

Mount Wolf Borough Minutes

Regular Meeting

February 8th, 2022

Convene:

The Mount Borough Council met in regular session On Tuesday February 8th, 2022, beginning at 7:00pm. The meeting was called to order by Council President Darryl Main

ATTENDANCE :

The following Council Members and other Officials were present:

Council: Michael Barlett, Dan Schleg, Dennis Naylor, Darryl Main

Officials: Mayor Mo Starner, Attorney Devin Myers, Engineer Chris Owens, and Municipal Secretary/Treasurer/Zoning Officer Rachel Kling

The following members were absent:

Josh Parish

Visitor Attendance:

- TODD HESS (RESIDENT OF MOUNT WOLF BOROUGH)
- JEFF SNYDER
- SAM SAXTON (INCH & CO)
- ROBERT/JUSTIN MANGANELLO (INTERESTED IN PURCHASING 154 S 3RD STREET)
- JOHN KLINEDINST (C.S DAVIDSON INC)
- HERBERT POE (RESIDENT OF MOUNT WOLF BOROUGH)
- GARY STRAYER (RESIDENT OF MOUNT WOLF BOROUGH)

Agenda/Minutes: A Naylor/Barlett motion was made to amend the agenda to include adding Attorney to discuss report regarding Predix Property Application to apply Flexible overlay and Public Comments from John Klindedinst from CS Davidson. Motion passed unanimously.

A Naylor/Barlett motion was made to approve the minutes from the January 2022 Regular meeting and Committee Meeting. Motion Passed unanimously.

PUBLIC COMMENT:

Robert Manganello: Spoke and informed Council that he was interested in purchasing the property on 154 South 3rd Street. His concerns were regarding that its current zone which he noted it is zoned R2 under the current Zoning Ordinance. Robert noted that it was previously used as Machine shop and would like to purchase the property and continue the operation of a machine shop. Robert was asking if there would be any issues from Council regarding this request. Council asked several questions, regarding noise, truck traffic, number of employees, and asked the Solicitor Devon Myers would there be any issue. Attorney Devon Myers suggested that if it was previously used as a Machine Shop that a continuation would not require a Zoning Hearing Board but requested that an affidavit be completed by the current owner confirming its current use as a machine shop. The current owner of the property was also in attendance at the meeting and agreed to complete an affidavit confirming this information. No action was required by Council

Jake Bush, Chief of Eagle Fire Company: Spoke and informed Council that on Saturday February 19th Eagle Fire Company as well as several other local volunteer fire companies would be participating in a training session/active burn control of the house at 13 West Maple Street, Formerly the Zelinski Property now owned by Inch. Chief Bush received a request from Inch Company that requested to burn brush outside of that day and wanted to inform council of this request. Regarding this request there was questions from Council and Mayor Mo Starner. Council did not want this to turn into a “Free for all” and wanted this burning to be controlled and regulated. Chief Bush also presented an issue with outdoor burning for households. Chief Bush levied concerns of regulating outdoor burning pits located in the residential neighborhoods. Chief Bush with the assistance of Council President Main crafted a draft ordinance to regulate and allow outdoor burning. Mayor Mo Starner was concerned with the burning causing excess smoke, dangerous fumes, and releasing harmful chemicals into the air. Council tabled the draft ordinance and advised that they would review at the committee meeting and will continue to work on finding a solution.

Eric Standford, Eagle Fire Company: Active Volunteer Firefighter that resides within Borough Limits, wanted to ask Council how to apply for the Volunteer Firefighter Tax Credit that the Borough provides through ordinance. Council President Main advised that Council Person Parish would be contacted regarding the application as there is criteria that have to be met prior to Council being able to offer the credit.

Herbert Poe/Tupper: Rental Property Owners: Advised Council that they were not in favor of the rental property ordinance and that Council is overreaching its authority in developing this ordinance. Poe/Tupper were very upset that rental property owners were not given a chance to provide any input into the drafting of the ordinance. Advised Council that they did not receive any notice other than the information Mayor Mo Starner had mailed. Council Advised that they have been discussing for over a year, advertised, and sent the informational letter that Mayor Mo Starner crafted to inform as to not be surprised. Tupper/Poe wanted to know how they can make

the ordinance less confusing and cumbersome. Mayor Mo Starner agreed to meet and discuss further with them. No action taken by Council

Jeff Snyder, Mount Wolf Borough Resident, informed Council that he was not in favor of the Rental Property Ordinance, Snyder drafted a formal letter that he read aloud to Council informing of them of violating both the U.S. Constitution as well as the State Constitution regarding the use of the ordinance to gain entry into his property.

Gary Strayer, Borough Resident advised council of a parking concern on Walnut Street.

John Klinedinst, CS Davidson, advised that he was requested by Council President Main to attend the meeting to help review the Zoning Ordinance. John advised Council that he would be willing to again look at the Zoning Ordinance and see what is working and what is not working with the latest passed Zoning Ordinance. John advised that as discussed previously that the Zoning Ordinance is a living document and will constantly needed updated. Council President Main, advised he would like to see a change in zoning to include a R3 heaving density residential to be looked at for the neighborhoods/streets that are currently heaving density. Council requested to again set up work session meetings to review Zoning Ordinance with John. These meetings will be informal and work session only and will be 3rd Tuesday of the month beginning in March at 7pm.

Todd Hess, Vacancy Chair, Mount Wolf Borough Resident, Informed Council that he would be open to joining Council to fill two vacancies created by Vacancy due to election withdrawals. Council asked several questions to Hess regarding his desire to be on Council, availability, and eligibility. A motion was made to recognize the vacancies created by election withdrawals, motion was made by Schleig/Barlett, passed unanimously. A Barlett/Naylor motion was made to approve Todd Hess to council to fill one of the vacancies. Motion passed unanimously. Mayor Mo Starner then swore in Todd Hess and Dan Schleig, Dan Schleig was absent for swearing in at previous meeting.

ENGINEER REPORT:

Engineer Chris Owens reported the following to Council:

Emerson Flatts, Signed Land and Development Plans, still have not received Bond information from Inch and Co. After Bond is received which was promised Owens will hand over the plans to be recorded. Inch and Co will Record the plans

Walnut Street Project, Completed by York Excavating. Invoice send to municipal secretary to pay. Owens, provided pictures, Council was impressed by the work including the grouting which was not on the scope of plan but Owens was impressed and has no concern with flooding

concerns for the future. Council President Main, asked if we should take this out of the Liquid Fuel Fund or General Fund. Council advised that because this is an emergency repair would pay out of the general funds.

Stormwater Pipe Replacement, Owens advised that the stormwater pipe to be replaced on 167 South 3rd Street has be advertised twice and awaiting on bids to move forward with decision.

Kraft Project, 201 South 8th Street, Signed O&M agreement, Attorney Myers will record

233 Walnut Street Complaint: Backyard is becoming flooded from property above 198 south 4 Street. Per pictures taken by Engineer appears a stone parking area with no drainage was created. No Zoning permit has been issued, Mayor Mo Starner would send notice and if further action would need to be taken then would be addressed by solicitor.

SOLICITOR REPORT:

Attorney Devon Myers reported the following:

Facility Agreement between Mount Wolf Wolves and Borough has not been completed yet, waiting for approval by Mount Wolf Wolves Baseball Team. Council President Main was contacted by the York Area Rec League to play on the field as well. Council decided to send them an agreement as well.

ARPA: Final guidance has been issued. Open allowance to take standard deduction for loss of revenue, should be easier to report

Ordinance 2022-02 as Advertised was voted on. Motioned by Naylor/Barlett to approve. Decision was unanimously approved.

Bidding Thresholds have been increased by 3%

Application to apply for Flexible Overlay submitted by Predix properties. Myers opinion was to deny application due to not enough information submitted by Commonwealth Code, York Water letter was not within date range of overlay ordinance. A motion was made by Barlett/Schleig to deny the application. The decision was unanimous to deny.

Myers asked council regarding tax collection of LST, School Tax collection. Council Person Main would look into.

