

Stewartstown Borough Council
Meeting Minutes
Monday, June 6th, 2022

Members present

Pam Almony
Donna Bloom
Polly Kreiss
Kimberly Carl
Roy Burkins
Bill Gemmill
David Elwell

Others present

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

Visitors

Jason Roberts
John Barnette
Mike Sharkey
Ken Anderson

Linda Miller
Kim Butcher
Taras Vizzi
Ryan McKinley

Thomas Casteel
Erica Rearich
Mark Knaub
John Nolan

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.
2. **Visitors/Public Comment**—the following were present to address Council:
 - **Mark Knaub** is Deputy Chief & Operations Manager of the York County division of the Advanced Life Support Team, which is stationed at Eureka Fire Company. The ALS team works alongside the EMT's of Eureka Ambulance on any call deemed "life threatening" or requiring immediate intervention. The paramedics of the ALS team essentially "bring the emergency room to a person's home", as they have more equipment and medications than a typical ambulance. They have the ability to analyze heart rhythms of an EKG machine & transmit them to the hospital where they can be reviewed by doctors, after which critical interventions can begin before the patient is even transported. With the current contract, ALS services have been brought closer to Borough residents. The ALS unit is stationed at Eureka from 7am-7pm daily. During the other times, the unit would come from another area such as Red Lion, New Freedom, Maryland, etc. When a 911 call comes in, the dispatcher will find the closest unit available to respond.
 - **John Nolan** was present to discuss repair of the RR crossing on Mill Street. John has a good relationship with Friends of the Stewartstown Railroad & helps to solve problems that the railroad has with the community, roads, tracks, etc. John wants to implement the repair of the Mill Street tracks & road area with the help of the Borough. He reminded Council that the railroad is all volunteer & all monies raised come from donations & train rides. The railroad just recently completed repair of the Rt. 851 crossing with the help of PENNDOT, who coordinated the road closure & provided signage while the railroad hired the paving contractor & paid for materials. PENNDOT saved the railroad approx. \$15,000 by providing the signage & coordinating the detour. John suggested an onsite meeting with the Borough's Streets & Roads Committee to review the condition of the road near the Mill Street crossing in order to blend the existing pavement & do a nice repair. The railroad is responsible for 2' outside the rails, but since there are two sets of tracks on Mill Street, John stated the railroad would cover the cost of repair in between the two sets of tracks as well as 2' outside both sets. Mr. Burkins stated there is a stormwater pipe on the Rt. 851 side which may be in the 2' of paving area, but this is something that needs to be researched prior to the repair. The driveway at Gordon's Body Shop will also be considered since the railroad's pavement area goes between those gates.

On the Rt. 851 railroad crossing repair, John said 2" of asphalt was milled off the top & replaced with new compacted asphalt, but he's concerned that milling only 2" off Mill Street will be enough because of the condition of the road. If the milling worked, that's fine, but another solution would be to remove all the asphalt, everything except the rails & the ties. The condition of the rails/ties is unknown until it's dug up as they could be corroded. John said if the ties need to be replaced, the cost is approx. \$80-\$100/each & 40-50 ties are needed for the Mill Street crossing. A test pour will be done prior to any work to determine what type of repair is necessary.

Two other solutions, although very costly, is either a molded or precast concrete form set into the area or using a rubber product (Omega) requiring all new ties to be installed. Mr. Gemmill had information on the Omega product and, although costly, he suggests the Borough find a repair/solution that would last because this crossing has been a problem for years. Mr. Gemmill suggested Borough staff use their equipment to complete some of the repair. Hopewell Township could possibly assist with that work.

John said he & railroad volunteers can take the track apart & prepare the crossing for paving. A meeting between John, Mr. Gemmill & the Streets & Road Committee was scheduled for Saturday, June 10th @ 9:30am to discuss the work involved with the repair.

Mrs. Carl invited John to the June meeting of the Economic Development Committee to possibly brainstorm ideas on creating a Rail Trail community in Stewartstown, related funding, grant opportunities, etc.

John stated the railroad itself is a "for profit" company but the Friends of the Stewartstown Railroad are the non-profit recipients of donations & grants which enables them to purchase ties & other pieces of equipment for the railroad. He said it can be difficult to obtain grants because a grant writer is necessary in addition to not having the matching funds which then disqualifies the railroad for grant monies.

