

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Monday, July 3<sup>rd</sup>, 2023**

**Members Present**

Pam Almony  
Donna Bloom  
Polly Kreiss (arrived @ 7:10pm)  
Kimberly Carl  
Roy Burkins  
Bill Gemmill  
Dave Elwell

**Others present**

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

**Visitors**

Jason Roberts  
Peggy & Mark Raulie  
Stephanie Thompson

Linda Miller  
Paul & Louise Rosowsky  
Connie Linzey

Lona Full  
Erica Rearich  
Doug Plasterer

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.

2. **Public Comment/Visitors**

- Jason Roberts, Planning Commission Chairman, addressed Council:
  - PC members are currently reviewing some of the more pertinent Borough Ordinances that need to be updated. The first on the list is the Nuisance Ordinance, but if there are others Council wants the Commission to review, let Jason know.  
In light of the Bailey Hotel Suites being built, Mrs. Carl suggested the Commission review Ordinances in other municipalities that have hotels in order to create some type of protocol, rules, etc. for this type of business. Atty. Sharnetzka said, since the Land Development Plan has already been approved & since the hotel is a permitted use, it's too late to create an Ordinance regulating it now. Atty. Sharnetzka & Jason Brenneman agreed though, both the Borough's Zoning Ordinance & SALDO (Subdivision & Land Development Ordinance) could use updating. Craig said there may be grants available to do so. All revisions will be brought before Council for final approval & action.
  - At the recent Planning Commission meeting, several residents mentioned they had no knowledge of that meeting, nor the scheduled Zoning Hearing regarding Bailey Hotel's Variance request (for a residential use in the Commercial Zone, to become apartments). Jason wondered if the Borough's Code Red notification system could be used to notify residents of such meetings. He spoke to Borough staff, who said it's possible to use it for hot topics, such as this case. Ms. Almony said she prefers to keep Code Red notifications for emergency situations i.e., snow emergencies, water/sewer emergencies, etc. All such meetings are advertised as necessary & the Borough does everything they're required regarding notifications of meetings. The use of Code Red could be reviewed on a case-by-case basis, to which Jason agreed is a good idea.
  - Jason also gave kudos to Southern Regional Police for being present during the recent Planning Commission meeting & the scheduled Zoning Hearing (postponed). It was greatly appreciated!
- Connie Linzey, 55 Kings Way was present to ask the process of appealing a denial of a building permit by the Borough's Zoning Officer. She applied for a permit for a new deck, as her contractor was tearing her old one down & building a new one in the exact space as the old. She stated the permit was approved & issued, but then the ZO said it was not approved & referenced a building code that neither Connie's contractor nor architect could find. She said

no explanation of the code, or the denial was given. Stacy Myers stated, although she isn't the one who handles permits, she did know Connie's permit was erroneously given to her contractor. So, it was **issued** but it hadn't been **approved** by the ZO. The ZO didn't sign off on it because of the code that is outlined in the 2018 IRC (International Residential Code). Stacy also said, those townhomes predate the Borough's Zoning Ordinance, so if any structure (such as the deck) is removed/tore down, it must adhere to the current code specifications when being rebuilt.

Atty. Sharnetzka said the ZO is on vacation, but when he returns, he'll speak to him regarding this issue & try to get more information. He told Connie, if she wishes to appeal a Zoning Code Official's decision, she can do so through the Uniform Construction Code Board of Appeals (through YCPC), but once Craig talks to the ZO this week, he'll get back to Connie.

### 3. **General Business**

- **Approval of Meeting Minutes**

- Mrs. Bloom made a motion to approve the June 5<sup>th</sup>, 2023 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- Mrs. Bloom made a motion to approve the June 16<sup>th</sup>, 2023 Special Meeting Minutes regarding HARP's July 1<sup>st</sup> Fireworks; 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 June 2<sup>nd</sup> thru June 30<sup>th</sup>, 2023, totaling \$18,189.57; Mr. Elwell seconded. All were in favor; motion carried.
- **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated June 2<sup>nd</sup> thru June 30<sup>th</sup>, 2023, totaling \$48,133.80; Mr. Burkins seconded. All were in favor; motion carried.
- **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated June 2<sup>nd</sup> thru June 30<sup>th</sup>, 2023, totaling \$67,476.30; Mr. Burkins seconded. All were in favor; motion carried.

### 4. **Engineer's Report**—Jason Brenneman reported:

- **56/58 S. Main Street**—PENNDOT permit to replace the storm sewer line has been approved.

Three phone quotes were received:

- **Springfield Contractors**--\$19,391
- **Clearview Excavating**--\$19,800
- **Fitz & Smith**--\$20,800

While all 3 quotes fall under the bidding threshold, they do fall within the 3 written/telephone quote requirement. Borough staff has a lot of experience working with Clearview Excavating & has worked with Springfield in the past, with no problems or issues.

Mrs. Bloom made a motion to approve the contractor that Jason Brenneman thinks best.

Jason noted Borough staff will provide flagging & that has been included in all 3 quotes. Ira said he's worked with all 3 contractors, most recently Clearview.

Ms. Almony made a motion to approve Springfield Contractors' quote of \$19,391 for this storm sewer repair; Mrs. Carl seconded. All were in favor; motion carried.

- **Streets/Traffic Study**

- As discussed last month, Jason researched traffic study costs. Brian Sweitzer (Shrewsbury) said he can conduct the traffic study, depending on traffic signage. TRG gave a price of \$1,500 for signage + \$600 for the traffic count, if needed; it just depends on the signage.
- Mid-block (unsignalized) crosswalks—Jason provided some information from PENNDOT & TRG. Minimum requirements needed for a midblock crosswalk are, on average, 80 or more crossings during any one hour or 40 or more during any 4-hr

period. If there is a high number of children, elderly or disabled pedestrians, the requirement could be reduced by 50%. Crossing Main Street at the post office was one area where a midblock crosswalk was suggested, but it's unknown whether the minimum requirements would be reached in that location. Everything in that area would need to be brought up to ADA specifications also. The area at Bonkey's Ice Cream was also suggested, but that's a 4-way crossing, not a mid-block. A crosswalk had been painted there years ago but is now faded & TRG frowns upon painted crosswalks because it gives pedestrians a false sense of security that vehicles will stop as they cross the street. Council decided to hold off on making any decisions regarding this right now.

- **Mill Street Railroad Crossing**—Jason, Pam Almony, Bill Gemmil & Roy Burkins met with the PUC, Hopewell Township & Shrewsbury Township reps, PENNDOT & the Railroad to discuss the Rt. 851 & Mill Street crossings. The PUC had no recommendations for the Rt. 851 crossing but stated the Mill Street crossing had to be fixed. The PUC stated the Railroad is responsible for 2' on either side of the outer rail inwards & everything in between that area and gave them until October 2023 to make the repair. If not completed by October, an effort showing the repair/replacement is moving forward must be in place. There are no standards for fixing it; it just needs to be smooth & passable, so they could mill it, pave it, make it smooth, but that may only last a year or two until another repair would be needed. Because of costs, the Railroad wasn't in favor of Jason's suggestion to properly repair the underlying base, not just a surface repair. The Borough also has will have costs involved with repairing Mill Street (from 851 to the railroad) where a large area has settled, in addition to repairing/replacing drainpipe & inlets of the catch basins in that area. John Nolan (Stewartstown Railroad) had contacted Marsteller Paving to get a quote for the minimum repair they want to do. Ms. Almony & Council believe the underlying base should be repaired so this issue doesn't come up again in a couple years. Jason suggested that maybe an agreement can be created that the Borough is willing to repair the pipes & inlets with the condition that the Railroad repair the crossing to a total depth repair. If a base repair is done, the ties & rails could be in bad shape too & need to be replaced. The PUC stated, if this becomes a formal complaint (& the RR doesn't fix it), the PUC has the right to say what is required. That will involve more money, legal fees, etc. It was suggested that the Borough use the American Rescue Act funds for the complete repair (transportation infrastructure), then allow the Railroad to reimburse the Borough over time. After more discussion, Mr. Burkins made a motion authorizing Jason Brenneman to meet with contractors in order to obtain quotes on full depth repair; Mr. Elwell seconded. All were in favor; motion carried. Jason will also contact John Nolan to meet with him and Marsteller onsite.

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

- **Ilyes' Proposed Text Amendment to Zoning Ordinance**—red-lined versions of the text amendments have gone back & forth between Craig & Jordan's attorney. Jason has also been reviewing & adding to the comments, so they have the language worked out that he & Craig both recommend. If Jordan's development moves forward, does Council want to make the following stipulations:
  - He would need to fix the Mill Street railroad crossing or make a contribution, should the Borough make the repair, as his development will impact that crossing.
  - If Bronson Avenue is used for either ingress or egress, he would agree to widen it to Borough's standards.
  - He would agree to make any improvements to the intersection at Rt. 851/Mill Street, based on outcome of an impact study.

Craig suggested the Developer's Agreement require the developer to conduct the Mill Street crossing repair & Bronson Avenue widening, at the very minimum because the Borough is

under no legal obligation to do the text amendments to the ZO in order for Jordan's project to move forward.

Mr. Burkins made a motion authorizing Atty. Sharnetzka to move forward with the text amendments noted above as part of the Developer's Agreement; Ms. Almony seconded. All were in favor; motion carried.

6. **President/Vice-President's Report**—Ms. Almony reported Borough staff, along with Shrewsbury Borough staff, plans to begin installing the "25mph" road stickers this Thursday, July 6<sup>th</sup>. One of the locations was to be College Avenue; however, the speed limit is 35mph there. As no other location was designated, that sticker will be kept in storage.
7. **Treasurer's Report**—Stacy Myers reported:
  - Dorn Electric submitted 4 separate invoices involving removal & replacement of old wiring for the Christmas lights. Clarification on the invoices & a timeframe for this work will be sought from Ferd Dorn until the August meeting.
  - The tenants in Apt. D moved out in mid-June. Their final utility bills have been paid & their security deposit returned. A friend of theirs is very interested in renting the apartment & has been given a copy of the lease for review. A few Council members believe a rent increase should be considered, but any signed lease will come before Council for final approval & that can be discussed then.
8. **Sewer & Water Supervisor's Report**—Ira Walker, Jr. reported the new items for this month. All expenses will be voted on by the Sewer & Water Authority.
9. **Mayor/Police Report**—Mayor Brittany Barnette reported:

**Mayor's Report:**

- Stewartstown Baptist youth conducted a "Town Changers" program, where a group got together & visited residents who needed help with household chores; i.e., pulling weeds, cleaning garages, small repairs, etc. They also went to the Senior Center to serve lunch & play games with the senior citizens. The youth are hoping to make this a yearly event.
- Westminster Place held a recent quilt dedication. During COVID, residents sewed masks for the residents & had several left over which were made into two quilts. They dedicated the quilts to those who had COVID, those who lost someone due to COVID & those who survived COVID. It was a beautiful ceremony!

**Police Report:**

- A new officer has been hired. He recently graduated from MOPAC training & is on staff. SRPD is now fully staffed, which is great!
- SRPD, as well as other departments, assisted in a recent Springettsbury Township incident where the suspect tried to carjack a vehicle, shooting the female driver. The suspect surrendered when his gun jammed.
- Glen Rock Borough Council agreed to the following items in the original offer:
  - They will have a non-member status.
  - 7-year commitment at \$300,000/year (that's their cap).
  - No seat on the Police Commission.
  - Will not receive rebates.
  - Will have no long-term costs or shared assets.

The following are the items that have changed:

- A 1½% increase per year. GR's counteroffer was to NOT set a percentage, but have it increase with the annual percentage, and give GR a 20% discount. Average annual increase is around 4.33%, so GR would get a 20% discount off that; however, their increase will always be capped at 5%.
- Initial proposal was for a 12.5% premium over the hourly rate that we pay (how many hours a municipality gets for their money). This rate changed from 12.5% to 10%.

- Glen Rock Council met & the above proposals were given and were passed with a 5-2 vote. Mayor Barnette stated everyone was happy to reach this agreement & this way, we're not losing Glen Rock from the contract.
  - Disruptive Conduct Ordinance—Glen Rock passed this Ordinance which is geared toward renters & is in agreement with Southern Regional Police. If the Police are called to a rental property for an issue, a Disruptive Conduct form is filled out and filed with SRPD & Glen Rock Borough. If the Police are called to the same address 3 times & 3 reports are filed, it gives the Borough the option (not a guarantee) to evict the tenant(s).  
Atty. Sharnetzka believes the way this is enforced is through a renter's license, which involves rental inspections & some other restrictions involving rental properties. The municipality can't tell a property owner to evict their tenant. They could pull their license or fine them, so this ordinance would need to be tied to a renter's license.  
Ms. Almony urged Council to review this before the August Council meeting where more discussion will be held.
  - Ms. Almony thanked Mrs. Bloom, Mr. Burkins & Mayor Barnette for all their time & hard work put into Commission & Committee meetings in order to get Glen Rock's contract resolved.  
Mrs. Bloom also gave kudos to Brian Sweitzer, Mayor Sharkey & Buck Buchanan, who put in many long hours as well.
10. **Adjournment**—With no further business before Council, Mr. Burkins made a motion to adjourn @ 8:44pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary