

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Tuesday, July 6<sup>th</sup>, 2021**

**Members present**

Polly Kreiss  
Brittany Barnette  
Donna Bloom (via phone)  
Pam Almony  
Roy Burkins  
Bill Gemmill  
Gordon Wisnom, Sr.

**Others present**

Mayor Kenton Kurtz  
Craig Sharnetzka, Solicitor  
Jason Brenneman, Engineer (via phone)  
Ira Walker, Jr., Sewer/Water  
Stacy Myers, Recording Secretary

**Visitors**

Linda Miller	Mark & Nancy Ransom	Sam Gemmill	Earl Long
Kim Carl	Rudy Kocman	Keith Trahan	Felicia Markline
Johnny Perry	Ben Washington	Kron Washington	Stephanie Thompson
Stephan Cantwell	Maryann Dearstyne-Penn	Taras Vizzi	Jason Roberts

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag. Ira Walker, Jr. introduced the 3 newest employees to the Sewer & Water Department; Jonny Perry, Felicia Markline & D. Keith Trahan, all of whom are taking classes to obtain their CDL license. Felicia is enrolled to take a water test soon & Keith recently obtained both his sewer & water licenses after being on the job only 6 months. Jonny has his 2-year degree from Thaddeus Stevens & had passed his general water license but needs a few other items yet. Ira is very pleased with the job performance of all three.
2. **Engineer's Report**—Jason Brenneman reported on street work via telephone.
  - The bid opening for Free Street, Charles Avenue & Winters Avenue took place on July 2<sup>nd</sup>. Two companies submitted bids: Stewart & Tate and Kinsley Construction, with Kinsley being the low bidder on both Contracts & Alternates.
    - **Contract #1/Alternate #1**—Kinsley--\$122,358; Stewart & Tate--\$133,433.25
    - **Contract #2/Alternate #2 (with additional wearing course)**—Kinsley--\$135,130; Stewart & Tate--\$136,200.25.

Jason received an email from the geotechnical engineer regarding the samples taken on each above street. He will review those further, but the geotechnical engineer said Charles Avenue requires extra testing. Jason recommended Council accept all bids & award both contracts on the condition of receiving satisfactory samples on all 3 streets; however, the additional sampling on Charles may cause a delay. In talking to Kinsley, Jason said Council could table the bid award until their August meeting & Kinsley will still be done by end of October (end of paving season).

Mr. Gemmill made a motion to table the award of the street bid until the August 2<sup>nd</sup> Council meeting; Ms. Kreiss seconded. All were in favor; motion carried.

Mr. Gemmill said Hopewell Township has an interest in paving Winters Avenue; details are unknown but should be known by the August meeting. Jason can contact Kinsley about removing the Winters Avenue portion of the bid (since it's a unit price bid) which will reduce the cost to the Borough. The bids are good for 60 days & Jason said because there is a clause in the bid documents, the Borough has the right to reduce quantities based on budget issues.

  - Mrs. Bloom reported she spoke to PennDOT who plans to mill & pave W. Pennsylvania from above Rutter's down to the railroad station.

3. **Public Comment/Visitors**—the following were present to address Council:

- **Mark & Nancy Ransom, 30 N. Main Street**—addressed Council about his neighbor’s property at 28 N. Main, which is vacant & falling into disrepair. There are broken windows, vegetative growth growing on the porch & house, rotting wood/porch & parts of the roof missing where the Ransom’s have seen squirrels & birds going in & out. It’s a terrible eyesore & the Ransom’s are afraid it will drive down their property value in addition to it being a fire hazard. Notice of violations to the Nuisance Ordinance can be sent to the property owner.
- **Stephanie Thompson, 84 S. Kennard Dale**—addressed Council about, not only 28 N. Main, but several properties around town with expired vehicles, vegetative growth, etc. that have become eyesores. What is being done to enforce the Ordinances that are in place? She feels there should be more follow-through in enforcing the Ordinance & holding property owners responsible. After a written complaint is received, a violation letter is mailed, giving the property owner 15 days to bring the property into compliance with the Ordinance. **Most** times, the violations are addressed with a letter. On occasion, the Borough had to follow-through with a property cleanup & either bill the owner or place a municipal lien for all involved costs. Ms. Thompson will send an email to Borough staff about the following properties with the above-listed Ordinance violations:
  - 20 N. Main Street
  - 41 N. Main Street
  - 28 N. Main Street
  - 15 S. Main Street
  - Two properties on W. Pennsylvania (backing up to Westminster Place)

The Borough doesn’t have a Property Maintenance Code in which to enforce the cosmetic appearance of Borough properties. The Borough’s Nuisance Ordinance addresses dangerous structures that post a hazard to the community, but it would be quite costly & time consuming to create a Property Maintenance Code and, being an aging town with older homes, the majority of homes would most likely be in violation of a Property Maintenance Code, for one reason or another.

