

**Felton Borough, York County ~ Council Meeting
Monday, September 16, 2024**

Meeting Date and Time: Monday, September 16, 2024 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton Pa.

Council Members present: Gary Martin, Mary Lader, James Vergos, John Trout, Sherry Arnold, Zac Klock, and Mayor Bryan McManus

Council Members Absent: Mike McPherson

Other present: CPL Justin Marquis of PSP, Jeff Rehmeyer of CGA Law Firm, Bill Gallagher, Sgt Timothy Mulder, Chief B. Timothy Quinan and Boggs Shoemaker of North Hopewell Twp Police Department and Secretary Joy Flinchbaugh.

Gary Martin opened the meeting with the pledge allegiance to the flag at 6:30 pm.

Approval of Minutes: A motion to approve the August 12th meeting minutes was made by Mary and 2nd by James. The motion passed without opposition.

Approval of Treasurer's Report: A motion to approve the treasurer's report was made by Mary and 2nd by Sherry. The motion passed without opposition. Joy pointed out that she closed the American Rescue Funds account that had .33 in it and the 7-month CD matured on 9/15 and has been transferred into the Money Market Savings until it is transferred into the PLGIT account.

Called to be on agenda: Chief Timothy Quinan of the North Hopewell Police Department called to be on the agenda to present a proposal to the borough for police coverage. North Hopewell Twp police currently serve North Hopewell Twp, Crossroads borough and Winterstown Borough. They are a part time company with 2 full time police officers and 1 part time officer. They are looking to add another part time officer. They currently provide 12 hours of service per day. When they are not on duty the municipalities are then handled by the PA State Police. Chief provided a sample contract to provide the borough with 30 hours of police coverage per month at a rate of \$68 per hour for a total of \$2040.00 per month. The 30 hours would be the minimum each month. They would handle calls for service, ordinance violations and provide traffic enforcement for the borough. CPL Justin Marquis of the PA State Police informed the borough that they have handled a total of 18 calls in the borough this year and they do not have the time to do traffic enforcement. Every time they come to set up, they get called away. If the borough were to contract with NH Police Department the State Police may hold a call that comes in if it is not an urgent need when they are covering.

Public Comment: None

Alliance Fire and Rescue – Report

- There was a total of 72 calls in August of which none were in the borough.
- Chad was not able to attend due to a meeting about the upcoming Gun Raffle to be held on September 21st.

Solicitor – Jeff Rehmeyer of CGA Law Firm

- Police – Jeff mentioned that the rate North Hopewell Twp Police presented is a good rate and if the borough considers contracting with them, he can provide the intergovernmental agreement for that contract.

- **Burn Ban Ordinance** – Ordinance 2024-01 has been advertised and is ready for adoption. Jeff suggests changing the language to state that any police department can enforce the ordinance. A motion to approve Ordinance 2024-01 with the additional language to allow any police agency to enforce the ordinance was made by Zac and 2nd by James. John was opposed. With a majority in agreement the motion passed.
- **Felton Borough v. Jason Wilt, 42 Beaver Street** - The initial enforcement letters for violation of Ordinance No. 2020-02, Keeping of Chickens and Ordinance No. 2015-04, Cat/Dog/Animal Nuisance Ordinance were sent to Mr. Wilt by certified mail on June 19 and were returned as undeliverable. These notices were resent on August 26, 2024. To date, we have not received a response from Mr. Wilt. We expect to file complaints with the District Magistrate this week.
- **Felton Borough v. Kim Marie Vannoy, 48 High Street** - Ordinance No. 2023-01, Nuisance Ordinance Violation. We prepared a notice of violation for the Borough Secretary to send.
- **Church Lane** – Jeff has been involved with the Engineer on issues related to Church Lane. The situation is challenging, because it involves titles to properties that are very old. Jeff mentioned that these properties were subdivided over 100 years ago. Byron mentioned that after last month's meeting it was found out that the Hildebrecht's have a concrete well house where the borough's right away is located. It would be a huge expense to relocate this well house so the thought is to not go that far over in that area. After much discussion it was decided that Byron will do an additional plan related to Church Lane, within which it will show the proposed location of Church Lane once relocated. That location will likely be a little further to the west at the northern portion of the alley but taper back in the lower portion to avoid the Hildebrecht's well and electrical infrastructure. The borough will plan a meeting with all those residents directly affected by the project to notify them directly of the plan.
- **Collections Report:** Jeff reviewed the report with the council. No action is needed currently.

Engineer – Byron Trout of Gordon Brown

- **CDBG Grant Handicap ramps on Main Street** – All of the ramps have been completed except the one at Church Ave and Main Street. We are waiting to see if Met-Ed is going to replace that pole or say it is ok to proceed with the ramp replacement there. Sherry pointed out that people are running the curb at her property and have already broken up the new concrete. They put a cone there to deter them running across it. Byron suggests that we put in 2 reflective posts to see if that helps. York Excavating has submitted a pay request for \$83,480.62 that Byron approves of. The pay request goes directly to the YCPC to pay from the CDBG grant. A motion to approve the pay request for York Excavating in the amount of \$83,480.62 was made by Mary and 2nd by Zac. The motion passed without opposition.
- **Penn Dot Multimodal Grant Award Water Street & Moore Lane** – The stormwater portion of this grant is all completed. York Water did replace the manhole at Old Bridge Lane that was sinking. That delayed the work a little but made more sense for them to complete their work first. Reclamation from the Beaver Street bridge to the Water Street bridge will take place this week. They will then move on to the Water Street bridge to Church Avenue as phase 2 and lastly phase 3 will be Moore Lane from Church Ave to the Red Lion Ave bridge. W. Craig Adams has submitted a pay request for \$26,036.10. The amount will be paid by the borough and then submitted for reimbursement from Penn Dot. A motion to approve the pay request for W. Craig Adams in the amount of \$26,036.10 was made by Mary and 2nd by John. The motion passed without opposition.
- **Covid 19 ARPA Grant Red Lion Ave Stormwater** – Byron is waiting on DEP to approve the PNDI that shows there are umbrella magnolias in the project area. There are none of these located there and we should get the go ahead soon since the same thing was granted years ago when we

worked in that area. Once the PNDI is approved, Byron can submit the permit application to Penn Dot to do the work.

- **Local Share Account Statewide Grant for Church Lane** – was discussed earlier with Jeff here.
- **297 Main Street impervious area added** – Byron has not gotten this letter out to them yet.
- **Local Share Category 4 2024 for Main Street Stormwater Replacement** – Byron has come up with a budget for this project in the amount of \$335,875.00 with a \$5,000 borough match. Resolution #2024-06 was presented to the council which authorizes the grant application for \$335,875 and designated Joy Flinchbaugh as the official to execute the documents for the grant. A motion to approve Resolution 2024-06 was made by John and 2nd by Mary. The motion passed without opposition.
- **Local Share Category 4 2024 for Parking area at the playground** – Byron has come up with a budget to install parking spaces at the borough's playground. Byron showed the council 2 different plans with different amount of spaces. The budget is based on installing the 32 spaces and the total cost would be \$61,175.00 with a borough match of \$2,000. Byron was questioned about being allowed to place this in a flood area. As per DEP a permit would be required and as long as we do not increase the flood depth more than 1' and the parking area is installed below the grass level we are fine to do the project. Resolution #2024-07 was presented to the council which authorizes the grant application for \$61,175.00 and designates Joy Flinchbaugh as the official to execute the documents for the grant. A motion to approve Resolution 2024-07 was made by Zac and 2nd by Mary. The motion passed without opposition. Joy mentioned that she will also be applying for Marcellus Shale money under the Open Space grant through the county for this project as well. If we were to be awarded both grants, the borough could look at adding a handicap fishing access in the area.

Code Enforcement – Wayne Smith present.

- Completed 2 rental inspection last month

SEO – Site Design Concepts

- A bill was received for work that was done back in June. The work was in response to questions a homeowner had about their property.

Old Business:

- 42 Beaver Street Dangerous Dog charges – Will Clark, the PA Dog Warden informed the borough that M3 charges have been placed against Jason Wilt and the DA's office will be handling it now.
- Solicitation – samples from other municipalities. Nothing more currently.
- Street Sweeping – for budget time. Joy did get another price.

New Business:

- **Ambulance report** – there was 1 call in the borough in August and it was handled.
- **Open Space / Marcellus Shale Grants from York County** - Parking area at playground was discussed earlier.
- **Trick or Treat night** – A motion to hold Trick or Treat night on Saturday, October 26th 6 – 8 pm was made by James and 2nd by Mary. The motion passed without opposition. This will coincide with Trim Time Salon's Trunk or Treat event.
- **YCBA Meeting** Thursday, September 26th if anyone wants to attend.

- **Gazebo Lights** - Kim McPherson has asked for help with checking out the lights at the gazebo and would like to add some additional ones on the roof at Christmas. Gary, Bryan, Zac, and James will help.
- **Klugh Animal Control Services Contract for 2025** – a contract for 2025 has been received and the retainer amount is \$250.00. This is up from last year which was \$100.00. Her hourly rate would be \$60. The council decided to hold off to see if there might be another option for next year.
- **SPCA meetings on Animal Control in 2025** – in 2023 Michelle Klugh was not sure she would continue in 2024 as the Animal Control officer for most of the municipalities in York County. This sparked the SPCA to start looking into taking over this role in the coming years. There is a meeting coming up on Friday, September 27th that Joy will attend and bring back the information.
- **Donation request from York County Quick Response Team** – no donation will be given at this time.

Comments from Council –

- Sherry asked about discussing the North Hopewell Police information. The council had some discussion on the issue but decided to look over the contract and discuss more at the budget and upcoming council meetings.

Secretary:

- Budget Meeting is next Monday, Sep 23rd at 6:30 pm.

Adjournment:

A motion to adjourn was made by John and 2nd by James. at 8:11 pm. The motion passed without opposition.

Borough Secretary ~ Joy Flinchbaugh