

**Felton Borough, York County ~ Council Meeting**  
**Monday, July 5, 2021**

**Meeting Day and Time:** Monday, July 5, 2021 6:30 pm at the Felton Borough Office located at 88 Main Street

**Council Members Present:** Gary Martin, James Vergos, John Trout, Sherry Arnold and Ronald Nickey and Mayor Bryan McManus

**Council Members Absent:** Mary Lader

**Others present:** Patrick Schmidt, Zac Klock, Scott Gingrich and Tyler Burkins of Alliance Fire and Rescue and Joy Flinchbaugh Borough Secretary.

**Gary Martin** opened the meeting at 6:30 pm

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

**Approval of Treasurers Report:** A motion to approve the treasurer's report with the following additions **GF:** Harvey's \$560.00 ~ Gordon Brown \$27.00, 947.00 & 162.00 ~ South Penn Codes \$2,360.00 was made by John and by 2<sup>nd</sup> by Sherry. The motion passed without opposition. Joy pointed out that she did not pay Harvey's Lawn Care for June because they have not done the borough's memorial garden here at the office or the mulching at the gazebo. The council agreed that July should be withheld too until this work is completed.

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

**Swearing in of New Council Member:** Mayor Bryan McManus swore in J. Patrick Schmidt for the open position on council for the remainder of 2021. Patrick provided his affidavit of residency and took his oath of office then had a seat on the council. Ron came to the meeting at 6:38 pm

**Public Comment:** Zac Klock was present to find out if water is still be tabled. Gary Martin said that there needs to be a lot more people in the borough that are in need before it is reopened for discussions. Zac also questioned all the wells that have been drilled on the properties around his home and what needs to be done on abandoned wells. Byron will do some checking on this. Patrick asked if the council could possibly put out some information on water conservation to the whole borough.

**Engineer** – Byron presented the following to the council.

- **DCNR Playground Grant** – held the pre-construction meeting with Pennell Services and they are looking to start on the job sometime this week. Byron has put out stakes to layout the playground and pavilion area. The plan is that they will come in to remove the old playground equipment and tree, install the concrete pad for the pavilion and work on some of the earthmoving activities as well as install the under drain under the playground area. Once these items are completed they will leave until the playground equipment is installed and then they will come back to finish the paving and install the pavilion. They are going to be giving us a price on putting in a riser on the inlet which sits really low. That will be an add on to the project.
- **Stormdrain Cleaning** – Byron suggests that we have someone come in and took a look into the pipes to get an idea of how full they are. There is approx. 1500' of storm sewers on Main Street. He has a contractor that just gave a price of \$1.08 per foot to televise lines. Byron would also be willing to come down with an intern to see how far they could put a 25' pole up into the pipes for a not to exceed price of \$500. It was decided to have Bryon get a price on having the pipes looked into and televised.

- **CDBG Engineering fees** – If the borough used CDBG funds, the borough will need to go through the qualification process of picking an engineer to do the work. Gordon Brown cannot do it for the \$1,000 the borough has as in kind match for the project so we will need to follow the CDBG guidelines in order to pay for the engineering out of the funds. There has been no new information from the YCPC on the grant.
- **Church Lane DGLVR** – Joy is doing the traffic count on Wednesday and will be submitting the grant application by the due date of July 29<sup>th</sup>.
- **Multi-Modal Grant** – There is a Multi-Modal Grant available through DCED that we could apply for Water Street. There is a \$100 application fee and the minimum project cost is \$100,000 with a 30% match that is due July 29<sup>th</sup>. The council decided that it is worth trying to obtain the grant. A motion to approve Resolution 2021-04 to request a Multimodal Transportation Funding grant for \$300,000 for Water Street Reconstruction was made by Patrick and 2<sup>nd</sup> by James. The motion passed without opposition. Byron left the meeting at 7:32 pm.

**Solicitor:**

- **Ordinance No. 2021-01, authorizing the Borough Tax Collector to Charge Fees:** The ordinance has been advertised and may be adopted at the July or August borough council meeting. A copy of the ordinance is attached. A motion to adopt Ordinance No. 2021-01 authorizing the borough's tax collector to collect fees was made by Gary and 2<sup>nd</sup> by Patrick. The motion passed without opposition.
- **Baseball Field Use Agreement with Felton Baseball Team:** At the request of the Borough Secretary, CGA updated the original agreement and provided a copy of the updated agreement to Joy for coordination of signatures. Joy mentioned that this came about from a phone call from an insurance company in regards to damage from a ball during a game. Our agreement with the team was very old and needed to be updated. Joy provided the new agreement to Darren Wise to review.
- **Ordinance Enforcement:** Jeff provided guidance on zoning ordinance and other ordinance enforcement by email dated June 21, 2021, with an updated procedure moving forward. This email was provided to the council in email and in tonight's council packet.
- **Fire Police Requests:** Upon request of the borough secretary, Jeff assisted along with Chief Gingrich with reviewing the issue as to whether it is necessary for fire police requests to be submitted to the borough council as workers compensation coverage is not carried for the fire company, but the workers compensation coverage is carried by the fire company. Based upon Jeff's experience with workers compensation insurance companies and cases, he would advise that if the Chief thinks that if the council approval of events will help the Fire Company, then perhaps it could continue to grant them. Scott said that it is still required for the borough to approve them.
- **Refuse Bids:** CGA is in the process of preparing the refuse bid packet. They are preparing the following timeline for preparation and advertising:
  - Current Refuse contract expires on December 31, 2021
  - Approve Garbage bid specifications and packet, and authorize advertising at the August 9<sup>th</sup> meeting
  - Advertise in the York Newspaper on Sept 24<sup>th</sup> and October 4<sup>th</sup>
  - Receive bids at the November 8 or December 6 borough council meeting
- **Collection Report:** Reviewed by the council.
- **Municipal Night at the Ballpark, York Revolution, Friday, October 1, 2021:** Save the date.

**Code Enforcement** – Joy informed the council that the owner of 62/64 Main Street was in the office today and requested more time to clean up the property. Joy is going to tell him that he needs to contact Cliff at South Penn Codes directly since they are already handling the situation.

John spoke about the violations at 39 Main Street and there was discussion in regards to Jeff's letter about the council getting involved in codes enforcement issues.

Tyler spoke about the violations on his property and said that Cliff told him he would need a signed letter from the borough saying that the borough is aware that he is a scrapper and is aware of the items he has on his property. He says he is trying to clean it up. Gary suggests that he take pictures of the progress he makes and also told him he needs to get rid of the rooster he has. Tyler said he will when the others in town do as well. Joy asked what others have rooster so violations letters can be sent. Some addresses were mentioned.

### **Alliance Fire and Rescue** – Scott Gingrich

- There were a total of 67 calls in June, 2 of which were in Felton Borough
- There are in need of more volunteers
- Would like to know why the council decided to take funding away from the fire company. Gary told Scott that last month the council was presented with the \$8500 donation to the fire company which was budgeted and Joy asked if they wanted to give an additional \$1500 toward worker's compensation insurance like they did the year before and they decided not to this year. Scott said the borough is required to pay their share of the worker's compensation insurance. Dick Sterner will be here next month with the breakdown of cost to give the borough the amount that is owed.
  - Scott would like to see the wording changed from donation to Fire Service Protection and Worker's Compensation Insurance
- Fireside is making money this year but that is a separate fund from the fire company. In acquiring the property, they are required to pay both Airville and New Bridgeville \$50,000 each which will be paid yearly until the total amount is given.

### **Old Business:**

- DCNR Playground Grant – They will be beginning this week and there will be wood available from the tree. Joy requested \$20,000 additional Marcellus Shale \$ from the County Commissioners
- CDBG Grant – nothing new to report.
- American Rescue Plan Funds no payment yet
- Fire police requests – discussed earlier.
- Pothole repairs – reached out to a few contractors and only heard back from Pennell Services who is doing the park. They will be looking at the potholes and giving a price soon.

### **New Business:**

- **Ambulance Report** – nothing yet

### **Comments from Council** –

- **Bryan** spoke about the letter from Jeff in regards to the handling of code violations and the bill from South Penn Codes.

### **Secretary**

- Office Closed July 12th – 16th & August 2nd – 5th
- Garbage invoices and newsletters going out tomorrow

**Adjournment:** A motion to adjourn at 8:41 pm was made by James and 2<sup>nd</sup> by Sherry. The motion passed without opposition.

*Secretary - Joy Flinchbaugh*