Ms. Almony made a motion authorizing Atty. Sharnetzka to send Nuisance Ordinance violation letters to those properties listed above; Mr. Burkins seconded. All were in favor; motion carried.

- **Stephan Cantwell, 15 Springwood Avenue**—he & his family are new residents of the property & asked for an update on the stormwater issue behind his property that Borough Council agreed at last month’s meeting to repair. Council & Borough staff thought Manifold Excavating was planning to complete digging/pipe replacement in the area, but Mr. Cantwell said Mr. Manifold called them & stated he is too busy with other work to complete the job right now. The recent heavy rains completely filled up the culvert & the Cantwell’s are concerned for their children’s (& others’) safety. Mr. Gemmill said Council or Borough staff will contact another contractor to do the work.
- **Rudy Kocman from Kocman Insurance** presented quotes for the Borough’s insurance renewal as the current policy expires August 2021. Rudy said the coverages haven’t changed much, but he had summary quotes from EMC Insurance, Selective & McKee. Some important coverage such as cyber liability, wasn’t offered by McKee & Selective was fairly competitive with EMC’s quote. However, through EMC & PSAB, the Borough is in a dividend program which allows them to receive annual dividend checks. In 2019, the Borough received approx.\$7,000, in 2020--\$11,000 and this year--\$7,500 in dividends.

Mr. Gemmill made a motion to stay with EMC Insurance for the Borough's Workers Comp & property insurance needs & authorized Rudy to review cyber liability coverage & report back; Mrs. Bloom seconded. All were in favor; motion carried.

4. **General Business**

- **Approval of Meeting Minutes**—Ms. Almony made a motion to approve the June 7<sup>th</sup>, 2021 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- **Approval of Financial Statements**
  - **General Funds**—Mr. Burkins made a motion to approve General Fund bills dated June 4<sup>th</sup> thru July 2<sup>nd</sup>, 2021, totaling \$14,578.43; Ms. Kreiss seconded. All were in favor; motion carried.
  - **Sewer Funds**—Ms. Kreiss made a motion to approve Sewer Fund bills dated June 4<sup>th</sup> thru July 2<sup>nd</sup>, 2021, totaling \$58,743.73; Ms. Almony seconded. All were in favor; motion carried.
  - **Water Funds**—Ms. Kreiss made a motion to approve Water Fund bills dated June 4<sup>th</sup> thru July 2<sup>nd</sup>, 2021, totaling \$43,312.64; Mr. Burkins seconded. All were in favor; motion carried.

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

- **Movie theater**
  - **Tax Exemption Status update**—Atty. Sharnetzka sent notice to the Tax Assessment Office asking that the movie theater property be marked exempt now that the Borough owns it. It has now been marked exempt.
  - **Demolition bid opening**—Ben Washington, LLC was the only bid received in the amount of \$225,000. Mr. Washington submitted his bid to the Borough Office today @ 2:30p.m. which was the deadline. Along with his bid is the required documents such as the non-collusion affidavit, the Bid Bond in the amount of 10%; however, the 3 references weren't provided. Mr. Washington & his grandson, Kron Washington were present tonight & stated they can provide references to Borough staff. Mr. Washington has been doing this type of work for 50 years. He is aware that an asbestos contractor must be onsite during demolition, but asbestos removal is the Borough's financial responsibility. Mr. Gemmill made a motion to table the bid award till the August 2<sup>nd</sup> Council meeting pending reference receipt & review; Ms. Almony seconded. All were in favor; motion carried. The bids are good for 60 days. Mr. Washington expects to start demolition in August & the theater to be down in 1-2 days. He estimates 2-3 weeks for removal of all materials & concrete foundation & to bring in suitable fill for the hole. His bid includes obtaining the asbestos contractor to be onsite in the event any suspicious material is found during demolition. His bid also includes notifying residents on both sides of the theater prior to demolition, that they will need to vacate their residences during demolition. It will also be necessary to close off the street, approx. 20' in each direction during that time, for safety reasons. The Borough plans to obtain grant monies (through the County's Land Bank/Blight Remediation Program) in the amount of \$50,000 to go toward demolition.
- **Sidewalk Ordinance discussion**—Craig met with the Sidewalk Committee (Almony, Bloom, Gemmill, Barnette) & Mayor Kurtz to review Stewartstown's Sidewalk Ordinance & those of other municipalities. Ms. Almony, Mrs. Bloom & Mrs. Barnette had recently walked & taken pictures where the sidewalks are in the worst condition. Those pictures were provided to Council tonight & all of Council agreed this is an issue

that needs addressed. From Taras Vizzi's (24 S. Main) memo to Council regarding the Borough's sidewalks, Craig created a memo to Council & agreed that there is some secondary liability to the Borough, should someone get injured on a deteriorating sidewalk. The consensus of the Committee is to review funding for such a project, not only in areas where the sidewalks are in terrible disrepair, but also others needing replaced. Ms. Almony suggested having the Borough Engineer, with the Committee's direction, look at the sidewalks & create an outline of costs for replacement & repair. Mrs. Bloom had obtained a price on sidewalk-grade concrete from Hanover Concrete that was \$121.50/sq.ft.

Mayor Kurtz suggested removing the measurements & more rigid criteria out of the current Ordinance & add in a blighted section for those sidewalks in the worst condition. Mr. Vizzi stated he is willing to work with the Committee in creating a plan, reviewing funding options, etc. But his main concern was not sidewalk replacement everywhere, but those that are caving in & crumbling that not only create an eyesore, but also a danger to pedestrians.

Atty. Sharnetzka advised the Committee to outline what is needed as far as materials, where the work is needed & gather prices. If a 5, 10 or even 15-year plan can't be created or isn't feasible, then the current Ordinance needs to be revised or enforced so those owners with the deteriorating sidewalks complete the necessary repairs. Mr. Wisnom suggested the Committee create a list of **all** Borough sidewalks needing attention & bring the list to Council next month, along with estimated costs & how much material would be needed.

Ira Walker, Jr. also mentioned, there may be areas where the deteriorating stormwater system is causing the collapsing, cracked sidewalks, so Council should be aware of that.

- **Wiggins property, 43 Church Street**—no update; Craig will continue to monitor.
  - **Wierman property, Ovelton Avenue**—Craig has sent a Nuisance Ordinance violation letter; no response has been received to date.
  - **Snowplow Bid Contract**—if the Borough obtains another municipality for snow plowing, the Borough Code exempts that from the bidding requirement & an intergovernmental cooperation agreement would be created. Hopewell Township is to let Mr. Wisnom know by the August 2<sup>nd</sup> Council meeting if they're willing to plow snow in the Borough.
  - **Trash /Missed Pickups**—the Borough's contract with Penn Waste contains a "mass violation" notice which allows the deduction of \$2,000 from the Borough's monthly bill with no advanced notice to Penn Waste being required. The violation requires a minimum of 6 units of trash/recycling missed during collection. With the multiple missed collections (just in 2021) along Memory Lane, Mr. Burkins made a motion authorizing the \$2,000 deduction from the Borough's next Penn Waste bill; Mr. Gemmill seconded. All were in favor; motion carried.
  - **Beth Kern, colleague of Atty. Sharnetzka's at CGA**—Craig introduced Beth, stating she was a big help with creating the bid specs for the theater demolition & also researching funding & grant opportunities for that demolition.
6. **Sewer & Water Supervisor Report**—Ira Walker, Jr. submitted his report. All expenses have or will be presented to the Authority for approval. Of note:
- Sewer/water staff would like to participate in the July 24<sup>th</sup> parade (& use the Borough vehicles) where they will hand out educational/promotional items to spectators. The employees will not be paid for their time, nor use their vacation/personal time for the event. Ira asked for permission to spend up to \$500 for the materials for distribution..

Ms. Almony made a motion authorizing Ira & staff to use the Borough vehicles for the parade & to spend up to \$500 for educational materials; Ms. Kreiss seconded. All were in favor; motion carried.

- Ira reiterated that the stormwater system is going to need attention very soon as many sections are beginning to fail, deteriorate, etc. Staff will request Jason Brenneman give an update at the August meeting from the intern who completed a mapping of the system.
7. **Mayor's/Police Report**—no report
  8. **President/Vice-President Report**—Mr. Wisnom reported that Guy Hook will be submitting his resignation from the Sewer & Water Authority which will create a vacancy.
  9. **Treasurer's Report**—Fire Police request has been received for Springfield Township's Labor Day Vendor Show on September 6<sup>th</sup>, 2021. Ms. Almony made a motion to approve the request; Mr. Gemmill seconded. All were in favor; motion carried.
  10. **Council recessed to Executive Session @ 8:36p.m.** to discuss personnel issues.
  11. **Council reconvened at 8:50p.m.** No decisions were made, no action taken.
  12. **Adjournment**—With no further business before Council, Ms. Almony made a motion to adjourn the meeting @ 8:50p.m.; Mr. Gemmill seconded. All were in favor; motion carried.

Respectfully submitted by:

Stacy Myers, Recording Secretary