

Stewartstown Borough Council
Meeting Minutes
Monday, June 3rd, 2019

Members

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

Others

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

Visitors

Tracy Baldwin
Vince Catalano
Tyler Robinson
Logan Wise

1. The meeting was called to order @ 7:00p.m. Everyone present participated in the pledge to the flag. Ira Walker introduced Water & Sewer staff:
 - The newest Wastewater/Water trainee, Logan Wise who recently graduated from an environmental program at Thaddeus Stevens, so he has some knowledge of the job. He needs operating experience & to add some subclasses to his water & wastewater licenses, but Ira foresees Logan obtaining his Water Operator license within a year.
 - Tyler Robinson has been with the Borough for two years, working mainly in the water department, but at times, also works wastewater. Tyler recently completed his first course (with an 87%) toward his next class & working toward his Water Operator license.
 - Vince Catalano (employee as of Jan 2019) & Tracy Baldwin (employed since 1998) are now Water & Sewer Operators, as they've both obtained their Wastewater Licenses and have completed 90% of the requirements toward their Water licenses. A few subclasses on the water side need to be taken/passed yet.
 - Council congratulated the staff, including Ira for all their hard work & achievements.
2. **GENERAL BUSINESS**
 - Approval of Meeting Minutes—Ms. Kreiss made a motion to approve the May 6th, 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 May 4th thru May 31st, totaling \$11,887.24; Mrs. Bloom seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated May 4th thru May 31st, totaling \$77,020.54; Mr. Burkins seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated May 4th thru May 31st, totaling \$34,136.30; Mr. Kurtz seconded. All were in favor; motion carried.
3. **SOLICITOR'S REPORT**—Craig Sharnetzka reported the following:
 - **Phase 2 of the Cloverfield development**—bonding needs to be done and all the requirements & responsibilities of the Developer's Agreement submitted for Phase 1 will be necessary for Phase 2 also. He emailed Cloverfield's engineer & told him they can complete

an addendum for all the same requirements as Phase 1; however, he has not received a reply yet.

Jason stated the Phase 2 plan was conditionally approved by Borough Council in August 2018, but no information has been received since then. Surety posting & the Developer's Agreement is still outstanding. Public improvements can be done on Phase 2's Preliminary Plan; however, no lots can be sold until the Final Plan is approved.

- **Handicap ramp/ADA compliance**—Craig said the ADA came into effect in 1992, ensuring that programs, services, meetings, etc. available to the public are also available to citizens with disabilities. ADA breaks down their standards into 3 categories: 1) new construction which are public accommodations constructed after 1992, 2) alteration provisions which are post-January 1992 (any alterations to a building that existed as of that date) and 3) readily achievable provisions which are buildings that were the way they were as of 1992.

Craig stated for the Borough to provide the above services; we can file for alternative needs. If a person with disabilities wanted to attend a meeting & our building/ramp was not ADA-compliant, we could switch the meeting place, but this is a short-term fix. Long term, because we have a mixed public/private use building at the Borough Office & we constructed the handicap ramp after 1992, Craig believes we need to provide the programs, meetings & services to those with disabilities.

Because it's mixed use (public/private), Craig does not think the whole facility needs to be ADA compliant. Craig reviewed the permits & licensing and stated the Use & Occupancy Permit that was issued on 3/25/1999 was issued from Department of Labor & Industry (Terry Phillips). Plans of the ramp & building were all reviewed by L & I and the contractor at that time (Charles Leach) signed off and approved the plans. Craig stated; however, he did not find any cases against the ADA relying solely on Dept. of Labor & Industry permitting. Jason Brenneman believes the information that Craig reviewed was only looking at access from the ramp into the building, not the accessible walkway from the handicapped parking space to the ramp.

Since the County Solicitor was the one who reached out previously stating the Borough Office was not an ADA-compliant polling place, Mayor Herzberger suggested sending a reply letter to them including all documentation, permits & licensing that the Borough had received.

