

Borough of Modena
Monthly Council Meeting Minutes
October 7, 2024

1. Call to Order

At 7:02 pm on Monday October 7, 2024, at Borough Hall, 5 Woodland Ave President Daywalt called to order the Council meeting, of the Borough of Modena Council.

2. Salute to the Flag

3. Roll Call

Secretary Cloud conducted roll call. In attendance were President Jennifer Daywalt, VP Beau Tilghman, Council members Jenny Hines, Ruth Ayers, Blaise Frost, Felicia Handley and Mayor Harvey, Elizabeth Sinton was on zoom. Solicitor Fuller and Treasurer Danielle Pearson were absent.

4. Approval of this evening's Agenda

Council member Hines made a motion to accept this evening's agenda with one correction: Under new business change to \$30k not \$20k from Liquid Fuels for road paving costs. Council member Handley second, all in favor motion passed.

5. Approval of Minutes

Monthly meeting minutes from September 16, 2024, reviewed. Council member Hines made a motion to accept the minutes with correction that the Borough truck is a 2005 model not 1995. VP Tilghman second, all in favor motion passed.

6. Public Comment on Agenda Items

None

7. Written Reports

7.1 Treasurer's Report

- Council reviewed the report.

7.2 Payment of Bills

- VP Tilghman made a motion to pay the specific bills stated, Council member Frost second, all in favor motion passed.

7.3 Police and Fire Department Reports

- Council reviewed the report.
- Sly from Westwood Fire Dept reported that Modena only had 2 calls.

7.4 Sewer Flow Report

- Council reviewed the report.

7.5 Code Enforcement Officer Report

- Council reviewed the report.

8. Council and Committee Reports

8.1 Council President Report

- Fall Conference will be in Lancaster this October 11 to 13, 2024. President's fee is free. She will drive back and forth instead of staying over.
- Voting will be here on November 5. After the 4th meeting, we will have to arrange/clean up the boardroom.

8.2 Secretary Report

- Nothing to report.

8.3 Mayor Report

- Nothing to report.

8.4 Park & Rec Committee Report

- October 19 Haunt: Council member Sinton will have a candy stop and help clean up. Council member Handley reaching out to other residents. Council member Handley stated that cleanup will be on Sunday starting at 9am. Volunteers needed. QR codes have been created for the haunt with a 10 question survey on how it went.
- Also, QR codes for donations to the P&R account at Presence Bank.
- Tree lighting, Santa and Menorah lighting event will be Sunday December 1, 2024, at 4:30.
- 2025 Duck Derby will be on Saturday May 31, 2025. Duck sales will start in January 2025 at \$5 each. Vendor fees will be \$20. A QR code will be posted on Borough website for early registration and sales of ducks.
- PSAB Conference will be on June 1, 2025. Location TBD

8.5 Historical Committee Report

- CCHPN will have a fall meeting at 8:00 am on October 26 at the Brandywine River Museum that Mr. Graves will attend, possibly Council President too.
- Mode House website will have a QR code posted for 'Just \$5.00 in 2025' requesting donations, deposited into the Citadel account; no money in our hands, transferred.

8.6 Public Works Report

- VP Tilghman reported that he is still researching chainsaws; tabled.
- 2005 Dump truck is on Municibid. Bids ending October 23, 2024.
- There is also scrap metals VP will remove to sell at scrap yard.

8.7 Planning, Zoning and Ordinance Report

- No report.

8.8 Environmental & Conservation Report

- No report, just maintaining what has been planted.

8.9 Finance Committee Report

- Meeting held on September 24, committee started on the budget. The refuse/sewer fund accounts are complicated due to payments being doubled when moving from QB desktop to QB on-line. This needs to be cleaned up before we can send any outstanding bills to Portnoff.

The format that Portnoff needs is not how past treasurers have it in excel. The process will be tedious, removing the columns that they do not need, confirming payments for past years. Then merge Sewer debits into Refuse debits, parcel #, name, year, totals for that year, then grand total due per unit. Council member Frost would like to speak with the Secretary to research any invoices that were paid for services on/at the sewer plant over the last 3 years, along with payroll for the employee who maintains the sewer plant. Secretary does have access to the paper invoices and the payroll books.

President Daywalt suggested that finance committee reach out to Sandy H. past treasurer for advice. Sandy did offer her services when she left. Secretary gave Council member Frost her email and phone number.

- President stated again that it would be a good idea to have PLIGT accounts set up in the new year. These accounts have a higher interest rate and cash back offers. She spoke about this a few months ago. Something for Council/Finance Committee to do going forward.
- Council member Frost recommended that Borough stops using LTL for a period of time due to the high costs and minimum work. He asked why Borough cannot write – in grants the costs of engineering. President explained some Grants it is built in but when have ‘matching’ funds, costs still end up coming out of Borough funds.
- Merchant and Business tax was brought up by Council member Frost and Treasurer. President Daywalt will bring this up to solicitor for her comments. Should the Borough raise the fees for costs of permits and U&O’s to cover LTL costs? LTL should only be here during the 3-hour window on Wednesday doing inspections, in order not to have additional charges on other days of the week if he arrives for the convenience of the applicant. Secretary mentioned that she tells applicants to only schedule on a Wednesday or they will have to pay additional. President stated that treasurer/council should be reviewing the invoices in order to pick apart any ‘outside of the regular business hours’ to bill out.
- Per Capita Tax does not pay off to have in the Borough. It costs more to hire someone to do the job.
- Everything costs more now. Borough needs to make some kind of increase in 2025. If the budget shows needed funds, finance committee needs to find out how to make more money in the new year.

9. Unfinished/Old Business

Grant Project Updates

CRP Grant – Streets

- Road work all completed. Finalizing bills, \$171,000.00 due to LTL and Abbonizio.

Meredith Court Mitigation Project

- 100 % funded project from FEMA & PEMA.
- Contract being signed by FEMA & PEMA. Solicitor reviewing applicants, then Council, Once Project manager interviewed, then contract to be signed by all. January will be soil testing, abatement, and teardown. Project finish around April 2026.
- Reimbursement requests will be submitted for the RFP.

Progress Review at 3 Union St. Parcel #10-4- 41.3 and at 1 Meredith Court parcel 10-4-41.3

- Jeff Morrison spoke, stating that he is going to file in court against the tow company.

Recreational vehicles are not mobile homes per Ordinance. He believes he can park RVs there. President stated RV's can only be there 180 days; she will get him the Ordinance saying so. Containers are not noted in the Ordinance. President stated that they are defined as an 'accessory structure' he wants to anchor them down. He needs to apply for permits. Chad's shed permit is needed also, and to relocate it. Flood plain certificate survey is needed. That application was given to Jeff that moment by Secretary for his review along with all the regular permits for his and Chad's areas.

President ask the question if he has any plans for the land to benefit the community. Mr. Morrison stated that his engineer is out of town, even so, it would be a long term (6 months) before any drawing/plans would be submitted for that area. Mixed use is permitted in that area for small convenience store or a laundry mat. Mr. Morrison stated that he does not live in this area, his business partner does, he will be more hands on going forward. Vehicle restoration company is on Meredith Ct. is not an issue. Considering a 'buffer' around property. "Everything in a flood plain is challenging" per Mr. Morrison. Mr. Morrison stated that the two companies are squatting there due to not paying any rent, playing phone tag. Green tri axle belongs to someone who he rents out space too. These have to go since they are not established business in that area, it is only a parking lot per Council President. Mr. Morrison asked if the Borough still is going to push forward on the courts? President stated that we will consult with solicitor then get back to you. Council Hines said to move everything out and leave the area as open land, not to build anything. Her environmental answer.

98 N. Brandywine Conditional Use Appeal

- Solicitor Fuller will appeal to the state on behalf of the Borough. Mayor Harvey asked what the cost would be. This will be determined upon the appeal decision. We will charge legal fees if he loses. Council member Ayers stated the money does not matter. It is for the safety of the residents currently living. ere.

10. New Business

- CRP loan: Citadel approved the loan for \$150,000.00. \$3,100.00/60 months.
- Motion to be made by Council member Ayers to move \$30k from Highway Aide account to pay for paving of the CRP Grant. Council member Frost second, all in favor motion passed.
- Traffic Safety store for purchase of required 'stop ahead signs' notifying there are signs ahead. The cost is \$484.50. Council member Handley made motion, Hines second, all in favor, motion passed.
- LTL Rate increase for 2025. Our contract is up in March 2025. Finance committee can adjust the fee schedule for 2025. Or shop around; no need to bid out. Council member Handley reinforced that the invoices from LTL need to be reviewed to be billed out.

11. General Public Comments – limit of 3 minutes per person.

- Ms. Kim Sherman asked the question if the Finance committee can review the outdated 2017 QB desktop to compare QB on-line to review old and new transactions. President stated that the desktop service would have to be repurchased to do so with the newest version that has a 30-day limit.
- She voiced her opinion that the Borough should not raise any taxes on the residents. Businesses in the borough should/would be taxed. Can be capped or a percentage.

Meeting Adjourned

Regular Council meeting ended at 9:00pm. Council member Frost made a motion to end the meeting, Council member Hines second, all in favor, motion passed.

Next Council Meeting:

Monday October 21, 2024, at 7:00 pm at Borough Hall

President:

Secretary:

Date: