

Felton Borough, York County ~ Council Meeting
Monday, June 6, 2022

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

Council Members Present: Gary Martin, Mary Lader, James Vergos, Patrick Schmidt, John Trout, Zac Klock, Sherry Arnold (6:42 PM) and Secretary Joy Flinchbaugh

Council Member Absent: Mayor Bryan McManus

Others present: Wayne Smith, John Wilson of CGA Law Firm, Alan Herman, Tyler Burkins of Alliance Fire and Rescue and Jeff Koons (8:10 pm).

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

Approval of Minutes: A motion to approve the May 9th minutes was made by James and 2nd by Mary. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the treasurer's report with the following additions: GF: Ace \$12.99, Harvey's Mowing \$725.00, Klugh Animal Control \$95.00, South Penn Codes (April) \$628.32, PA Sewer Authority \$850.00 and State Fund: Met-Ed Street Lights \$547.74 was made by Mary and 2nd by John. The motion passed without opposition. Joy pointed out the following items: Donations to Fire Company, Red Cross and Library to be paid this month and Budget vs. Actual year to date included

Called to be on the Agenda: **Wayne Smith** was asked to be on the agenda to present himself to the council for the Codes Enforcement Position for the borough. Wayne introduced himself and said he has 22 years experience in Zoning and Codes Enforcement in townships and boroughs in York and Adams Counties. He is currently serving for the following municipalities: Biglerville, Arentzville and York Springs in Adams County and Franklin Twp and Butler Twp in York County. Wayne said he specializes in small boroughs and he documents everything in a program he uses to take time stamped pictures. He sends out pictures with his violations letters so they know what the violation is in reference to. Wayne prefers to communicate through email so everything is documented and there is no miscommunication. He is willing to meet the residents if needed. Monthly reports are guaranteed. The council thanked him for coming and told him they would be in touch. Wayne then left the meeting. Sherry Arnold came into the meeting at 6:42 pm.

Public Comment: **Alan Herman** was present at the meeting to discuss the 2 violation letters he received in regards to junk on his property. He stated that he has no junk on his property. Everything on his property is antiques and collectibles and his wife has a license for a shop. John Wilson of CGA read the definition of Junk in the borough's Zoning Ordinance. The council informed Alan that the borough is in the process of looking for another Codes Enforcement Officer so at this time everything will be put on hold. Alan left the meeting at 7 pm.

Solicitor: John Wilson was present at the meeting to represent CGA in Jeff's absence.

- **Nuisance Ordinance** – John mentioned that CGA is still fine tuning the nuisance ordinance, specifically the ATV provision. This new ordinance will address newer issues such as drones that were not discussed in the older version. The council asked that there be a summary of the updates vs. what was in the old nuisance ordinance.
- **29-31 High Street** – The owners did provide proof of a Contract of Sale with settlement to take place on June 24th. The owners have confirmed that the dogs will be relocated as of the date of the settlement. This will be revisited if the dogs have not been removed as of June 24th.
- **Sewage Enforcement Officer** - We prepared a Sewage Enforcement Agreement for the Principal Sewage Enforcement Officer, Site Design Concepts and an Agreement for the Alternate Sewage Enforcement Officer, RE Fink and Sons, LLC. A copy of each was provided to the Borough Secretary for review at the Council meeting – after reviewing the contracts with the council it was decided to take out the borough fee section and keep everything else the same. These contracts can then be sent onto the new SEO's for their signature and approval.

- **Notary Services** -We prepared a resolution to be adopted which allows the Borough to charge notary fees for the Secretary's notary services. Resolution No. 2022-04 was provided to the Borough Secretary for adoption. A motion to adopt Resolution 2022-04 to charge notary fees was made by Mary and 2nd by Patrick. The motion passed without opposition.
- **Collection Report** – the council reviewed the collection report. John thanked the council for welcoming him and then left the meeting.

Old Business:

- **Pothole repairs** – hoping the company that is doing the work for Pennell Services when they do the storm drainage on Church Ave will give us a price.
- **Water testing on High Street** – on hold until we get the new SEO in place.
- **DCNR Playground** – Final request was made for Marcellus Shale Funds and once the final touch ups have been done on the area where the piping was replaced Joy will have DCNR come out to do the final inspection and apply for the other \$35,000. Picnic tables are here and in the storage building. Our vendor said that we can get 4 in our pavilion. Sonlight will install the picnic tables when they have time.
- **Penn Dot Multimodal Grant Award** – Water Street & Moore Lane – returned the signed form after last month's meeting and received the contract. Waiting on the in person meeting to get this started on the project.
- **Green mesh at gazebo** – Joy informed the council that she asked Zac if he is getting it caught in the mower. He said he isn't at this time. The areas where the mesh is in not growing grass properly. The council wants Jeff to proceed with getting Farhat to come back to remove the green mesh and reseed it.