Mr. Burkins made a motion authorizing Craig Sharnetzka to mail such a letter to the County with all documentation; Mr. Kurtz seconded. All were in favor; motion carried.

- **Refuse bid specs**—should be before Council for August meeting.
- **Movie theater, 3 North Main**—Bill Neal has until 9/30/2019 to sell the movie theater before it will go for public auction. Mr. Kurtz stated he spoke to someone regarding blighted properties & demolishing the theater. They would pay for the demolition, but if there was asbestos within the theater, they would not pay for those portions. She also stated there may be grant monies available for the demolition if asbestos is an issue & she would assist in helping the Borough obtain grant monies, if desired.
- **Nuisance Ordinance violations**—
 - 43 Church Street—pictures were provided to Council of the junk, items stored in the front, side & rear of the property. Craig believes this would fall under the Nuisance Ordinance & a letter can be sent.
 - 16 North Main Street—tall weeds, etc.
 - 4 North Main Street—junk, trash, clothe outside.
 - Mr. Burkins made a motion to authorize Borough staff to mail letters to the above properties and any other properties violating the Nuisance Ordinance; Mrs. Bloom seconded. All were in favor; motion carried.

4. **ENGINEER'S REPORT**—Jason Brenneman reported the following:
- **Ecker Avenue Project**
 - Manifold Excavation invoices—
 - For the culvert, piping, etc.--\$8,146.00
 - Pavement replacement--\$1,546.90
 - Mr. Ellinger made a motion to pay Manifold Excavation \$9,692.90; Mr. Gemmill seconded. All were in favor; motion carried.
 - All documents related to the paving part of this project were signed & approved. A pre-construction meeting with Stewart & Tate will be scheduled.
 - **West PA Storm Sewer Project**
 - The week of 5/20/19, Jason received the shop drawings from the contractor. These were approved & sent to Monarch for the inlet. Contractor (Clearview Excavation) hopes to begin the project in July.
 - **Borough handicap ramp**—Jason's office surveyed the front & side of the Borough building but will hold off on further work until Craig sends correspondence to the County.
5. **SEWER/WATER SUPERVISOR REPORT**—Ira Walker, Jr., submitted his report which will be on file with these Meeting Minutes. The following were before Council for action:
- Electronic components affected by lightning storm on 5/3/2019—Controls Systems 21 repaired at a cost of \$2,944.51. Mr. Gemmill made a motion to approve this expense; Mr. Ellinger seconded. All were in favor; motion carried.
 - Broken/clogged decant valve in Tank 1A—valve & labor involved for Control Systems 21 to get Tank 1A back online for a cost of \$7,505.03. Ms. Kreiss made a motion to approve this expense; Mrs. Bloom seconded. All were in favor; motion carried.
 - Handheld controller for the lifting device on the sewer service truck from Lancaster Truck Bodies for a cost of \$372.58. Mr. Burkins made a motion to approve this expense; Ms. Kreiss seconded. All were in favor; motion carried.
 - Radio technician (Dave Hahn-DCR) checked on radio communication issues at a cost of \$200. Mr. Gemmill made a motion to approve this expense; Mrs. Bloom seconded. All were in favor; motion carried.
 - Annual software support for meter reading devices from Sensus at a cost of \$2,437.42. Mrs. Bloom made a motion to approve this expense; Mr. Burkins seconded. All were in favor; motion carried.
 - Non-violent prisoners often help with various jobs around the Borough and/or Sewer Plant. Ira stated they are a big help & he suggested writing a letter thanking the York County Commissioners and the Prison Warden for the program allowing them to do this. Mrs. Bloom made a motion authorizing such a letter to be sent; Mr. Burkins seconded. All were in favor; motion carried.
6. **MAYOR'S REPORT**—Mayor Herzberger had nothing new to report on SRPD or the Police Commission, other than the next meeting is scheduled for Wednesday, June 5th. He also reported he occasionally receives letters from South Eastern School District students and/or residents about several issues such as public safety, town activities, suggestions of a dog park, etc. He will respond to the teacher of several 7th-grader's letters, offering suggestions that they also contact Township representatives in addition to Borough representatives. It was discussed that, once HARP obtains grant money to hire a Director, maybe more activities can be planned for the community. Donna Bloom reported on the Intergovernmental Committee for SRPD and, while comparing the old Police contract to the new, the Committee is proposing to go back to the old method of billing on hourly rates, rather than PPU's. They feel it will be much simpler. The Chief & Officers are tracking things from the past 3 years & transferring them to an hourly rate. Mrs. Bloom said no

representative from Glen Rock ever attend these Committee meetings, but the proposal the other members came up with will be sent to the Finance Committee for review.

7. **BUILDING/TENANT REPORT**—Roy Burkins reported he recently talked to Jeanie Olson, who said she is planning to hire 2-3 more employees and is outgrowing her office space in Suite B. She asked if/how she could get out of her lease with the Borough, which doesn't expire until July 2021. In hopes of keeping Olson Accounting as a tenant, Mr. Burkins suggested the use of the Executive Session room, if Council is agreeable to letting her use it. Otherwise, Jeanie stated she is looking at other office space in Bailey Springs but hasn't made any decisions yet. As of July 2019, Jeanie's rent would go from \$650 (current) to \$700/month and stays at \$700/month until the lease expires. The lease states she must pay until there is another tenant occupying that office space. Jeanie told Mr. Burkins she may know an interested person to occupy the space & assume the lease until it would expire. Mr. Sharnetzka said Jeanie's busy season is over; she may not need to hire additional employees yet. He suggested waiting to see, once her business picks up (Jan-April) and, if she requests out of the lease because she needs more space, she can come to Borough Council at that time. If she would like to use the Executive Session office, we will offer it to her for an additional \$75/month.
8. **PRESIDENT/VICE-PRESIDENT REPORT/OTHER BUSINESS**—
 - FYI items—
 - June 12th meeting--Roy Burkins, Donna Bloom & Wade Portner will meet with David Wisnom & his engineer to discuss David's plans for his Bronson Avenue properties.
 - June 17th—Council is invited to Lloyd Smucker's Roundtable discussion at Dallastown Fire Company from 9-10:30a.m.
 - Fire Police request—Mr. Burkins made a motion to approve the Jacobus Lions Club July 4th festivities; Mr. Kurtz seconded. All were in favor; motion carried.
 - York County Boroughs Association Meeting & Picnic in the Park will be held June 27th at William Kain Park (Lake Redman) at 6:30p.m. Those interested will let office staff know.
 - Vandalism at HARP fairgrounds—among camera & building damage to other HARP buildings, siding & gutters were damaged on the concession stand, which Stewartstown Borough owns & insures. The deductible is \$2,500 but the cheaper of two repair estimates gathered was \$2,355, so no insurance claim was started. The invoice was submitted to the Borough for payment; however, Mr. Sharnetzka stated that, even though we carry the insurance on that building, HARP controls the rent & maintenance of it and the repair cost should be their responsibility. HARP receives contributions from Stewartstown Borough, along with 3 other municipalities. Borough Council believes, as part of the HARP facilities, they should be responsible for repairs to the concession stand. Office staff will tell HARP representatives that, because the amount of the repairs is less than the deductible, Stewartstown Borough isn't paying the invoice.
 - Cars parking along Hill Street (on Rutter's side, near Stop sign)—can the curb be painted to avoid parking in that area? It could cause a sight restriction and/or traffic congestion in that area. More information can be gathered on this & reported back, if it's found to be a problem.
9. **ADJOURNMENT**—With no further business before Council, Mr. Kurtz made a motion to adjourn the meeting @ 8:22 p.m.; Mr. Burkins seconded. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary

