

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Monday, August 2<sup>nd</sup>, 2021**

**Members present**

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

**Others present**

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

**Visitors**

Linda Miller  
John Barnette  
Rudy Kocman  
Taras Vizzi  
Brandy LeBlanc

Felicia Markline  
Sam Gemmill  
Ben Washington  
Janet McElwain

Aaron Manifold  
Jason Roberts  
Kron Washington  
Charlie Wierman

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:
  - **Rudy Kocman (Kocman Insurance)** presented Council with a dividend check in the amount of \$7,291.72 as part of the PSAB (PA State Association of Boroughs) dividend/safety program the Borough is enrolled in. These dividend checks typically come each quarter. Rudy stated that the Borough's workers compensation/property insurance policy for 2021-2022 is in place, but he had a quote for additional cyber liability coverage, as requested last month by Council. For an additional \$500-550 (net) per year, the Borough can get broader coverage & higher protection (for the Borough **and** its customers) through a broker named Cowbell. For this protection through EMC, the Borough currently pays approx. \$1,300/year with a \$500,000 limit; through Cowbell it would cost approx. \$1,800/year for a \$1million limit. EMC's cyber coverage can be canceled should Council decide to go with Cowbell. Mr. Burkins made a motion to authorize Rudy Kocman to obtain the higher cyber liability policy through Cowbell; Mr. Gemmill seconded. All were in favor; motion carried.
  - **Janet McElwain, Mason Dixon Public Library** presented an update on library operations for 2020 & to date in 2021 and to thank Stewartstown Borough for their prior donations. Janet explained that monies from local government, State & County Aid make up 57% of the library's budget. Due to COVID-19, 2020 was a difficult year for many, including the library, which was closed 3 months of the year. They saw 15,000 visitors in 2020 rather than their average 54,000. In 2020, the library requested & was granted a state waiver because their operating hours were less than 50/week & money spent on collection was below 12.5% of total expenses. They will apply for a similar waiver in 2021. Currently, the library is open 32 hrs./week (typically 50 hrs./week) using 3 paid staff members because volunteerism is down. Trying to boost the budget, the library held or is holding fundraisers:
    - July 3<sup>rd</sup>—joint event between Mason Dixon Public Library & Stewartstown American Legion where 18 families participated in the Patriotic decorating contest/fundraiser.
    - August 1<sup>st</sup>—an Open House Garden Party was held where much of the landscaping was redone and a memorial dedication for Reed Anderson was held & a tree was planted in his honor.
    - October 8<sup>th</sup>—Purse Bingo will be held at Kennard Dale High School.

Janet stated Stewartstown Borough's donation was \$2,200 in 2020 & 2021. She asked if 2022's donation could possibly be higher. Council said it would be discussed at budget time.

3. **General Business**

- **Approval of Meeting Minutes**—Ms. Almony made a motion to approve the July 6<sup>th</sup>, 2021 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- **Approval of Financial Statements**
  - **General Funds**—Mrs. Bloom made a motion to approve general fund bills dated July 3<sup>rd</sup> thru August 2<sup>nd</sup>, totaling \$143,159.43; Ms. Almony seconded. All were in favor; motion carried.
  - **Sewer Funds**—Mrs. Bloom made a motion to approve sewer fund bills dated July 3<sup>rd</sup> thru August 2<sup>nd</sup>, totaling \$44,222.23; Mr. Burkins seconded. All were in favor; motion carried.
  - **Water Funds**—Mrs. Bloom made a motion to approve water fund bills dated July 3<sup>rd</sup> thru August 2<sup>nd</sup>, totaling \$45,416.28; Ms. Almony seconded. All were in favor; motion carried.

