

Felton Borough, York County ~ Council Meeting
Monday, April 4, 2022

Meeting Day and Time: Monday, April 4, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

Council Members Present: Gary Martin, Mary Lader, James Vergos, Patrick Schmidt, Sherry Arnold, John Trout, Zac Klock, Mayor Bryan McManus and Secretary Joy Flinchbaugh

Council Member Absent:

Others present: Karen Charlton of 96 Main Street and Tyler Burkins of Alliance Fire and Rescue.

Gary Martin opened the meeting at 6:30 pm with the Pledge of Allegiance

Approval of Minutes: A motion to approve the March 7th minutes was made by Sherry and 2nd by James. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the treasurer's report with the following additions: **GF: South Penn Code Consultants \$1235.00 & State Fund: Met-Ed Street Lights \$547.61** was made by James and 2nd by Mary. The motion passed without opposition. Joy mentioned that \$440 of South Penn's bill was for a new septic system which the property owner paid to the borough and then South Penn bills us for.

Called to be on the Agenda: No one called to be on the agenda. Karen Charlton was present to see what goes on at a borough meeting. She said she is also concerned that the bridge on Main Street does not get shoveled in the winter months. There was discussion about seeing if Bobby, our part time parks and rec person would possibly take care of that for the borough. Years ago it was discussed and it is the responsibility the property owners on either side because their properties end in the creek bed.

Solicitor: Jeff sent the following memo

- **230 East Main Street** - We have been providing ongoing assistance with this matter. Codes Enforcement is presenting an update on the final status of the property at the April meeting. Based upon the outcome of that report, we are ready to proceed as directed by Council. The council was directed to the report from Jeremy which stated "property has been cleared of all junk previously discussed & burnable wood has been stacked for use; deck and shed – both previously under construction – have been completely removed and debris stored cleanly" This being the case, this violation is now closed.
- **29-31 High Street** - We have assisted with this matter by providing guidance to the Borough regarding the property owner's potential plan for subdivision. Since the deadline to remedy the violation has passed, please advise if you want me to proceed with legal action. Joy stated that Lauren sent an update to the borough today and their property is not on the market for sale and they are planning on putting an offer on another property this week. The council decided that since there have been no more complaints and they are actively looking to move, this violation is on hold.
- **Pavilion Use Application and Rules** - I provided a Use Application and Rules for the Open Air Pavilion to the Borough Secretary in March. Please let me know if you have any questions or comments regarding the documents. A motion to approve the Pavilion Use Application and Rules was made by Patrick and 2nd by Mary. The motion passed without opposition. Joy will work on getting the word out and publishing a schedule.
- **Resolution Electing Standard Allowance for American Rescue Plan Act Funds** - The resolution was provided to the Borough Secretary in March. The Resolution should be adopted in April. A motion to adopt Resolution 2022-03 electing the standard allowance of ten million dollars in revenue loss for the purposed of the American Rescue Plan Act of 2021 was made by Mary and 2nd by Patrick. The motion passed without opposition.
- **Nuisance Ordinance** - A draft Nuisance Ordinance for the Borough was provided to the Borough Secretary by e-mail on March 23 for review and consideration by Council and the Secretary. The Ordinance is based upon others that I have developed over time for municipal clients in South Central Pennsylvania. I am ready to discuss questions or comments. Joy mentioned this is just the first time you are seeing this and this is your chance to review and come up with any questions you may have.
- **Municipal Night at the Ballpark, PeoplesBank Park.** Save the date. May 20, 2022.

- Collection Report - The council reviewed the collection report and Joy noted that she has made notes on the accounts that had already been paid. These are garbage accounts that did not pay balances from 2021.

Engineer – Updates from Byron.

- Storm drain replacement pricing for Church Avenue – the quote came back higher than expected. Joy is checking with Jeff to see if we can just get 2 more phone quotes since this is a maintenance project or if we need to put it out to bid since it is coming in over the \$21,300 amount. A motion was made by Mary and 2nd by Zac to have Byron proceed with a formal bid if needed. The motion passed without opposition.
- 40 Red Lion Ave stormwater going onto neighboring property – A complaint was received about this. Byron sent a letter is meeting with them to discuss.
- Televising on Red Lion Ave – should be completed this Wednesday.
- CDBG – We can move forward with Gordon Brown we just need to get the contract signed. That will be done this week then they can start working on the Penn Dot permit.

Code Enforcement - Memo from Jeremy

Sewage Enforcement

- 74 Church Ave – sent violation for failure to pump per Borough schedule (responded that system would be pumped by Enviro-Clean in April)

Rental Inspections –

- 29 High St (PASS)

Zoning / BCO - Complaints / Violations

- 230 E Main St – property has been cleared of all junk previously discussed & burnable wood has been stacked for use; deck and shed – both previously under construction – have been completely removed and debris stored cleanly. ZO determination: resolved.
- 134 Main St – junk has continued to accumulate across the street from the dwelling. Violation notice to be sent. (pending) Joy will notify Jeremy to send a letter.
- 120 Main St – BCO sent violation notice for use of pool without required UCC permit or inspections. (no compliance as of 4/4/22 – to send final notice)(ongoing)
- 39 Main St – violation notice sent for junk (pending)
- 25 Main Street – This property is being handled by Commonwealth Code Inspection Service because they moved people in without an Occupancy Permit.

Old Business:

- Pothole repairs –
- Water testing on High Street – Joy sent an email to Keith last week to see if he is back from medical leave but did not get any response. The council decided that they would like to find out what Byron's SEO would charge the borough to perform the water tests in the creek along the High Street properties. Joy will get in touch with Byron. Patrick said he found a list that shows that there are 30 active SEO's in York County.
- Red Lion Ave Stormwater Televising - was discussed earlier
- DCNR Playground – Picnic Tables were purchased and should arrive within 6 weeks of purchase date. The total cost was \$3160.00. The handicap table was \$1710.00
- Pool water in storm drains – Joy called DEP again but heard nothing back.

Alliance Fire and Rescue – Tyler Burkins

- There were a total of 95 calls in March of which 2 were in the borough. There were a total of 305 for the quarter of which 9 were in the borough.
- There continues to be an increase in structure fires.
- They are looking to hire 7 part-time Fire Specialist which will be a driver / fire fighter and have other duties in the fire stations. Their home base will be at the Leo Station.
- The interim ladder truck is waiting to get tested so it can be sold
- They are looking to replace the utility truck at the Felton station due to age.
- Caterer is at the Felton Station is going well and rentals are high at Fireside and Leo Station.

New Business:

- **Ambulance Report**
- **CDBG Project** – was discussed earlier
- **Audit** was submitted and approved. It was off by \$126 which is done from \$147 from last year. It is a problem in the sewer account. The sewer is now completely done as of last year's audit.
- **Handicap and steps washing quote** – A scenic View – Joy got a quote from A Scenic View to clean the handicap ramp and the back steps. They are not to be power washed because of the coating on the decking. The cost to clean is \$471.04. This price includes brining in water due to being on a shared well. A motion to approve the quote given by A Scenic View was made by Patrick and 2nd by James. The motion passed without opposition.
- **Letter from Backyard University** - Backyard University did not pay the monthly fee for the use of the ball field last year and was turned over to the attorney for collection. When they paid the account they included a letter stating the following: *“We did not use the field the months of August, September and “October. I spoke to Bob Trout who was continuing to drag the field for us and told him we would no longer need him to do it. We were unable to form a Fall baseball team. I was hoping we could us the payment and possibly receive a credit toward future use if we need a field.* A motion to not allow the months of August thru October to be used as a credit was made by Sherry and 2nd by Zac. Mary opposed the motion. Other council members agreed and the motion carried.
- **Fire Police Request** – Fawn Grove has requested fire police for their following events: Kennard Dale graduation, Olde Tyme Days Parade on June 25th and York PA Fire Muster Sept 25th. A motion to approve was made by Mary and 2nd by John. The motion passed without opposition.

Comments from Council

- **John** asked when the playground is going to be done.
- **Patrick** said he attend the York County Boroughs Associations meeting and said he was glad he went. They spoke about the American Rescue Funds money and that there seems to be more available to get. Joy reached out to the coordinated of the event and he said she was talking about the funds we already received but Joy will check with the speaker to see if there are more funds available to request. He also asked if the borough could somehow accept online payments rather than just cash and check and if they could get a 1st quarter Budget vs. Actual expenses report. Joy said she would have it to them this week.

Secretary:

- Joy will be out of the office on the 19th and the 26th
- Notary class went well. I have to turn in the application and take my test then I will be a notary.

Adjournment: A motion to adjourn at 7:41 PM was made by Mary and 2nd by Sherry. The motion passed without opposition.

Joy Flinchbaugh – Borough Secretary