

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Monday, June 1<sup>st</sup>, 2020**

**Members present**

Gordon Wisnom, Sr.  
Kenton Kurtz  
Polly Kreiss  
Donna Bloom  
Roy Burkins  
Bill Gemmill (arrived @ 7:04pm)

**Others present**

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

**Visitors**

Sam Gemmill

1. The meeting was called to order @ 7:00p.m., followed by the pledge to the flag.
2. **General Business**
  - Approval of May 4<sup>th</sup>, 2020 Meeting Minutes—Mrs. Bloom made a motion to approve these minutes; Mr. Kurtz seconded. All were in favor; motion carried.
  - Approval of Financial Statements
    - **General Fund**—Mr. Burkins made a motion to approve General Fund bills & payroll from May 2<sup>nd</sup> thru May 29<sup>th</sup>, 2020, totaling \$12,621.22; Mrs. Bloom seconded. All were in favor; motion carried.
    - **Sewer Fund**—Mrs. Bloom made a motion to approve Sewer Fund bills & payroll from May 2<sup>nd</sup> thru May 29<sup>th</sup>, 2020, totaling \$39,683.85; Mr. Burkins seconded. All were in favor; motion carried.
    - **Water Fund**—Mrs. Bloom made a motion to approve Water Fund bills & payroll from May 2<sup>nd</sup> thru May 29<sup>th</sup>, 2020, totaling \$34,865.52; Mr. Kurtz seconded. All were in favor; motion carried.
3. **Public Comment/Visitors**—none present
4. **Solicitor's Report**—Craig Sharnetzka reported the following:
  - Movie theater—the appeal that Bill Neal had taken in the bankruptcy has now been dismissed. The trustee plans to move forward with the sale of the theater, although he doesn't think there's any equity in the theater, believing the amount of taxes owed will outweigh what the property is worth. If a public auction is held & the theater is not sold at the auction, the trustee will likely abandon it and it will continue to sit vacant. Council discussed the possibility of the Borough purchasing it (at the base price), then we have control of what happens to it. The County has been asked to add the property to their blighted properties list. The Borough would be responsible for any expenses involved in that; however, the County said there are grants to absorb those expenses/costs. Craig stated if the property is advertised in an absolute auction, a base price must be established. Cooperation from the Borough would be needed in the event of an absolute auction because it would wipe out outstanding debt. Craig will discuss the trustee's willingness to sell the theater to the Borough (prior to an auction) & report back. The outstanding taxes would be negotiated before purchase then the property could be exempted after the Borough purchases it. Mr. Neal owes outstanding taxes with the Borough, the County & the school district for the 3 South Main Street property. Mr. Kurtz made a motion to move forward to establish a base price for the movie theater property for a possible purchase by Stewartstown Borough; Mrs. Bloom seconded. All were in favor; motion carried.

Ideas of what to do with the property should the Borough purchase it were discussed, one being tearing down the theater to create much-needed parking along Main Street. This will be discussed further once more details are gathered.

- Volunteer Tax Credit Ordinance—draft was distributed to Council last month & must be passed prior to the end of the year. It must be advertised for a 30-day period then a public hearing will be held at a Council meeting after which Borough Council can pass the Ordinance.

Mr. Burkins made a motion authorizing to advertise the Volunteer Tax Credit Ordinance; Mrs. Bloom seconded. All were in favor; motion carried.

- Refuse contract specifications were distributed. These will need to be advertised in July or August for the next trash contract (current contract expires October 31, 2020).
- Cloverfield inspection issues—this is just an informational update as Keystone allowed several people to move into homes without first obtaining Use & Occupancy Permits and having final inspections done by the Zoning Officer. Due to the COVID-19 pandemic, inspections (& construction) were put on hold till May 1<sup>st</sup>. Craig stated Wade Portner took unnecessary criticism during that time (by Keystone & the property owners) because he was following the Governor’s guidelines about what he could/could not do.

Those residents were sent certified letters stating they must have a final inspection to ensure the new homes were up to code; then they could obtain a U & O. Office staff confirmed that residents of 2, 4 & 6 Baneberry had scheduled & received their final inspections, as requested.

- Ira mentioned the Fire Department is concerned about Michael Sacilotto’s building (13 Mill Street) & the potential hazard it poses to the public because of its deterioration. He said this is the second time in approx. 10 years that he’s lodged a concern about it. The Borough’s Zoning Officer visited the property & sent Mr. Sacilotto a letter asking him to secure any area where the public could gain access & be in danger. Plywood was put on the back side of the building, but Ira is still concerned the building is a fire hazard. Being a commercial building, the Borough’s ZO can’t condemn the building; he would need to obtain an engineer in order to declare it unsafe. Mr. Wisnom said he will speak to Mr. Sacilotto about these concerns.
5. **Engineer’s Report**—Jason Brenneman was not present tonight but had reported via email Dan from Clearview Excavating is still waiting on the detour signs for the College Avenue storm sewer & water line project.
  6. **Sewer/Water Supervisor Report**—Ira Walker, Jr. submitted his report & reported on “New” items.
  7. **Mayor’s Report**—Mayor Herzberger submitted his letter of resignation, effective June 30<sup>th</sup>, 2020. Council thanked him for his great service to the Borough & its residents.
  8. **Treasurer’s Report**—Stacy Myers reported:
    - Penn Waste sent notice that Governor Wolf’s 2020-2021 budget is proposing a \$1/ton tipping tax increase on municipal solid waste. Municipalities are urged to contact their state representatives or senator urging them to vote “NO” to a tax on this essential service. Mr. Kurtz made a motion to send a letter to Kristin-Phillips Hill stating the Borough’s opposition to Governor Wolf’s proposed \$1/ton tipping tax increase; Mr. Burkins seconded. All were in favor; motion carried.
    - Cole Janes—a resident of Crosstie Drive trying to obtain Eagle Scout status will be at the July 6<sup>th</sup> Council meeting to discuss his project & ask the Borough to be his benefactor for the project.
  9. **President/Vice President Report**—Mr. Wisnom reported:
    - Personnel Committee is proposing to hire Dean Phillips at \$16/hr. for the Sewer & Water department. He doesn’t currently have a water or sewer license, but the Committee feels he

would be willing to work towards obtaining that. Mr. Kurtz made a motion to approve the hiring of Dean Phillips; Ms. Kreiss seconded. All were in favor; motion carried.

- Personnel Committee is in favor of pursuing another hire for the Sewer & Water staff, one with more experience & possibly a water or sewer license. Mr. Burkins made a motion authorizing the Committee to research & pursue an experienced water and/or sewer operator; Mrs. Bloom seconded. All were in favor; motion carried.

10. **Other Borough business**

- 43 Church Street—junk pile & 2<sup>nd</sup> driveway that was installed without a permit. Office staff sent a letter & the owners covered the vehicle with expired tags. The Zoning Officer sent a letter stating they must obtain a Zoning Permit for the driveway. Staff is waiting for verification that they received the certified letter. Penalties can be applied if they don't obtain the driveway permit. Some of the other items on the property aren't in violation of the Nuisance Ordinance, but staff will continue to monitor it.
- Mr. Kurtz stated Mayor Herzberger asked him if he'd be willing to fill his vacancy as Mayor when he resigns (6/30/20). Mr. Kurtz asked for Council's input. He has dealt with the Police Commission in the past, so he's familiar with that part of the Mayor's job, although he admitted Mayor Herzberger leaves big shoes to fill. Mr. Wisnom stated if Mr. Kurtz is willing to serve as Mayor, Jerry Writer may be willing to fill Mr. Kurtz' Council position. Mr. Kurtz is willing to do so, but he would like to see a younger person take on the Mayor position and he has someone in mind, if they're willing to serve. More discussion will be held at the July Council meeting.
- Council should bring their input for any street repairs to the Streets & Roads Committee, so we have time to bid any projects & get them done.
- Mrs. Bloom questioned if the Borough had an easement between her house, extending to the Camelot parking lot. She said a neighbor has complained about another neighbor's shed which extends into the easement and affects the flow of water. Ira & Mr. Wisnom will research this & report back.

11. **Adjournment**—With no further business before Council, Mr. Burkins made a motion to adjourn the meeting @ 7:58p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary