

**Felton Borough, York County ~ Council Meeting
Monday, July 8, 2024**

Meeting Date and Time: Monday, July 8, 2024 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton Pa.

Council Members present: Gary Martin, Mary Lader, Mike McPherson, Sherry Arnold, Zac Klock, and Mayor Bryan McManus

Council Members Absent: James Vergos and John Trout

Other present: Wayne Smith Codes Enforcement Officer for Felton Borough, Joiann Galiano & Nichol Eisenhart of YCPC, Chad Arnold & Scott Kopp of Alliance Fire and Rescue, Mary Ellen, Brian & Ed Cuthie, Alan Herman, Tracey Halbieb and Secretary Joy Flinchbaugh.

Gary Martin opened the meeting with the pledge allegiance to the flag at 6:30 pm.

Approval of Minutes: A motion to approve the June 3rd meeting minutes was made by Zac and 2nd by Mary. The motion passed without opposition.

Approval of Treasurer's Report: A motion to approve the treasurer's report with the following additions: GF: Sharon Wolfe \$58.29, Met-Ed Office \$60.00, \$24.27 Gazebo & Pavilion \$30.40, Knaper's Stop & Go \$495, Gordon Brown & Assoc CDBG \$393.36, Multi-Modal \$555.00, Church Lane \$160.00 was made by Mary and 2nd by Sherry. The motion passed without opposition.

Called to be on agenda: CDBG Public Comment: Joiann Galiano was present to see if there were any public questions or concerns about the CDBG project to replace the handicap ramps in the borough. Notice was given to the all the residents along this portion of Main Street and those that may be directly affected were contacted by Joy. Scott Kopp was present to discuss the parking pad they were given notice about. The borough will be doing work along the sidewalk at their parking pad and blending the work into it. Byron informed them that they are not required to do anything but with the current condition of the parking pad, they could be a given a price to fix it while the borough's work is being done. Scott said they would be interested in getting a price from the borough's contractor.

Alan Herman was present to discuss the letter he received in regards to the items in his yard. Alan told the council a timeline of what took place after the windstorm knocked down this fence on April 1st. He had different people come in to clean up the items that were broken when the cabinet fell over. Alan said that the pictures Wayne took were from before he cleaned up some items. Alan was asked if he would allow Wayne Smith, the borough's Codes Enforcement, to come into his backyard. Alan said he would not allow that. After much discussion on the issue, Alan left the meeting at 7:02 pm. The council directed Wayne to take some updated pictures and use a drone if needed as per the attorney. The council feels that Jeff of CGA Law Firm should be involved.

Public Comment: None

Alliance Fire and Rescue – Chad Arnold

- There was a total of 71 calls in June and 224 for the 2nd quarter of 2024
- They have 5 more individuals that will be taking the Fire Fighter 1 Training and exam. This allows the fire company to get increased funding.
- Special bingo coming up on July 13th
- Lince dancing will be once a month through the end of the year.
- Craft show will be on September 14th and the Gun Raffle on September 21st.

Solicitor – Jeff Rehmeyer of CGA Law Firm Memo

- **Broken Stormwater Piping** - Jeff assisted the Borough Secretary with a letter to Dorn Electric regarding the broken pipe seeking reimbursement. Joy informed the council that a week after the electric was install, Keith Pennell who installed the playground and pavilion stopped in to see if they hit the stormwater piping when they installed the electric line. Joy had no knowledge of it being hit and she had marked it as clear on the PA One Call. Joy found out from the foreman of the job, that indeed it had been hit and they did not repair it and had just covered it up. Keith Pennell was asked to come out and repair it and found that it was damaged at 2 locations. Keith said that if he had been called right away, he could have repaired the pipe for \$500 but since he had to bring his equipment and a helper to do the work the cost came to \$2200. With Jeff's assistance it was thought to split the cost with Dorn Electric, \$1100 each party. The council believes that the Borough should have been promptly notified when the pipe was hit, which would have allowed the matter to have been remedied at a cost of \$500.00. The Borough would have paid that cost of \$500.00 because the marking was not completed, which was an honest mistake. Since we were not notified, they believe that Dorn Electric should cover the remaining \$1700. A motion to charge Dorn Electric \$1700 for the damage was made by Sherry and 2nd by Zac. The motion passed without opposition.
- **Comcast Agreement** - CGA prepared and provided a draft Cable Franchise Agreement to the Borough Secretary for review and distribution to Comcast.
- **Open Burning Ordinance** – The Ordinance was revised per the mayor's comments. The updated Ordinance was provided to the Borough Secretary. The council reviewed the updated the copy and made a few changes that will be given to Jeff to finalize.
- **42 Beaver Street** - CGA and the Code Enforcement Officer are developing updated notices of violations under various ordinances which will then be served on the Owner of the Property. If compliance is not achieved, we anticipate proceeding before the District Magistrate.
- **37 Main Street** - With regard to the Ordinance relative to dogs, we do not think that it treats dogs being fostered any differently than dogs that are the actual pets of the property owner. If you would like us to proceed further relative to this Property we can do so.
- **39 Main Street** – Jeff has been coordinating some with your Code Enforcement Officer so we can proceed with enforcement if that is desired by the Borough.
- **Rentals** - Upon further review, your Rental Property Ordinance might be applicable to short term rentals like Airbnb's As we consider the matter further and whether or not something more should be done, such as a short term rental ordinance that is more specifically designed to address Airbnb's, we would ask if you have any properties that are be used as Airbnb's to your knowledge or if there are any particular issues or concerns that you would like to have addressed.
- **Collection Report** - The report will be provided by Paralegal Ross.

Engineer – Byron Trout of Gordon Brown

- **CDBG Grant** – York Excavating will be starting this week. Byron asked about an area that they could place the stone they are going to be using. It will be placed at the parking area along the Water Street bridge.
- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – there were 2 bidders on the project and the amounts were as follows: W. Craig Adams for \$159,965.00 and Miller Soil Solutions for \$306,166.00. A motion to approve the \$159,965 bid for W. Craig Adams was made by Mary and 2nd by Zac. The motion passed without opposition. Byron said they have 3 structures that need to be made so construction will not start for a few weeks yet. Since the bid

came in under the estimated amount, the borough will be able to do the full project that was applied for in the beginning. This has been approved by our Penn Dot contact.

- **Covid 19 ARPA Grant – Red Lion Ave Stormwater** – Out for bid and will have the bid results at the August meeting.
- **Local Share Account Statewide Grant for Church Lane** – The survey is complete but there are issues with the property lines matching up in the back. Byron will be discussing with Jeff and then putting the project out for bid.
- **297 Main Street** impervious area added – Need to send a letter in regards to the added impervious.
- **Local Shares Grant 2024 open** – Byron spoke to the council about applying for stormwater improvements on Main Street in this current round of Local Shares Category 4. The council agrees so he will begin getting the details together for Joy to submit an application.

Code Enforcement – Wayne Smith present.

- **47 Main Street** – Wayne informed the council that he had a conversation with the owner and he states it is all his family living in the main house and the garage apartment and nothing has changed. After the council discussed the circumstances of the property it was decided to not do anything further. They have only 1 address, pay 1 sewer fee and 1 garbage fee.
- **42 Beaver Street** – Wayne has been in discussion with CGA on how to proceed with the enforcement of the non-permitted fence.
- **39 Main Street** – this property was discussed earlier when Alan Herman was present.
- **37 Main Street** – Tracey was present at the meeting because she received a letter in regards to the number of dogs she has at her home. She said that she is a foster and has been doing this for 20 years. She fosters puppies and does not normally have them more than a month. The most dogs she has at one time is the 3 that are her own and 1-2 puppies. So far for 2024, she has fostered 2. After much discussion on the issue, it was found in Zoning Amendment 2009-04 Section 1, Pet, Household that *juvenile animals, (animals less than 6 months of age) such as kittens or puppies shall not be counted as Household pets.* This being the case, a motion to allow Tracey to continue to foster puppies in her home was made by Mary and 2nd by Sherry. The motion passed without opposition.

SEO – Adam Anderson of Design Concepts

- No activity in May or June

Old Business:

- **42 Beaver Street Dangerous Dog charges** – court hearing is scheduled for July 9th.
- **Open Burn Ordinance revisions** – discussed earlier
- **Electric service at pavilion storm drain piping for playground** – discussed earlier.
- **Felton's 125th anniversary Event** – was a great day other than the heat and everyone enjoyed the fireworks. The total cost of the event was \$5,619.89 and donations received were \$2159 for a total cost of \$3,460.89 for the event.
- **Brett Shoffner's lot for parking at 10 Church Avenue** – Bryan had a conversation with Brett after last months meeting and he was fine with the borough using the lots for the celebration. Going forward Brett would like to have a lease agreement with the borough and have the borough pay \$500 a month for the use of his parking area. He would allow the borough to only pay for the season that it is being used vs the whole year. The council discussed that the lot is being used for the baseball team players and guests and there is parking available around the area for those using the playground. A lease agreement is not something that the borough wishes to pursue.

- **Street Sweeping** – Keep for budget time

New Business:

- **Ambulance report** – there were 2 calls in the borough in June of which both were handled.
- **Local Share Grant Main Street storm sewer replacements** – discussed earlier.
- **Picnic tables at gazebo** – we received 2 picnic tables from Windsor Twp but they need some work done to them. Joy will contact Bobby to see if he can look at them and make the needed repairs.
- **Solicitation in the borough** – a complaint was received in regards to constant solicitation at this resident's home. Joy will investigate what other municipalities are doing about solicitation.
- **Maturing CD PLGIT** – One of the borough's CD's is coming due and will be put into the money market savings account until the account with PLGIT is completed.
- Budget vs YTD as of 6/30/24 was provided to the council for review.

Public Comment: Bryan Cuthie asked if the borough is given advance notice when Windsor Twp tars and chips their portion of High Street. We are not, but Joy will reach out to see if they can let us know.

Comments from Council –

- Mary said Celebrate Felton was a great event and many thanks to Brittini McManus who did a great job on the history table.

Secretary:

- Vacation days – July 11th, July 29th and 30th

Adjournment:

A motion to adjourn was made by Mary and 2nd by Zac at 8:40 pm. The motion passed without opposition.

Borough Secretary ~ Joy Flinchbaugh