

**Felton Borough, York County ~ Council Meeting ~ ZOOM Virtual Meeting
Monday, May 11, 2020**

Meeting Day and Time: Monday, May 11, 2020 online ZOOM Meeting.

Council Members Present: Garland Martin, Mary Lader, James Vergos, Sherry Arnold, Ron Nickey and Mayor Bryan McManus

Council Members Absent: John Trout and Sue Golden

Others present: Jeff Rehmeyer of CGA Law Firm, Byron Trout of Gordon Brown Assoc., Tyler Burkins of Alliance Fire and Rescue, Jordan Keeny of 62 Red Lion Avenue, Mark Wheeler, John Longstreet, JT Hand & Kent Croman of York Water Company, Carl Carrier resident of 506 Gables View Lane, Chris Brooks of 82 Charles Street, Donna Grove owner of 2 Main Street (6:59 PM) and Joy Flinchbaugh Borough Secretary,

Gary Martin opened the meeting at 6:30 pm.

Approval of Minutes: A motion to approve the April 13th council meeting minutes was made by Mary and 2nd by John. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the treasurer's report with the following additions: **GF: Gordon Brown:** Pa One Call \$173.59, Charles St. Grant \$446.50, Playground Grant \$2309.00, Council meeting-Chapter 537 report-security info to DEP and York Water \$459.00 (Byron said he was going to check on this bill) **Credit Card** - postage \$171.95, **CGA** – Sale of Sewer \$3487.00 & General Business \$1964.00 **Met-Ed** – gazebo \$22.29 & office \$77.31 **State Fund:** Windsor Twp Salt / cinders \$678.48, Met-Ed Blinking Lights \$22.86 was made by Ron and 2nd by Mary. The motion passed without opposition.

Public Comment: Jordan Keeny called in to see the results of the public water survey that was sent out. Chris Brooks is a new resident who called in to see about the public water situation.

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

Solicitor:

- **Fire Company Resolution.** Finalized Resolution No. 2020-03, recognizing Alliance Fire and Rescue Services, Inc. as the official provider of fire protection and related services to Felton Borough. The list of non-emergency events was added as an exhibit. The Resolution has been provided for the councils review. A motion to approve Fire Company Resolution 2020-03 was made by Ron and 2nd by Mary. Sherry abstained from voting due to her involvement in the fire company. The motion passed without opposition.
- **121 High Street, Leedale Reed.** A letter was sent on March 10, 2020 by our office to the Reeds requesting that the property be cleaned up, providing notice of nuisance ordinance violations, requesting inappropriate behavior to cease, and acknowledging contact with a Borough representative. A copy of the letter was provided to the Borough Secretary. We have been advised by the Borough Secretary that the matter has been put on hold for a couple of months due to the COVID-19 Pandemic. We are ready to assist upon request.
- **Resolution No. 2020-04,** Waiver of Late Fees on Property Taxes. Act 15 of 2020 allows the Borough to waive the late fee or penalty for payment of the tax if received by December 31, 2020. A resolution waiving the late fees and penalty must be received by the Tax Collector by May 20, 2020. A copy of the Resolution is provided for the council to review. A motion to approve Resolution No. 2020-04 was made by Mary and 2nd by James. The motion passed without opposition.
- **Chicken Regulations.** Per your request at the April Borough Council meeting, I analyzed the Zoning Ordinance and conducted research regarding the keeping of chickens. An e-mail of the analysis was provided to the Borough Secretary which provided 2 options an amendment to the Zoning Ordinance or adoption of a separate Ordinance Regulating Chickens. A sample Ordinance from Jacobus Borough was provided for review. The council will review and come back in June with any comments.
- **Concord Commons, Lot 4.** Review and provide guidance on stormwater operation and maintenance agreement questions.
- **State of Emergency and Expenses.** The Borough should document all expenses incurred due to responding to COVID-19, all actions taken to protect the residents, i.e. cleaning the meeting room, cleaning the office more frequently, purchasing supplies, purchasing equipment regarding the pandemic, such as computer equipment for virtual meetings. List the cost of actions taken to protect the residents.
- **New Labor Poster Families First Coronavirus Relief Act.** The notice needs to be posted in the office and it will need to be emailed or mailed to anyone not physically in the workplace. We continue to provide advice regarding COVID-19 issues during this State of Emergency and shutdown.

- **Municipal Night at the Ballgame/Rescheduled.** Save the date. August 21, 2020.

Engineer- Byron Trout of Gordon Brown & Associates

- **Charles Street Bids** were received and opened on April 30th and are as follows: Stewart & Tate for \$102,662.50 and Farhat Inc. for \$93,000. Both are good bidders. The borough has a grant from DGLVR for \$94,055.00. The borough is going to ask Farhat for a reference of similar work. A motion to accept Farhat’s bid of \$93,000 contingent upon receiving a similar reference for the borough engineer to review was made by Mary and 2nd by Ron. The motion passed without opposition.
- **Park Grant** – The DCNR Grant was submitted on April 21st. The borough will find out in the fall whether we were awarded the grant. Contracts will be out in January of 2021. The borough has not heard back from Exelon yet. Byron and Joy will be reaching out to Home Depot, Lowes and Ace to seek donations of tables and such for the park.
- **Concord Commons** has submitted plans for 2 new homes which Jeff is working on the new O & M agreements for those.
- **DGLVR for Church Lane** – Joy asked Byron about starting an application for Church Lane on High Street.

Old Business:

- **Surveys about Public Water – the results of the survey are as follows:**

Sent out	208	Returned	147	71%	YES	Results	36	24%
					NO	Results	111	76%

- - **Donna Grove owner of 2 Main Street** asked what the council will do now that the survey shows that 76 % of the people do not want water. Her husband has an engineering background and has ideas of other ways the borough can address the people that don’t have water. She believes that this is an unnecessary hardship for those that don’t need it especially during this time. The council asked that she provide the information to the borough and the council will consider it. The council is looking to have public water brought into the borough because there are people in desperate need and something needs to be done. She also stated that York Water has way too much chlorine in the water.
 - **Mark Wheeler of York Water Co** mentioned that the York Water Co has been in operation since 1816 and has 69,000 customers. They are a regulated utility and understand the current financial conditions. Mark mentioned that they are working with HRG to find out the cost and the best way to provide water to the borough. They will have a better idea of cost after they get the information back from them. There will be no tap in fee and York Water will install the water meters. You will be billed on usage after the connection takes place. .
 - **Jordan Keeny** said that her neighbors are not aware of the cost and wants to know if it would be a mandatory hook up. Jordan thought that the monthly rate of \$79.50 would include the sewer and water costs. That rate is only for sewer; water would be billed in addition to that. She wants to know what the cost would be to connect her house to the water.
 - **Joy** reiterated that there will be no tap in fee, York Water will install and pay for the water meter. The only cost to the resident is to connect their home to the main line and that will be different for each individual property owner based on distance and their inside plumbing needs.
 - **Carl Carrier** is not happy with a mandatory hook up. How would the borough help those that can’t afford the connection?
 - **Sherry Arnold** commented that she does not drink her well water and is concerned that she will have water issues in the future as well.
 - **Jeff Rehmeier** said that the survey is the public opinion but it is not binding for the council to go with the results. Public water can provide an increase in homes value as well.
 - **Joy** will check into any grants available to help property owners make the connection.

Alliance Fire & Rescue:

- **Fire Reports** – Tyler Burkins provided the fire reports by email which will be distributed to the council tomorrow. There were a total of 76 calls in April of which 5 were medical calls in the borough.

Old Business: continued

- **DEP Corrective Action Plan** – The Sewer televising that is part of the CAP will be done by York Water Co. Jack Longstreet said that they will be doing 5065’ of sewer televising soon. They have taken over all operations of the

sewer plant since April 16th and have been doing some maintenance and repairs to get the plant up to York Water standards.

- **DCNR Grant Application** – discussed earlier.
- **Fire Company Resolution 2020-03** - discussed earlier.
- **Amendment to Zoning for Chickens** - discussed earlier.
- **Baseball team starting practice in yellow phase?** Currently the baseball team is not able to use the field for practice and games due to the current situation. Joy asked Jeff if the team can begin to practice when we go into the Yellow phase. Jeff will do more research but believes they can't until we are in the Green phase.
- **Concord Commons – 2 plans submitted** - discussed earlier.
- **Crosswalk on Main Street / Flags on telephones**- nothing new to report.

New Business:

- **John Trout's resignation** – Joy read the resignation letter from John Trout. The council did not accept the resignation at this time. Mary would like to speak to John first.
- **Ambulance Report** – There was 1 call in the borough in February.
- **Fire Company WC insurance** – The fire company has asked if the council would consider giving an additional donation to help cover the fire companies cost to pay for the WC compensation policy now that the borough does not pay for it. A motion to give \$1500 towards the WC policy for the fire company was made by Mary and 2nd by Ron. Sherry Arnold abstained from the vote. The motion passed without opposition.
- **DEP required Act 537 Special Study from Sale of the Sewer** – Due to the sale of the sewer system, DEP is requiring the borough to do an Act 537 Special Study in order for the transfer of the NPDES permit to York Water Company. The following proposals were received: HRG for \$10,500 and Gordon Brown & Associates for \$9,500. A motion to have Gordon Brown and Associates complete the Act 537 Special Study was made by Mary and 2nd by Sherry. The motion passed without opposition. Jack Longstreet said they have the digital copies of the Act 537 plan and the special study that was done years ago and he will pass them onto Byron. York Water also has done mapping of the sewer system and can supply that also.
- **Apply for DGLVR for Church Lane** on High Street due July 23rd - the council is in agreement to begin working on an application for Church Lane.
- **Removing sidewalk on High Street – parking issues** – A complaint has been received again in regards to how tight it is to pass through the one section of High street due to the cars parking and the narrowness of the road. A thought was discussed before about removing the sidewalks. After much discussion, Byron said he would take a look and then have Joy send out a letter if it is feasible. Jack Longstreet mentioned that there are sewer cleanouts on the sidewalk in that area. Jeff mentioned that the borough code talks about the borough maintaining and repairing sidewalks but not removing them.

Comments from Council

- **Mary Lader** is going to go speak to John about his decision to resign. The council agrees that he has a lot of background knowledge about the borough that is important.
- **Ron Nickey** mentioned that the flag is tangled with the other flag pole at the Gazebo. The fire company will take a look and Joy has a new flag at the borough that can be put up.

Adjournment: A motion to adjourn at 8:24 pm was made by Mary and 2nd by James. The motion passed without opposition.

Secretary - Joy Flinchbaugh