

**Felton Borough, York County ~ Council Meeting**  
**Monday, December 5, 2022**

**Meeting Day and Time:** Monday, December 5, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

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

**Council Member Absent:** Sherry Arnold and John Trout

**Others present:** Tyler Burkins of Alliance Fire and Rescue and Jeff Rehmeyer of CGA Law Firm

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

**Approval of Minutes:** A motion to approve the November 7th minutes was made by James and 2<sup>nd</sup> by Mary. The motion passed without opposition.

**Approval of Treasurers Report:** A motion to approve the Treasurer's report with the following additions: GF: Wayne Smith \$100.00, Gordon Brown for 46 Sechrist Flat Road \$832.50 and State Fund St. Lights \$519.96 was made by Patrick and 2nd by Mary. The motion passed without opposition.

**Called to be on the Agenda:** No one called to be on the agenda.

**Public Comment:** None

**Solicitor:** Jeff Reymeyer present

- **Ordinance No. 2022-02**, Implementing Provisions of Act 57 of 2022, Establishing the General Tax Rate, Re-enacting the Re-imposing the Realty Transfer Tax for 2023. The Ordinance was advertised and is ready for adoption. It must be adopted by December 31, 2022.
- **Updated Nuisance Ordinance** - We received and reviewed the comments provided by Council. Jeff thanked the council for the comments and proceeded to work through them with the council.
  - Jeff let the council know the nuisance ordinance is there so the council has a tool to address problematic cases and not those incidents that occur at random.
  - Patrick asked who enforces the ordinance and Jeff stated it can be the Zoning Officer, our Code Enforcement Officer or Jeff only if he is asked to be involved. The fines are listed as anywhere from \$50 - \$1000 so it can cover a range of violations.
  - This ordinance is more modern than our current ordinance and addresses more of the nuisances that are now occurring.
  - Jeff was asked if the borough can bill the property owners for the legal fees for work on nuisance cases. His suggestions is to not get him involved, but after there is no compliance, file a citation with the District Justice and let the higher authority take action.
  - Mary asked if there a form letter Jeff could provide to Joy to use to send out notices first instead of having Jeff get involved on nuisance properties. Jeff said he could provide one.
  - Jeff said that he will incorporate the comments into the ordinance and send it back for the council to review.
- **46 Sechrist Flats Road** - Jeff said that they continue to assist the Borough Engineer with this matter. The Stormwater Facility is functioning properly now and must do so for a continuous six months at which time the surety minus attorney's fees and engineering fees may be returned to the Developer.
- **Collection Report** – Was provided by Paralegal Ross and no further actions are needed at this time.
- Jeff thanked the council for allowing CGA to serve the borough again in 2022 and looks forward to serving again in 2023. Jeff left the meeting at 6:58 pm.

**Alliance Fire and Rescue** – Tyler Burkins

- There were a total of 74 calls in November of which 2 were in the borough.
- The old ladder truck has been sold
- A new utility truck was purchased for the Union Station and will be going for detailing soon.
- They are in the process of purchasing a new engine.
- Fireside is still doing well.
- Santa Run in Felton will take place on Saturday, December 10<sup>th</sup> and they will be collecting food donations for Community Reach in Red Lion. Tyler left the meeting at 7:05 PM.

#### Engineer –

- **CDBG Grant** – still waiting on Penn Dot permits
- **Covid19 PA Small Water & Sewer for Stormwater Improvements on Red Lion Avenue** – Byron provided the borough with an estimate for this grant. The total project cost would be \$219,186 with a 15% borough match of \$32,877.90. A motion to approve **Resolution 2022-06** designating officials to execute all documents and agreements between Felton Borough and the Commonwealth Financing Authority and stating the amount of the grant was made by Patrick and 2<sup>nd</sup> by Mary. The motion passed without opposition.

#### Code Enforcement

- Updates – the council reviewed the updated list from Wayne.
- International Property Maintenance Code

#### SEO –

- No Updates were received for the meeting.
- Septic Work - Discussion on how to move forward with the property in question was discussed. We need to find out what if anything Adam has done since last meeting. There was discussion on contacting DEP again to see if we can get some resolution on the issue.

#### Old Business:

- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – still working through the agreement paperwork.
- **Grass / seed at gazebo** – Bryan said he did put down some seed. We will wait and see what happens in the spring.
- **Adopt 2023 Budget & Ordinance 2022-02 setting the tax rate for 2023** – The budget and ordinance have both been advertised and are ready for adoption. A motion to approve the 2023 budget and Ordinance No. 2022-02, Implementing Provisions of Act 57 of 2022, Establishing the General Tax Rate, Re-enacting the Re-imposing the Realty Transfer Tax for 2023 was made by Patrick and 2<sup>nd</sup> by Mary. The motion passed without opposition.
- **Klugh Animal Control Services Contract for 2023** – a motion to approve the 2023 contract with Klugh Animal Control Services was made by Mary and 2<sup>nd</sup> by Patrick. The motion passed without opposition.
- **Christmas pole decorations** – have not heard anything back on the approval from Met-Ed.

#### New Business:

- **Ambulance Report** – there was 1 call in the borough in November.
- **Resolution 2022-06 Covid 19- ARPA Pa Small Water & Sewer Grant** – was taken care of earlier.
- **Amendatory Contract for CDBG Grant for ADA Curb Improvements** – the amendatory contract extends the grant into 2023 for completion. A motion to approve the Amendatory Contract for CDBG for ADA Curb Improvements was made by Mary and 2<sup>nd</sup> by Patrick. The motion passed without opposition.
- **Municapay Credit Card payments** – Joy had an online demo with Municapay. We can accept credit card payments and have the user pay the fees. The fees would be \$1.50 for an electronic check or 2.65% of the total charge or a \$3.00 minimum if using a credit card. Credit card payments would be deposited into the borough accounts in 2 days and checks in 3 days. The option would also be available for the tax collector as well if she would be interested. Her payments would be kept completely separate

from the boroughs. The council asked Joy to find out who else uses Municpay and if they have any issues.

- **Meeting dates for 2023** – Joy and the council went through the meeting dates for 2023. The January meeting will take place on Monday, January 9<sup>th</sup>. The meeting dates will all be advertised.

#### **Comments from Council**

- **Patrick** would like to see the results of the water testing placed in the newsletter. Joy is planning to put in a Public Awareness Section and put in the results of the testing.
- **Zac** continues to have parking issues and was unable to get out of his driveway on Thanksgiving due to those parked along the sidewalk across from this driveway. Joy suggested looking into purchasing a part of the churches property across from these homes and making a parking lot for them. This would allow the borough to make that section no parking. It will be looked into to see if it is even a viable option.

#### **Secretary:**

- **Desk and file cabinet** – Joy asked to look at purchasing a new desk. It did not fare well from being moved during the floor renovation. She will check with Jeff's office first since that is where this desk came from.
- **Newsletter info** – working on the newsletter to go before the end of December.

**Adjournment:** A motion to adjourn at 8:16 PM was made by James and 2<sup>nd</sup> by Patrick. The motion passed without opposition.

*Joy Flinchbaugh – Borough Secretary*