

**Stewartstown Borough Council
Meeting Minutes
Monday, December 2nd, 2019**

Members present

Gordon Wisnom, Sr.
Kenton Kurtz
Polly Kreiss
Donna Bloom
Roy Burkins
Bill Gemmill
Mike Ellinger

Others present

Craig Sharnetzka, Solicitor
Mayor Robert Herzberger
Ira Walker, Jr., Sewer/Water
Jason Brenneman, Engineer
Stacy Myers, Recording Sec'y

Visitors

Nathan Cook
Sam Gemmill

1. The meeting was called to order @ 7:00p.m. Everyone participated in the pledge to the flag.
2. **GENERAL BUSINESS**
 - Approval of Meeting Minutes—Mr. Kurtz made a motion to approve the November 4th, 2019 Meeting Minutes; Mrs. Bloom seconded. All were in favor; motion carried.
 - Approval of Financial Statements
 - **General Funds**—Mr. Burkins made a motion to approve General Fund bills dated Nov 2nd thru Nov 28th, totaling \$25,219.12; Ms. Kreiss seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated Nov 2nd thru Nov 28th, totaling \$56,246.39; Mr. Burkins seconded. All were in favor; motion carried.
 - **Water Funds**—Mr. Kurtz made a motion to approve Water Fund bills dated Nov 2nd thru Nov 28th, totaling \$49,145.61; Mrs. Bloom seconded. All were in favor; motion carried.
3. **PUBLIC COMMENT/VISITORS**—no one to address Council
4. **SOLICITOR'S REPORT**—Mr. Sharnetzka reported the following:
 - The hearing for the movie theater is scheduled for December 4th. Craig's partner at CGA will attend the hearing & move to convert the case to a liquidation in which case all properties will be sold. Craig reported both the movie theater & Mr. Neal's property on Rt. 851 (near Shrewsbury/Rt. 83) had offers of \$100,000 for each of them, which Mr. Neal rejected. Hopefully, the judge will convert the bankruptcy to Chapter 7 in which case a trustee would be appointed to sell all the assets & Mr. Neal won't have any say in the matter. The only way Mr. Neal could get out of it is to get out of the bankruptcy. If the bankruptcy gets converted on Dec. 4th, it takes approx. 30 days until a trustee gets appointed. Craig is fairly certain the bankruptcy will be converted. The judge will look at several issues; Mr. Neal never held a public auction at the properties & he rejected the offers he received to sell both properties. Some of his properties have taxes owed back to 2004. At this point, it isn't about him making money; it's about paying back what he owes.
 - Craig contacted Penn Waste to let them know Borough Council agreed to waive the large recycling toters in the trash contract. The current trash contract with Penn Waste is for one year. Borough staff will start the bidding process for a new contract in August 2020. Borough Council & staff will try to get resident's opinions on whether two trash pickups/week are more important than possibly lowering the trash bill if the Borough would move to one trash pickup/week.

- Cloverfield's Phase 2 Plan has now been recorded & the Developer's Agreement has been executed.
 - Craig distributed CGA's Christmas gifts to Council & Borough staff.
5. **ENGINEER'S REPORT**—Jason Brenneman wasn't present tonight, but he submitted the following items for Council action:
- Mill Street inlet repairs are complete—Clearview Excavating submitted an invoice for approval, in the amount of \$4,600. Mr. Kurtz made a motion to pay the invoice; Mrs. Bloom seconded. All were in favor; motion carried.
 - College Avenue/Rt. 851 sinkhole—Mr. Wisnom, Ira & Jason agree that the water seems to be going underground & not in the pipes, causing quite a large sinkhole that could be potentially dangerous. Clearview Excavating was to the area & made an initial repair of the sinkhole & the stormwater pipe. While excavating the sinkhole, an additional cavity was found above the water line pipe that extends an unknown distance. Mr. Wisnom estimates it may extend 200-250'. This may not be an immediate concern but could develop into another sinkhole. PennDOT says this issue is a Borough problem, but it would require a PennDOT permit for the repair.
Ira stated Jason is researching a material (similar to a spray foam) to be sprayed into the cavity & fill the void to prevent a sinkhole. Since Clearview Excavating completed the initial repair, Council is amenable for Clearview to scope the job first & give an estimate of what work & cost is involved. Mr. Kurtz made a motion to allow Clearview Excavating to offer a scope of the area & the proposed work; Mr. Wisnom seconded. All were in favor; motion carried. A timeframe for this project is unknown right now due to weather conditions and also being on a State road & requiring a State permit.
As the Borough's infrastructure is aging (and some is failing), Ira suggested getting a consultant to look at the stormwater infrastructure and its condition. Council agreed this is a good idea. Since the Sewer & Water Authority plans to obtain a consultant to conduct a Sewer Plant evaluation, it was suggested the Borough join them to obtain someone to evaluate their infrastructure.
 - Clearview Excavating will submit an invoice (up to \$6,000) for the first initial repair of College Ave/Rt. 851 sinkhole. Mr. Ellinger made a motion to approve the payment of this invoice when it arrives; Mr. Burkins seconded. All were in favor; motion carried.
6. **SEWER/WATER SUPERVISOR REPORT**—Ira Walker, Jr. submitted his report & the following expenses to be approved by the Sewer & Water Authority:
- A new transducer & new electrical control box were installed by Control Systems 21 for Well #5 J2 at a cost of \$5,389.74.
 - New Microsoft Office 365 subscription for the SCADA system was installed by Control Systems 21 for a cost of \$884.
 - Four maintenance kits for the chlorine analyzers were purchased from Control Systems 21 at a cost of \$816.
 - Six reagent kits for the chlorine analyzers were purchased from Control Systems 21 at a cost of \$397.98.
 - Four float switches were purchased from Control Systems 21 at a cost of \$272.
 - Two loads of screenings were taken to Modern Landfill for a cost of \$800.67.
 - A new starter/overload for Sewer #2 was ordered from Hydra-Numatic at a cost of \$377.69.
 - Parts for the chlorine analyzer at Well #6 were ordered from Hach Co. at a cost of \$1,615.58.
 - Of note, Ira said solids removal from the Sewer Plant will be taking place over the next couple weeks.
7. **MAYOR'S REPORT**—Mayor Herzberger reported:
- He thinks the solar speed signs around town are in good locations except the one on Rt. 851 near the railroad tracks. Other places where the sign would be of better use to deter speeding

were mentioned—Charles Avenue? Closer to Sommer’s Snowball Stand? The Streets & Roads Committee can decide on another location.

- He attended the Christmas Bazaar at the Community Building in November—it was a nice affair.

8. **TREASURER’S REPORT**—no report

9. **PRESIDENT/VICE-PRESIDENT REPORT**—Mr. Wisnom reported the following:

- **Ordinance 2019-02**—reenacts the real estate tax rate of 2.85mils & repeals Per Capita Tax. Mr. Burkins made a motion to approve this Ordinance; Mrs. Bloom seconded. All were in favor; motion carried.
- **Resolution 2019-2**—reappointing Melissa Matthews as Borough Secretary for 2020. Mr. Gemmill made a motion to adopt this Resolution; Mr. Kurtz seconded. All were in favor; motion carried.
- **Resolution 2019-3**—reappointing Stacy Myers as Borough Treasurer for 2020. Mrs. Bloom made a motion to adopt this Resolution; Mr. Burkins seconded. All were in favor; motion carried.
- **Resolution 2019-4**—to continue using PMRS (Pennsylvania Municipal Retirement System) for the Pension Plan in 2020. Mr. Kurtz made a motion to adopt this Resolution; Ms. Kreiss seconded. All were in favor; motion carried.
- **Resolution 2019-5**—reappointing Baker, Tilly, Virchow & Krause as Borough Auditors for 2020. Ms. Kreiss made a motion to adopt this Resolution; Mrs. Bloom seconded. All were in favor; motion carried.
- **Resolution 2019-6**—reappointing James R. Holley Associates as Borough Engineer for 2020. Mr. Burkins made a motion to adopt this Resolution; Mrs. Bloom seconded. All were in favor; motion carried.
- **Resolution 2019-7**—reappointing CGA Law Firm as Borough Solicitor for 2020. Mrs. Bloom made a motion to adopt this Resolution; Mr. Burkins seconded. All were in favor; motion carried.
- **Resolution 2019-8**—reappointing New Freedom Borough as Zoning/Building Code Officials for Stewartstown Borough in 2020. Mrs. Bloom made a motion to adopt this Resolution; Ms. Kreiss seconded. All were in favor; motion carried.
- **Adopting the 2020 Budgets**—Ms. Kreiss made a motion to adopt the 2020 General & 2020 Water and Sewer Budgets; Mrs. Bloom seconded. All were in favor; motion carried.
 - Some discussion was held regarding many sidewalks in town being in disrepair. There may be grant money available to replace/repair them. If Council doesn’t wish to enforce the Sidewalk Ordinance for all residents, we could pursue available grant money for those sidewalks in the worst condition.
- **Pam Almoney’s term on Planning Commission** expires 12/31/2019. Ms. Kreiss made a motion to reappoint Ms. Almoney to another term, running 1/1/2020 thru 12/31/2023. Mrs. Bloom seconded. All were in favor; motion carried.
- **Nathan Cook (296 Hollow Rd.) is interested in serving on the Sewer & Water Authority**—Mr. Kurtz made a motion to appoint Mr. Cook to the Authority for a 5-year term; Mr. Burkins seconded. All were in favor; motion carried.
- **Lisa Mohan’s term on the Sewer & Water Authority** expires 12/31/2019. Mr. Kurtz made a motion to reappoint Mrs. Mohan to another term, running 1/1/2020 thru 12/31/2024; Ms. Kreiss seconded. All were in favor; motion carried.
- **Ordinance 2019-1**—for Buntings, Pennants & Banners—Council’s revisions of this Ordinance were sent to YCPC for their review. Suggested definitions of bunting, pennants & banners was added, as well as a timeframe to hang/remove a banner & limiting it to non-profit organizations from Stewartstown & surrounding municipalities. This Ordinance has

- been advertised & is ready for action. Mrs. Bloom made a motion to approve Ordinance 2019-1; Mr. Ellinger seconded. All were in favor; motion carried.
10. **ADJOURNMENT**—With no further business before Council, Mr. Burkins made a motion to adjourn the meeting @ 7:58pm; Ms. Kreiss seconded. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary