

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

**DECEMBER 18, 2007
APPROVED**

The York Area United Fire and Rescue held a Regular Meeting on Tuesday, December 18, 2007, at 7:00 p.m. at the Springettsbury Township offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

PRESENT: Austin Hunt, Vice Chairman
Don Bishop, Springettsbury Commission Member
John Fullmer, Secretary/Treasurer
Holly Gumke, Spring Garden Commission Member
Richard Guyer, Spring Garden Non-Voting Alternate
Nick Gurreri, Springettsbury, Voting Alternate

MEMBERS

NOT PRESENT: Bill Schenck, Chairman

ALSO PRESENT: John Holman, Springettsbury Township Manager
Greg Maust, Spring Garden Township Manager
Steve Hovis, Solicitor
Barry Emig, Chief, Spring Garden Fire
Dave Eckman, FF Local 2377
Dan Hoff, Springettsbury Township
Tony Surtasky, Springettsbury Township
Lee Sowers, Spring Garden Township
Andrew Stern, Springettsbury Merger Committee
Scott Curtis, Grantley Merger Committee
Tom Stees, Victory Merger Committee
Don Eckert, Springettsbury Merger Committee
Jean Abreght, Stenographer

1. CALL TO ORDER:

HUNT Vice Chairman Austin Hunt called the December meeting to order at 7:10 p.m.

A. Opening Ceremony

1. Pledge of Allegiance

HUNT Vice Chairman Hunt led the Pledge of Allegiance. He stated that Mr. Schenck would not be in attendance, as he was having some back problems.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:

HUNT Vice Chairman Hunt stated that there were no Executive Sessions planned.

3. COMMUNICATION FOR CITIZENS:

HUNT Vice Chairman Hunt asked whether anyone wished to speak on a topic other than what had been listed on the Agenda.

ECKERT Don Eckert stated he would like to report for the volunteers.

HUNT Mr. Hunt requested that Mr. Eckert hold his comments until item 9, Subcommittee Reports.

4. MANAGEMENT/ATTORNEY REPORTS:

A. Steve Hovis, Solicitor

HOVIS Solicitor Hovis stated that the majority of his items for discussion appeared later on the Agenda or under Committee Reports.

5. ACCOUNTS PAYABLE:

There were no bills presented for payment.

6. BIDS, PROPOSALS AND CONTRACTS:

EMIG Mr. Emig provided a cost sheet which he had prepared for uniform issues. He had developed the list through the state vendor, CoStar. The list was representative of minimal items for the start of the department. He had included a list of items the Chief and Deputy Chief will need, as well as an estimate on signs to mark the office and station. He suggested that an order be placed fairly soon in order to provide at least a month lead time.

HUNT Mr. Hunt commented that his only hesitation would be ordering something for the new Chief.

EMIG Mr. Emig responded that nothing would be ordered for him ahead of time.

GUMKE Ms. Gumke questioned the need to order short-sleeved versus long-sleeved shirts.

EMIG Mr. Emig noted that he hoped to have shirts in place by April, and some individuals won't want to wear long sleeves at that time.

GUMKE Ms. Gumke thought that some might want to wear long sleeves all the time and a short-sleeved polo shirt underneath.

HUNT Mr. Hunt stated that he would want to leave as many decisions as possible for the new Chief.

BISHOP Mr. Bishop asked how Mr. Emig arrived at the quantity for patches.

EMIG Mr. Emig responded that it was just a starting point for uniformed shirts for everyone. The price lowers as the quantity is raised.

HOLMAN Mr. Holman stated that he agreed that the new Chief should have input into the uniforms and patches and the transitional phase from the uniforms. He

complimented Mr. Emig on the excellent job putting together the list which was a very good start. Having the new Chief's input will help him identify with the organization.

GUMKE Ms. Gumke agreed but thought they were looking for something in the transition period. They were hoping that on day one there would be something that everyone could wear that identified them with the York Area United Fire and Rescue. When the new Chief is in place, he can decide what he wants everyone to look like. This is an interim step.

GURRERI Mr. Gurreri thought it would be nice to have shirts for the uniformity of the new department.

BISHOP Mr. Bishop stated that he thought Mr. Hunt's original suggestion to include the top four items on Mr. Emig's list made sense to him, which would be a minimal approach to the short-term objective.

MR. BISHOP MOVED TO APPROVE THE TOP FOUR ITEMS ON THE LIST PRESENTED. MR. GURRERI WAS SECOND.

GUMKE Ms. Gumke commented that she thought there would still be a need to address the short-sleeve issue.

HUNT Mr. Hunt asked Mr. Bishop whether he was willing to amend his motion to include long sleeves or short sleeves as selected.

BISHOP Mr. Bishop responded that he did not have enough information to make a decision concerning requiring people to wear specific items. He added that his thought was to provide something toward the identity of the new organization on February 4th as an interim step.

FULLMER Mr. Fullmer agreed with Mr. Bishop. He thought the concept of having people show up on February 4th wearing their new shirts would be good; however, there may be some overlap in the transition period.

GURRERI Mr. Gurreri indicated they should be encouraged to wear the new shirts.

HOVIS Attorney Hovis noted that the wearing of the YAUFRR shirts on February 4th reflects the fact that there is a signed contract creating that department. Under one scenario, if there is no contract, it will operate under separate contracts, Spring Garden and Springettsbury, until there is a collective bargaining agreement signed from the each entity.

BISHOP Mr. Bishop stated that it was his understanding that YAUFRR will operate as the new entity whether or not there is a contract.

HOVIS Attorney Hovis responded that it will be operating with the Spring Garden Fire Company and Springettsbury Fire Company then assigning their firefighters to cover

the mutual area of the York Area United Fire and Rescue. He cautioned not to lose sight of the fact that in that capacity they still would be Spring Garden and Springettsbury Township employees operating under their collective bargaining agreements.

HUNT Mr. Hunt thanked him for his comments and called for the vote.

MOTION CARRIED 4/1. MESSRS. HUNT, BISHOP, FULLMER AND GURRERI VOTED YES; MS. GUMKE VOTED NO.

HOLMAN Mr. Holman reported that all the costs had come in with regard to the Med-York building. He will compile the information, send them to Attorney Rausch and Attorney Hovis to develop an agreement. He added that the work is deminimus.

HUNT Mr. Hunt added that the other pending agreement was for Springettsbury to handle the administrative duties.

HOLMAN Mr. Holman stated that would be included in the same agreement.

7. COMMUNICATION FROM COMMISSIONERS:

There were no communications from Commissioners.

8. CONSULTANT'S REPORT:

HUNT Mr. Hunt stated that Mr. Adams was not present. He asked whether either of the Managers had anything to report.

MAUST Mr. Maust responded that his only comment would be covered under the Fire Chief Search.

9. SUBCOMMITTEE REPORTS:

A. Fire Chief Search Subcommittee

HUNT Mr. Hunt reported that phone interviews had been conducted with five candidates and five of the finalists had been extended offers of interviews. Some are within driving distance, and some are from out of town. He asked how the Board would like to handle the interviews. The questions were whether to:

- have an outside professional facilitator,
- use an inside facilitator,
- draw on Ms. Gumke's experience,
- have Les Adams participate.

Consensus was to have Ms. Gumke facilitate the process.

HUNT Mr. Hunt asked Mr. Maust about the tentative schedule for interviews.

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- MAUST** Mr. Maust presented several scenarios:
- Dedicate two afternoons back to back,
 - Morning/afternoons,
 - Tour of facilities (a.m.) and sit down discussions (p.m.) – Two days.
- GUMKE** Ms. Gumke noted that Mr. Maust had attempted to facilitate the Board’s schedules, but she had scheduled both days into her calendar.
- HUNT** Mr. Hunt noted that the dates are Thursday and Friday, January 3rd and 4th. He requested that Messrs. Hoff and Emig be available to provide the candidates a tour of the stations and the area. He asked for further comments.
- BISHOP** Mr. Bishop stated that he could be somewhat flexible. He has a Friday lunchtime appointment. He would not want to hold those dates open for very long.
- FULLMER** Mr. Fullmer advised that he was flexible as well. He does have another appointment at 11 a.m. on January 3rd.
- GUMKE** Ms. Gumke stated that there are some excellent candidates coming for interviews.

B. BUDGET SUBCOMMITTEE:

- FULLMER** Mr. Fullmer noted that the committee had not concentrated too much on the budget. They are focusing on the contract negotiations.
- HUNT** Mr. Hunt questioned whether Mr. Fullmer had received Mr. Emig’s asset list.
- FULLMER** Mr. Fullmer responded that he had received the information.
- HUNT** Mr. Hunt asked Attorney Hovis whether he had received the information as well.
- HOVIS** Attorney Hovis responded that he had not, and added that he would like to learn what issues there are sooner than later, as to what agreements are needed to draw up concerning third-party volunteer equipment.
- HUNT** Mr. Hunt requested Mr. Emig to forward a copy of that to Attorney Hovis for his review of leases, title transfers, etc.

B. Negotiation Subcommittee

- FULLMER** Mr. Fullmer reported that several meetings had been held with the bargaining units and the committee. Proposals were exchanged as a first step. All additional meetings were postponed until January 11th in order to review the proposals, followed by a marathon bargaining session with the attorneys present. Incorporated within the exchange of proposals was the org chart. Attorney Hovis was asked to prepare a resolution to adopt those org charts.

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HOVIS Attorney Hovis responded that the org chart was included as Exhibit A of a simple and straightforward resolution that indicates in order to provide for a safe and efficient management of the department, the Commission desires to adopt the organizational chart as the official organization of the department. The actual chart will be attached as Exhibit A. It is the formal approval of such document; however, it can be modified or amended from time to time by adopting a new resolution.

FULLMER Mr. Fullmer stated that two charts had been prepared. One was for a four-station chart and one a three-station chart. One or the other will need to be adopted for the station code. He noted that the chart had been reviewed by Mr. Adams.

HOVIS Attorney Hovis added that adoption of the resolution would be needed to identify which exhibits will be attached for the station code.

HUNT Mr. Hunt noted that he thought everyone had reviewed the org chart. He asked whether it had been reviewed by the labor attorney.

HOLMAN Mr. Holman stated that Attorney Harvey had the resolution but has not commented on it. Also, he is currently reviewing the job descriptions that apply to the org chart.

BISHOP Mr. Bishop questioned whether there would be any benefit to adopting it now as opposed to have additional time for review.

HUNT Mr. Hunt responded that it was not set in stone and could be amended at any point.

GUMKE Ms. Gumke stated that the document could be amended in the future. It had been reviewed and discussed previously. She stated it would make to move forward as one more step toward the end product.

GURRERI Mr. Gurreri indicated agreement with Ms. Gumke.

HUNT Mr. Hunt noted that there might be a typo under the station commanders on shift B.

BISHOP Mr. Bishop noted that was his reasoning for not moving forward.

HUNT Mr. Hunt questioned whether the options on specific job descriptions would be limited if adoption moved forward since there was no attachment for the duties.

HOLMAN Mr. Holman stated that all the chart does is set a chain of command.

FULLMER Mr. Fullmer agreed.

HUNT Mr. Hunt indicated he was 80% confident that it was correct. He called for a motion.

MR. FULLMER MOVED TO ADOPT RESOLUTION 2007-01, A FOUR FIRE STATION MODEL ORGANIZATION CHART. MS. GUMKE WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. VOLUNTEER SUBCOMMITTEE:

ECKERT Don Eckert reported that another meeting of the volunteer emergency coordinating committee had been held and was represented by all of the three different fire companies. An agreement was reached and a letter prepared, which outlined and confirmed to the commission the endeavor that the volunteer organization planned to take with having a volunteer organization under the York Area United Fire and Rescue umbrella. The letter had been signed by all three presidents. He asked Andrew Stern to read the letter and discuss their thoughts in terms of the volunteer organization. A copy of the letter was presented to the Commission and made a part of these minutes.

STERN Mr. Stern read the letter indicating that the volunteer fire companies, Grantley, Spring Garden, Victory, and Springettsbury, had agreed to work collectively to prepare a plan for the future of volunteers within the YAUFR. Mr. Stern noted that Tom Stees and Don Eckert were present; however, Scott Curtis was unable to attend and sent his apologies.

Consensus of the Commission was that it was an excellent beginning step for the volunteers.

STERN Mr. Stern stated that the letter had come from several months of working with the volunteer fire companies. He indicated that it was only a concept and that it was approved in concept form only. It could be the 4th Volunteer Fire Company; however, the volunteers do not want to see it that way. They do not believe they are ready to recommend a merger or consolidation at this time. The concept is the creation of a newly-formed York Area United Volunteer Fire Company made up of the members of the other three volunteer fire companies. They will select a 9-member Board of Commissioners and would not replace any of the others; not the assets or equipment, or fire houses. It would be a starting point and as this Commission sees things that the volunteers might be able to do. Perhaps down the road 1, 2, or all 3 of the volunteer fire companies may not be needed and may dwindle down to two or might decide to stay to benefit the overall concept.

ECKERT Mr. Eckert added that it would be an incorporated non-profit organization. The other item would be Fire Police, who must be members of a fire company and be selected by a fire company. Without having any boundary lines, they will have to be creative in how to get that functioning.

STERN Mr. Stern noted that they are not sure whether what they had proposed is legal.

FULLMER Mr. Fullmer stated that they were really thinking outside of the box.

GUMKE Ms. Gumke noted that it was really exciting to hear all the ideas.

HUNT Mr. Hunt thanked them for their report. He stated that last month the Commission sent a letter to County Control requesting their advice and help on facilitating the merger. Messrs. Emig and Hoff met with the Assistant Executive Director of County Control, and their discussions led to a recommendation to change the station number

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to a unified number for the entire region. The working concept that they came up with was to use the designation 89 instead of the current station number.

EMIG Mr. Emig stated that in order to fall in line with all the other multiple stations, they use the same system. They would like us to fall in line. This laps over with changes in the CAD system for dispatching and the actual assignments of numbers to the area boxes. We need to do it and we need to use that information and get it in place by February 4th.

HUNT Mr. Hunt stated that he did not understand all the technical issues; however, the career, volunteer and county control personnel had both recommended this.

HOVIS Attorney Hovis stated that it would include the re-numbering and designations to be used before the department became operational.

HUNT Mr. Hunt noted that it would become effective February 4th regardless of the contract situation.

EMIG Mr. Emig stated that the action needed to be taken as of the start-up basis. It allows for the upgraded responses. He added that people will need to be notified and it is a complicated process.

BISHOP Mr. Bishop asked what difference it would make between doing that on February 4th as opposed to doing it on March 15th.

HUNT Mr. Hunt responded that it would simply route the emergency responders to the proper location.

HOFF Dan Hoff added that it will enable the programmers at county control to get their jobs done, which could be problematic in their moving into their new facility.

MS. GUMKE MOVED TO APPROVE THE NEW STATION AND APPARATUS NUMBER FOR YORK AREA UNITED FIRE AND RESCUE AS STATED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop wanted to be absolutely clear that his understanding of the whole bargaining unit and the collective bargaining agreement was that this union of the two townships for fire protection will happen whether there is a collective bargaining agreement or not.

HOVIS Attorney Hovis responded that he had stated it correctly in that that it will begin acting as a merged unit. It is how the firefighters are treated, i.e., as either employees of the commission or employees of the independent municipalities in which they are currently employed.

BISHOP Mr. Bishop added that he did not think that how the employees are treated will have anything whatsoever to do with County Control or some of the other things that were discussed about whether the merger goes forward.

HUNT Mr. Hunt indicated that plan B for February 4th and beyond if there's no collective bargaining unit, there will be Spring Garden and Springettsbury municipal employees reporting to the Regional Fire Chief dispatch on regional fires.

HOVIS Attorney Hovis added with the obligation as a result of assignments by each of the governing bodies to have the authority to fight fires in either Spring Garden or Springettsbury Townships.

FULLMER Mr. Fullmer stated that an alternate date for arbitration is May 27, 2008.

GUMKE Ms. Gumke commented that hopefully that won't be needed.

HUNT Mr. Hunt asked whether that same arbitrator be for the Springettsbury Association.

FULLMER Mr. Fullmer responded that it would not.

HOLMAN Mr. Holman added that their contract is still under discussion.

10. RESOLUTIONS AN AGREEMENTS:

Resolution 2007-01 was acted upon earlier during the Agenda.

11. ACTION ON MINUTES:

A. Approval of Minutes: November 20, 2007

**MR. GURRERI MOVED TO APPROVE MINUTES OF NOVEMBER 20, 2007
COMMISSION MEETING AS PRESENTED. MS. GUMKE WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

12. OLD BUSINESS:

A. York Area United Fire & Rescue Bylaws

HOVIS Attorney Hovis reported that he and Mr. Bishop had a conference call in which they discussed the bylaws. He had followed up with an amended version of the bylaws to Mr. Bishop for his review.

BISHOP Mr. Bishop responded that the changes had started to address some of the issues. He stated that he had high aspirations for the bylaws that are probably unrealistic at this point. He added that when it is determined that bylaws are needed, that process should proceed.

HOVIS Attorney Hovis had copies to distribute; however, he agreed to issue them electronically for review over the next month.

B. York Area United Fire Rescue Charter Agreement Requirements

HOVIS Attorney Hovis stated that the Charter Agreement had been distributed. He reported that everything seemed to be falling in place based on the committee work. He had compiled a “drop dead February 4th list.” Whether or not there is a collective bargaining agreement in place, there are some issues that the managers are dealing with, such as Workman’s Compensation, insurance, payroll and benefits. The collective bargaining agreement in and of itself will take care of the pensions and things of that nature. Insurances need to be in place for the employees. One thing that had not been discussed was the issue of mutual aid agreements between the municipalities. Those agreements will need to be amended to be with the York Area United Fire and Rescue.

HUNT Mr. Hunt asked the managers if they could have their chiefs collect those for review.

HOLMAN Mr. Holman responded that he has the majority of them and could bring them together for resolution by the boards to authorize YAUFRR.

HOVIS Attorney Hovis stated that the agreement would be the Commission with the other municipalities.

MAUST Mr. Maust noted that it would be a transfer of responsibility from Townships to the Commission. He asked whether that should be done by resolution or by a new agreement.

HOVIS Attorney Hovis responded that if the other municipalities are willing to accept an assignment of that agreement, that may be the easiest way to handle it. Most of them were adopted by resolution and, therefore, they will have to be assigned by resolution.

MAUST Mr. Maust stated that they will compile what they have, and Attorney Hovis can provide guidance at that time.

HUNT Mr. Hunt asked about the codification of the asset ownership and whether there is any risk of a gap in insurance if there is an unclear title to a piece of apparatus. He wondered whether there were any time pressures on the title of the apparatus or any real estate title or leases.

HOVIS Attorney Hovis responded that it would be something for review and something that the managers should discuss with the insurance carriers. The representation by Mr. Eckert indicated a laying of the foundation of cooperation toward dealing with those issues.

13. NEW BUSINESS:

There was no New Business for discussion.

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- ECKERT** Mr. Eckert reported that the Fire Police had just come off a week of long hours in an ice storm. He indicated it was very important to get the County Control issue correct so that they are informed. The Fire Police had been working within the two townships, and there are many things, such as the difference in running red lights and sirens and blue lights, that they are concerned with because there are differences in their operation. It will be of utmost importance so that there is no confusion when an emergency call comes.
- HUNT** Mr. Hunt stated that was one of the big benefits of starting early so that everyone is informed. He asked whether Attorney Hovis was informed of the differences in running red or blue lights.
- HOVIS** Attorney Hovis responded that there is a specific statute that deals with Fire Police and sets forth their authority, which is limited in certain situations.
- ECKERT** Mr. Eckert stated that it all depends on discussions between the Fire Police and the municipalities. The law states that the Fire Police are under the police department. Blue lights don't have sirens, and Fire Police should not respond with blue lights. That must be coordinated with Spring Garden.
- HUNT** Mr. Hunt asked how the Commission could assist with this coordination.
- ECKERT** Mr. Eckert responded to just keep them informed. Let those who have the responsibility know what's happening and what all is being used.
- HOVIS** Attorney Hovis asked whether he had discussed the light situation with Chief Eshbach or was it with the Fire Chief.
- ECKERT** Mr. Eckert responded that it was discussed with Chief Eshbach of the Police Department.
- HOVIS** Attorney Hovis stated that it might be helpful for Chief Eshbach and Chief Swartz to speak about that. He was aware that Chief Swartz was trying to coordinate a little bit more of the Spring Garden Township Fire Police.
- EMIG** Mr. Emig noted that they had a meeting at the end of last week.
- HUNT** Mr. Hunt encouraged Mr. Eckert to be sure and bring problems to the Commission's attention as it is very helpful to everybody.
- GURRERI** Mr. Gurreri asked when the next meeting will be held.
- HUNT** Mr. Hunt reported that the next regular meeting will be Tuesday, January 15, 2008 at 7 p.m. There is no interim meeting scheduled at this time.

14. ADJOURNMENT:

**MR. GURRERI MOVED TO ADJOURN. MR. HUNT WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

HUNT Acting Chairman Hunt adjourned the meeting at 8:25 p.m.

Respectfully submitted,

John Fullmer
Secretary

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