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

- **Movie theater**
  - One bid was received & opened at Council's July 6<sup>th</sup> meeting from Ben Washington, LLC. The bid award was pending Borough staff researching Mr. Washington's 3 references, which were found to be very satisfactory. Ms. Almony made a motion to award the demolition bid to Ben Washington, LLC in the bid amount of \$225,000. Mrs. Bloom seconded. All were in favor; motion carried.
  - Demolition Funding Agreement between the Borough & the York County Land Bank Authority has been signed & may be adopted by Council, along with Resolution 2021-03 for the intergovernmental cooperation agreement. Mrs. Bloom made a motion to approve the Demolition Funding Agreement & to adopt Resolution 2021-03; Mr. Gemmill seconded. All were in favor; motion carried. Mr. Washington requested to meet with the Borough Engineer & possibly Mr. Wisnom or someone from the Borough's Public Property Committee (Burkins, Almony, Kreiss) to meet with him prior to the date of demolition to discuss the removal/demolition of the marquee & ticket booth. Removing that front portion of the building could compromise the sidewalk's integrity & if not done correctly, could cause the sidewalk to cave in. A date/time for this discussion will be arranged. Once all paperwork, etc. is in place, Mr. Washington will notify Borough staff of his start date.
- **Nuisance Violation letters were mailed to the following:**
  - **Ovelton Avenue, owned by Charles & Linda Wierman (deadline was July 8)**—for abandoned motor vehicles. Craig spoke to Mr. Wierman who said he made progress regarding the vehicles. One has been put inside the garage, the other is to be removed by the Fall. Mr. Wierman was present tonight & disagreed that he told Craig it would be removed so soon. He said he'll be working on it over the next few months in preparation of selling it. Mr. Wierman said the Ordinance states he has two years to remove it. Craig said that pertains to a junked vehicle; his letter was regarding an abandoned vehicle (without current license & registration). Mr. Wierman doesn't believe his vehicle qualifies as abandoned, but rather a junked vehicle (inoperable and not housed in a garage & does not include antique vehicles or those being restored within 2 years or less). Since Mr. Wierman's vehicle does not have the current tags or license, it falls into the abandoned vehicle category.

Mr. Wierman also told Craig he was going to take some of his junked items to auction in October & November. Ms. Almony, a neighbor of the Wierman property doesn't agree with giving Mr. Wierman more time to work on the vehicle, as it's been sitting there so long already. Council can't pick & choose where the Ordinances get enforced. Craig & Mr. Wisnom will continue to make contact with Mr. Wierman for updates & ensure progress is being made.

- **28 N. Main Street, Patricia Shaeffer (deadline is August 5)**—vegetative growth
- **29 S. Main Street, Joseph Daniel (deadline is August 8)**—vegetative growth
- **20 N. Main Street, William & Robin Russell (deadline is August 10)**—storage of motor vehicles & vegetative growth
  - Since the letter was mailed for above violations, the resident's removed their front porch posts & now have lumber propping up the porch roof, creating what appears to be a dangerous structure, with the close proximity to the public sidewalk.  
Ms. Almony made a motion authorizing Atty. Sharnetzka to mail a 2<sup>nd</sup> letter to the Russell's regarding this issue; Mrs. Bloom seconded. All were in favor; motion carried.
- **41 N. Main Street, Mary Ann Sheffer (deadline is August 9)**—vegetative growth
- **21 Ovelton Avenue, Gary Murrow (deadline is August 6)**—vegetative growth

- **Amendments to the Sunshine Law**—new requirements will go into effect August 29<sup>th</sup> & deal mostly with meeting agendas which must be posted on the Borough's website & office door 24 hours in advance of the Borough meeting. Council will be bound by what is on that agenda; however, if an issue is brought up that is not listed on the agenda & if it involves Council action, they can vote on it, but the reason why it wasn't on the agenda must be made known. That agenda must then be posted on the Borough website within 24 hours of the meeting. The Engineer, Solicitor & Water/Sewer Superintendent should make known any item that will require Council action so it can be listed on the meeting agenda.

The amendments were made in an effort of making the public aware of everything Council will consider taking action on. These changes will also pertain to the Sewer & Water Authority meetings, Planning Commission, and any political subdivision of the Borough, including individual committee meetings, i.e., Streets & Roads, Police & Public Safety, etc.

