY** Chief McCoy reported that a letter had been received from Manchester Township and Solicitor Hovis recommended that it be discussed with the Commission. Chief McCoy had contacted Manchester Township's Manager and Supervisors. They had elected two representatives and their Assistant Manager to be on a working committee. Chief McCoy and Solicitor Hovis were scheduled to meet with them initially to go over proposed scheduling of potential of a work plan as a project manager. Following that assignments would be broken out in a similar fashion as was done with YAUFRR. He wanted to be sure the Commission approved of both he and Solicitor Hovis to attend that first meeting and questioned whether a board member should be present at least for the first few meetings.

**HUNT** Mr. Hunt commented that he wanted to be sure that feedback would be provided for a sense and a flavor of the discussions.

**BISHOP** Mr. Bishop noted that he was not convinced that paying the Solicitor to go to those meetings is the most prudent approach; however, he did not have a problem with him going.

**SCHENCK** Chairman Schenck asked whether the assumption would be that he would be at every meeting.

**MCCOY** Chief McCoy responded that it was his intention during the beginning stages to establish with the Manchester Supervisors the current status and go over some of the information that the Consultant provided, do a quick review of the proposed draft plan and everything could break out from there. The Solicitor should not be needed at every meeting.

**BISHOP** Mr. Bishop commented that if Manchester had assigned two elected officials and one staff person, then YAUFRR should have an elected board member present as well.

**MCCOY** Chief McCoy stated that the initial meeting had been scheduled for January 27, 2011 at 8 a.m. at Manchester Township. He noted it would be just one hour for a brief overview and a potential work schedule or plan.

**FULLMER** Mr. Fullmer noted that the matter should be conducted like any other business, whether it be union negotiations or others where at least a minimum of one Commission member and potentially two would be assigned to the task. Mr. Fullmer favored two because when one can't make a meeting there is an alternate.

**HUNT** Mr. Hunt stated that it was good logic. It matches Manchester's representation and it matches YAUFRR's past practice.

**FULLMER** Mr. Fullmer added that this was a first step and he intended to review the Charter Agreement. He stated that it was important to think everything through and know how the assets would be valued because those questions will be raised.

**Consensus was to send Mr. Bishop as a Commission member to the January 27<sup>th</sup> meeting.**

**Additional Consensus was to appoint one Commissioner from Springettsbury Township and one from Spring Garden Township to the Regional Expansion Investigation Committee.**

**13. NEW BUSINESS**

A. Approval of 2011 Hose Purchases from Capital Reserves

**MCCOY** Chief McCoy requested approval to order the hoses, which had been previously approved in the budget at up to \$7,000.



**MR. WARMAN MOVED TO AUTHORIZE APPROVAL OF 2011 HOSE PURCHASES FROM CAPITAL RESERVES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

B. Approval to Advertise 2011 Commission Meeting Dates

**SCHENCK** Chairman Schenck asked whether the Commission members agreed on the proposed Schedule of 2011 Commission meeting dates. Hearing no conflicts he called for a motion.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF THE 2011 COMMISSION MEETING DATES. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

C. Approval of Fire Chief Job Description

**MCCOY** Chief McCoy reported that because YAUFRR has its own health plan, it was necessary to designate a Security and Privacy official. He was that designee, and he had inserted that into the existing Job Description.

**SCHENCK** Chairman Schenck commented that it was consistent with the previous authorizations.

**MR. FULLMER MOVED FOR APPROVAL OF THE FIRE CHIEF JOB DESCRIPTION. MR. WARMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

### **13. ADJOURNMENT**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:05 p.m.

Respectfully submitted,

John Fullmer  
Secretary

ja