

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Tuesday, September 7<sup>th</sup>, 2021**

**Members present**

Polly Kreiss  
Brittany Barnette  
Donna Bloom  
Roy Burkins  
Bill Gemmill

**Others present**

Mayor Kenton Kurtz  
Beth Kern, Solicitor  
Jason Brenneman, Engineer  
Ira Walker, Jr., Sewer/Water  
Stacy Myers, Recording Sec'y

**Visitors**

Linda Miller  
David Elwell  
Brandy LeBlanc

Kron Washington  
Kim Carl

Felicia Markline  
Taras Vizzi

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.
2. **Public Comment/Visitors**—the following addressed Council:
  - **Kim Carl** was present to discuss a proposal for the vacant theater lot. As Council is currently unsure what to do with the vacant lot, Kim proposed forming a committee consisting of a nearby property owner, business owner, someone from HARP, a member of the Historical Society, possibly a Senior Center representative, herself & possibly a Council person to gather ideas of what type of use would benefit the community. She proposed this rather than making a rash decision to sell the vacant lot, which is also a possibility. Kim stated the County had Marcellus Shale grant funds available (in August) to municipalities for recreational projects, but she's unsure whether it's still available. A grant application was not required to apply for funds; a simple request letter on Borough letterhead was all that was required. The possibility of raising revenue by making the site a parking area was also suggested. Maintenance, long-term planning & liability of the lot is a concern for the community too, because all of that takes time & money. Council will take Kim's proposal into consideration.
  - **Kron Washington** (Ben Washington, LLC) was present to request partial payment on the demolition contract now that the theater site has been cleared. Mr. Gemmill raised the concern about a piece of concrete sticking up near the sidewalk which Kron said will be removed. Compaction tests are being performed on the site; results will be sent to Borough staff & can be shared at the October 4<sup>th</sup> Council meeting.  
Mr. Burkins made a motion to release 75% of the funds now, in the amount of \$168,750 with the balance due once compaction test results are received & the piece of concrete is removed. Ms. Kreiss seconded. All were in favor; motion carried.  
Of note, the bond is still in place for 10% of the contract amount (\$22,500).  
Mayor Kurtz asked how the contract could be changed after it was signed, as the contract required the site to be reseeded after demolition & the contractor was told it was okay to lay stone rather than reseed. Mr. Burkins said it was a misunderstanding, that he believed the contract stated either grass OR stone could be laid in the site. Mrs. Kern read the portion of the contract & confirmed it WAS to be reseeded. Mayor Kurtz agreed stone is probably a better option for the site, but the contract can't just be amended without all of Council's approval.  
Mrs. Kern said there's a paragraph in the contract allowing it to be amended in writing, if agreed upon by both parties. If Council wishes, they can vote to authorize the Solicitor to prepare an amendment to the contract.  
Mrs. Bloom made a motion authorizing the attorney to draft a letter amending the contract from reseeding to stone & to amend the payment terms, allowing the release of 75% of the

contract amount (\$168,750) now. Mrs. Barnette seconded. All were in favor; motion carried. Once the amendment is complete, Mrs. Kern will forward to Borough staff for Mr. Washington's signature/agreement.

- **In addition, also on tonight's agenda for discussion**—there was some minor damage done to the neighboring property (5 S. Main) during demolition. Some dented trim & nail holes were reported in addition to some material left on their roof. Mr. Washington said they weren't aware of any damage, but if found, they will take care of it. The contract states damage will be made known to a Borough representative, not the contractor. When Mr. Burkins & Ms. Kreiss visited the site after demolition & talked to 5 S. Main's owner, he only mentioned the debris on the roof, not any damage. Mayor Kurtz was told of the damage to the siding after that.

Mr. Burkins will walk the site, talk to the property owner at 5 S. Main & remove the debris on the roof, if necessary.

### 3. **General Business**

- **Approval of Meeting Minutes**—Mrs. Bloom made a motion to approve the August 2<sup>nd</sup>, 2021 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- **Approval of Financial Statements**—
  - **General Funds**—Ms. Kreiss made a motion to approve General Fund bills dated August 3<sup>rd</sup> through August 31<sup>st</sup>, 2021 totaling \$14,426.83; Mrs. Bloom seconded. All were in favor; motion carried.
  - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated August 3<sup>rd</sup> through August 31<sup>st</sup>, 2021 totaling \$75,814.09; Mr. Burkins seconded. All were in favor; motion carried.
  - **Water Funds**—Ms. Kreiss made a motion to approve Water Fund bills dated August 3<sup>rd</sup> through August 31<sup>st</sup>, 2021 totaling \$104,790.76; Mrs. Bloom seconded. All were in favor; motion carried.

### 4. **Solicitor's Report**—Beth Kern reported the following:

- Updates on the following Ordinance violations since receiving certified letters:
  - **28 N. Main**—letter was sent regarding vegetative growth. Office staff stated the yard & weeds have been maintained, but the house roof & parts of the porch remain in terrible disrepair. Mr. Burkins made a motion authorizing the Solicitor to send a 2<sup>nd</sup> violation letter noting the dangerous structures. Mrs. Bloom seconded. All were in favor; motion carried.
  - **29 S. Main**—letter sent regarding vegetative growth. Office staff said the weeds have been removed. Stacy will follow-up with another letter, if necessary, regarding the grass.
  - **20 N. Main**—letter sent regarding the unregistered vehicle & vegetative growth. Office staff stated vegetative growth was removed & the unregistered vehicle was placed in an easy-up (tent) on the property. Council tabled action on this until more research is done (whether or not a permit was needed/received for the tent).
  - **41 N. Main**—letter sent regarding vegetative growth & broken attic windows. Office staff stated trees were trimmed & grass mowed. Mrs. Barnette made a motion that a 2<sup>nd</sup> letter be sent as a reminder about the attic windows; Ms. Kreiss seconded. All were in favor; motion carried. The property owner is planning to put the house on the market soon.
  - **21 Ovelton Ave.**—Borough staff obtained Paules Landscaping to mow the yard & cut the weeds. It will soon need to be maintained again, after which, a lien will be placed on the property for all involved costs. Mr. Burkins made a motion to continue sending the violation letters as a follow-up; Mrs. Bloom seconded. All were in favor; motion carried.

- **Wierman's Ovelton Avenue property**—Ms. Almony had reported there are still trailers on the property filled with junked items & covered with tarps. Research to be done on whether or not a follow-up letter is needed for the violations.
- **4 N. Main Street (Klinefelter)**—combustible trash, clothing & other discarded items in the rear yard. Ms. Kreiss made a motion authorizing the Solicitor to send a violation letter to Mr. Klinefelter; Mr. Burkins seconded. Borough staff can send the Nuisance Ordinance violation letter rather than the Solicitor, so the motion was rescinded. Mrs. Bloom then made a motion for Borough staff to send a Nuisance Ordinance violation letter to the property owner; Mrs. Barnette seconded. All were in favor; motion carried.
- **Snowplow contract**—new contract to begin November 1<sup>st</sup>, 2021. Bid specifications have been prepared for Council review & action. Ms. Kreiss made a motion to approve the bid specs & to authorize advertising the contract for bids; Mrs. Bloom seconded. All were in favor; motion carried.
- **Municipal holiday gifts**—Mrs. Kern distributed flyers related to CGA Law Firm's Christmas gift which is a fleece jacket. Council & Borough staff should complete a flyer with their requested size & return the flyer to her.
- **Municipal ballgame** to be held Friday, October 1<sup>st</sup>, 2021 @ 6:30pm at Peoples Bank Park (George Street, York). All Borough staff & Council members are invited to attend.
- **Theater demolition follow-up**—discussed previously, but as reminders:
  - Soil compaction tests—Solicitor suggested Jason Brenneman review the compaction test results & visit the site to ensure proper grading was completed as a final review prior to final release of the contract payment.
  - Damage to adjacent property owner—Solicitor suggested creating a punchlist of items to be addressed before the final release of contract payment. Is it just debris that needs to be removed? Are there nail holes or siding damage that needs repaired? Mr. Burkins & Ms. Kreiss will create a punchlist agreeable to the adjacent property owner to ensure he's satisfied prior to final release of payment. The results of that final site review can be reported at Council's October 4<sup>th</sup> meeting.
- 5. **Engineer's Report**—Jason Brenneman had no report, but the following was discussed:
  - Springwood Avenue stormwater project is on hold until material is received. Jason stated stormwater piping is typically taking 12-16 weeks to receive.
- 6. **Sewer/Water Supervisor Report**—Ira Walker, Jr. presented his report. All expenses have or will be presented to the Authority for approval. In addition:
  - The software for the SCADA computer needs to be upgraded. This will be a Sewer & Water Authority expense; however, prior to the software upgrade, the computer must have Windows 10 installed. Mr. Burkins made a motion to approve the upgrade to Windows 10 for the SCADA computer; Mrs. Bloom seconded. All were in favor; motion carried.
  - All sewer & water employees are doing great & continue to work hard! Ira reported:
    - Vince Catalano has now obtained his Water License (now has Water & Wastewater Licenses).
    - Jonny Perry passed all but 1 subclass for his Water License. Jonny has also taken his Wastewater License exam but hasn't received those results yet.
    - Felicia Markline has passed 1 of the 5 tests for her Water License.
- 7. **Mayor's Report**—no report
- 8. **President/Vice-President Report**—Mr. Gemmill reported the vegetative growth near both 103 Trout Lane & 22 Ecker Avenue that is growing into the right-of-way. Borough staff will obtain pictures & send a violation letter to the property owner.

9. **Treasurer's Report**—Stacy Myers reported:
- A new laptop is needed for the Sewer & Water department as the old one no longer turns on. Sewer & water employees take online courses/exams, so a replacement is needed. The Borough's IT rep said he could get a new laptop for less than \$500. Mr. Burkins made a motion to authorize spending up to \$500 for the laptop; Ms. Kreiss seconded. All were in favor; motion carried.
  - York County Boroughs Association Dinner will be held September 23<sup>rd</sup> at 6:30pm at the Dallastown Borough Office. RSVP's are due by September 20<sup>th</sup>.
  - Former accountant office space (6 N. Main, Ste. B)—two gentlemen are interested in opening a tax preparation business in the space. They're agreeable to signing a 1-year lease at \$650/month + utilities. Consensus of Council is to move forward with the lease.
10. **Other Business**—
- Sidewalk Ordinance revisions/additions have been distributed for Council review. Atty. Sharnetzka is reviewing the information & will draft a letter with his recommendations for Borough Council prior to their October 4<sup>th</sup> meeting.
  - September 18<sup>th</sup>—Patriotic Day with the following taking place:
    - Parade through town beginning @ 10am (participants will gather at HARP field at 9am). Parade route is from Hopewell Area Recreation grounds up Main Street to Eureka Fire Hall.
    - Car show & food trucks will be at Eureka.
    - Borough Yard Sale
11. **Adjournment**—With no further business before Council, Mrs. Barnette made a motion to adjourn the meeting @ 8: 25p.m; Mrs. Bloom seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary