

Felton Borough, York County ~ Council Meeting
Monday, September 19, 2022

Meeting Day and Time: Monday, September 19, 2022 6:30 pm at the Felton Borough Office located at 88 Main Street, Felton, PA.

Council Members Present: James Vergos, Patrick Schmidt, John Trout, Zac Klock, Sherry Arnold, Mayor Bryan McManus and Secretary Joy Flinchbaugh

Council Member Absent: Gary Martin, Mary Lader

Others present: Byron Trout of Gordon Brown & Associates, Tyler Burkins of Alliance Fire and Rescue, John Adams, B Keith Conley, Jeff Brenner and Jeremy Kerstetter of Site Design Consultants.

James Vergos opened the meeting at 6:30 pm with the Pledge of Allegiance

Approval of Minutes: A motion to approve the August 1st minutes was made by John and 2nd by Sherry. The motion passed without opposition.

Approval of Treasurers Report: A motion to approve was made by John and 2nd by Sherry. 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: CJ Weigle Kaltreider Library called to be on the agenda but did not show up for the meeting. **John Adams** called to be on the agenda because he is working on a new septic system for Jeff Brenner who lives at 348 Main Street. His old system has failed and due to the property they cannot meet the isolation distance from the septic to the well. The old system was closer than 25' and the new system will 50' from the septic tanks and 34' from the absorption area. They are also looking to install a sediment filter and UV system on the well. Jeremy from Site Design said that when the proposal was submitted to them they requested they relocated the well. John mentioned that drilling a new well in that area is not the best option due to know problems with finding water. They could always relocate the well if it were to become contaminated. Having the well tested now and then within a year was discussed. **A motion to grant a waiver of the isolation distance for the new septic system for 348 Main Street with the requirement that a baseline water test must be done now and then within a year** was made by John and 2nd by Patrick. The motion passed without opposition. John, Jeff and Keith left the meeting after this was passed.

Public Comment: None

Alliance Fire and Rescue – Tyler Burkins

- There were a total of 85 years in August of which 1 was in the borough. The July reports had been emailed to the office.
- Patrick asked about the turnout gear in because of the know cancer risks. Tyler said that all firefighters are required to wash their gear after every fire and they replace them every 10 years. They are looking to do a total replace in April of 2023 with a loan.
- The reserve ladder truck is on loan in Columbia right now before it is going to be sold.
- Mayor Bryan informed Tyler that budget meetings start next week and it would be good to have the fire company's financial information prior to the meeting. Tyler left the meeting at 6:53 pm.

Solicitor: Memo

- **Ordinance No. 2022-01, Stormwater Management Ordinance.** The updated Ordinance was provided to Council for review and comment. The Ordinance was advertised so that it may be adopted at the September, October or November Borough Council meeting. The council discussed the issue of the riparian buffer section and does not like that part. Patrick said he has gone through the ordinance line by line and has some other notes. There was discussion of on illicit discharges in the borough and also stormwater runoff complaints and how they are handled. Byron mentioned that as per our MS4 waiver application one of the requirements was to have the revised SW ordinance adopted by September 30th. After much discussion, a motion to adopt Ordinance 2022-01 Stormwater Management Ordinance with removing the riparian buffer

section and any other changes from Patrick's suggestions. The motion was made by John and 2nd by James. The motion passed without opposition.

- **Proposed Nuisance Ordinance** - The updated draft Ordinance was provided to the Borough Secretary and Borough Council on July 20, 2022. A motion to approve the ordinance for advertising was made by Zac and 2nd by Sherry. The motion passed without opposition.
- **46 Sechrist Flat Road** - CGA provided enforcement language to the letter of August 22, 2022, sent by the Borough Engineer regarding issues to be resolved under the Stormwater Management Ordinance and final lot grading. I am ready to provide additional assistance as may be required.
- **Change Order Clause** – Bryan brought up about having something in right going forward that there is a limit on change order for projects that Byron as our engineer can approve without the council's approval. Byron understood this from the previous meeting. Joy will follow up with Jeff on having this done in writing for an upcoming meeting.
- **Collection Report** – the council reviewed the report. CGA is asking for permission to file a lien for outstanding garbage fees for 28 High Street. A motion to approve was made by Patrick and 2nd by Sherry. The motion passed without opposition.

Engineer –

- **40 Red Lion Ave** stormwater going onto neighboring property – Byron said this repair has been completed.
- **CDBG Grant update** – we are awaiting the permits from PennDot and after they are received it can be put out for bid. The work on the handicap ramps could be done this fall. Byron left the meeting at 7:35 pm.