Engineer – updates from Byron

- **Church Avenue storm drainage work** - beginning on Thursday
- **40 Red Lion Ave stormwater** going onto neighboring property - contractor will be doing the work after July 4th holiday
- **Red Lion Ave televising** – Byron provided a printout of the storm drains. It is pretty much what we expected. Most of the bottom of the piping is gone and should be replaced. The council was in agreement to have Byron start work on getting pricing together to replace. Red Lion Ave is slated to be paved in 2023.
- **CDBG Grant update** - Byron is waiting on Penn Dot to get back with an answer to a question
- **MS4 waiver request** – our waiver expires on 1/31/ 23 and we have to have our request in 180 days before the expiration. Byron is starting to work on the application which is pretty much the same as last time with a few corrections and or additions. We will need to pay a \$500 application fee when it is submitted.

Code Enforcement - Nothing to report. Joy has not been turning anything over to South Penn.

Alliance Fire and Rescue – Tyler Burkins

- There were a total of 85 calls in May. None of them were in Felton Borough.
- June 1st the Fire Specialists starting working. There is one on duty 7am – 5 pm everyday and they are trained for both stations.
- Fireside is doing well and is booked for every weekend.
- Held first Bingo
- Tyler left at 7:48 PM

New Business:

- **Ambulance Report** – there were no calls in the borough in May.
- **York County Boroughs Association Meeting** will be held on Thursday, June 23rd. Joy asked if anyone would like to attend. Patrick and Gary will be attending.
- **Resolution 2022-04 Notary Services** was adopted earlier.
- **Penn Waste** would like to start collections 1 hour earlier then stated in contract on 90 degree days. Our contract says 7 am. A motion to allow Penn Waste to begin collections in the borough at 6 am on days forecast to be over 90 degrees was made by John and 2nd by Sherry. The motion passed without opposition. It was

mentioned to check the nuisance ordinance. Also put a note in the newsletter to have residents put their garbage out the night before so they are not missed on collections

- **New Freedom Borough** has requested Fire Police assistance with their annual carnival parade on July 9th. A motion to approve the fire police to help was made by Mary and 2nd by John. The motion passed without opposition.
- **High Street Paint Yellow Curb for No Parking** - Resident request to paint yellow curb for no parking at corner of High Street and Church Lane at 48 High Street. The council decided not to proceed at this time. It would require a traffic study be done in order to paint this new curbing for no parking.
- **Stuber Estimate for water damage in furnace room**– Stuber has given an estimate of \$300 to remove the damaged trim and drywall in the furnace room and access extent of repairs needed. After the drywall is removed, an estimate will be given to repair the damage. Some repairs may be needed in the bathroom also. A motion to approve the estimate for Stuber construction was made by James and 2nd by Patrick. The motion passed without opposition. Joy was asked to contact our insurance agent about the damage.

Called to be on the Agenda: **Jeff Koons** came into the meeting to introduce himself to the council and show his interest in being the Codes Enforcement Officer for the borough. Jeff said that he worked for Chanceford Twp for 29 years as the Codes and Zoning Officer. He said he prefers to do face to face communication with the residents and will take pictures as needed. He will spell out in detail what needs to be addressed in his violation letter. He can come to council meetings after his attendance at Seven Valleys which falls on the same night as the borough's meetings. He would charge \$25/hr plus mileage and asked to be covered under Worker's Compensation. Jeff thanked the council and then left the meeting.

- After the council discussed the two candidates a motion was made by James and 2nd by Mary to appoint Wayne Smith as the borough's Coded Enforcement Officer.

Comments from Council

- **John** said that he would like to put up cameras at the playground because he has found kids sitting on top of the pavilion and also the porta potty was knocked over.
- **Mary** said the plague is in for the park bench honoring Charlotte Trout and Wendy Fink will be attending the July 11th council meeting.
- **Patrick** would like to have a Felton Community Event. He would like to start a discussion outside of the council meeting. He knows of one other person that would be willing to help and if we could see if others have interest at well.
- **James** said he will not be at the July 11th meeting.

Secretary:

- Joy said that everything is ready for her to start notarizing. If the borough wants to charge an administration fee that would need to be adopted in the Fee Schedule. The council agreed to see how it goes this year and if an additional fees need to be charged it can be done in 2023.

Adjournment: A motion to adjourn at 8:32 PM was made by James and 2nd by Sherry. The motion passed without opposition.

Joy Flinchbaugh – Borough Secretary