

Stewartstown Borough Council Meeting Minutes
Monday, July 1st, 2024

Members present

Pam Almony
Donna Bloom
Kimberly Carl
Roy Burkins
Dave Elwell
Jason Roberts
Joshua Butler

Others present

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

Visitors

Linda Miller
Katie Wolohan
Kurt Blake

Paul & Louise Roscosky
Kimberly Mooney
Steve Hebel

Nathan Filak
Brendan Hershey

1. The meeting was called to order @ 7:00pm followed by the pledge to the flag.
2. **General Business**
 - **Approval of Meeting Minutes**—Mr. Elwell made a motion to approve the June 3rd, 2024 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 31st thru June 28th, 2024, totaling \$43,757.14. Mr. Elwell seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated May 31st thru June 28th, 2024, totaling \$57,314.14. Mr. Burkins seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated May 31st thru June 28th, 2024, totaling \$93,288.50. Mr. Burkins seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**
 - Katie Wolohan from Caliber Collision was present to discuss the parking spaces along their building that, when parked full, extends into the Free Street right of way. A survey was recently conducted by James R. Holley’s office & property pins inserted noting the ROW, after which, the Borough sent a letter to Caliber stating parking in the ROW is prohibited. Jason, Ira & Kevin Ross (Ross Contracting) recently visited the property, as the Borough contracted Ross to paint a 375’ yellow line delineating the ROW, but while there, they spoke to Katie. She took over the property in December 2023 & has tried to accommodate Free Street’s width by not parking in those spaces; however, parking is limited at that property & occasionally they use some of Gordon’s spaces for their overflow. Recently, a trash truck couldn’t navigate through the area because of those parked cars which Katie stated, sometimes happens before their shop opens. Katie has had discussions with her technicians about not using the spaces along Free Street, or if used, only by motorcycles or small cars. She has also contacted her corporate office, who seems amenable to installing “No Parking” signs in that area, along with hatched parking spaces to prohibit parking.
 - Kimberly Mooney, 34 N. Main Street, was present to question the revised Nuisance Ordinance that includes height restrictions for certain “vegetation”. She asked for clarification on “vegetation”. Mr. Butler read the specifics from the Ordinance in order to clarify the vegetation it refers to, which is listed as various types of noxious weeds & grasses. It does NOT prohibit decorative flowers, bushes, gardens, etc.
 - Brandon Hershey, Steve Hebel & Kurt Blake were present to discuss the vacant theater lot, owned by the Borough. They own/operate Stewartstown Square & Stewartstown Realty, so they have a vested interest in the Borough & have already invested their time & money for the town’s improvement. They asked the Borough’s plans for the lot, as they may have ideas for it, some of which were purchasing it

to use as green space, signage (walking patterns to area businesses, Rail Trail, etc.), a “Welcome to Stewartstown” sign with a fountain, Veterans memorial, etc. In order to monetize it & make it somewhat profitable for them, they also discussed a painted storage container to the rear of the lot. It would be a type of shipping container with 10-15 storage units inside, while the outside is painted to look attractive. Council said the main issue with the lot is PENNDOT’s restrictions to make any type of parking lot with an entrance/exit because of its proximity to the square. Jason Brenneman aid, the first requirement (because of the change of use) would be to submit a Land Development Plan, part of which (because it’s on a state highway) is to get PENNDOT approval. Once the application is complete, PENNDOT may or may not approve the use. Since Brandon is proposing storage units with minimum traffic, PENNDOT may approve it as a minor use, but it would be up to him to submit & pay those involved costs. If the storage use gets denied, Brandon said they could revisit the green space idea or something else for the town.

4. **Engineer’s Report**—Jason Brenneman reported:

- **Street Work**

- **Free Street**—adding onto Katie Wolohan’s report regarding Free Street’s ROW, Jason emailed a picture to Council which shows a white dot (an old pin). The actual right-of-way is approx. 5’ to the left of that pin, but that pin was not found. That ROW line would go through the middle of Caliber’s existing parking spaces, so all their parking would be lost. Jason & Ira suggested moving the white line over to the freshly seal-coated line, making Free Street the same width the whole way. Katie had agreed with this, as Caliber is doing their best to work with the Borough on this issue. When they purchased the property, the corner of the existing building was built over the existing ROW line. (Of note, Borough staff found a permit **was** issued for that building).

After more thought, Jason believes a white line painted across parking spaces may be confusing. He believes a better solution would be to begin the white line at the end of the last Caliber parking space, continuing up Free Street, and ending with hatched markings. This would cut the painted line required by Ross Contracting into a third of what was previously approved by Council. Officially, the ROW is still what it is, which should be known. An agreement could be created between the Borough & Caliber Collision, so the actual right-of-way is known.

Mrs. Bloom made a motion to reapprove the Free Street line painting with the newly proposed design and to authorize Atty. Sharnetzka to draft an agreement between the two parties; Mr. Burkins seconded. All were in favor; motion carried.

Katie stated again that she will continue to accommodate the ROW by only parking smaller vehicles and/or motorcycles in those spaces along Caliber’s building.

- **George Street**—Kinsley began working on the handicapped ramps & sidewalk in that area last week. Paving is to start next week & will consist of a full-depth reclamation before paving. Since the George Street townhome developer is required to install sidewalks, Jason had talked to him about tying into this work. The developer agreed to prep, grade & stone the area, but not to form the sidewalks. Kinsley agreed to do that work at the below cost.

Mr. Burkins made a motion to approve the Change Order price of \$13.20/sq. ft. of sidewalk installed with an estimated cost of \$3,300. Ms. Almony seconded. All were in favor; motion carried. (Actual price to be determined with actual quantity of sidewalk installed).

- **Laurel/Locust Street low point**—Kinsley agreed to look at this area & give a price to conduct this work while they’re in town completing George Street. The low area of the street will be milled & paved for an estimate of \$5,000 (\$2,500 paving + \$2,500 material) plus an estimate of \$1,500 for milling, although Jason said the milling cost could come in lower. Kinsley held their original line-item cost for the materials & paving installation, so the only additional cost is the milling & reprofiling of the street.

Ms. Almony made a motion to approve the Change Order for the milling cost of \$7.00/sq. yd. with a total estimate of \$1,330. (Actual price to be determined with actual quantity of sidewalk installed). Mr. Burkins seconded. All were in favor; motion carried.

- **Storm Inlet/Pipe Inspection Proposal**—Jason’s office continues to work on inlet inspections.

5. **Solicitor’s Report**—Atty. Sharnetzka reported:

- **Management Agreement**—per the Auditor’s request, this agreement was drafted by the Authority Solicitor between the Authority & the Borough. Craig reviewed it, made some revisions & the clean version has been signed by the Authority Chairman.
Mr. Burkins made a motion to approve the Agreement & to authorize Council President Almony to sign it. Mr. Butler seconded it. All were in favor; motion carried.
- **Corrective Deeds/Recreational Use of Property**—per DCNR, corrective deeds with the language they require were necessary for the 3 properties the Borough owns & that were funded with the recent grant money. The language restricts these sites to be used for anything other than recreational use.
Mr. Burkins made a motion to authorize Council President Almony to sign the deeds; Mrs. Carl seconded. All were in favor; motion carried.
- **Snowplow/Ice Removal Bid Specifications**—As the current contractor didn’t wish to renew their contract, Craig’s office reviewed it for bidding now (for a bid opening in September). Mirroring Shrewsbury Borough’s snowplow contract, he revised ours which makes it clearer & more concise. Mr. Elwell suggested revising the contract from requiring an 11’ snowplow blade to an 8’ blade maximum. Mrs. Bloom made a motion to authorize the advertisement for bids of the Snowplow/Ice Removal Contract with the revision of blade size, for a bid opening at the September 3rd, 2024 meeting. Mr. Butler seconded. All were in favor; motion carried.
- **Fee Resolutions**
 - Ms. Almony made a motion to adopt **Resolution 2024-04**, amending Resolution 2019-09 to update the Recreation Fees from \$2,500 to \$3,200; Mrs. Bloom seconded. All were in favor; motion carried.
 - Ms. Almony made a motion to adopt **Resolution 2024-05**, revising the Schedule of Attorney’s Fees & Costs relating to the Collection of Delinquent Accounts from 2007. Mr. Burkins seconded. All were in favor; motion carried.

