

## Mount Wolf Borough Minutes

### Regular Meeting

September 13, 2022

#### **Convene:**

The Mount Wolf Borough Council met in regular session on Tuesday, September 13<sup>th</sup>, 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 Schleig (via phone), Darryl Main, Brian McKenna, Denny Naylor, Josh Parish, and Todd Hess

Officials – Mayor Mo Starnier, Attorney Devon Myers, Engineer Chris Owens, and Municipal Secretary/Zoning Officer Rachel Kling

#### **Visitor Attendance:**

- Steve/Adam Kohr (Property owners of 154 E Maple Street)
- Jacob Bush (Eagle Fire Company)
- Anya Barlett (Resident of Mount Wolf Borough)
- Steve Thompson (Resident of Mount Wolf Borough)
- Andy Blessing (Resident of Mount Wolf Borough)
- Erik Sanford (Resident of Mount Wolf Borough)
- Chris Cammer (Resident of Mount Wolf Borough)
- Stephen Mercado (Resident of Mount Wolf Borough)
- Heather/Raymond Miller (Resident of Mount Wolf Borough)
- Angie Snyder (Resident of Mount Wolf Borough)
- Elane Dietz (Resident of Mount Wolf Borough)

#### **Agenda/Minutes:**

A Naylor/Parish motion was made to amend the agenda adding to Zoning Officer report “Zoning Concerns 154 South 3<sup>rd</sup> Street”, New Business report “Mount Wolf Elementary PTO Halloween Event” and Parks/Recreation report “Bike Rack”. Motion passed unanimously.

A Barlett/Hess motion was made to approve the minutes from the August 9<sup>th</sup>, 2022, Regular Meeting as amended, spelling error noted in public comment section. Motion passed unanimously.

A Barlett/Hess motion was made to approve the minutes from the August 23<sup>rd</sup>, 2022, Committee/Non-Voting Meeting as presented. Motion passed unanimously.

#### **Public Comments:**

1. Jacob Bush (Eagle Fire Company)
  - a. Mr. Bush informed Council that Engine 2 was sold this past weekend and a reserved engine is being used until the new engine arrives. Brief discussion was held. Mr. Bush also wanted to discuss the burn container certification and the process of obtaining the certification. Councilperson Parish informed Mr. Bush and Council that a OneDrive has been established and the certification is ready to be used. The certification will be posted on the website. The process will be that resident will complete the certification and submit to the Borough. The Borough will then notify Eagle Fire Company that an inspection needs to be completed. Once the inspection is completed the certification will be sent back to the Borough for final approval.
  
2. Steve/Adam Kohr (Property owners 154 E Maple Street)
  - a. Mr. Steve Kohr addressed Council concerning his recent purchase of property 154 E Maple Street. He informed Council that he plans to keep the second-floor apartment as it is (with updates like modifications) and the plan for the first-floor store front is to convert it into a salon. The garages at the rear will be used for the renters of the apartment. He has been informed by both Attorney Myers and Zoning Officer Rachel Kling that in order to change the use of the first floor he will need to apply for a special exception as well as a variance to have two principal uses on the same parcel. Council was happy to hear that something is being done with this property as it has been an eye sore for some years now.
  
3. Heather Miller (Resident of Mount Wolf Borough)
  - a. Mrs. Miller voiced complaints that the terms for each Councilperson and the Mayor are still not listed on the website. She believes this would provide the residents with the information needed to know when seats are available for Borough Council. She wants to see more transparency from Council. Mayor Mo stated that she would reach out to the voting office to find out this information.

**Engineer's Report:**

Engineer Chris Owens reported on the following:

*UPDATE: Storm Water Inspection –*

Owens received two proposals from Pennsylvania Sewer Authority and provided copies to Council. The first is for 2022, televising stormwater piping within and along Borough roads. This proposal total is \$11,650.00. The second proposal is for 2023, televising stormwater piping outside of Borough roads (easements and right of ways). This proposal total is \$11,500.00. Council asked if the price of the 2023 proposal would be held, Owens answered yes. A Naylor/Barlett motion was made to accept the 2022 proposal. Motion passed unanimously.

*UPDATE: 2022 Street Project –*

Owens completed the specification packet for Borough records and provided to Municipal Secretary Rachel Kling. Owens has not received a start date yet.

*UPDATE: South Main Street Bridge Inspection –*

Owens provided Council with the bid results. Two bids were submitted for consideration. The first bid was from Bill Anskis Company, Inc. totaling \$55,345.00. The second bid was from Mar-Allen Concrete Products, Inc. totaling \$75,369.00. Council discussed and decided to table this project for next year. A Barlett/Hess motion was made to reject both bids submitted. Motion passed unanimously.

*Resident Question: Alleyway Behind South 4<sup>th</sup> Street –*

Municipal Secretary Rachel Kling received an email from a resident with questions about the alleyway behind South 4<sup>th</sup> Street. Owens was forwarded the e-mail for his input. It was concluded that the alleyway is not adopted by the Borough and therefore part of the property deed and the property owner's responsibility. This information will be reported back to the resident.

**Solicitor's Report:**

Attorney Devon Myers reported on the following:

*Ordinance 2022-07 Noise Ordinance –*

Council and the public were in provided final copies of the Noise Ordinance as advertised. The following discussion took place...

1. Mount Wolf Borough Resident Andy Blessing
  - a. In favor of this Ordinance. He stated multiple times that people no longer have common sense and choose to do whatever they please.
2. Mount Wolf Borough Resident Sheila Vargas
  - a. In favor of this Ordinance. Discussed that due to recent events with new neighbor this Ordinance is very necessary. Ms. Vargas has reached out to Manchester Borough to question if the 24/7 implication of this Ordinance has ever been an issue and was informed no. Ms. Vargas commented that the community of Mount Wolf Borough is changing, and this Ordinance will help protect the community.
3. Mount Wolf Borough Resident Heather/Raymond Miller
  - a. Mr. Miller commented that the 24/7 implication of this Ordinance is "out of the question". Mrs. Miller commented how come Ms. Vargas is the only resident that has complained, where are the other neighbors? Councilperson Michael Barlett commented that he has also been affected by this loud neighbor as well as Borough resident Andy Blessing.
4. Councilperson Hess raised concerns that if Council passes this Ordinance just to have an Ordinance the Borough is going from nothing to everything. Hess also publicly stated that he does not have faith in the police to properly enforce this Ordinance.
5. Councilperson Schleg brought up previous conversation held at the August Committee meeting. Ms. Vargas was asked if this issue had since been resolved and she answered "yes". Councilperson Schleg believes that the issue has been resolved and therefore further action is not required.

6. Mount Wolf Borough resident Elane Dietz is in favor of the Ordinance but not the 24/7 implications of the Ordinance.
7. Mount Wolf Borough Resident Steve Thompson is in favor of this Ordinance. Mr. Thompson made comment of previous noise issues around the Borough. Mr. Thompson stated that the police officer would be the judge of right or wrong as this is their job. Councilperson Hess asked if the situations brought up by Mr. Thompson would be considered “disturbance of the peace” under PA state law. Attorney Myers answer that “disturbance of the peace” is only enforceable in public spaces.
8. Attorney Myers brought to Council attention that concerns have been voiced to her about 154 South 3<sup>rd</sup> Street and the use of a machine shop. This property is not within the Industrial zone however the use is Industrial.
9. Mayor Mo commented a correction within the Ordinance presented. She requested that “snow removal equipment” be removed from section “F”. She stated that residents need to be able to remove snow at any time.
10. Mount Wolf Borough Resident Chirs Cammer voiced that a sound meter/sound level would be the better route in handling this Ordinance.
11. Councilperson Barlett commented that he does not want to have to deal with listening to someone else’s noise/music from inside of his house. Why should he be forced from his home because someone else is violating his right?

After a very lengthy discussion, a Parish/Naylor motion was made to adopt Ordinance 2022-07 – the Mount Wolf Borough comprehensive noise Ordinance with the following changes made, remove snow removal equipment from section “F”. Motion carried four to three with Councilperson Hess, Schleg and McKenna voting against.

*UPDATE: Research Potential Boundary Issue –*

Attorney Myers updated Council regarding the potential boundary issue discussed at last month’s meeting for a property located on Walnut Street that is partially located in East Manchester Township as well as Mount Wolf Borough. She was informed by the tax assessment office that if the property was ever subdivided that the parcels within Mount Wolf Borough would be taxed to the Borough.

