

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

**AUGUST 17, 2010
APPROVED**

The York Area United Fire and Rescue Commission held a Regular Meeting on Tuesday, August 17, 2010 at 7 p.m. at the Springettsbury Township Offices, 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Tom Warman
George Dvoryak
Austin Hunt

MEMBERS NOT

IN ATTENDANCE: John Fullmer
Don Bishop
Richard Guyer

ALSO IN

ATTENDANCE: Steve Hovis, Solicitor
Bob McCoy, Chief, YAUFR
S. Ratcliffe, Finance Officer, Assistant Treasurer, YAUFR
Dan Hoff, Battalion Chief, YAUFR
Don Eckert, YAUFR
Tom Stees, YAUFR
George Mount, YAUFR
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Pledge of Allegiance

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He led the Pledge of Allegiance. He announced that a Quorum was present.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session had been held after the last meeting to discuss item 9A. He stated that an Executive Session will be held immediately following the meeting this date to discuss item 9A. He added both meetings involved a discussion of personnel.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. MANAGEMENT /ATTORNEY REPORTS

A. Steve Hovis, Solicitor

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HOVIS Solicitor Hovis stated that he had nothing to report. He noted a change with Act 46, which has to do with any building permits and land development plan approvals with an expiration date between 1/1/09 and 7/1/13, all of which would be permanently extended into January 2013.

SCHENCK Chairman Schenck noted that there was a discussion about Act 46 during the last Springettsbury Township Supervisors' meeting.

B. Robert McCoy, Fire Chief

MCCOY Chief McCoy noted that the Agenda had been revised in order to add Item B for discussion of a new building. He reported that he had received a denial with regard to the SAFER Grant. He noted that the registry will open again in September, and they will make the same application for one person.

HUNT Mr. Hunt asked whether there was any explanation for the denial.

MCCOY Chief McCoy responded that it appeared that a lot of big cities received large complements of people to replace laid off firefighters. He indicated there were a lot of large awards. Chief McCoy indicated that he had provided handouts regarding the presentation, as well as a copy of the Volunteer Relief Audit for Spring Garden Township.

5. ACCOUNTS PAYABLE

A. Payable Listing as of July 31, 2010.

MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE LISTING AS OF JULY 31, 2010. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS & CONTRACTS

There were no items for action.

7. COMMUNICATION FROM COMMISSIONERS

WARMAN Mr. Warman commented that there had been some good budget meetings.

SCHENCK Chairman Schenck stated that he hoped to discuss the new building project, and rather than having to schedule an additional budget session to deal with that item, that perhaps the Commission would be able to determine action this date.

MCCOY Chief McCoy commented that depending upon what is needed, there may not be a need to have the additional work session.

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HOVIS Solicitor Hovis noted that it had been an advertised meeting; however, if the meeting is to be cancelled, they could just put notification on the door.

8. COMMITTEE REPORTS

A. Volunteer Committee

ECKERT Don Eckert reported that they had received several applications pending for membership to the Springettsbury Township Volunteer Fire Company. He knew two of the individuals, who are retired, and he would welcome them with training for fire police.

B. Building Committee

Consensus of the Commission was to hold discussion until later on the Agenda.

9. RESOLUTIONS AND AGREEMENTS

A. Manchester Agreement

The Commissioners adjourned at 7:15 p.m. for an Executive Session. The meeting reconvened at 8:10 p.m.

SCHENCK Chairman Schenck reconvened the meeting. He stated that the item for consideration involved the Manchester Township Agreement for services. YAUFR would provide management services to the Manchester Township Fire Department.

HOVIS Solicitor Hovis stated that Manchester Township Board of Supervisors had considered the proposal and authorized their Solicitor and Manager to negotiate the final terms with their approval, with the consideration that there might be some final tweaks in the agreement if the YAUFR Commission was to take action. Solicitor Hovis recommended approval of the agreement subject to any acceptable changes approved by the Chief as well as the Solicitor just in case it needed to be tweaked. The agreement confirms that YAUFR will be providing management services and essentially an Acting Fire Chief for a period, September 1, 2010 through the end of the year. There will be no changes to the YAUFR Fire Chief's leadership and management as currently provided.

MR. WARMAN MOVED TO HAVE THE AGREEMENT FOR SERVICES BETWEEN YORK AREA UNITED FIRE AND RESCUE AND MANCHESTER TOWNSHIP APPROVED BY THIS BOARD AND SUBMITTED TO MANCHESTER TOWNSHIP FOR REVIEW, SUBJECT TO ANY ADDITIONAL CHANGES ACCEPTABLE TO THE CHIEF AS WELL AS THE SOLICITOR. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.

10. ACTION ON MINUTES

A. Approval of Minutes: July 20, 2010 Fire Commission Meeting

WARMAN Mr. Warman noted that he was not present at the July 20th meeting.

MR. HUNT MOVED TO ACCEPT THE MINUTES AS SUBMITTED. MR. SCHENCK WAS SECOND.