6. **Sewer & Water Supervisor Report**—Ira Walker, Jr. presented his report. All expenses will go before the Sewer & Water Authority for action.

7. **President/Vice-President’s Report**

- **Barricading the theater lot**—discussion was held on temporary concrete barriers of some type to prohibit parking on the lot. Ira mentioned the lot is a good spot for the Fire Company to park a ladder truck in the event of a fire in the square or nearby, where such equipment would be necessary. Atty. Sharnetzka suggested waiting to see what ideas Stewartstown Square comes back with for the lot before doing anything at that site.
- **Borough Office/Ira’s office ceiling repair**—Case Construction submitted a proposal of \$8,124.14 for the repair of the plaster & wood lathe hard ceiling above the suspended ceiling in Ira’s office, after a portion of the plaster fell down weeks ago. Mr. Burkins also asked for a price to update the light fixtures to LED in the office, which is an alternate proposal of \$980.80.
Ms. Almony made a motion to accept Case Construction’s proposal of \$8,124.14 for ceiling repair; Mrs. Bloom seconded.
Ms. Almony amended her motion to include the \$980.80 proposal for the light fixture upgrade; Mr. Butler seconded. All were in favor; motion carried.
After more discussion, Mr. Burkins & Mr. Butler agreed to investigate the area above the meeting room’s drop ceiling for water/structural damage.

8. **Treasurer’s Report**—Stacy Myers submitted the following Fire Police request:

- Ms. Almony made a motion to approve Springfield Township’s Fire Police request for their 4th of July BLAST. Mrs. Bloom seconded. All were in favor; motion carried.

9. **Mayor/Police Report**—Mayor Barnette reported:
- April & May car thefts were reported. SRPD responded to a car theft on May 1st. Suspect refused to comply with officers attempting to take him into custody. He reached for something out of the officer's sight; shots were fired with no injuries. Suspect fled, but wrecked the vehicle and the officer's apprehended him. This was turned over to PSP (because of shots fired). Ultimately, two suspects were taken into custody, and between SRPD, PSP & Maryland authorities, the entire ring of car thieves were apprehended.
 - Southern Regional Police Commission Meeting will be held in Shrewsbury this Wed, July 3rd.
 - Eureka Firemen's Carnival will run from July 15th to July 20th (Fireworks on Thurs, July 18th; Parade on Sat, July 20th @ 4:30pm) Come out & support our volunteers!
 - Officer Saylor's daughter, Kaeley was recently hit by a car. Mayor will check with SRPD to see if anything additional is needed by the family.
10. **Committee Discussion/Other Business**—Mr. Roberts stated he received a complaint from a resident who said her statement at the Zoning Hearing (regarding the Bailey Suites) wasn't documented correctly. Atty. Sharnetzka said it was, most likely, in the opinion given by the Zoning Hearing Board Solicitor. So, it probably was not intentional, but it sometimes occurs when there are many visitors, comments, etc.
11. **Executive Session**—Mrs. Bloom made a motion to recess to Executive Session @ 8:37pm to discuss a personnel issue; Mr. Butler seconded. All were in favor; motion carried.
Mr. Roberts made a motion to reconvene @ 9:47pm; Mr. Butler seconded. All were in favor; motion carried. No decisions were made.
12. **Adjournment**—With no further business before Council, Mr. Roberts made a motion to adjourn @ 9:47pm
Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary