

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Monday, July 6<sup>th</sup>, 2020**

**Members present**

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

**Others present**

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

**Visitors**

Sam Gemmill  
Brittany & John Barnette  
Office Lawrence, SRPD

David Elwell  
Martha & Mike Ohliger  
Rudy Kocman

Joyce & Jeff Ryer  
Pam Almony

1. The meeting was called to order @ 7:00p.m, followed by the pledge to the flag.
2. **Public Comment/Visitors**—the following were present to address Council:
  - **Rudy Kocman from Kocman Insurance** presented the 2020-2021 Insurance Proposal for the Borough. Rudy stated, the proposal from EMC Insurance offers the best alternative & competitive rates for all areas of the Borough including commercial property, automobiles, cyber liability, computer floater coverage, general liability & workers compensation. The Borough has total liability coverage of \$8million, which Rudy feels is adequate for a municipality the size of Stewartstown Borough. Rudy stated this is Kocman Insurance's 21<sup>st</sup> year with Stewartstown Borough & at next month's Council meeting, he will present a dividend check in the amount of \$11,601 to the Borough because of Stewartstown's participation in PSAB's dividend program.  
Mr. Kurtz made a motion to accept EMC Insurance's proposal for 2020-2021; Mr. Gemmill seconded. All were in favor; motion carried.
  - **David Elwell from 46 N. Main Street** was present to express his interest in filling a Council member position, should one become available. He & his family have lived here since 2015 and Mr. Elwell said he's anxious to serve his community. He works in Cockeysville in a sales & strategy position and holds a master's degree in leadership, so he feels he would be an asset to Borough Council & their decision-making process.
  - **Brittany Barnette from 33 S. Main Street** submitted a letter stating she was interested in pursuing the Mayor's position. Mayor Herzberger submitted his letter of resignation to Council last month as he's soon moving out of the Borough. Mrs. Barnette's letter of interest will be considered to fill Mayor Herzberger's term which expires the end of 2021, after which time she would need to run for reelection, if desired.
  - **Pam Almony from 52 N. Main Street** was present to discuss Borough ordinances & their enforcement (or lack thereof), especially that of the Ordinance 2010-04, the Nuisance Ordinance. She mentioned the following properties are not in compliance:
    - She has been complaining about the weeds, overgrown bushes & tall grass at 56 N. Main for quite a while. The house has been vacant for a couple years, had gone into foreclosure and was recently acquired by a New York-based company. Pam & Borough staff have communicated several times regarding this property and the Borough has contacted the new owner about the condition of the property. A local real estate company working with the new owner contracted someone to mow at the property one time; however, the back & side yards as well as bushes & trees need trimmed/cut down desperately. Mrs. Bloom made a motion authorizing the Borough

Solicitor to send a letter to the new property owner, giving them 15 days to bring the property into compliance with the Nuisance Ordinance before the Borough cleans up the property & bills them for the work. Mr. Burkins seconded. All were in favor; motion carried.

- Charlie Wierman properties—both the business at 32 High Street & the Ovelton Avenue property he owns behind her house. The Borough had sent a letter to Mr. Wierman about both properties and he made an effort to clean them up, but Pam said many items are still there, just covered with tarps or hidden behind lattice.
- 46 Church Street—they were sent a letter about an abandoned vehicle & other discarded items they had all over the property. They have since covered the vehicle with a tarp & have several plastic totes in the driveway where, it's assumed they're storing things. Pam is concerned that the totes will collect water on top after a rain and the water will become stagnant, attracting mosquitoes & other pests. In addition, all the discarded items are an eyesore to the neighborhood.
- After much discussion, Ira Walker, Jr. suggested a few Council members take a drive around town looking for Ordinance violations (mostly that of the Nuisance Ordinance) in an effort to clean up the properties in town.
- Council members thought notices may hold more weight coming from Attorney Sharnetzka's office. Mr. Ellinger made a motion authorizing CGA to send letters to the above properties & others in violation after Mrs. Almony provides a list of addresses & pictures, if available. Mrs. Bloom seconded. All were in favor; motion carried.
- Speeding on Main Street was also among Pam's complaints. Other residents of Main Street also voiced their concerns about this. Officer Lawrence from Southern Regional was present to discuss.
- **Officer Lawrence from Southern Regional Police Department** was present because several residents, listed below, have voiced concerns about speeding on Main Street. He said speed checks & traffic stops were decreased during the COVID pandemic because Chief Boddington did not want the officers risking infection and possibly spreading it while responding to other calls, home visits, etc. Although Radar is only available to PA State Police right now, municipal & regional Police officers can use VASCAR, which measures speed from one point to another. This can be effective, but Officer Lawrence said motorists will slow down when they see the lines on the road for VASCAR, then will typically speed up again. Speed monitoring is effective only when motorists see Police in the area. The following residents welcomed SRPD officers to sit in their driveway in order to do speed checks or at least to offer Police presence along Main Street. He urged residents & Council members contact local representatives (Kristin Phillips-Hill, Mike Jones, Stan Saylor, etc) about the need for Radar to be available for regional & municipal Police forces.
  - **Joyce & Jeff Ryer from 54 S. Main Street** were present as there have been a few recent accidents that have damaged their property & that of their neighbor. Mrs. Ryer asked if Council could contact PennDOT (being that Main Street is a State road) to see if rumble strips could be placed in the road, prior to reaching our solar speed signs at both ends of town. This could be effective to slow motorists & make them aware of their speed. She also asked if Council could contact PA State Police about using Radar along Main Street in town. These suggestions can be researched.
  - **Martha & Mike Ohliger from 52 S. Main Street** also voiced their concerns especially after a recent incident when their neighbor's SUV was pushed into the side of their home. Speeding along Main Street has gotten a lot worse in recent years.
  - **Pam Almony from 52 N. Main Street** reported tractor trailers are often speeding through town.

Council members gave their consensus for Council President Wisnom to send a letter to Mike Jones & Kristin Phillips-Hill's offices to voice their concerns about speeding & urging them to fight for the use of Radar by local Police forces. An invitation to attend the August Council meeting to discuss speeding problems may also be included in the letter.

- **Councilwoman Polly Kreiss (10 S. Main Street)** asked Officer Lawrence if anything can be done about residents setting off fireworks in town. He stated the fireworks must be set off at least 150' from occupied structures, but it's difficult sometimes to determine where the fireworks are coming from. He suggested calling 911 after the first firework goes off; the Police can then respond to the area in an effort to catch the offender in the process.

### 3. **General Business**

- Approval of June 1<sup>st</sup>, 2020 Meeting Minutes--Mr. Kurtz made a motion to approve these minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- Approval of Financial Statements
  - **General Fund**—Ms. Kreiss made a motion to approve General Fund bills from May 22<sup>nd</sup> to June 26<sup>th</sup>, totaling \$30,018.29; Mrs. Bloom seconded. All were in favor; motion carried.
  - **Sewer Fund**—Mr. Burkins made a motion to approve Sewer Fund bills from May 22<sup>nd</sup> to June 26<sup>th</sup>, totaling \$37,687.08; Mrs. Bloom seconded. All were in favor; motion carried.
  - **Water Fund**—Mrs. Bloom made a motion to approve Water Fund bills from May 22<sup>nd</sup> to June 26<sup>th</sup>, totaling \$53,964.45; Mr. Kurtz seconded. All were in favor; motion carried.

### 4. **Solicitor's Report**—Craig Sharnetzka reported the following:

- **Movie theater**—August 18<sup>th</sup> is the date of the auction. Last month, Borough Council authorized for the Borough to purchase the theater at the minimum bid amount. It will be an absolute auction, so whatever price it brings, then it's sold. Craig believes the price will be around \$20,000, but the trustee has to file a motion to set the price. Craig spoke to someone who's very interested in purchasing & renovating the movie theater where a portion could be used for public purposes & the upstairs would be converted into two apartments. Craig & office staff were researching applying for grant money through the County's Blight Remediation Program. The deadline for applying is July 31<sup>st</sup>, 2020 and Craig stated a Resolution is necessary to apply. Craig mentioned two stipulations regarding the grant monies:
  - The grant funds can't be used retroactively, so the Borough can't buy the theater, apply for the funds then reimburse themselves for the purchase price. The application would need to be submitted, then once the grant monies are obtained, they can be used as intended in the application.
  - If it's for the purchase of a property, an appraisal would need to be obtained. If it's for remediation, construction, etc. an estimate needs to be obtained. The time of grant money disbursement is unknown.

Craig brought a prepared Resolution tonight in the event Council chose to move forward with the grant application. The timing will be tight to obtain an appraisal & apply for the grant by July 31<sup>st</sup>. The Borough can still go to the auction prepared to bid on the property. Since the auction is set for August 18<sup>th</sup>, Council can discuss & decide on a bid price at their August 3<sup>rd</sup> Council meeting. Craig will have more information next month. After the trustee files a motion, we'll have a better idea of price.

- **Volunteer Tax Credit Ordinance**—has been advertised & can be acted on at the August 3<sup>rd</sup> meeting.
- **Refuse bid specs**—Craig revised the specifications & proposals since last meeting, removing recycling in the bid options. The contract bid specs will include:

- Trash pickup once/week, no recycling
- Trash pickup twice/week, no recycling
- Trash pickup once/week with recycling
- Trash pickup twice/week with recycling

There is an Act in Pennsylvania requiring certain municipalities to offer recycling, but it's based on population & Stewartstown Borough doesn't meet the qualifications. When asked about recycling, Penn Waste suggested keeping it in our refuse contract because the recycling still has value to the Borough.

At their August 3<sup>rd</sup> meeting, Council must authorize the advertisement of the bid specs for a bid opening in September.

- **Falker/Wilson Subdivision**—Mr. Falker's subdivision previously required him to install a connector sewer line to run to the Authority's main. The Authority recommended that Mr. Falker provide financial security in lieu of running that connector line. Mr. Falker & his attorney are asking if the Borough & Authority would accept a note on the plan stating that before a building permit could be obtained for this lot, that line must be ran & connection to the Authority's system must be made. This will go before the Authority for action at their July 15<sup>th</sup> meeting to get the Subdivision Plan finalized.
5. **Engineer's Report**—Jason Brenneman reported Dan from Clearview Excavating plans to begin the College Avenue sinkhole/storm sewer project on July 8<sup>th</sup>. He estimates it will take 3-4 days to complete, during which time traffic will be detoured through the Poplar Springs development.
  6. **Sewer/Water Supervisor Report**—Ira Walker, Jr. read his report. Expenses will come before the Sewer & Water Authority for approval.
  7. **Mayor's Report**—Mayor Herzberger was not present tonight. He submitted his letter of resignation to Borough Council last month as he will soon be moving out of the area. Mrs. Bloom made a motion to accept his letter of resignation as of tonight, July 6<sup>th</sup>, 2020; Mr. Ellinger seconded. All were in favor; motion carried. Council has 30 days in which to fill the Mayor's position to finish his term, expiring 12/31/2021.
  8. **Treasurer's Report**—Stacy Myers reported:
    - Year-to-date budget numbers are included in Council's agenda packets
    - Stewartstown Summer Theatre submitted a banner permit—Mrs. Bloom made a motion to approve the permit; Mr. Kurtz seconded. All were in favor; motion carried.
  9. **President/Vice-President Report**—Mr. Wisnom reported:
    - Council recessed to Executive Session @ 8:56p.m. to discuss personnel issues.
    - Council reconvened @ 9:23p.m.
    - Mr. Kurtz made a motion to give the Borough's 5 employees incentive bonuses for their work during the COVID-19 pandemic, net \$1,000 each. Mr. Burkins seconded. All were in favor; motion carried.
    - Mrs. Bloom made a motion to hire Glenwood (Glen) Leas for the Water & Sewer Department at the starting rate of \$24/hr. Mr. Burkins seconded. All were in favor; motion carried.
  10. **Other business**—Mr. Burkins stated that some time ago, discussion was held about removing the bulletproof door & window from the old Police Office/Accountant's Office & moving it to Southern Regional Police Offices. With the upcoming Police Commission meeting, Mr. Burkins would like to get Council's feelings on that, should it be discussed again. Chief Boddington had expressed interest in moving it soon. Mr. Gemmill made a motion to proceed with the removal of the bulletproof door/wall from the old Police Office (Suite B), upon approval from Mrs. Olson, who still pays rent for the office space most recently used as her accounting offices; Mrs. Bloom seconded. All were in favor; motion carried.
  11. **Adjournment**—With no further business before Council, the meeting adjourned @ 9:27p.m.

Respectfully submitted by

Stacy Myers, Recording Secretary