SCHENCK Chairman Schenck commented that in the past a member of the Commission had abstained from voting on minutes where they were not present. He noted that it was more procedural than a legal requirement.

HOVIS Solicitor Hovis responded that he was correct. If the member believes the minutes reflect the meeting, the individual may rely upon the representations of the fellow Commissioners and vote on the minutes.

MOTION UNANIMOUSLY CARRIED.

11. OLD BUSINESS

A. Sale of Engine 89-5

MCCOY Chief McCoy reported that Engine 89-5, the 1990 Pierce, had been advertised recently on Municibid through Springettsbury Township. Two bids were received. He requested approval to act on the bids dependent upon the final result of Municibid, which will end on August 18, 2010.

HOVIS Solicitor Hovis asked whether he was requesting authority to award to the highest bidder no matter what the price is, and whether he was satisfied with the bids received as far as the value of the truck.

MCCOY Chief McCoy responded that he was correct that the engine will sell to the highest bidder, at the best offer they can expect. Part of the bid is that the buyer must tow it off the lot.

MR. WARMAN MOVED TO APPROVE THE SALE OF ENGINE 89-5 TO THE HIGHEST RESPONSIBLE BIDDER. MR. HUNT WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. NEW BUSINESS

A. Approval of Job Description – Part-Time Battalion Chief

SCHENCK Chairman Schenck indicated that Chief McCoy requested the Commission approve a job description of Part-Time Battalion Chief.

- MCCOY** Chief McCoy responded that it will be a new position under YAUFR, which has the ability now to hire four firefighters contractually to serve for vacancies. They hope to do this at this time in anticipation of possible Battalion Chiefs in the future. The part-time position would incur less than 60 hours in that role.
- SCHENCK** Chairman Schenck noted that, other than the indication of part-time, the job description seemed no different than any other Battalion Chief.
- MCCOY** Chief McCoy responded that it is identical to the Battalion Chief's job description that was previously approved but simply designates the position as a part-time.
- HUNT** Mr. Hunt commented that to get less than 60 hours the individual would just work parts of shifts.
- MCCOY** Chief McCoy responded that he was correct. They can work the nighttime or daytime. It is usually broken into 10 or 14-hour shifts. This will assist with coverage of duty officer positions at night.

MR. HUNT MOVED TO APPROVE PART-TIME BATTALION CHIEF JOB DESCRIPTION. MR. WARMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- HOVIS** Solicitor Hovis asked whether the motion included also the delegation of the authority to hire a part-time Battalion Chief or not. He suggested that the Commission deal with that separately. He stated that the Charter Agreement does reflect the fact that it is the Commission that has the authority to hire employees. However, the Commission does also have the authority to delegate any of its powers. So, if the Chief is going to have the authority to do that, the Commission needs to formally delegate the authority to do that.
- HUNT** Mr. Hunt indicated that he trusted the Chief implicitly. However, he had been surprised by the number of part-timers that had come on board, with which he was not aware. He did not want to have it necessary to come to the Commission for that authority, but he would like to encourage somehow that the information gets to the Commissioners that some hiring is being done.

MR. HUNT MOVED TO FORMALLY DELEGATE THE COMMISSION'S AUTHORITY TO THE CHIEF TO HIRE PART-TIME POSITIONS AS LONG AS THE BOARD IS MADE AWARE OF THOSE ADDITIONS TO THE STAFF AS LONG AS THE SALARY AND BENEFIT EXPENSE IS COVERED BY AN EXISTING BUDGET. MR. WARMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Discussion of New Building

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SCHENCK Chairman Schenck had requested that item B be added to the agenda. During the budget meeting this date there had been discussion concerning whether YAUFR should budget for a new fire station as part of the budgeting process. He hoped to further discuss the matter with the Commission in order to resolve the situation and perhaps complete the budget process. A lengthy discussion took place and the main points are summarized:

- Current Capital Plan in the budget shows a \$7,000 item for hose.
- Additional note indicates the YAUFR is working with the townships regarding a future station.
- Prepare a capital plan for the 2011 budget with estimated cost of between \$3 and \$4 million, which included building and furnishing/a turnkey building.
- Question was whether there should be a line item budget amount for the building.
- Prepare the capital plan and then determine how to pay for it.
- Showing the \$4 million as a capital plan item gets the project on the table.
- Ownership of the facility is questionable; YAUFR could pay rent to cover debt as an operating item.
- Potential to receive a \$4 million grant; pay off debt; becomes a capital asset.
- Both townships would have to agree. To date not much discussion.
- Putting the project in the budget does not commit any ownership. Paying the debt would occur over time.

MR. WARMAN MOVED TO INCLUDE A \$4 MILLION LINE ITEM IN THE CAPITAL BUDGET FOR 2011 FOR THE ENGINEERING, CONSTRUCTION AND FURNISHING OF A NEW COMMAND FIRE STATION.

RATCLIFFE Ms. Ratcliffe asked for clarification of whether the full \$4 million should be placed in the budget for 2011 or just the cost that would have to be paid on the \$4 million.

WARMAN Mr. Warman responded that they did not know what that cost would be at this time.

HUNT Mr. Hunt stated that he had contemplated a lump sum.

MR. HUNT WAS SECOND.

DVORYAK Mr. Dvoryak stated that he wanted assurance that this would not be an obligation to do anything on the board's part and that it was simply for planning purposes at this point.

SCHENCK Chairman Schenck responded that the Charter Agreement specifically states that both townships must approve any capital plan. If not, the prior year's budget remains in place. He asked whether that would be just the prior year's capital budget or whether that voids the rest of the budget.

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RATCLIFFE Ms Ratcliffe stated that if the township approved the Operating Budget for 2011, that should allow the operating status.

HOVIS Solicitor Hovis asked how it would be handled if they put \$4 million in a capital item and then during the middle of the year they undertake a bond issue that has \$200,000 in debt service.

RATCLIFFE Ms. Ratcliffe responded that under the capital plan, the townships are not billed until the debt is actually incurred. She added it would be a matter of revising the capital plan and the board approving an amendment to the budget to include it in the operating budget.

HOVIS Solicitor Hovis noted that the budget needed to be approved by the participating municipalities.

RATCLIFFE Ms. Ratcliffe responded that it might be necessary to have both municipalities approve the change before they actually do the amendment.

SCHENCK Chairman Schenck added that if the motion is approved, it provides a clear signal that the commission wants to move the project forward.

MCCOY Chief McCoy questioned what might happen if the townships approve the operating, but disapprove the capital.

HOVIS Solicitor Hovis responded that if that took place then YAUFR would have to send it back to re-adopt a new budget.

MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck noted that since the budget was acted upon, there would be no need for the Friday morning meeting previously scheduled.

MCCOY Chief McCoy reminded the Commission of the Special Budget Meeting scheduled for Tuesday, September 7, 2010 at 7 p.m.

DVORYAK Mr. Dvoryak commented that he had read through the Press Release without really understanding it. He was trying to think how the public would receive it, and it gave him some angst since it seemed to bring a lot more negative questions than answers. He added that he was somewhat concerned about Springettsbury Township being named in the release without Springettsbury Township's endorsement.

MCCOY Chief McCoy responded that it was a first attempt at a media release that will eventually either be released by the Commission or the Townships.

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SCHENCK Chairman Schenck noted that it specifically mentioned the partnering with Springettsbury, but it does not mention partnering with Spring Garden, and that must happen.

ECKERT Mr. Eckert noted that he had added Spring Garden.

DVORYAK Mr. Dvoryak noted that he would change the wording on the third line before construction and add the word possible or potential.

ECKERT Mr. Eckert responded that the site location will be announced, since at this time the location cannot be divulged. He added that he wanted to be prepared for a lot of questions.

HUNT Mr. Hunt noted he struck the entire phrase and just indicated they are looking at building a new station.

DVORYAK Mr. Dvoryak stated that he wanted to communicate that it had not been decided to build, it's just a possibility at this point.

HUNT Mr. Hunt noted that the information could not be held off too long because they just created a public budget that talks about spending \$4 million. He had cautioned the commission that at some point this will become public and he wanted to be ready with what is to be said publicly and proactively.

SCHENCK Chairman Schenck suggested that the press release could include known facts, that YAUFR is partnering with the Springettsbury Township Volunteer Fire Company to build a headquarters station.

DVORYAK Mr. Dvoryak noted that some of the changes that were discussed would actually assist Mr. Eckert in his negotiations.

C. Presentation – Transition

SCHENCK Chairman Schenck asked the Commission whether or not to proceed with the presentation.

Consensus was to hold the presentation for August until the October meeting.

SCHENCK Chairman Schenck noted that what had been prepared for the presentation could be summarized. He added that it was important information for the board.

MCCOY Chief McCoy mentioned that everything in the report is action that already is in motion. It would be simply a recap. Everything is on schedule. Insurance is taking effect with the first YAUFR payroll and pensions are established. He noted that the staff had done a lot of work in both townships in putting everything together. The information in the presentation would lose its appeal by October.

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SCHENCK Chairman Schenck suggested that each Commissioner be certain to read the report. He extended the Commission's thanks to all the staff for the extra effort to keep it on schedule.

MCCOY Chief McCoy added that he planned to prepare information for the Commission and the two townships itemizing the amount of extra hours to get everything done.

SCHENCK Chairman Schenck asked Chief McCoy to confirm the next scheduled meetings.

MCCOY Chief McCoy responded that September 7th would be the YAUFR budget meeting where the final budget is to be approved. On September 21st there will be a Joint Township presentation at 6:00 p.m. followed by the Regular Commission Meeting. Reminders will be sent out for the meetings.

13. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Provided in Mr. Fullmer's absence by the stenographer.

John Fullmer
Secretary

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