

**Felton Borough, York County ~ Council Meeting ~ via Zoom
Monday, March 1, 2021**

Meeting Day and Time: Monday, March, 2021 at 6:30 pm at the Felton Borough Office.

Council Members Present: Gary Martin, Mary Lader, Sue Golden, Sherry Arnold, James Vergos, John Trout

Council Members Absent: Ronald Nickey and Mayor Bryan McManus

Others present: Jeff Rehmyer of CGA Law Firm, Zach Klock, 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 February 8th minutes was made by Mary and 2nd by James. The motion passed without opposition.

A motion to approve the minutes from the January 11th Public Water meeting was made by John and 2nd by Sherry. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the treasurer's report was made by Mary and by 2nd by James. The motion passed without opposition.

Public Comment: **Zac Klock** was present to see what the status is on public water. He provided pictures of the set up he has in his basement to store the water he hauls in on a weekly basis.

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

Solicitor: Report

- **Public Water** - Jeff was present at the Public Water meeting held on January 11, 2021 and heard the opposition from the residents. If the answer would be no now, he feels that York Water would still be an option in the future. He told the council that they have the right to say yes or no to public water.
- **Chicken Complaint** - Jeff reminded the council that the draft ordinance was similar to ones that are used in the area, most notably Jacobus Borough. Additionally, Jeff and his Firm researched a number of other ordinances to determine if any distances were measured from a neighbor's home rather than the property lines. No ordinances were located that measure from a neighbor's home, but rather, they all typically relate to property lines.
- **South Penn Codes Consultants** – Jeff mentioned that most municipalities that contract with South Penn Codes to do their codes enforcement will allow them to proceed as they see fit and in compliance with the ordinances. The council said they would like to get a monthly update from them and see the letters that are being sent out. Joy did provide a list of the codes enforcement issues that South Penn Codes has been working on. Jeff reminded the council that you have to be consistent with enforcement in regards to the ordinances. The council worked through the list Joy provided for them and agreed with moving forward as noted on the listing. Tyler said in regards to his letter, that he has fixed the jeep and the scrap pile will be going next week. He will have more coming in because this is something that he does. He didn't realize he had a rooster but the chickens will all be going soon. He didn't know he needed a permit for the deck; he will fill one out and return it. He was told that it is a good idea to check in with the office when you are doing improvements to see if they need a permit or not.
- **Council payment** – Jeff informed the council that their wages are taxable and a W2 will need to be issued at the end of the year. Mary asked why it has to be a W2 instead of a 1099. He will consult with Christine who does employment law to confirm which is required.

- **Collection Report** – Jeff provided the council with an updated collection report. There are no accounts that need any action at this time.
- **DCNR Grant** – CGA has provided a professional services agreement for their work on the DCNR Playground grant in the amount of \$5,000. A motion to approve the agreement was made by Sherry and 2nd by Mary. The motion passed without opposition. Jeff left the meeting at this point.

Alliance Fire and Rescue – Tyler Burkins

- Tyler Burkins presented the monthly reports for the Alliance Fire and Rescue. In February there were a total of 54 calls for the fire company of which 1 was in the borough.
- Other reports showed the amount of trainings for the fire company and a breakdown of who attended those trainings.
- The training on the new ladder truck has been completed and will be put in service in the next couple of weeks.
- Fireside at the Fiddler’s is booked through the end of the year.

Engineer – Report

- **Act 537 Plan** – the plan has now been approved by DEP and all of the permits that were still in the borough’s name have been changed over to The York Water Co.
- **DCNR Playground Grant** – Joy and Byron will be meeting this week to go over all the details of the plan and what needs to go out for bid. The bid packet will be ready for the April meeting.

Code Enforcement

- **List of current codes enforcements** – the council reviewed.
- **Letters sent out from South Penn Codes** were provided to the council.
- **121 High Street** – still awaiting title for trailer in order for the settlement to take place.

Old Business:

- **Public Water Meeting January 11th** – The letters to High Street residents went out in the mail a week ago. The council looked at the questionnaires that were returned so far. The borough also received a letter from a Main Street resident that requests public water. After much discussion on the issue, a vote was discussed. The council would like to do a vote when all of the council can be here as well as Mayor Bryan McManus. Mary feels that we still need more information. James and Sherry both feel that a decision needs to be made. Sue said she would not be at the April meeting. She was asked what her opinion is on public water and she said she would vote yes for it. Joy will check with Jeff on Sue giving her vote by phone for the April meeting. It was discussed to advertise in the borough newsletter that a vote will take place at the April 5th meeting.
- **DCNR Playground Grant** – discussed earlier.
- **Audit** - has begun
- **Storm Drains** - will be cleaned in March after the snow has melted
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New Business:

- **Ambulance Report** – no reports have been received yet.
- **Website** – PSAB offers a website for a cost of \$389 per year with an initial set up fee of \$50. A motion to start the process of getting a borough website was made by Mary and 2nd by Sherry. The motion passed without opposition.

- **Mowing Bids** – Joy informed the council that last year we had to pay an additional fee to our insurance company because our mowing contractor who is a sole proprietor did not carry worker’s compensation insurance because he has no employees. Both bids received this year are from sole proprietors and we will have the same issue. Since we now have a part time parks and rec person that will help that part of the policy to possibly avoid having to pay the additional fee. In the past, when we have had bigger companies give us quotes, they of course charged more. The council decided to move forward on the bids we have. The two bids were as follows:
 - Harvey’s Mowing LLC for a maximum price of \$4220
 - Saul’s Lawn Care for a total price of \$4400.A motion to contract with Harvey’s Mowing LLC for a maximum price of \$4220 was made by Susan and 2nd by Mary. The motion passed without opposition.
- **Sewer** – DEP has transferred WQM and NPDES permits to York Water Company since the Act 537 plan was approved.
- **Red Lion Ave Bridge replacement 2022** – Penn Dot is looking to replace the Red Lion Ave Bridge in 2022. It is slated to be closed for 3 month. They provided a letter showing the detour route.

Comments from Council –

- **James** said that because of his work schedule he will not be seeking reelection.

Secretary – None.

Adjournment: A motion to adjourn at 8:18 pm was made by Susan and 2nd by Mary. The motion passed without opposition.

Secretary - Joy Flinchbaugh