

Felton Borough, York County ~ Council Meeting
Monday, November 7, 2022

Meeting Day and Time: Monday, November 7, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

Council Members Present: Mary Lader, Sherry Arnold, Patrick Schmidt, James Vergos, Mayor Bryan McManus and Secretary Joy Flinchbaugh

Council Member Absent: Gary Martin, John Trout and Zac Klock

Others present: Scott Gingrich of Alliance Fire and Rescue, Byron Trout of Gordon Brown & Assoc and Adam Anderson of Site Design Concepts.

Mary Lader opened the meeting at 6:30 pm with the Pledge of Allegiance

Approval of Minutes: A motion to approve the October 3rd minutes was made by James and 2nd by Patrick. The motion passed without opposition. A motion to approve the October 10th minutes was made by James and 2nd by Patrick. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve the Treasurer's report with the following additions: GF: Wayne Smith \$150.00, Pennell Services \$3,100.00, Ace \$11.58, Gordon Brown: \$3047.50 for CDBG, \$319.00 for Multimodal, \$29.42 for 46 SFR, \$107.33 for Meetings and general was made by James and 2nd by Sherry. The motion passed without opposition.

Called to be on the Agenda:

Public Comment: None

SEO – Adam Anderson present

- **Water Testing on High Street** – Adam provided the council with a map and documentation of the water samples that were collected. The results are as follows:
 - Sample #1 Total Coliform >201, E.Coli 41 and Surfactants <.05
 - Sample #2 Total Coliform NA, E.Coli NA and Surfactants <.05
 - Sample #3 Total Coliform >201, E.Coli 101 and Surfactants <.05

Based on the samples, it is not showing evidence of a septic issue. It can be very hard to find a septic issue by this type of testing. There were questions as to the levels of total coliform and E. Coli found in the creek. Adam advised that the borough could have a stream specialist determine if the creek is safe or not. Byron mentioned that Pine Run is a DEP designated impaired waterway but it could be due to the high level of sediments. Patrick feels that the borough should be making the residents aware of these findings. The next borough newsletter could have a section for Public Awareness and share the results of the water testing. Byron mentioned that he can provide a link to the DEP website that shows the numbers on local streams.

Patrick has concerns for the current manifest that is used when a septic system is pumped. Adam informed the council that there are 2 ways municipalities handle the septic pump outs. Option 1, which most use, is to have the hauler complete the bottom of the manifest which shows if there is a malfunction seen during the pump out. Option 2 is to have the SEO on site when a pump out is done to do a full inspection. This would be an additional cost to the homeowner. After much discussion on the property in question, it was determined that Adam is going to reach out to the property owner and ask to inspect the septic system. If the property owner denies the inspection the borough would have to file for a search warrant. Adam left the meeting at 7:09 PM.

Alliance Fire and Rescue – Scott Gingrich

- There were a total of 77 calls in October of which none of them were in the borough

Solicitor: Memo

- **Nuisance Ordinance** – Everyone will take a look at it before the next meeting and plan to work through it. Joy will try to print it off with all the comments that have been made.
- **Tax Ordinance** - CGA prepared an Ordinance implementing provisions of Act 57 of 2022 property tax waiver and establishing the property tax rate. The Ordinance should be adopted at the December Borough

Council meeting A copy of the Ordinance was provided to the Borough Secretary. We will prepare the legal notice so that it may be adopted in December.

- **Resolution No. 2022-07**, With Regard to Municipal Procurement, Contracts or Agreements and Change Orders. The Resolution provides the process for contract approval and approval of change orders. The Resolution was provided to the Borough Secretary for distribution and discussion at November meeting. The council spoke with Byron about a reasonable amount that could be pre-approved for him to make on change orders going forward. It was determined that 5 % or \$5,000 would be sufficient. A motion to adopt Resolution 2022-07 in regards to municipal procurement, contracts and agreements and allow the borough engineer to authorize a change order that does not exceed \$5,000 or 5% of the contract was made by Patrick and 2nd by Sherry. The motion passed without opposition.
- **46 Sechrist Flats Road** – CGA is assisting the Borough Engineer with having the property owners resolve the stormwater detention basin problems. Upon the receipt of additional information from the Engineer, we will take further action if required. Byron was asked about this and he explained that Gemcraft needs to resolve the issues with the stormwater basin per the approved plans. The homeowner would like the system to be underground but that needs to be worked out between Gemcraft and the property owner and a new plan would need to be submitted for approval.
- **Collection Report** – provided to the council.

Engineer –

- **CDBG Grant update** – Should have the permits back from Penn Dot next week.
- **Multimodal Grant for Water Street & Moore Lane** – working through the paperwork.
- **Red Lion Ave Stormwater Grant** – will be working on this as it is due in December.

Code Enforcement –

- **Memo** – Joy read over the memo from Wayne on the following properties.
 - **134 Main Street** – Issued 2nd notices. Joy will also make sure he checks on the camper.
 - **39 Main Street** – Was unsure of council approval to proceed. Joy informed him that the council approved going forward at last month's meeting.
 - **15 Charles Street**- will be sending another letter.
 - **42 Beaver Street** – will be sending a notice.

Old Business:

- **DCNR Playground** – final payment of \$35,000 has been received
- **Water damage in office** – Daniel Stuber found a new area found when he began the work and it was submitted to the insurance. The borough received an additional payment of \$1881.10 for the new damage found.
- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – still trying to get through all the paperwork
- **Banners with Explore York** – Joy asked if the council would like to proceed with the banners with Explore York. The council would like more information on receiving the free banners.
- **Advertise Draft Budget** – The finalized draft budget was provided to the council. A motion to advertise the draft budget was made by Patrick and 2nd by James. The motion passed without opposition.
- **YCBA Annual Dinner November 12th** – Joy needs to know if anyone would like to attend.

New Business:

- **Ambulance Report** – there were no calls in the borough in October.
- **MS4 Waiver application** – the borough has once again been approved for a waiver for the next 4 years.
- **Klugh Animal Control Services Contract for 2023** – Joy provided a copy of the contract for 2023 and made mention to the retainer fee which is new for 2023. It was mentioned to put information about their services in the next newsletter.
- **Resolution 2022-06 Covid 19- ARPA Pa Small Water & Sewer Grant** – will hold for the December meeting so we know the total project amount.
- **Resolution 2022-07 Municipal contracts, agreements and change orders** – was taken care of earlier in the meeting.

- **Penn Waste monthly rate increase by \$44.08 per month** – YCSWA will be increasing by \$2.00 in 2023 for all York County Solid Waste and Penn Waste has notified the borough that our monthly fee will increase by \$44.08
- **Complaint about Halloween on Saturday** – A complaint from a resident was received because there were so many kids from other areas.
- **Trash cans placed in front of 58 High Street** – An email was received that there have been trash cans placed in front of 58 High Street and they wanted to know if the borough knew why. Joy drove by a few times after the email was received and there have not been any trash cans in the space.

Comments from Council

- **Sherry** mentioned that she has been told there is someone coming in and out of the open shed on 62 Main Street that is vacant. There also seems to be tarps hung up in there as well. Joy will notify the owner and also let the police know.

Secretary:

- Joy will be out of the office on Monday, November 14th and Tuesday, November 15th due to her sister's surgery.

Adjournment: A motion to adjourn at 8:01 PM was made by James and 2nd by Sherry. The motion passed without opposition.

Joy Flinchbaugh – Borough Secretary