- **Municipal Ballgame**—Friday, October 1<sup>st</sup>, 2021 at 6:30p.m. at People's Bank Stadium (George Street, York). Invitations have been mailed.

5. **Engineer's Report**—Jason Brenneman reported the following:

- **Street work discussion**—bid opening for Free Street, Charles Avenue & Winters Avenue took place on July 2<sup>nd</sup>. At their July meeting, Council discussed the possibility of Hopewell Township working with the Borough to repair Winters Avenue as the township has signed a sales agreement with the property owner at the end of Winters Avenue. Jason spoke to Kinsley Construction (low bidder) who said they were amenable to removing Winters Avenue from the scope of work.

In July, Council tabled the bid award until more details were known & results from the geotechnical analysis for the base repair of Winters. Aaron Manifold from Hopewell Township's Supervisor Board was present tonight & said the township was interested in joining the Borough (performing the work after the Borough purchased materials) for Winters, but due to the amount of street reclamation required in order for the Borough to use liquid fuels money, the township has reconsidered because of expense. Jason explained that, to use liquid fuels, PennDOT requires the street to be milled/grinded, then those millings are mixed with cement in order to get a stronger base. Jason submitted two different alternates for repair that **do not** include Winters:

- **Alternate #1**—includes 2½” of topcoat (Superpave material)—this requires a stronger base, so more cement is required. Total cost of installation & materials is approx. \$160,895.
- **Alternate #2**—includes 1½” of topcoat (Superpave) & 2½” of a binder course (Superpave sub coat)—this doesn’t require as strong of a base, so more paving is required. Total cost of installation & materials is approx. \$188,920.

For the amount of traffic that Winters Avenue sees, some Council members agreed that the extra strength offered by the cement wouldn’t be necessary. As long as Jason feels it would be an adequate job, Aaron stated the Township may consider working with the Borough on Alternate #2 which would not meet PennDOT requirements. The Borough would need to use General Funds if liquid fuels can’t be used.

Regarding Winters Avenue repair, Aaron said because it’s a shorter road, the base coat of asphalt could be laid & two days later, another layer of asphalt/paving could be done. That way, paving could be tied into all driveways & manholes along that area.

Aaron hopes the acquisition of the property at the end of Winters takes place within the next 30 days & wanted to confirm the Township would have access off of Winters & Camelot during road repair. And he would need to confirm with the other Township Supervisors, but he feels they will withdraw the offer to perform work on Winters if the Borough chooses the full-depth reclamation & cement option.

Jason said Winters Avenue had the worst sub-base of the 3 streets per the geotechnical testing samples taken, but if the Township agreed to remove the sub-base, put in 8” of stone followed by 2½” of 25mm Superpave + 1½” of 9mm Superpave topcoat, he thinks that would be a suitable repair for Winters. It’s typically not bid out this way though because of expense due to wage rates & materials.

It’s possible that Liquid Fuels could be used for materials & Aaron can gather a materials list & report back to Council. He stated, if the Borough doesn’t use the cement material & does not meet the PennDOT specifications, essentially a new road must be laid. Aaron stated the cost for Winters, being a relatively short street, shouldn’t be excessive.

Jason said if Winters is taken out of the scope of work (of Free & Charles, to be repaired using Liquid Fuels), he recommends Council going with Alternate #1 as the base is stronger for meeting PennDOT requirements. Jason said Winters is in bad shape, but it would be fine to postpone a full repair until 2022.

Mrs. Bloom made a motion to move forward with Alternate #1 for a cost of \$161,000 (\$116,000 labor + \$45,000 materials) to repair Free Street & Charles Avenue & to postpone repair of Winters Avenue until 2022 and to patch the road, where necessary.

Ms. Almony seconded.

Aaron stated another reason the Township went to a 2-pass system of base & topcoat was they weren’t getting even 10 years’ life out of their roads because the flexibility & the oil content in the asphalt is not as satisfactory as it used to be. He said it may be better to spend the extra \$28,000 now (difference between above proposals) & get a better street. A vote was taken on above motion. Motion carried 5-2 (Gemmill, Wisnom).