John left his contact information for Council to reach him with any questions, concerns, etc.

- **Mike Sharkey**, Mayor of Shrewsbury Borough was present to discuss amendments to the IGA (Intergovernmental Agreement) which has representation from each municipality served by Southern Regional Police Department. Two weeks ago, the Police Commission unanimously recommended sending all municipalities an updated draft of the IGA. Those amendments are as follows:
 - Member withdraw
 - Amendment extends the amount of notice from the current 14-15 months to 28 months. It also includes specified dates for a notice of a meeting & a notice of withdrawal.
 - The withdrawing member would forfeit any value related to assets
 - The withdrawing member would pay an exit fee that would be ½ of their annual cost, paid over 5 years on a declining basis
 - If a member would withdraw then rescind their withdrawal, in order to be accepted back in, it would trigger a 5-year lock-in where they would be unable to withdraw again.
 - Allocation of costs
 - Whether a cost-allocation percentage of how the members share the cost currently would now be based on the total hours of demand activity as opposed to the current method of number of incidents (PPU method). Routine patrol is not included as "demand of activity".
 - A formula of a 3-year rolling average is used in the current agreement that was questioned as to how it was calculated. The new agreement would clarify that the 3-year rolling average begins as of the 1st full week of July, 3 years back & is recalculated every year.

- The allocation of cost percentage must be provided annually by the September meeting.
- Individual highlights
 - The draft budget must be provided by the September Police Commission meeting. (currently, September 30th)
 - Any assets can only be appraised, divided, or credited if the Commission were to dissolve as opposed to when a member withdraws (as stated before, if a member withdraws, they forfeit any assets).
- Point of Contact
 - The Mayor and/or appointed representative be the primary point of contact between the municipality, the Police Chief & the Commission.
 - The Mayor would be preferred as the primary representative for any member/municipality that is a Borough.
- Contracting municipalities would pay more than full members, on an hourly basis unless some form of approval is given by the Police Commission.
- Miscellaneous
 - Memorializing that there is no limit for single incident (currently in place)
 - To allow for a Vice-Secretary/Treasurer
 - Updates to the Sunshine Act

On May 9th—Mayor Sharkey attended New Freedom Borough’s Council meeting to get their feedback. NFB had several questions/concerns (to be submitted to all municipalities in writing by Mayor Sharkey). NFB took action to draft an Ordinance to accept the new Agreement, contingent on all other members’ agreeing.

On May 11th—Mayor Sharkey attended Shrewsbury Borough’s Council meeting. SB had a few questions (to be submitted to all municipalities in writing by Mayor Sharkey).SB took action to draft an Ordinance to accept the new Agreement, contingent on all other members’ agreeing.

On May 18th—Mayor Sharkey attended Glen Rock Borough’s Council meeting, One of GRB’s Council members stated there is no current mechanism for them to control costs. They are also opposed to the idea of a long-term termination. GRB decided to push further discussion to their Public Safety Committee, as their biggest concern is cost. GRB is on hold right now & made no action to draft an Ordinance regarding the amended IGA Agreement. Mayor Sharkey is requesting Stewartstown Borough Council review the amended Agreement & take the same action as Shrewsbury & New Freedom Boroughs.

At the June 1st Police Commission Meeting, the Finance Committee recommended to **not** exclude the 500-hour limit but to keep that in place. A lot of discussion was held also on Glen Rock becoming a contract customer because, although they’re greatly satisfied with the Police services, they’re looking at ways to cut costs.

Other questions/comments:

- 1) Mr. Gemmill, who served on the Police Commission in the past, stated Glen Rock Borough has had the same story over & over. If they can’t afford it, that’s fine, but he doesn’t feel the cost responsibility should fall on the other municipalities as it has for years. He’s agreeable to Glen Rock buying hours, should they decide to do so.
- 2) Mrs. Bloom stated if Glen Rock is allowed to buy hours or maintain as an associate member, the remaining costs will need to be divided by the other municipalities. Mayor Sharkey agreed, stating the current membership (of 4 municipalities) is “right-sized” in order to have two Police officers on 24/7 and if there was not funding to remain at this same level, the municipalities will all lose coverage to some degree.
- 3) Reporting on preliminary numbers from the past 3 years, Mayor Sharkey said it appears there’s a potential for Glen Rock’s hours to increase, based on the current

incident base share percentage to the demand activity percentage (according to the number of incidents).

- 4) Mrs. Carl asked if Mayor Sharkey is prepared to make staffing changes if Glen Rock bows out of the contract or to salvage the existing Police Department for the existing (remaining) members? *Mayor Sharkey said that would be a decision left up to Shrewsbury, New Freedom & Stewartstown, but he believes it would be difficult to keep two officers on 24/7 if Glen Rock left. He said it appears as if GRB is considering locking in at a 5 or 6-year commitment around \$300,000-350,000/year which would provide financial security for a while, but if all members were allowed to do that, it wouldn't be a good situation.*
- 5) Mrs. Carl asked what percentage of hours is spent on requests from other municipalities who may not have their own Police Department but relies on State Police? *Mayor Sharkey said there's a monthly report distributed by the Chief that records that, listed as "out of jurisdiction" and is a mutual aid situation.*

June 7th—IGA Committee meets again at Shrewsbury Borough Office @ 7pm.

June 21st—Police Commission to meet at New Freedom Borough @ 6pm prior to the Council meeting @ 7pm.

Mayor Sharkey will have a compilation of the questions/concerns from the other municipalities after the June 21st meeting. Mr. Sharnetzka had a few questions regarding a couple sections of the SRPD amended Agreement.

- 1) We've had issues in the past with withdrawing members providing notice of withdrawal & then not going through with it. A 5-year lock-in is a little steep, in his opinion.
- 2) Allocation of costs and going to "demand activity" from PPU's—the demand activity is a calculation based on a 3-year average of hours of service multiplied by the minimum required hours. Page 10 amends that to read "the minimum number of hours to be purchased by each Member Municipality shall be established every **year & provided by the Chief**". Mayor Sharkey said this would be based on a municipality's activity in the previous 3 years (based on reports).
The difference between the PPU system & the demand activity concept is that it's based on actual hours & not incidents which seems to be fairer in Atty. Sharnetzka's opinion.

Mr. Sharnetzka will reach out to Attorney Peter Ruth (who drafted the amended Agreement) with further questions, if any. Council thanked Mayor Sharkey for attending tonight's meeting.

3. **General Business**

- **Approval of Meeting Minutes**—Mr. Gemmill made a motion to approve the May 2nd, 2022 Meeting Minutes; Mrs. Bloom seconded. All were in favor; motion carried.
- **Approval of Financial Statements**
 - **General Fund**—Mr. Gemmill made a motion to approve General Fund bills dated April 28th thru June 1st, 2022, totaling \$31,126.22; Ms. Kreiss seconded. All were in favor; motion carried.
 - **Water Fund**—Mrs. Bloom made a motion to approve Water Fund bills dated April 28th thru June 1st, 2022, totaling \$52,098.09; Ms. Kreiss seconded. All were in favor; motion carried.
 - **Sewer Fund**—Mrs. Bloom made a motion to approve Sewer Fund bills dated April 28th thru June 1st, 2022, totaling \$65,024.99; Mr. Burkins seconded. All were in favor; motion carried.

4. **Solicitor's Report**—Atty. Sharnetzka reported:
- **1 N. Main Street sidewalk**—Teton Homes made the repair & the Borough's Zoning Officer inspected it and found the work satisfactory. They had a deadline of June 30th, 2022 to make the repair.
 - **Ogden Investments, LP**—the plan for the George Street townhomes was previously approved by Council but there has been a slight modification to it involving stormwater management of each unit being the responsibility of each individual homeowner. Jason Brenneman was working with the developer who created an Agreement (revised/approved by Craig) that has been recorded. Every homeowner who buys there must be notified & understand their responsibility so there's no misunderstanding later.
 - **Bailey Hotel/Upside Investments, LLC**—this plan had been previously approved by Council but there are some outstanding conditions. There are two stormwater pipes onsite in which stormwater flows through to an inlet (near Dollar General) and across Bailey Drive to a waste area. There had been water backing up in that area & Jason Brenneman researched the situation. The developer hired ARRC (Aquatic Resource Restoration Company) to research & give their recommendations which Jason accepted. A Stormwater Facilities Maintenance Agreement was drafted to deal with this condition on the plan, noting that Upside Investments, LLC will manage the stormwater pipes until the pipes hit Bailey Drive, at which point Cornerstone Plaza will be responsible for the pipes under Bailey Drive & into the vegetative area. All parties will need to sign this agreement, in addition to Cornerstone Plaza signing & agreeing to maintain the vegetative discharge area so water does not back up in the future. Council can review the drafted Agreement.
There are a couple other outstanding issues; i.e., posting bond for the correct amount, signing the Agreement with the Authority as well as the above-mentioned parties.
Ryan McKinley with Upside Investments was present tonight. He stated the maintenance of the above situation will be an ongoing process, as it's an environmental issue, not a construction-maintenance issue.
He expects the hotel project will break ground September 2022.
5. **Engineer's Report**—Jason Brenneman was not present tonight, but submitted items for discussion:
- **High Street Inlet Replacement**—waiting for estimate from Aaron Manifold
 - **Borough Storm Sewer Map & Analyzation**—
 - Atty. Sharnetzka confirmed that televising storm sewer is considered “maintenance” (and not new addition) and therefore, does not need to be bid and is excluded from prevailing wage rates.
 - Council should decide whether they want to move forward with analyzing storm sewer pipes & inlets, giving priority to those on streets being proposed for paving in the next few years. Those streets include High, George, Springwood, Icehouse, Katie & East Pennsylvania. Mr. Elwell suggested adding Mill Street to this list since that storm sewer pipe was discussed earlier tonight & related to work proposed for Mill Street's RR crossing. *This will be on the July meeting agenda for further discussion.*
 - **Borough Mapping Application**—Mr. Elwell logged onto the Diamondmaps software & said it seems to be a good system that included the Borough's standard infrastructure, streetlights, sidewalks, as well as sewer & water lines. He said ESRI or ArcMap are two other systems, although they may be more extensive than the Borough needs. Diamondmaps is more user-friendly & straightforward. He would just want to confirm with Jason that Diamondmaps (or something comparable) is secure since the public's infrastructure would be on it.
Mrs. Carl stated this could be a good tool for future projects, possibly saving engineering time. Mr. Elwell said the RR crossings, as discussed earlier is a perfect application for using this type of mapping software. *This will be on the July meeting agenda for further discussion.*

- **15 Springwood Rd. storm water work**—the job is complete. Mr. Gemmill said the homeowner is very satisfied with the work & suggested the Borough send a letter requesting the homeowner’s confirm their satisfaction. He doesn’t believe it’s the homeowner’s responsibility to clean out the pipe should it become clogged with stormwater runoff, debris, etc. Ira agreed the Borough should clean the drain/inlet at the street, but he’s not sure the Borough should maintain those on private property. Before that home was even built, it was known that the pipe needed to be maintained by the property owner. Atty. Sharnetzka said, should Council agree to maintain it, an agreement should be in place & recorded stating that. He believed Council agreed to correct the problem at 15 Springwood Rd. & to install the new pipe, but other than being responsible for the pipe at the street, the Borough’s responsibility would not include the pipe & water drainage on private property. The current homeowner should’ve been aware of the stormwater pipe on the property when they bought the home. The Borough did this repair as a one-time courtesy, but office staff will review meeting minutes to see how the motion was worded prior to moving forward with the repair. More discussion will be held on this in July.
6. **President/Vice-President Report**—nothing to report
7. **Treasurer’s Report**—Stacy Myers reported:
- **Fire Police requests**—Mr. Burkins made a motion to approve the following requests; Mr. Gemmill seconded. All were in favor; motion carried.
 - Dallastown Borough—various events from May thru October 2022
 - New Freedom Borough—Annual Carnival Parade—July 9th, 2022
 - Delta Borough/Peach Bottom Township—various events from July thru December 2022
 - Shrewsbury Borough—Annual Firemen’s Carnival—June 27th thru July 2nd, 2022
 - Hopewell Area Recreation & Parks
 - Fireworks celebration—July 2nd
 - 5k event on Sat, October 8th from 8am-noon
 - **York County Boroughs Association Dinner**—scheduled for Thursday, June 23rd @ 6:30pm at Lake Redman—any Council/Mayor wishing to attend, RSVP to office staff by June 16th
 - **Appointment to Sewer & Water Authority**—Thomas Casteel, 31 S. Main Street submitted a letter of interest to fill the Board vacancy left by Bill Amberman. Mr. Casteel was present tonight & introduced himself stating he’s lived in Stewartstown for 15 years and although he’s retired from a Harford County government position, for the last 4 years he’s worked as a consultant and operates an industrial pretreatment facility for a snack food company in Maryland. Prior to retiring, he spent 23 years in environmental engineering doing a lot of landfill work & operating groundwater treatment plants. Mrs. Carl made a motion to appoint Mr. Casteel to the Authority for a term expiring 12/31/2022; Mrs. Bloom seconded. All were in favor; motion carried.
8. **Sewer/Water Supervisor Report**—Ira Walker, Jr. presented his report. All expenses will be submitted to the Sewer & Water Authority for action.
9. **Mayor’s/Police Report**—Mayor Barnette reported:
- Last month, she attended the PSAB conference in Hershey and said it was a very informative conference with a lot of interesting seminars.
 - She spoke to someone from PEMA who urged all elected officials to take part in the NIMS training. There are two different courses, NIMS 100 & NIMS 700. She will send the training link to Council. This must be done in order to qualify the Borough for emergency funds in the event of a natural disaster, as well as being helpful when applying for grant monies.
 - Senate Bill 253—this would mandate PENNDOT to maintain storm drains on State roads in municipalities with populations under 5,000.

- Seminar on blighted properties was very informative. Municipalities were urged to require registration for rental properties. There is also a database for landlords/residents/tenants who commit property infractions, so it's known prior to "repeat offenders" buying a property in your municipality.
 - She would like the opportunity to meet with each Council member individually, maybe for breakfast, lunch, coffee, etc., as she recently met with & had a good discussion regarding Borough issues with David & Katie Elwell.
 - **Police Report Updates**
 - Police Commission held two meetings since May's Council meeting. The Tahoe has arrived & will be detailed and equipped to be used by Officer Smith & K9 Ransom, who were both recently featured in the Southern York Living publication.
 - SRPD is experiencing counterfeit \$20 bills being circulated in the area. The Secret Service is handling that once SRPD reports it.
 - She requested that SRPD patrol for speeding, especially on Main Street. It's difficult as most people know local Police don't have Radar. House Bill 606 (to allow municipal Police Departments to use Radar) has been in Appropriations for some time now. There is also Senate Bill 419 which has passed the Senate & is now in the House and involves Radar & Lidar which is the current system used by State Police.
10. **Committee Reports/Updates/Other Business**
- **Economic Development**—most recently, the Committee has researched possible opportunities for the theater site at 3 N. Main Street. Mrs. Carl submitted a summary which lists obstacles the property faces concerning zoning, size, location on a State road, PENNDOT restrictions, etc. Although there's no hurry to develop the site, the Committee wanted to be thorough in their research. Unfortunately, there is no residential, commercial, or industrial use for the site. If it is put out for bid (or for sale) in an attempt to sell it, the parcel doesn't offer a buyer much use, so most likely, no one will pay a lot for it. It could be a green space opportunity & grant money could be sought for that. The \$195,000 the Borough spent to demolish the old theater can be used as matching funds for a grant opportunity.
 - **Street sweeping opportunity**—Mrs. Bloom obtained a price from New Freedom Borough to use their street sweeper, including one of their employees to operate it. The cost for both is \$80/hr. Council was agreeable to this idea, especially for Main Street, prior to the Firemen's Parade & also the 5K Main Street Run (in August). Any other street can also be included, but it should first be determined how many miles/streets would be involved so New Freedom can give a more accurate cost for the time involved. The Streets & Roads Committee can make a list & report back to Council.
11. **Executive Session**—Mr. Burkins made a motion to recess to Executive Session @ 9:14pm to discuss a personnel matter. Ms. Kreiss seconded. All were in favor; motion carried.
12. **Reconvene**—Ms. Kreiss made a motion to reconvene the Council meeting @ 9:59pm; Mrs. Carl seconded. All were in favor; motion carried.
Mrs. Bloom made a motion to approve a salary increase of \$5/hr. for Stacy Myers (to \$25/hr); Mr. Gemmill seconded. All were in favor; motion carried.
13. **Adjournment**—With no further business before Council, Ms. Kreiss made a motion to adjourn @ 10:00pm; Mrs. Bloom seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary