

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

**MAY 20, 2014
APPROVED**

The York Area United Fire and Rescue Commission held a Regular Meeting on Tuesday, May 20, 2014 at 7 p.m. at the Springettsbury Township Offices, 1501 Mt. Zion Road, York, PA

MEMBERS IN

ATTENDANCE: Austin Hunt, Vice Chairman
Kathleen Phan
Cara Beth Zortman
John Fullmer
Eric Lehmayr

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman
George Dvoryak

ALSO IN

ATTENDANCE: Steve Hovis, Solicitor
Robert McCoy, YAUFR Chief
Sandy Ratcliffe, YAUFR
John Woods, YAUFR Battalion Chief
Dan Hoff, YAUFR Battalion Chief
Jay Van Pelt, YAUFR Battalion Chief
Don Eckert, YAUFR
George Mount, YAUFR Representative
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

1. Pledge of Allegiance

HUNT Vice Chairman Austin Hunt called the meeting to order and led the Pledge of Allegiance.

2. Step III Grievance Hearing

HUNT Mr. Hunt asked Chief McCoy whether a representative was present in order to have the Step III Grievance Hearing.

MCCOY Chief McCoy responded with some background information concerning this grievance, which is the fourth Step III Grievance to come before the YAUFR Commission. Solicitor Hovis had responded to the Hearing request that it would be extended to the next full YAUFR meeting, which went beyond the 30-day time period in the contract. Solicitor Hovis had communicated with President Sowers

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

**MAY 20, 2014
APPROVED**

indicating this common practice. A response was received indicating three conditions to be met to have the hearing, which had not been done in the past. Each condition was answered. As of this date, May 20, 2014 there had been no word from President Sowers as to whether he intended to be present. Chief McCoy noted they were prepared to do a presentation; however, they will wait to hear from the Union.

HUNT Mr. Hunt asked whether there was a legal timeline to be met.

HOVIS Solicitor Hovis responded that the Collective Bargaining Agreement indicated that if the parties are unable to resolve their differences within 30 business days from the submission of the Grievance, that either party would have the right to then pursue arbitration on that issue. It is not a deemed denial or a deemed approval; it just allows either party to proceed to the next step. The parties, Union representatives and the YAUFR Commission shall meet to try to resolve their differences associated with the Grievance. If they are unable to resolve their differences, they can move to Step IV and if they are unable to resolve their differences within the 30 days, that either party may proceed. Solicitor Hovis stated he would communicate with President Sowers indicating that the Commission was willing to meet with an included Agenda item concerning the Grievance and at this time it appeared that the 30 business days have run in accordance with the Step III procedure.

PHAN Ms. Phan asked whether President Sowers was aware that the Commission planned to discuss the Grievance this date.

MCCOY Chief McCoy responded that President Sowers had received two pieces of correspondence: first a letter indicating receipt of the Grievance, and secondly following President Sower's conditional letter, a response was issued by Solicitor Hovis.

HOVIS Solicitor Hovis noted that the conditions stated in President Sower's letter were associated with the fact that he wanted to have an Executive Session as required. There is no requirement in the Collective Bargaining Agreement to do so. In addition, he wanted to require YAUFR to have a written opinion back to him within a certain period of time, for which there is 30 day deadline requirement. They could have met in a timely basis. An additional requirement was that he wanted to have time off for the meeting. The Collective Bargaining Agreement does give certain hours to the Union President for Union activities. YAUFR had responded that in accordance with that provision his time would be allocated as

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

**MAY 20, 2014
APPROVED**

set forth in the Collective Bargaining Agreement; there would be no waiver of that provision.

MCCOY Chief McCoy noted that the second letter was sent to President Sowers on May 5, and he had received his copy in the office on May 6th through the mail.

HUNT Mr. Hunt noted that, for the record, the Commission waited and President Sowers did not attend. It was YAUFR's understanding that he was aware of the meeting.

MR. FULLMER MOVED TO AUTHORIZE SOLICITOR HOVIS TO CREATE A WRITTEN RESPONSE TO THE UNION PRESIDENT, MR. SOWERS, INDICATING THAT THE BOARD OF COMMISSIONERS MET MAY 20TH WITH AN AGENDA ITEM TO DISCUSS THE STEP III GRIEVANCE WITH THE UNION PRESIDENT. HOWEVER, THERE WAS NO ONE FROM THE UNION PRESENT FOR DISCUSSION. THE 30 BUSINESS DAYS HAVE RUN IN ACCORDANCE WITH THE STEP III PROCEDURE. MS. ZORTMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

HUNT Mr. Hunt announced that no Executive Sessions had been held since the last meeting, and none were contemplated this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. MANAGEMENT/ATTORNEY REPORTS

A. Steve Hovis, Solicitor

HOVIS Solicitor Hovis stated that the major issue he had been working with was the lease, which was to be discussed under New Business.

B. Robert McCoy, Fire Chief

MCCOY Chief McCoy had provided a written report and had nothing further unless there were questions.

PHAN Ms. Phan noted that it was a very accurate report.

5. ACCOUNTS PAYABLE

A. Payable Listing as of April 30, 2014

MR. FULLMER MOVED TO APPROVE THE PAYABLES AS OF APRIL 30, 2014. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS & CONTRACTS

There were none for action.

7. COMMUNICATION FROM COMMISSIONERS

IPads, Active 911, etc.

PHAN Ms. Phan requested Chief McCoy to review the use of IPads, Active 911 and GPS mapping.

MCCOY Chief McCoy provided information concerning the technical upgrades for YAUFR. The discussion is summarized:

- Previously used Toughbooks in the fire trucks – Cost \$4,200 each
- Battalion Chief Anderson did map books for Stations 89.1,2,3 and 4 and Station 24 in Visio; drawn and different than GIS maps. Includes hot spots, sprinkler connections, standpipe connections, distance measurements, and any other pertinent information. The paper maps serve as a baseline.
- IPads purchased for approximately \$550 each; always active, indexed and alphabetized; quick access to map pages.
- YAUFR verified hydrant locations and trust the maps.
- Active 911 software is installed on the IPads and iPhones; shows where the call is, units dispatched; has GPS ability. Cost about \$300 total for all IPads and iPhones.
- Discrepancies have been found in the Active 911 software. Personnel advised to use Department maps for all YAUFR calls and use Active 911 for calls in areas that we do not have maps for.
- IT Chair, Battalion Chief Hoff documented that YAUFR maps are trusted maps.

PHAN Ms. Phan questioned whether there is an opportunity within Active 911 software to submit complaints or obtain updates more accurately.

HOFF Battalion Chief Hoff responded that they have the ability to contact them. The hydrant locations that are in place were obtained and uploaded from York Water Company. There were no inaccuracies to date that they are aware of.

PHAN Ms. Phan thanked him for all the time spent building the maps. The effort was very important and is appreciated.

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

**MAY 20, 2014
APPROVED**

MCCOY Chief McCoy noted that hydrants are a prime example of the importance. When running a fire call they always establish a water supply which includes laying a supply line from the hydrant to the front of the location.

Street Widths

PHAN Ms. Phan commented that she had been doing some research on two separate items. One concerned Silver Spur Drive, a road in her development. Her family has a F-350 and a camper. If the cars are parked on Silver Spur without being up on the curb, they can't get through. If her house is on fire, and the fire truck can't get to her house, she is concerned. As a Township Board Member, it is something that she had not yet discussed with the Township; however, her concern was whether new development streets are wide enough and whether those concerns had been previously addressed.

MCCOY Chief McCoy responded that he had never had a problem where they could not get down a street. Any time there is a concern, they will take their largest truck there to make sure. He had occasions where they had driven through yards to get to a house that is on fire. In addition, they have the ability to run longer hose lines if close access is not available.

Traffic Studies

PHAN Ms. Phan asked whether YAUFR researches and/or does traffic studies; for example, knowing the quickest routes to get to the destination.

HUNT Mr. Hunt responded that there is a very elaborate computer program based on GIS that figures out time and number of turns for the apparatus. The Chief has time circles and response time radiuses from all the locations and distance radiuses. He added that, to her point, just because the destination is close does not mean one can get there quickly.

MCCOY Chief McCoy responded that they have been able to compile documentation that measures distance, time and safety, mileage studies, lights, stop signs, speed humps, islands, etc. Every call is different, but the employees know where to go with the current applications.

PHAN Ms. Phan thanked him for the education.

8. COMMITTEE REPORTS

A. Volunteer Committee

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

**MAY 20, 2014
APPROVED**

- ECKERT** Don Eckert reported that the new fire building is progressing quickly and it is possible to be complete by the end of June or first week of July. He announced that an auction will be held at the Springettsbury Fire Station at 3013 East Market Street on Monday, July 7th. They are very busy preparing articles for the auction, as well as preparing for the logistics of the move.
- HUNT** Mr. Hunt noted that Chief McCoy had given him a tour of the building project. They had discussed a Grand Opening Ceremony and Mr. Hunt suggested planning for something over Labor Day Weekend, a big public event.
- ECKERT** Mr. Eckert commented that they definitely want to have that kind of a public opening and dedication of the facility. He noted that the exterior bricks are being installed. As soon as they are finished with that, they will begin grading.
- MCCOY** Chief McCoy noted that they had to re-grade the entrance from Commons to Theater Drive to the doctor's offices due to the road being raised five or six feet higher than intended. The curb work is done and the re-grading is done. They are on schedule according to the direction from the Springettsbury Board. Work is progressing in the area where the box culvert will go so it is moving forward.
- ECKERT** Mr. Eckert commented that they are ready for the culvert to be constructed and delivered. The excavation work is completed.
- HUNT** Mr. Hunt thanked Mr. Eckert for everything he had done.
- PHAN** Ms. Phan thanked him as well. She asked him where the proceeds from the auction will be directed.
- ECKERT** Mr. Eckert responded that the proceeds will go into the Springettsbury Township Volunteer Fire Company, which by the time everything is moved into the new fire building, they will have \$1.4 million in the construction of the station. In addition, he noted that the volunteers had purchased new furniture for the entire facility, first floor and second floor headquarters as well as the furniture for the lounge for the career firefighters. The tables and chairs for the meeting/all purpose room were purchased by the township.
- HUNT** Mr. Hunt noted that it was extraordinary.
- ECKERT** Mr. Eckert noted that they are ready to move into the new building.
- MCCOY** Chief McCoy added that because the volunteers borrowed \$200,000 from Relief, they are charged interest by law. They have made two payments of \$9,000, which amounts to \$18,000 in interest.

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

**MAY 20, 2014
APPROVED**

ECKERT Mr. Eckert added that the volunteers had paid \$600,000 for the lot, which currently is owned by the volunteers and will be conveyed to the township.

9. RESOLUTIONS AND AGREEMENTS

There were none for action.

10. ACTION ON MINUTES

- A. Approval of Minutes: March 18, 2014 – Strategic Planning Meeting
- B. Approval of Minutes: April 15, 2014 – Strategic Planning Meeting
- C. Approval of Minutes: April 15, 2014 – Fire Commission Meeting

MZ. ZORTMAN MOVED FOR APPROVAL OF MINUTES ITEMIZED ON THE AGENDA AS A, B, AND C AS SUBMITTED. MR. FULLMER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. OLD BUSINESS

Consultant Update

MCCOY Chief McCoy reported that during the last Strategic Planning Meeting, he and Ms. Phan had been tasked with reviewing and selecting potential individuals for the Facilitator/Consultant role. They had made eliminations and had telephone interviews with several candidates. They recommended Patrick Ball for the position.

PHAN Ms. Phan added that each individual had pros and cons; however, Mr. Ball had stood out with his knowledge of YAUFR, the questions he asked, and ideas he proposed.

HUNT Mr. Hunt noted that Mr. Ball is known to him personally and had done some strategic planning for him as well.

MCCOY Chief McCoy recommended to the Commission that he and Ms. Phan would have him come for a face-to-face interview to get additional specific information to him as to what YAUFR is seeking. Chief McCoy hoped to have Mr. Ball ready to go for the June meeting.

HUNT Mr. Hunt asked about the financial obligation.

MCCOY Chief McCoy responded that, following discussion, his price is \$7,500.

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

**MAY 20, 2014
APPROVED**

- HUNT** Mr. Hunt asked about the deliverables that he would present and a calendar timeframe.
- MCCOY** Chief McCoy responded that YAUFR will own all the notes and material that is collected; however, he will present a report with established goals and a tactical version to achieve the goals. He will move as quickly as necessary.
- PHAN** Ms. Phan noted that he indicated he would keep everything on track.
- FULLMER** Mr. Fullmer stated he felt very comfortable with their recommendation for Mr. Ball. The Commission had given the Chief and Ms. Phan the charge to do the phone interviews and had been impressed with him. Mr. Hunt knows him, and three people have given approval to move forward.
- HOVIS** Solicitor Hovis noted that they would work on defining the proposal. He suggested the Commission authorize Chief McCoy and Ms. Phan to negotiate the proposal with a fee not-to-exceed \$7,500 that will then be approved at the June 17th meeting. If Mr. Ball is comfortable preparing for that meeting knowing that the proposal needs to be approved at that time, that would be done at his own risk.
- PHAN** Ms. Phan noted that Mr. Ball had delivered his resume with a quote of \$7,500 for the deliverables provided to him.

MR. FULLMER MOVED TO APPROVE CONSULTANT PATRICK BALL WITH A NOT-TO-EXCEED AMOUNT OF \$7,500 WITH THE GENERAL DELIVERABLES TO BE APPROVED BY THE YAUFR BOARD AT THE JUNE 17, 2014 MEETING. MS. ZORTMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Pumper Purchaser

- PHAN** Ms. Phan asked if there had been any further discussion of where the financing is coming from for the new pumper.
- MCCOY** Chief McCoy responded that when they had the final design meeting, they had made some deletions and some additions. The additions amounted to \$6,211. The majority of that was left off crossways for two additional hose lines. They will not be dealing with the financial end of it until year 2015.
- HUNT** Mr. Hunt commented that by approving the Capital Budget, both townships had given YAUFR the authority to proceed with the purchase.

12. NEW BUSINESS

- A. Approval – Lease Agreement for Station 891

HOVIS

Solicitor Hovis reported that there had been a number of iterations of the draft lease. It began with a simple concept but became increasingly difficult as the layers were peeled back. Springettsbury was to be the landlord and they planned to rent to YAUFR for \$1 rent but basically pay the operating expenses. The overall capital improvements would be paid by Springettsbury. As they began getting deeper into the issues, the fact revealed that YAUFR, the volunteers and EMS all would be occupying the building with specific identified exclusive areas including office space. There are common areas such as the dining area, sleeping area and TV room that will be occupied in common by all parties, along with the meeting room as well. The lease identifies the exclusive areas and identifies responsibility for maintenance, cleaning, etc. YAUFR will be the lead with respect to overall maintenance and cleaning of common areas. With respect to the utility costs, that will be split on a proportionate basis based on the exclusive area being occupied by each party and will be divided up from time to time. Should the EMS service be contracted out to a third party, that third party would have the right to occupy two parking spots in the bay area for two ambulances, as well as have the ability to occupy the EMS exclusive areas and the common areas.

Solicitor Hovis noted the following:

- The term starts with the Certificate of Occupancy issued for the building.
- The rent is \$1.00.
- Use of the building is identified for fire, ambulance and volunteer purposes.
- Building and/or the meeting room can be used for governmental organizations.
- Fire Chief's Administrative Assistant will take the lead with respect to use of the meeting room; however, YAUFR's use takes precedence in any case.
- Basic Fire Insurance – Springettsbury will provide the overall insurance for the building. All tenants need to provide insurances for their own property.
- The facility is tax exempt as it is being used by public entities. Any entity, be it a third party, such as EMS becoming taxable, would be responsible for any tax bill associated.
- Springettsbury is responsible for capital improvements; however, YAUFR is responsible for the day-to-day repairs, maintenance, etc.
- Springettsbury will handle the snow plowing and landscaping as they have township crews to do that on parks and facilities.
- Any alterations to be made need to be approved by Springettsbury; indemnifications must be provided for all alterations if, by action, create liability to any third party.

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

**MAY 20, 2014
APPROVED**

- All house rules will be created by YAUFR with respect to common areas and all parties shall be responsible for following same. YAUFR will control activities in the common areas.

FULLMER Mr. Fullmer asked whether there would be an exhibit that would spell out the square footage or percentages that EMS and the volunteers will absorb.

HOVIS Solicitor Hovis responded that there are a set of plans that will track the lease language. They may add a tweak to denote that in accordance with the attached exhibit.

MCCOY Chief McCoy noted that the lease would not come before the Springettsbury Board until its June 26th meeting. It could be approved with the square footage attachment. He added that he had discussed the General Liability insurance with the insurance carrier, and there would not be any change other than the township picking up the building insurance.

Consensus was to continue to review the lease and act upon it at the next YAUFR meeting.

HOVIS Solicitor Hovis stated that he would circulate a revised, red-lined version with additional exhibit language to the board.

B. Acknowledgement – Compliance Audit Report for YAUFR Administrative Defined Contribution Pension Plan – January 1, 2011 to December 31, 2012

C. Acknowledgement – Compliance Audit Report for YAUFR Union Defined Contribution Pension Plan – January 1, 2011 to December 31, 2012

MCCOY Chief McCoy noted that B and C could be quickly explained. They relate to the two 401 defined contributions. This was YAUFR's first official pension audit. The Auditor was very happy with the record keeping; however, one Battalion Chief transferred from the Fire Fighter Fund to the Admin Plan and actually was listed on both. In addition, the Administrative Assistant had been counted as a Fire Fighter for two credits; Admin gets one. The finding was that YAUFR then owed \$11,300. That was paid, and if there is any remaining YAUFR MMO money for the year, it will be reimbursed and used for pension expense. The state honored all recommendations except paying interest. Everything was reviewed with Tom Zimmerman of Conrad Siegel.

HUNT Mr. Hunt asked what kind of corrective action was put into place to assure it does not happen again.

MCCOY Chief McCoy responded that an administrative policy will be drafted.

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

**MAY 20, 2014
APPROVED**

RATCLIFFE Ms. Ratcliffe explained that in their reporting, they had to remove the Admin from the Fire Fighter's Admin Plan and place her in a non-uniform plan for their reporting so that she would be counted only once.

MCCOY Chief McCoy noted that they actually had followed the Actuary's advice.

MR. FULLMER MOVED TO ACKNOWLEDGE RECEIPT OF COMPLIANCE AUDIT REPORTS ITEMS B AND C ON THE AGENDA. MS. ZORTMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. ADJOURNMENT

HUNT Vice Chairman Hunt adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Signature on file at YAUFR Headquarters

John Fullmer
Secretary

ja