

Felton Borough, York County ~ Council Meeting
Monday, July 11, 2022

Meeting Day and Time: Monday, July 11, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

Council Members Present: Mary Lader, Patrick Schmidt, John Trout, Zach Klock, Sherry Arnold, Mayor Bryan McManus and Secretary Joy Flinchbaugh

Council Member Absent: Gary Martin and James Vergos

Others present: Corporal Tom Wright, Wendy & Jason Fink, Wayne Smith, Jeff Rehmeyer of CGA Law Firm and Tyler Burkins of Alliance Fire and Rescue.

Mary Lader opened the meeting at 6:30 pm with the Pledge of Allegiance

Approval of Minutes: A motion to approve the June 6th minutes was made by John and 2nd by Patrick. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the treasurer's report with the following additions: GF: Pennell Services - \$18,400 contract, SWIF \$651 was made by Patrick and 2nd by Zach. The motion passed without opposition. There was also a change order for \$13,000 for Pennell Services presented to the council for the Church Avenue project but was not approved due to needing more information on why the additional costs. Byron was unable to be present at the meeting due to the conflict with another meeting.

Called to be on the Agenda: **Wendy Fink** asked to be on the agenda to introduce herself to the council. She won the primary election for the 94th District and since there is no other candidate running she will take the seat in 2023. She is new to politics and has been going around to the boroughs and townships she will be serving to introduce herself and get a feel for the needs of the people. **Corporal Tom Wright of the PSP** called to be on the agenda to present the 1st half of the year report to the borough. There have been a total of 23 calls which have included 5 crashes, 2 DUI's and 2 domestic calls. Joy asked about a resident that has been repeatedly reported speeding on High Street in the mornings when the kids are walking to school. Corporal Wright said it has been looked into. He then left the meeting.

Public Comment: **Wayne Smith** was present at the meeting to discuss the contract he received from the borough for his Codes Enforcement Services. He has looked into obtaining the \$1,000,000 liability insurance policy which he is not required to have for the other municipalities he services and it would not be cost effective for him to purchase it for the amount of work he would do for Felton Borough. 3 of the other municipalities he is an employee and the other 2 do not require it. He stated that he would only be doing what the borough's ordinances state. Jeff was present and stated that he can remove it from the contract if the council so wishes to do so. Wayne wanted to know how often the council wants him in the borough and they stated only as needed. Also, he is only needed to attend meetings as needed when there is something specific the council would like updated on. Wayne will provide a monthly report on any work he has done for the borough. After discussion on the issue of removing the \$1,000,000 liability from the contract a decision was made. A motion to remove the \$1,000,000 liability requirement was made by Patrick and 2nd by John. The motion passed without opposition. A motion to appoint Wayne Smith as the borough's Codes Enforcement Officer was made by Zach and 2nd by Sherry. The motion passed without opposition. Wayne left the meeting at 7:13 pm.

Solicitor: Jeff reviewed the following items with the council.

- **Proposed Nuisance Ordinance** - We prepared an executive summary of the ordinance previously provided in March, for review by Borough Council. Jeff reviewed the executive summary with the council and a motion was made by Patrick and 2nd by Zach to accept the changes written by Jeff on the proposed nuisance ordinance. The motion passed without opposition.
- **46 Sechrist Flats Road.** We provided guidance to the Borough Secretary and prepared both a temporary and a conditional occupancy permit for this property.
- **Codes Administration.** We provided guidance regarding the termination of the current code administration official and prepared an Agreement appointing a new code administration official for review and execution.
- **Storm water Management Ordinance.** We are in the process of revising the current Storm water Management Ordinance to include updates from the Borough Engineer. We anticipate providing the

Ordinance no later than the August meeting, so Council could authorize legal notice and authorize adoption at the September meeting.

- **SEO Agreements.** We are in the process of revising the Principal SEO Agreement to reflect changes requested by Site Design Concepts and also a small change that needed to be done on the alternates' contract as well.
- **Collection Report** - To be provided by Paralegal Ross. She has asked to file a lien on 120 Main Street for nonpayment. A motion to file a lien for unpaid garbage fees was made by Patrick and 2nd by Sherry. The motion passed without opposition.
- **29-31 High Street** – Settlement took place on June 24th and all the dogs have been relocated. This has now closed this violation. Jeff left after this was discussed.

Alliance Fire and Rescue – Tyler Burkins

- There were a total of 80 calls in June. 3 of them were in Felton Borough. YTD there have been 14 in the borough.
- They have seen an increase in structure fires
- They held their first bingo and have more planned.
- Fireside at the Fiddler's continues to be booked every weekend through the end of the year.
- Fire Specialist are in place and working well. Tyler left the meeting at 7:35 pm.

Old Business:

- **Pothole repairs** Quote - Restuccia gave a price of \$6400 to repair 35 pot holes throughout the borough. A motion to approve was made by Sherry and 2nd by John. The motion passed without opposition.
- **Water testing on High Street** – On hold until we get the SEO in place.
- **DCNR Playground** –
 - **Marcellus Shale Funds received** – the final amount of \$7875.29 has been received.
 - **Picnic tables** – members of Sonlight Chapel put together and anchored the picnic tables at the pavilion.
 - **Final site** visit with Regional Director will be on August 2nd. After this takes place then we can submit for the remaining \$35,000 in grant funds for reimbursement.
- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – have to sign up to be a registered business partner with Penn Dot and this will take some time to do before we can get started on the grant.

Engineer – updates from Byron

- **Church Avenue storm drainage** work is done and was discussed earlier of the change in work. More information is needed on the change order that was given.
- **40 Red Lion Ave storm water** going onto neighboring property – this work is to be done this week.
- **CDBG Grant** – Waiting on Penn Dot permits
- **MS4 waiver request** – Byron will have everything for the August meeting.
- **Red Lion Ave storm drainage replacement** – the following prices were received to do the work:

1. Barnes & Barnes	\$48,951
2. Pennell Services	\$56,600
3. W. Craig Adams	\$59,869
4. Fitz & Smith	\$62,000

 - My recommendation is to not award the bids at this time. The PennDOT work has been pushed back to 2024 and with the current oil prices affecting paving and pipe costs, the prices may come down. Also note that the prices do not include prevailing wage rates which may increase the overall price by 30%.
- **Storm water Ordinance** – Byron provided a list of notes on the changes to the storm water ordinance for the council to review and he has provided the ordinance to Jeff to work up into a draft ordinance for adoption.

Code Enforcement – nothing at this time. Waiting to get new Codes Enforcement signed on.

New Business:

- **Ambulance Report** – there were 3 calls in the borough in June.
- **Banners** – Fire Company can no longer maintain our banners due to their insurance so going forward we will need someone else to take care of them for us.
- **Fire police request** for Springfield Township for help with their 41st annual car and vendor show on September 5th. A motion to approve was made by Patrick and 2nd by Zach. The motion passed without opposition.
- **Thank you from American Red Cross** was received for our yearly donation.
- **Outside water spigot** – Joy asked about having an outside water spigot installed so we don't have to ask to use Nancy's since we share a well. We will hold off at this time since it is something that is needed so rarely.
- **Pennell Service Misc work** for the borough – Keith of Pennell services has offered to do misc work for the borough at the following costs: Keith - \$100 hr, Keith using his equipment \$165 hr, Helper/driver/equipment operator \$65 hr, anyone running his equipment would be \$65 hr. All material and fuel used on job will be billed to the borough or can be purchased by the borough. Biweekly pay is preferred but if it not it is not a problem. Timecards will be given as reference and he will provide all receipts also. Joy said that he would be willing to clean out storm drains, fix street signs that have fallen or need put up, clean up debris after a flood, paint the yellow curbing, etc. The council would like a more detailed listed of what he would be willing to do for the borough.

Comments from Council

- **John** said that a donation of \$500 was given by Exelon for the Fishing Derby they held here for their employees.

Secretary:

- Joy will not be in the office on Thursday, July 28th.
- Daniel Stuber was here today to cut out the drywall that was damaged by the water leak and remove all the bad areas. Insurance adjuster was here and said that the floor is damaged in the bathroom and since the floor is continuous they will pay to have the whole floor replaced. There are other places that the flooring is coming up also. The flooring is 12 years old. Joy knows of a place in Hanover that has a good price for flooring and is willing to go there to get the flooring if the council agrees. The council was in agreement of Joy going to pick out and purchase the flooring instead of having the contractor pick it up.

Adjournment: A motion to adjourn at 8:14 PM was made by James and 2nd by Sherry. The motion passed without opposition.

Joy Flinchbaugh – Borough Secretary