Once all paperwork is received & in order, work should get started in September.

- **Storm Sewer Map**—a PDF was forwarded to Council showing all the storm sewer inlets & piping his office was able to visually locate through aerial mapping & site visits. Jason will try to send a larger, more legible version via email.
  - **15 Springwood Avenue storm water repair**—the materials are on order, but a receipt date is unknown right now.
6. **Sewer/Water Supervisor Report**—Ira Walker, Jr. submitted his report. All expenses have or will be presented to the Authority for approval.
  7. **Mayor’s Report**—Mayor Kurtz reported:
    - A couple months ago, an arrest of a homicide suspect was made on W. Pennsylvania Avenue.

Other drugs & items were confiscated & other arrests were made.

- If anyone is interested in reviewing them, Mayor Kurtz has a copy of the Code of Ethics for the Southern Regional Police officers.
- State Senate recently passed the Radar bill (49-1) and the bill is now before the Appropriations Committee. Mayor Kurtz, along with Mayors from the other 3 municipalities served by Southern Regional, signed a letter to send to Stan Saylor (Chairman of Appropriations) urging the Committee to support this bill. Mayor Kurtz also sent a 2<sup>nd</sup> letter to Mr. Saylor from the Borough asking the same.
- Large trucks have been traveling on Broadway, some of which have difficulty making the turn onto Hill Street. Mayor Kurtz thought, at one time, there had been a sign on Broadway that prohibited large trucks but currently there is none. Mr. Gemmill said there was/is one on Hill Street, but he's unsure of Broadway.

Mrs. Bloom had asked PennDOT to install a larger sign on Rt. 851 (Hill Street) prohibiting **all** tractor trailers from coming into town by detouring them onto Sawmill Rd. then to Plank Rd. Aaron Manifold said the Borough can limit any trailer longer than 28 ½' or 102" from coming into the Borough but not trucks under that size. Signs stating those truck size limits are already on Rt. 851, but Mrs. Bloom requested PennDOT install a larger sign to be more visible.

Any signs that Council wants to have installed should have an Ordinance backing them up so they're enforceable.

- Kim Carl spoke to Mayor Kurtz about Marcellus Shale money that is available for recreational projects & she thought of the theater lot, once the theater is demolished. If any Council member is willing to pursue that with Kim, call her.

8. **President/Vice-President Report**—Mr. Wisnom reported:

- Guy Hook wishes to resign from the Sewer & Water Authority due to health reasons. He submitted a text to Mr. Wisnom stating the resignation letter that was created can be signed on his behalf. Mr. Burkins made a motion to accept Guy Hook's resignation; Mr. Gemmill seconded. All were in favor; motion carried.

Mr. Hook has been on Council & the Authority for over 35 years, and we thank him for his service to the community.

- Jason Roberts (1305 Thistlewood Lane) submitted his interest in filling the vacancy to the Sewer & Water Authority. He had previously worked part-time for Red Lion Municipal Authority for 4 years & also has a business background he feels may be helpful. Ms. Almony made a motion to appoint Jason Roberts to the Sewer & Water Authority; Mr. Burkins seconded. All were in favor; motion carried.

9. **Other Business**

- Mrs. Barnette made a motion to give Stacy Myers a pay increase to \$20.00/hr.; Mrs. Bloom seconded. All were in favor; motion carried.
- Ms. Almony distributed the amendments to the Sidewalk Ordinance that the Sidewalk Committee is proposing. Council should review those until the September Council meeting where it will be on the agenda for discussion. She thanked Taras Vizzi (24 S. Main) for the help he gave to the Committee.

10. **Treasurer's Report**—Stacy reported she has a phone conference scheduled for Wed, August 4<sup>th</sup> with the Program Manager of Keystone Communities which is a division of DCED. There is grant money available for blighted properties through Keystone, & the Manager wanted to hear more about the Borough's theater demolition project.

11. **Adjournment**—Mr. Burkins made a motion to adjourn the meeting @ 8:54p.m., Mrs. Bloom seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary