

Felton Borough, York County ~ Council Meeting
Monday, October 3, 2022

Meeting Day and Time: Monday, September 26, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

Council Members Present: Gary Martin, Mary Lader, Sherry Arnold, Patrick Schmidt, John Trout, Zac Klock, Mayor Bryan McManus and Secretary Joy Flinchbaugh

Council Member Absent: James Vergos

Others present: None

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

Approval of Minutes: A motion to approve the September 19th and 26th minutes was made by Patrick 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: Restuccia \$6,400.00, Wayne Smith \$325.00, CGA Law \$142.26 and State Fund: Met-Ed Street Lights \$526.20 was made by Patrick and 2nd by Zac. The motion passed without opposition. Joy pointed out the American Rescue Funds in the amount of \$26,880.04 had been received.

Called to be on the Agenda: **Melissa Beaverson & Andrea Ryan of Explore York** called to be on the agenda to discuss the possibility of working with the borough to co-brand signage and banners for the borough. Joy had met Melissa at one of the monthly YCMAA meetings and thought the council might want to hear more about the banners. The banners would incorporate the destination logo Y for Have it made here and they would incur the cost of the banners as well. Melissa and Andrea spoke to the council about adopting the destination brand. If the council has interest in pursuing this further they just need to reach out to Andrea. Melissa and Andrea thanked the council for their time and left the meeting at 6:56 pm.

Public Comment: None

Alliance Fire and Rescue – Scott Gingrich

- There were a total of 63 calls in September of which 2 were in the borough and they were medical assist calls.
- Scott told the council that the fire company cannot afford to have any less funding given to them from the municipalities. He asked if the council reviewed the profit and loss statements that were given in advance of last week's budget meetings. This year has been very hard with all the increase costs, especially fuel. The 990 for 2020 was provided to the borough but they do not have the one yet for 2021 because of issues they are having with their accounting firm.
- The council mentioned that Tyler has been informing the council each month that rentals are going very well at Fireside. Scott said that is correct, but when they took over they couldn't increase the price to current rates right away because what was being charged before was so under what the going rates are. They have gradually been increasing the rates.
- They are in need of a new fire engine. If they put in the order for it this year they won't have it for 3 years. The current engine is 26 years old and the transmission is no longer able to be worked on.

Solicitor: Memo

- **Ordinance No. 2022-01, Stormwater Management Ordinance** - Per instructions from the Borough Secretary, Section 307 Riparian Buffer was removed from the index and the body of the Ordinance. The Ordinance is attached and is ready for signature. Gary, Council President, Bryan, Mayor and Joy, Borough Secretary all signed the ordinance.
- **Proposed Nuisance Ordinance** - We are in the process of advertising the Ordinance so it may be adopted at the November or December Borough Council meeting. Patrick questioned why this was being advertised for adoption. It was approved for advertising at the September 19th meeting. The council decided to stop the ordinance from being advertised so they would have more time to review Patrick's comments and suggestions on the draft ordinance. Joy will notify Jeff.

- **Act 57 of 2022 Amends the Tax Collection Law** - The amendment became law on July 11, 2022 and requires the tax collector to waive additional charges for real estate taxes beginning in the first tax year after the property is transferred. Additional charges include interest, fee, and penalty in excess of the amount of the real estate tax provided in the tax notice. In order for a taxpayer to receive a waiver he must within 12 months of receiving the property submit a claim to the Borough indicating the tax notice was not received, provide the tax collector with a deed evidencing the property transfer, or in the case of a mobile home a copy of the title, and pay the face amount of the tax notice with the waiver. The Department of Community and Economic Development shall create and provide the waiver form to tax collectors. This amendment goes into effect on October 10, 2022. The deadline for the Borough to adopt an Ordinance implementing these changes is January 9, 2023. The first tax year for which a waiver is applicable is 2023. These provisions can be incorporated into the annual year-end tax Ordinance.
- **Change Order Clause** – the council discussed what written agreement they would like to have with Byron of Gordon Brown for change orders. Patrick and Zac wanted the written agreement to not give any authority to Byron to approve a change order without council approval. Gary, Mary and Sherry want the agreement to allow for a percentage. After discussing the agreement, it was decided to allow Byron to give approval up to 5% of the total contract value on change orders but anything over that would need to have approval from the council. Joy will provide this information to the Jeff for the agreement.

Engineer –

- **CDBG Grant update** – nothing new to report.

Code Enforcement –

- **Memo** – the council reviewed the memo from Wayne and had the following responses:
 - **16 Charles Street** – no further enforcement needed.
 - **134 Main Street** – continuing with enforcement
 - **39 Main Street** – proceed with enforcement
 - **15 Charles Street**- continuing with enforcement
 - **297 Main Street** – rental inspection completed on 9/30/22
 - **42 Beaver Street** – just turned over today. Put up new fencing in a flood area.

SEO – No report

- **143 High Street** – Since we are not able to do an onsite inspection Patrick would like the water to be tested. A motion to have the water tested was made by Mary and 2nd by Zac. The motion passed without opposition. Patrick, Gary, Bryan and Zac all want to be present when the samples are taken. Joy will contact Adam to let him know.

Old Business:

- **Pothole repairs** – completed last week.
- **DCNR Playground** – applied for final payment
 - Mulch price from Pennell is \$85 yard delivered and spread – A motion to have Keith Pennell get 2 yards and spread for \$85 per yard was made by Patrick and 2nd by Sherry. The motion passed without opposition.
- **Penn Dot Multimodal Grant Award – Water Street & Moore Lane** – nothing new to report
- **Water damage repairs** – Stuber will begin October 21st. Joy asked the council about helping to move everything out on Wednesday, October 19th. They council will do it on Saturday, October 15th when they are doing the hole at the gazebo.
- **Hole at the gazebo** – there are no as built plans but Byron provided pictures and a drawing that was sent via email to the council today. Also, there is stone leftover from the Church Ave project that can be used to fill in the hole. The council will take a look at them to see if they will work.
- **Trick or Treat Night** – October 29th , State Police have been notified

New Business:

- **Ambulance Report** – there were 2 calls in the borough in September

- **Liquid Fuels Allotment for 2023** will be \$17,371.82
- **American Rescue Funds Income vs. Expenses** was provided to the council. We received a total of \$53,760.08 and spent \$56,589.40 in stormwater projects.
- **Inlet clean out** – there are a total of 31 inlets to be cleaned out and Keith Pennell will do all of them for \$3100. A motion to approve Pennell Services to clean out 31 inlets in the borough was made by Patrick and 2nd by Sherry. The motion passed without opposition.
- **YCBA Annual Dinner & Awards Meeting** - The annual dinner and awards meeting will be on November 12th if anyone would like to attend.

Comments from Council

- **Zac** continues to have problems getting in and out of his driveway due to the parking on High Street in front of his driveway. Zac also asked about the bus stops and having flashing lights put at High Street and Main Street because of the speeding and the kids crossing the street. Joy mentioned that after the CDBG grant work on the handicap ramps is completed the borough can install a crosswalk at the corner of High and Main Street.

Secretary:

- **Vacation** – October 24th to November 2nd

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

Joy Flinchbaugh – Borough Secretary