Presented information on Small Wireless Facilities, based on the information, Council decided to review before adopting an ordinance.

ZONING OFFICER REPORT:

Zoning Officer Rachel Kling reported on the following

No Zoning Permits issued in last Month

Steelsafe Storage Solutions submitted revised and updated L&D plans due to plan with other property owner falling through, Council would decide that Engineer Chris Owens would have to review before decision made.

TREASURER REPORT:

Treasurer Rachel Kling Reported on the following

Payment of Bills, Balance Sheet, and Income Statement was issued for review. A Barlett/Schleig motion was made. Approval of payment of bills was unanimously approved.

PSAB Website contract was presented to take control of website to update from current webmaster. A Barlett/Schleig motion was made to approve contract and payment. Approval of contract and payment was approved unanimously.

Due to recent problems with standard check pay and lack of customer service from Rutters, Treasurer Kling set up ACH to pay fuel account.

A discussion was held regarding the official change of banking institution to Truist and complaints and concerns by Council were given regarding the level of service we have received. Council decided it was time to investigate changing banking institutions.

A discussion by council was to bring up the Recreational Fund and Stormwater Maintenance Fund separate accounts. A Schleig/Barlett motion was taken to approve opening separate accounts for both the Recreational Fund and Stormwater Maintenance Fund. Motion passed unanimously.

MAYOR'S REPORT:

Mayor Mo Starner Reported on the following:

Handicap Parking complaint on corner of 3rd Street and Center regarding who maintains parking spot when considering snow. Complainant reported that had to clean snow off to the curb. Council Person Main and Mayor Mo Starner both stated that we do not plow curb to curb during snow storms, we plow an accessible path for emergency responders and then work on widening to allow normal traffic to flow but curb to curb has never been the practice.

177 North Main Street, complainant reported trash not being taken away when placed in Alley. Mayor Mo asked Council if we can ask Penn Waste to change the route. Trash is to be put out on Chestnut Street, but Landlord constructed a fence blocking access to complainant to easily deliver trash on Chestnut Street. Council asked if they got a permit for the fence and advised the complainant needs to work with landlord to resolve.

Police Department Update: More speed enforcement activity has been performed. Was a staged protest at the Governor Wolf's House regarding a group from Philadelphia. Issue was resolved without incident.

STREET'S REPORT:

Dennis Naylor Reported the following:

Naylor reported a water leak on South 6th Street, Street Opening permit was submitted and issued.

Council President Main reported a pothole was located on Main Street and the Backhoe Tires have been replaced.

PARKS/REC:

Council President Main reported a change in committee responsibilities. Dan Schleig would take over Parks and Rec and Council Person Hess would take over property and services committee responsibilities.

PROPERTY/SVS:

Dan Schleig reported on the following:

Approval of purchase of security cameras for Borough Owned Property to include Parks and Borough Building. The request for purchase was to not exceed \$8,900. A Barlett/Hess motion to approve security camera purchase was made. Motion passed unanimously.

BUDGET & FINANCE:

Michael Bartlett reported the following:

Has reached out to York Traditions Bank to set up a meeting discussing changing banks, will follow up when meeting can be arranged.

HEALTH & SAFETY: Council Person Parish was absent and submitted a report regarding response times of Fire Company and EMS service. Nothing else to report.

PERSONNEL REPORT: NONE

PRESIDENT REPORT: NONE

CORRESPONDANCE: NONE

OLD BUSINESS: The York County Office of Emergency Management is pleased to host the 2022 York County Elected Officials Seminar on Emergency Management on Saturday February 12, 2022 from 9:00 AM to 10:30 AM.

NEW BUSINESS: Invitation to go to 2 day conference for anyone for “Wandering Pennsylvania Waterways” from the Chesapeake Bay Alliance, free event on May 5th and 6th if anyone wants to attend

Council President Main advised he would look into new council member training opportunities from PSAB.

EXECUIVE SESSION:

Motion was made by Barlett/Schleig to adjourn regular meeting at 9:56pm and adjourn into executive session regarding threatened litigation against the Borough. Motion passed unanimously.

ADJORNEMENT: