

Resolution 2019-03

AN EMERGENCY RESOLUTION OF THE BOROUGH OF YOE, YORK COUNTY, PENNSYLVANIA, TO ADDRESS THE IMMEDIATE RISK OF HARM TO MOTORISTS CAUSED BY THE PRESENCE OF THE RECENT FORMATION OF A SINKHOLE ON BROAD STREET.

WHEREAS, residents and municipal officials of Yoe Borough have observed that a sinkhole has appeared, and continues to expand, upon the roadway on Broad Street in Yoe Borough.

WHEREAS, the Engineer for Yoe Borough, Steve Malesker, has concluded that the aforementioned sinkhole is being caused by sagging in the sewer line below Broad Street, and that such sagging will continue to worsen and ultimately cause a disruption in sewer services to Borough residents if not addressed. Additionally, and perhaps more disconcerting, Mr. Malesker has further indicated that the present existence of the aforementioned sinkhole presents an eminently clear and present danger to the safety of motorist traveling through the Borough on Broad Street that could cause harm of injury to people or compromise the property persons driving on Broad Street or of Borough residents residing on Broad Street, due to the size and location of that sinkhole.

WHEREAS, §1402(d) of the Borough Code (8 Pa.C.S. §1402(d)) provides that “[t]he contracts or purchases made by council, which shall not require advertising, bidding or price quotations as provided in this part, are as follows: (1.1) Those for emergency maintenance, repairs or replacements for water, electricity or public works of the borough, if they do not constitute new additions, extensions or enlargements of existing facilities and equipment, but security may be required by council, as in other cases of work done. (1.2) [t]hose for the mitigation of a real or potential emergency involving a clear and present danger to the health, safety and welfare of the residents of the borough. For those contracts or purchases made in cases of emergencies, the actual emergency and the nature of the procurement shall be stated in a resolution by council and adopted at the next public meeting.”


WHEREAS, the Borough Council held a regularly scheduled meeting on June 4, 2019 to discuss the presence of the aforementioned sinkhole, and, being fully advised thereof, have determined the immediate need to repair the sewer line to avoid further damage thereto, prevent any disruption of sewer service, and to repair the extant sinkhole so as to avoid harm or loss of life or damage to property of persons driving on Broad Street or the residents of Broad Street.

NOW, THEREFORE, BE IT RESOLVED AND IT IS RESOLVED that the Yoe Borough Council has determined that: (1) The subject sewer line running beneath Broad Street requires immediate attention for repair to avoid further damage to that line and future interruption of sewer service to the residents of the Borough, and (2) The unforeseeable formation of the sinkhole has created a hazardous condition that requires immediate attention to prevent harm to both persons and property.

NOW, THEREFORE, BE IT RESOLVED AND IT IS RESOLVED that the Council of the Borough of Yoe does hereby approve the release of funds from the General Fund (Infrastructure Fund) to effectuate the emergency repair of the sewer line beneath Broad Street and the sinkhole located on Broad Street in Yoe Borough so as to prevent any future harm to the sewer system or any injury or death to persons or any damage to property to persons residing or traveling on Broad Street.

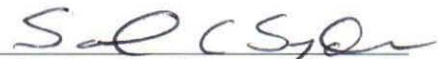
Approved at a regularly scheduled meeting of the Yoe Borough Council on Tuesday, June 4, 2019.

Attest:



Diana Dvorak, Yoe Borough
Secretary/Treasurer

Signed:



Sam Snyder, Yoe Borough Council
President