Code Enforcement –

- **Memo** – the council reviewed the memo from Wayne and had the following responses:
 - **16 Charles Street** – no further enforcement needed. Need to send some time of letter to the person who filed the complaint
 - **134 Main Street** – continue with enforcement and new issue has been turned over to Wayne as well.
 - **39 Main Street** – want to have the whole council present to discuss this issue.
 - **15 Charles Street**- continue with enforcement.
 - **297 Main Street** – need to get this rental inspected as it was not done in 2021 by South Penn.

SEO – Jeremy Kerstetter of Site Design was present

- **Memo** – the council had a memo from Adam of what has been done since his meeting with Joy, Patrick and John to review all the outstanding items in the borough.
- **173 High Street** lot is for sale and has not been able to perc. They have it listed as a holding tank for a septic but that would not be approved.
- **340 Main Street** had shown a problem on the septic manifest but once inspected everything looks good.
- **238 Main Street** has been vacant but will require to have the system pumped this time due to the length of time since the last pump out.
- **143 High Street** there still has not been any type of inspection done. Jeremy asked that the pictures we have be sent again. Jeremy left the meeting at 8:25 pm.

Old Business:

- **Pothole repairs** – will be completed in late October or beginning of November by Restuccia.
- **DCNR Playground** – Final inspection completed was completed and the regional wants to see the mulch raked up and extra mulch placed under the swing sets.
- **Penn Dot Multimodal Grant Award for Water Street & Moore Lane** – completed paperwork and have a call scheduled for tomorrow for the next step.
- **Clean out stormdrains** – Pennell Services quoted \$100 per inlet and Joy provided a list of inlets to be cleaned. The council wanted to know if that is time and material price and they would like a price to do all of them. It was also discussed about doing street sweeping to keep the stones out of the inlets.

- **Water damage repairs** – Stuber construction will begin October 21st to replace the flooring in the office. New figures were sent to the insurance company.
- **Gazebo Area Mesh** – Harvey’s Mowing was not interested in giving a price on this. Pennell Services will bring in topsoil, seed and straw for \$500. It was decided to hold off for now.
- **Camera hole at the Gazebo** – There is a hole at the Gazebo that is of concern. It is currently being covered by a large piece of concrete. Joy got the following prices: Shoffner Construction \$750 flat rate – less if it is just a small tunnel and Springroad Plumbing \$425 includes 1 hour and travel time, \$95 each additional hour. After the council discussed the issues, it was decided that John would take a look at it and put some rocks down in it.
- **Part time parks and rec workers pay** – Joy found out from Jeff that his pay can be increased.

New Business:

- **Ambulance Report** – there was 1 call in July and 2 in August.
- **Electronic Recycling October 1st with Chanceford Twp** – sending out the newsletters this week so they get notice in time. It has also been posted on Facebook also.
- **Alliance Fire and Rescue Worker’s Comp Coverage Cost** - We received a letter from the fire company that this year’s cost for Felton Borough is \$925.98. A motion to pay \$925.98 for the Worker’s Compensation insurance for Alliance Fire and Rescue was made by James and 2nd by Zac. The motion passed without opposition. Sherry abstained.
- **York Water Sewer Rate** – A letter was in the last sewer bill from York Water company that they are looking to increase to monthly fee to \$80.55.
- **SPCA contract for 2023** – The new contract for SPCA has been received and the cost for 2023 has stayed the same but they are letting us know that will be going up in 2024 for budgeting purposes. A motion to approve the 2023 contract and pay the 260.59 was made by James and 2nd by Patrick. The motion passed without opposition.
- **Trick or Treat night** - A motion to hold Trick or Treat Night on Saturday, October 29th 6-8 pm was made by Patrick and 2nd by Sherry. The motion passed without opposition.
- **Penn Waste missed collection on 9/9/22** – A motion to fine Penn Waste \$500 for a borough wide missed collection was made by Patrick and 2nd by Zac. The motion passed without opposition.

Comments from Council

- **John** thanked the council members for getting the plague for his wife at the park.
- **Patrick** continues to feel that the borough has failed to do anything about the issue at 143 High Street and is at a loss as what to do next.
- **Zac** continues to have problems getting in and out of his driveway due to the parking on High Street in front of his driveway. He also had a well driller come out. There are 2 possible locations and would cost \$20,000 with no guarantee of hitting water.
- **Sherry** – cannot be here for the budget meeting but please keep in mind that the fire company does serve this community.

Secretary:

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

Adjournment: A motion to adjourn at 9:00 PM was made by Sherry and 2nd by Patrick. The motion passed without opposition.

Joy Flinchbaugh – Borough Secretary