

**Felton Borough, York County ~ Council Meeting**  
**Tuesday, January 2, 2024**

**Meeting Day and Time:** Tuesday, January 2, 2024 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

**Council Members Present:** Gary Martin, Zac Klock Sherry Arnold, James Vergos, John Trout, Mayor Bryan McManus, and Secretary Joy Flinchbaugh.

**Council Member Absent:** Mary Lader, Patrick Schmidt

**Others present:** Lori Allen Felton Borough Auditor and Chad Arnold Alliance Fire and Rescue.

Mayor Bryan McManus opened the meeting at 6:30 pm with the Pledge Allegiance to the Flag.

**Mayor McManus** swore in the following council members: John Trout, Gary Martin, and Sherry Arnold (7:01 pm) and Auditor Lori Allen.

**Nomination and Election of Council President:** A motion was made by James and 2<sup>nd</sup> by Zac to nominate Gary Martin as council president. The motion passed without opposition.

**Nomination and Election of Vice President:** A motion was made by James and 2<sup>nd</sup> by Zac to nominate Mary Lader as vice president. The motion passed without opposition.

**Nomination and Election of Vacancy Board Chair:** A motion was made by James and 2<sup>nd</sup> by Zac to nominate Mary Lader as the Vacancy Board Chair. The motion passed without opposition.

**Nomination and Election of Pro Tem:** James was appointed as the Pro Tem.

**Appointments:** A motion to approve the listed appointments was made by James and 2<sup>nd</sup> by John. The motion passed without opposition.

**Borough Secretary / Treasurer:** Joy Flinchbaugh

**Borough Solicitor:** Jeff Rehmeyer, CGA Law Firm

**Codes Enforcement Officer:** Wayne Smith

**Zoning Officer:** Joy Flinchbaugh

**Borough Engineer:** Bryon Trout of Gordon Brown

**Building Inspector:** Commonwealth Code Inspection Service

**Open Records Officer:** Joy Flinchbaugh

**Sewage Enforcement Officer & Rental Inspections:** Site Design Concepts

**CD's: 10 Month Her Tradition CD** matures on 1/8/24 – The council would like to see if Traditions will match the current rates that are at other banks so we can keep the money there. Member's 1<sup>st</sup> has a rate of 5.25% right now. Joy will check on it. **7 Month CD** matures on 3/15/24

**Check Signers:** Check signers will continue to be Joy Flinchbaugh & Gary Martin

**2024 Fee Schedule:** A motion to adopt Resolution 2024-02 which is the 2024 fee schedule was made by James and 2<sup>nd</sup> by John. The motion passed without opposition.

**2024 Budget:** There was no request to reopen the budget.

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The council moved onto the regular council meeting at this point.

**Approval of Minutes:** A motion to approve the December 4th meeting minutes was made by James and 2<sup>nd</sup> by Zac. The motion passed without opposition.

**Approval of Treasurers Report:** A motion to approve the treasurer's report with the following addition: State Fund: Met-Ed \$587.64 Street Lights was made by James and 2<sup>nd</sup> by Zac. The motion passed without opposition.

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

**Public Comment:** Lori Allen asked what is going on with the 2 new houses that are across from her. They have not yet received the occupancy permits because there are outstanding unresolved issues with the York County Conservation District.

### Solicitor – Jeff Rehmeier of CGA Law Firm memo

- **46 Sechrist Flat Road / Letter of Credit Draw:** Since the borough drew the \$20,000 from the Letter of Credit, Jeff's office has received letters from Gemcraft and Cornerstone's attorneys. The council reviewed the letters and spoke about what has happened to bring us to this point. The council feels that Jeff should continue to address the concerns and the draw should stay as it is. Zac made a motion to ratify all actions taken relative to the issues with the stormwater management facility at 46 Sechrist Flat Road, including, but not limited to, drawing on the Letter of Credit, and further authorize additional draws on that Letter of Credit, if necessary, because of escalation of the matter. The motion was 2<sup>nd</sup> by Sherry and carried without any opposition.
- **Lot 7 & 8:** The borough continues to hold the occupancy permits for these two new homes. Joy checked with the York County Conservation District to see if they received the requested information from Gemcraft. They confirmed they have not received any information from them on the land disturbance. The borough will continue to hold the occupancy permits. The council also wanted to see when Byron last inspected the storm water basins on the lots and 46 Sechrist Flat Road.

### Alliance Fire and Rescue – Chad Arnold

- There was a total of 79 calls in December of which 1 call was in the borough. Chad then reviewed all the year-to-date reports with the council. There were a total of 1016 calls of which 13 were in the borough.
- The annual Santa Run was a success.
- Chad is working on reviewing the borough's current burn ordinance against Windsor Twp's new ordinance.

### Engineer – Byron Trout of Gordon Brown

- **CDBG Grant** – The work was put out for bid but no bids received in December. Byron will be putting it out for bid again this month.
- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – still working on getting the bid documents approved to go out for bid.
- **Covid 19 ARPA Grant – Red Lion Ave Stormwater** – the borough received notice that we have been awarded this grant and communication has already begun.
- **46 Sechrist Flat Road Retention Pond issues** – was discussed earlier.
- **Local Share Account Grants for Church Lane** – nothing has been received on either of these grants.
- **CDBG grants for 2024-2027:** Since the council has been focusing on replacing the Storm sewers in the borough Joy and Byron thought it would be good to put in an application to replace the storm sewers on Main Street. Resolution 2024-04 to submit a grant application for storm sewer replacement on Main Street was presented to the council. A motion to approve the resolution was made by James and 2<sup>nd</sup> by John. The motion passed without opposition.

### Solicitor

- **Status Collection Report:** The council went back to review the Monthly Status collection report provided by CGA. A motion to file a 2<sup>nd</sup> lien on 120 Main Street was made by Sherry and 2<sup>nd</sup> by Zac. The motion passed without opposition. A motion to give final notice before sending to sheriff sale on 120 Main Street, 157 High Street and 42 Beaver Street was made by Zac and 2<sup>nd</sup> by John. The motion passed without opposition.

### Code Enforcement – Wayne Smith

- 3 Main Street – YCPC is handling this project and there has been no new update.

### SEO memo –

- **Permits:** *(none)*
- **Enforcement Actions:** *(no new activity or updates)*

### Old Business:

- Our burn ordinance vs. Windsor Twp new Open Burn Ordinance – nothing new on this.

**New Business:**

- **Ambulance Report** – there were no calls in December in the borough. Joy is trying to coordinate with the director to schedule a visit for the council members that want to attend. Joy will keep the council updated.
  - **Charter Ambulance** information received 1/2/24 – the council reviewed the information in their email and would like them to attend the February meeting.
- **Tax Collector Resolution 2024-01 & Intergovernmental Cooperation Agreement** – once again we have an agreement with Chanceford Twp to have Sharon Wolfe collect the borough's taxes. A motion to adopt Resolution 2024-01 providing for an Intergovernmental Agreement for the purpose of delegating the authority to collect the taxes of the borough to the tax collector of Chanceford Twp was made by James and 2<sup>nd</sup> by Zac. The motion passed without opposition.
- **CD maturity on January 8, 2024** – was discussed earlier.
- **YATB Board of Directors Representative** – on hold until the February meeting.
- **Thank you letter from the American Red Cross** – the borough received a thank you letter for the 2023 donation.
- **Garbage fee increase to \$103** – Resolution 2024-03 which increases the quarterly garbage collection fee from \$99 to \$103 was presented to the council. A motion to approve the Resolution was made by Zac and 2<sup>nd</sup> by Sherry. The motion passed without opposition.

**Comments from Council –**

- **John** brought up the residence at 47 Main Street. After much discussion the council decided to have Wayne Smith the boroughs' codes enforcement officer investigate the garage unit to see if it falls under our rental ordinance.
- **Zach** mentioned that 70 High Street was setting off fireworks in their backyard and burning items very close the neighbor's property.

**Adjournment:** A motion to adjourn the meeting at 8:34 pm was made by James and Sherry. The motion passed without opposition.

*Joy Flinchbaugh – Borough Secretary*