*Use of Facilities Agreement: York County Oldtimers –*

Council reviewed the Use of Facilities Agreement for the York County Oldtimers for consideration. The duration of this agreement will automatically renew every year. Attorney Myers requested that the York County Oldtimers provide general liability insurance to the Borough as well as a schedule for the Borough to approve. After brief discussion, the agreement was signed by Council and Stephen Mercado, representing the York County Oldtimers.

*Request for Quote: Independent Professional Audit Services –*

Attorney Myers provided Council with a drafted RFQ for independent professional audit services. Council reviewed. The following changes were requested – change seal proposal submission date to October 28<sup>th</sup> as well as changing the award date. Council also discussed making changes to the current Ordinance changing from one elected auditor to independent auditor. A Hess/Barlett motion was made to approve the RFQ with those changes made as well as changing the current Ordinance as discussed. Motion passed unanimously.

*UPDATE: Zoning Ordinance Review by YCPC –*

Attorney Myers informed Council that notice was received stating that the review of the updated Zoning Ordinance will take place on September 20<sup>th</sup> via zoom. Council did not see any reason for attendance.

*154 South 3<sup>rd</sup> Street Zoning Violations –*

A Zoning permit was issued to 154 South 3<sup>rd</sup> Street to lay stone over the existing dirt driveway; however, it was brought to Mayor Mo and Council President Darryl Main's attention that signs were placed at the property stating off-street parking for rent. Due to these signs being placed this now creates a commercial parking lot, which is in violation of the Zoning Ordinance. Attorney Myers did reach out to the property owner informing them of this violation and that a special exception is required to keep the signs up. Council discussed and concluded that they would give the property owners till the end of the week to remove the signs and submit a Zoning Hearing application. If this is not completed by the end of the week a Barlett/Hess motion was made to approve for Attorney Myers to send an enforcement letter. Motion passed unanimously.

**Zoning Officer's Report:**

Zoning Officer Rachel Kling reported on the following:

*Zoning Permit's Issued –*

Kling informed Council of the permits issued for the month of August.

*Report of Ordinance Violations –*

Kling provided a report of Ordinance violations for the month of August. Mayor Mo asked if 23 South 6<sup>th</sup> Street obtained a permit for a dumpster located on the street as well as a portable potty. Kling stated no. Kling will send violation letter.

**Treasurer's Report:**

Treasurer Rachel Kling reported on the following:

*Payment of Bills –*

A Naylor/Hess motion was made to approve the payment of checks payable #5294-5322 and ACH payment #6396019482 and #6442484952, totaling \$67,580.96. Motion passed unanimously.

< Council received income statement and balance sheet for the month of August 2022 >

**Mayor's Report:**

Mayor Mo reported on the following:

- Mayor Mo performed one wedding within the last month.
- Mayor Mo suggested setting up a OneDrive for resident complaints. She believes this will help keep track of complaints and who is receiving them. Councilperson Josh Parish stated that he can set this up.

### **Streets:**

Councilperson Denny Naylor reported on the following:

- No notification as to when the 2022 street project will begin.
- Leaf Collection
  - o Begin November 1<sup>st</sup> once a week on Wednesday
  - o Council will send out flyers
- Alternative Sign Holding Device
  - o Borough Maintenance found a device that allows for signs to be placed without drilling into concrete. The cost per device is around \$150.00. Council agreed that this is a much better way to place signs and approved.

### **Parks and Recreation:**

Councilperson Dan Schleg reported on the following:

#### *Mount Wolf Elementary School PTO Request –*

Schleg informed Council that he received a request from the Mount Wolf Elementary School PTO concerning the bike racks at Mount Wolf Park. It was requested that a bike rack be moved from Mount Wolf Park to the school for students that ride bikes to school. Both Councilperson Barlett and Parish brought up concerns that the bike racks were purchased with Borough funds, and this will mean that the Borough is liable for damages regardless of where the bike rack is located.

#### *Tree Removal Service at Mount Wolf Park –*

Schleg obtained a quote from Travis Altland Tree Service to remove the dead tree at Mount Wolf Park. The quote total is \$650.00 however this does not include removing the stump. Cliff Stump Grinding was recommended to remove the stump. Council briefly discussed. A Barlett/Hess motion was made to approve the work completed by Travis Altland Tree Service and whomever to grind the stump, not to exceed \$1,200.00. Motion passed unanimously.

#### *UPDATE: Recreation Fee Proposal –*

Schleg updated Council concerning his communication with Ann Yost and the YSM Landscape Art Grant Proposal – aka the “fall mini grant”. This grant is available to communities with a population less than 5,000. Schleg shared further details about the grant. The cost for grant assistance/attachments/writing would be \$3,500.00. A Hess/Barlett motion was made to approve the funds and process of obtaining this grant. Motion passed unanimously.

#### *Community Park Events –*

The Northeastern Little League has requested to have priority use of both ball fields at Greiman Park. Schleg brought to Council questions that were asked and a brief discussion was held.

### **Properties/Services:**

Councilperson Brian McKenna reported on the following:

- New tires for maintenance truck
  - o A McKenna/Barlett motion was made to approve the purchase of new tires from Brooks & Huff not to exceed \$1,239.96. Motion passed unanimously.
- Penn Waste Thursday trash pick up
  - o Penn Waste has committed to continuing trash pick up on Thursdays into September for all the missed pick up's that happen during the summer.

**Budget & Finance:**

Councilperson Michael Barlett reported on the following:

*2023 Budget –*

Barlett would like to continue 2023 budget discussion at the September Committee Meeting. Councilperson Parish highly suggested budgeting for a keyless system at all Borough buildings.

*UPDATE: ARPA Funds –*

The second round of ARPA funds were received today! It is now time to start moving all funds from Truist to Traditions Bank. Kling will communicate with Traditions Bank regarding this process.

**Health and Safety:**

Councilperson Josh Parish reported on the following:

*Ambulance –*

- 70 calls for the month of July with a 121 second chute time.
- Calls are historically down for the summer of 2022 however numbers are up from the summer of 2021.

*Fire –*

- Received report for July.
- 26 calls for the month, with 5 of those calls within Mount Wolf Borough.
- The attack truck/ engine 22-2 has been sold. Spring Grove is loaning a backup engine until new truck is ordered.
- Chicken BBQ was a success this past Saturday.

*Police –*

- 24 calls total in the Borough for the month. Two accidents, 16 traffic citations, 2 arrest.

**Personnel:**

Councilperson Todd Hess reported on the following:

*UPDATE: Standard Operating Procedures –*

Kling has completed the SOP for Accounts Receivable and Accounts Payable. Both of these were e-mailed to Hess to review. He was very pleased with the work completed.

**Council President:**

Council President Darryl Main reported on the following:

*UPDATE: Railroad Crossing –*

Main informed Council that it seems as though this project will not cost the Borough any money. He will have further details at the September Committee Meeting.

*UPDATE: LST Tax Collection Inquiry –*

Mount Wolf Borough resident Charles Stambaugh brought to Council that the employees at the Post Office did not have LST collected from their paychecks. Main spoke with the Borough representative at York Adams Tax Bureau and was informed that federal employees do not have LST collected.

**Correspondence: NONE**

**Old Business: NONE**

**New Business:**

- Authorization of Temporary Secretary
  - o Municipal Secretary Rachel Kling will be welcoming her third child soon and has asked volunteer Recording Secretary Anya Barlett to help take minutes for the monthly meetings, October through December. Mrs. Barlett has agreed to do this however would like to be paid \$20 per hour. A Hess/McKenna motion was made to approve Anya Barlett as a temporary secretary, paid \$20 per hour. Motion passed six to one with Councilperson Barlett abstaining for personal reason.
- Halloween Parade Donation
  - o A Hess/Barlett motion was made to approve a donation made to the Susquehanna Lions Club for the 2022 Halloween Parade. Motion passed unanimously.
- Halloween Event Mount Wolf Elementary PTO
  - o Mount Wolf Elementary PTO will be holding a Halloween event at the elementary school. Permission has been requested to do wagon rides around the school. Council briefly discussed and stated that as long as farm equipment travel code set forth by PennDOT is being followed, Council has no issue with this. Council also wanted to state that the Borough is not liable.

**Adjournment into Executive Session:**

At 10:05PM a Hess/McKenna motion was made to adjourn the regular Borough Council meeting and move into Executive Session to discuss legal strategies concerning property on South 3<sup>rd</sup> Street. Motion passed unanimously.

Rachel Kling, Recording Secretary