

Stewartstown Borough Council Meeting Minutes
Monday, June 5th, 2023

Members present

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

Others present

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

Visitors

Jordan Ilyes	Zach Juffe	Jon Juffe	Ryan McKinley
Heather Bitner	Felicia Markline	Linda Miller	Nathan McCloskey
Gordon Wisnom, Sr.	Jason Roberts	John Barnette	Doug Plasterer
Dawn Gillispie	Catherine Hoy	Meghan Webb	Melinda Leckrone
Erica Rearich	Robert O'Farrell, Jr.	Charles Wood	Helen Norman
Nicole Palmer	Donnie Lee Clarke	Lacy Roberts	Susie, Anthony & Travis Tingler
Tim & Jernessa Parker	Chyloh Ennis	Stacey Alexander	Jim Nagel
Charles Tolson	Christian Nelson	Rebekah Dodson	Brad Preston
Paul Jerrell	Brett Baier	Michael Binko	Jeremy Shopf
Gretchen Kosalewski	Mary Ellen Liepater	Paul & Louise Rosowsky	

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.
2. **Public Comment/Visitors**—the following were present to address Council:
 - **Heather Bitner, from York County Planning Commission**, gave a brief overview of the 2025 Transportation Improvement Program (TIP). YCPC is made up of 9 departments, one of which is the Transportation Department. That department is visiting all 72 municipalities to introduce this program, as well as YAMPO (York Area Metropolitan Planning Organization) whose Coordinating Committee makes all final decisions regarding funding & projects done in York County. Also introduced was YAMPO's Core Transportation Planning Documents, adopted in 2021. Other transportation documents were introduced, as well as funding categories of TIP. For 2025, the projected funding is \$48million that's available for new projects & funding gets carried over into the next project year (2027). Road maintenance is the most flexible funding source they offer.
There are a few drawbacks to using TIP to fund projects, such as more required permitting, a longer timeline & overall higher costs.
By December 2024, a draft TIP should be prepared, then YCPC, along with PENNDOT will analyze everything & get in it order for public comment, running from April-June 2025. The State then takes over & runs most of the projects. Municipalities seeking funding can take an inventory of their assets, identify areas of concern, prioritize them, then send them to YCPC.
 - **Jordan Ilyes/Ilyes Holdings, LLC** was present to get an update on the text amendments submitted by his attorney since the May 23rd Special Council meeting. Atty. Sharnetzka & Jason Brenneman reviewed those comments, noting most of the concerns related to the 13 Mill Street project involved traffic. On Mill Street, the railroad crossings are in bad shape & the Borough has had several discussions with the Railroad about that. The proposed text amendments talk about conducting traffic studies; however, Jason Brenneman said almost all the involved intersections will be offsite, so the Borough may not be able to require Jordan to improve any of them. Craig suggested an agreement be put in place between the Borough & Jordan that includes language of what improvements Jordan may be willing to do, assuming the project moves forward. Some language Craig suggested be included is, 1) the Mill Street

RR crossing (possible contribution from Jordan), 2) involved intersections & possible necessary improvements, 3) potential widening of Bronson Avenue.

Jordan is very open-minded to an agreement & providing ideas of the inclusions Craig mentioned.

Mrs. Bloom asked about the possibility of Jordan joining together with other businesses in & around the Mill Street intersection as a joint venture for repairing/improving that section.

Jordan has discussed the project, to date, with Gordon's Service Center, but not the Smokehouse on Hill Street.

Jason Brenneman said he doesn't foresee many necessary improvements other than the widening at Bronson Avenue. He already had some costs for the repair at the railroad tracks. The intersection at Mill & Hill has some sight restrictions, which is a concern, as a good bit of traffic uses that intersection. Until Jordan conducts a traffic study, we won't know any additional requirements to be warranted. In order for Council to be satisfied with the text amendment, it would be good to get confirmation from Jordan that he's willing to conduct some improvements, where mentioned.

Jason will send costs of the railroad repair & Bronson Avenue widening to Jordan, as Jordan stated he has no problem with those items.

Mr. Gemmill asked if Jordan can supply a rendering of the proposed building? Jordan agreed.

Jordan reported a few details regarding the apartments. He's proposing 106 apartments, rent range from \$1,200-\$2,000/month, depending on apartment size.

Regarding Bronson Avenue widening, Jason said the ROW of Bronson is 30' & is currently only 16' wide with paving. He doesn't think Jordan will be able to reach the 30' requirement, but a lot of discussion needs to take place, as this is the 1st step in a long process Jordan needs to go through.

Resident Helen Norman asked how the proposed project will affect schools. Jordan said his loft-style apartment buildings aren't really for kids, unless they would be visiting their parent(s) on weekends.

Resident Mike Springer asked if Jordan plans to plant trees or some type of border around the property, towards Bronson Avenue side. Jordan likes to install fencing & plant trees at his properties, wherever possible.

Jason Brenneman had some items for discussion per Jordan's proposal:

- Square footage of each unit is a minimum of 500sq.ft.—*Ordinance requires a minimum of 600sq.ft. for a multi-family unit. Jordan stated he does very few apartments with a 500sq.ft. minimum. If left at 600sq.ft., he's fine with that.*
- Proposed parking will be 1½ spaces/unit—*Ordinance requires 3 spaces/unit. Jordan's goal is to have 2 spaces/unit + adequate spaces for the commercial uses. It depends on how things are resolved with the railroad (tracks on the property) & with Gordon's that will determine how much parking Jordan will have. He believes he would be fine with the 2 spaces/unit.*
- Proposed parking spaces are 10' x 18' and an aisle width as a "total square footage" calculation—*Ordinance requires 10' x 20' spaces and a 24' aisle width. All of Jordan's proposed spaces will be private & assigned for each tenant/apartment. Jordan has set property lines & since it's private, he tries to squeeze parking in, wherever possible. His tenants (at other locations) are thrilled they have assigned spaces. This issue will be discussed further in the process.*
- With a multi-family conversion, Jordan is proposing to allow one or more non-residential principle uses be installed with the multi-family conversion, i.e., coffee shop, brewery, restaurant. Does Council want to limit the number of non-residential principle uses? Currently in the Industrial Zone, the number is unlimited. *The Borough is probably limited to the number of properties in the Industrial Zone that would qualify for a multi-family conversion. Jason said it's probably wise to not*

specify a number & Craig said he hasn't seen a specific minimum mentioned in the examples he's reviewed. Typically, developers want to do a certain amount because it makes sense for their projects. Jordan wouldn't suggest more than 4 non-residential principle uses, only because he would like to create a nicer restaurant at 13 Mill Street.

Jason & Craig will put together ideas for the Developer's Agreement, as well as revisions to the text amendments & send them to Jordan's attorney. More discussion will take place at the July Council meeting.

- **Ryan McKinley, Zach Juffe & Jon Juffe from Statewide Partners** were present to discuss their Zoning Hearing application request for a Variance to allow residential spaces in a Commercial Zone at 100 Bailey Drive. Originally, the plan was to build a 2-story, 30-room suite-style building, but citing that the hotel/hospitality industry changed since COVID, they're now proposing 30 extended-stay units. A rendering of what the outside of the building will look like was presented, as well as the layout of the different proposed units. Ryan said the 30 units will be made up of: 18-1 bed/1 bath units, 2-duplexes (2-story), 2-1 bedroom flats, & 10-2 bed/2 bath (loft-style) units. All will have full kitchens, bathrooms, heating/central A/C, plank flooring with carpeted bedrooms, & washers/dryers. The square footage will range from 600/650sq. ft. (1 bed unit) to 1,000sq. ft. (2 bed unit). Ryan said construction & permitting has remained the same since day one, other than the former front desk being converted to an amenities space.

Statewide's research has found that hotels & motels are getting more budget-conscious which drives crime up because it offers a cheap place to do so. As a hotel owner, Ryan said he cannot run background checks on customers, but as a property/apartment building owner, he can, along with financial & income checks, full screenings, etc.

Ms. Almony explained that Statewide's application for a Variance is not the decision of Borough Council. Statewide was asked to brief Council on their intentions since Council learned they were applying for a change of use (going from hotel use, allowed in the Commercial Zone, to residential use). This will go to the Borough's Planning Commission on Tuesday, June 20th (7pm) who only recommends to the Zoning Hearing Board either approval or denial of the request. The Zoning Hearing Board will meet on Thursday, June 22nd (7pm). They will have the final decision on the Variance request. Ms. Almony's opinion on the change of use is that an apartment building would not see a large amount of turnover as a hotel would.

Ryan said, although it's not definite, the rent range for the building is \$1,200-\$1,600/month. At their North York Borough apartment building, there are 105 units averaging \$1,264/month. Ryan said Northside Village is currently holding open houses if anyone is interested in touring one of their properties, none of which are government-funded housing, nor can they discriminate against a person's income. Statewide also manages and/or owns other properties in Harrisburg & Carlisle. When asked, Ryan said they could also entertain weekly rentals for Bailey Suites.

Mr. Burkins said many nearby venue owners were disappointed to learn the property was not going to be a hotel because they said many of their customers have to go to Maryland to stay. Mrs. Carl asked if there would be a restriction on the number of occupants, particularly in the smallest apartment unit, at 600/650sq. ft. Typically, it's one person in a one bed/one bath unit & two people in the two bed/two bath.

Resident John Barnette asked if a crime study was done when the plan was first submitted? It was not. John stated it sounds more like a "bait & switch" where one idea was first proposed, then mid-way through, plans were changed. Ryan said the building was always considered for extended stay suites, not overnight hotel use. The crime study was just one part of the decision to change to extended stay units, because their research showed that roadside motels have a higher occurrence of crime. They wouldn't have anything to gain by a bait & switch.

When asked, Ryan said Statewide has found full stoves are cheaper than installing a smaller stove unit, as found in some hotels/efficiencies.

After completing their research, Statewide found the extended-stay suites were the best way to go. As the operational startup for the property is coming soon, a decision of which direction to go needed to be made.

Resident Melinda Leckrone asked what other items/restrictions will be on the lease? Number of occupants? Pets allowed? Kid-friendly? Ryan said there is currently one ADA-compliant unit. Occupancy in the unit will need to be determined per Ordinance & what's allowed.

Brad Preston asked if the parking will be the same now that it's an extended-stay/apartment building vs. a hotel? There will be assigned parking for their tenants, typically 1½ spaces/unit, but Ryan said the proposed parking lot is large enough to accommodate 2 spaces for the 2bed unit, 1 space for 1bed unit, with additional parking also available on the lot.

Mayor Barnette asked if the leases will be month-to-month? Ryan said they would do yearly leases. The Mayor also recommended he reach out to SRPD regarding crime control & what their best practices are.

Ms. Almony said although crime is a concern, there are some drug/crime issues at some existing apartment buildings in Stewartstown & she doesn't hear anyone complaining at meetings about those. Obviously, if anyone sees suspicious activity, they're urged to call 911. She stated if anyone has further questions, attend the upcoming meetings when this will be discussed.

- **Melinda Leckrone & Meghan Webb/Broadway residents** were present to ask Council if crosswalks could be installed in certain areas around town, specifically South Main/College, Bonkey's Snowball Stand & West Pennsylvania/Main. Due to kids being out of school for the summer & visiting Bonkey's, as well as foot traffic increasing around town, they believe it would help with safety. Discussed at a previous meeting, Council said mid-block crosswalks cannot be installed & Jason Brenneman stated PENNDOT has strict requirements about crosswalks at corners. A Traffic Engineer would need to determine the number of walkers prior to making a recommendation for a crosswalk & there may be other things involved too. Council asked Jason to research this prior to the July Council meeting.

Melinda & Meghan also mentioned the problem of tractor trailers using Broadway as a truck route, despite signage prohibiting it. Could the signs be made larger, more visible? Broadway is a very narrow street with parking on both sides. They suggested making it one way (from Hill to Main) to help the traffic flow because of its narrow width. Jason said the truck driver's GPS is what's taking them onto Broadway. With them traveling from many different places, it would be difficult to stop it. Mayor Barnette stated Officer Lawrence (SRPD) is certified in a particular training regarding tractor trailers & their travel. He's able to pull over tractor trailers & run extensive searches to assure they're within regulation. Perhaps they could arrange to have some officers patrol this area, although it's not possible to do so all the time. If Council moved to make Broadway a one-way street or to prohibit left-hand turns onto Broadway, Craig said a traffic study would need to be conducted & an Ordinance passed. In order for any signage to be enforceable, an Ordinance would need to be passed also. After more discussion, Council requested Jason obtain the cost of a traffic study for more discussion at the July meeting.

3. **General Business**

- **Approval of Meeting Minutes**—Mr. Gemmill made a motion to approve the May 1st, 2023 Council Meeting Minutes & the May 23rd, 2023 Special 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, 2023 thru June 1st, 2023, totaling \$41,604.21. Mr. Burkins seconded. All were in favor; motion carried.

- **Sewer Fund**—Mrs. Bloom made a motion to approve Sewer Fund bills dated April 28th, 2023 thru June 1st, 2023, totaling \$104,617.45. Mr. Gemmill seconded. All were in favor; motion carried.
 - **Water Fund**—Mr. Elwell made a motion to approve Water Fund bills dated April 28th, 2023 thru June 1st, 2023, totaling \$98,836.75. Mr. Burkins seconded. All were in favor; motion carried.
4. **Sewer & Water Supervisor Report**—Ira Walker, Jr. read the new items for this month. All expenses will be voted on by the Sewer & Water Authority.
5. **Engineer’s Report**—Jason Brenneman reported:
- **56/58 S. Main Street Storm Sewer work**—his office made revisions & resubmitted the PENNDOT permit which he hopes to have, along with contractor prices, by the July meeting.
 - **Street Committee**—E. Pennsylvania Avenue
 - He received a response from the pre-scoping application for the ARLE grant. The pre-app was reviewed by PENNDOT who stated, “the scope of work meets eligibility requirements for the ARLE grant; however, the project is not competitive because it’s not a safety issue”. Because there were no fatal or w/injury crashes near the project area (within the past 5 years), an alternate location (with crashes) can be resubmitted for the grant money. Council agreed it’s not worth Jason’s time to pursue this only to be turned down for grant money.
 - Ira & staff had this sewer line televised. It’s a clay pipe with most of it being in good condition except for a small section closer to Heather Drive. There’s no rush on the repair/replacement of this.
 - **W. Pennsylvania Avenue Storm Sewer Extension**—this work was completed by Clear View Excavation. It was reviewed by Ira & Jason & Council had previously approved the invoice for payment.
6. **Solicitor’s Report**—Craig Sharnetzka asked if Council wants to move forward sending a letter of position to the Zoning Hearing Board regarding the Bailey Hotel Suites application for a Variance. The application must go to Planning Commission first for a recommendation, then to the ZHB for a determination. Discussion was held. Craig said, when submitted in York County, all Subdivision & Land Development Plans go to York County Planning Commission for review. Craig said he believes letters of position sent by Council are considered by the Zoning Hearing Board, but in another municipality, he’s seen the ZHB vote against a Council’s position, so they don’t have to side with Borough Council. The ZHB can grant approval of an application with conditions too, so Council can make suggestions, but the ZHB doesn’t have to take the suggestions.
- Craig said, regardless of the outcome, a building is being constructed at that location. Some type of business will be opened, whether the zoning Variance is denied & the location stays Commercial or whether the Variance is approved, and the extended stay/apartment use (residential) can move forward.
- Mrs. Carl stated in the hotel/tourism industry right now, extended stay locations are very popular in the market. It’s happening in many areas & although Stewartstown is different than a larger town or city, the decision shouldn’t be based on fear, after discussion was held earlier on crime. Council had these additional comments:
- Ms. Almony made a motion that Borough Council send a letter of position to the Zoning Hearing Board recommending the Bailey Hotel Suites remain as a hotel as originally planned & not extended stay/apartments. Mr. Burkins seconded. Mrs. Carl recused herself from voting because she is a business tenant of the Juffe’s. Discussion was held.
- Mr. Gemmill thought it was strange that Statewide would mention crime & how it affects hotels/motels now. Why wasn’t crime mentioned when the application was originally for a hotel?

Mr. Elwell said most residents he talked to think extended stay/apartment use would be better for the Borough because background checks can be done on the tenants. screening vs. someone who isn't screened.

For an extended stay hotel use, how does the Borough enforce who's there & how long they stay? It would be difficult to monitor. If the use is a hotel, it must be used for that. The Borough's Ordinance defines a hotel as "transient use, 30 days or less". How do we enforce that?

If Council believes the location would be better used as apartments, a longer lease could be suggested as a condition from the ZHB. Statewide stated earlier they would entertain one-year leases, if granted the Variance for extended stay apartments.

Resident Jason Roberts stated every motel or hotel has crime, no matter what jurisdiction. It would be a matter of time before it found its way to Stewartstown, in some fashion.

Another resident, Lacy Roberts stated if the Borough doesn't restrict who can reside in that building, such as government housing, they're putting a burden on other property owners. Ms. Almony believes Statewide wants to operate a higher rent range property, although we can't be discriminatory with who gets housing & who doesn't.

Voting on Ms. Almony's first motion was done. Motion denied, 2-4.

Ms. Almony made a motion to send a letter of position from Borough Council to the Zoning Hearing Board stating Council is agreeable to the change of use (from hotel to apartments) with the possible condition that leases are extended for a minimum of one year. Mrs. Bloom seconded. All were in favor; motion carried. Borough staff will mail the letter to the Zoning Hearing Board.

7. **President/Vice-President's Report**—Ms. Almony & Mr. Burkins:

- Appointment to the Glen Rock Negotiation Committee—Mr. Burkins made a motion appointing Pamela Almony to the Glen Rock Negotiation Committee; Mrs. Bloom seconded. All were in favor; motion carried.
- Appointment to the Borough Planning Commission—Ms. Almony made a motion to appoint Catherine Hoy to the Planning Commission; Mr. Burkins seconded. All were in favor; motion carried.
- Employee raises—Mrs. Bloom made a motion to approve \$1/hr. raise to Felicia Markline and a \$2/hr. raise to Nate McCloskey, as they have both passed their respective Sewer exams. Mr. Burkins seconded. All were in favor; motion carried.

8. **Treasurer's Report**—Stacy Myers reported:

- As an update from last month regarding the office network security & camera upgrade, the Sewer & Water Authority has agreed to split the cost 50/50 with the Borough, should Council approve. Each entity would pay \$3,200. Ms. Almony made a motion to approve the \$3,200 & to move forward with the upgrade; Mrs. Bloom seconded. All were in favor; motion carried.
- Sending RFP's to auditing firms in preparation for the 2023 Borough & Authority audits—Ms. Almony made a motion authorizing Stacy Myers to send Request for Proposals to accounting/auditing firms; Mr. Gemmill seconded. All were in favor; motion carried.
- York County Boroughs Association dinner is scheduled for June 22nd—let Stacy or Missy know by June 14th if planning to attend.
- Fire Police requests—Ms. Almony made a motion to approve Fire Police requests for various events in Glen Rock Borough and Delta Borough/Peach Bottom Township; Mr. Burkins seconded. All were in favor; motion carried.
- Pothole repair—two contractors invoices were received for pothole repair in several Borough roads & alleyways.
 - Marsteller Driveway Services--\$3,250
 - D. Marsteller Asphalt--\$2,200

Ms. Almony made a motion to approve D. Marsteller Asphalt's invoice for \$2,200; Mrs. Carl seconded. All were in favor; motion carried.

9. **Mayor/Police Report**—Mayor Barnette reported:
- Give Local York Block Party was held in May—supporting local non-profits such as Mason Dixon Library, the Food Pantry, Historical Society & the Senior Center. Everyone reached their goals with some exceeding them!
 - The 1st Stewartstown Night Market was held, along with the opening of Aviator Brew Hub’s Grand Opening—it was well attended & was a fun event.
 - Flags for Heroes event was held June 3rd in New Freedom. Sponsored by the Southern York County Rotary Club, this event honors our military and also Law Enforcement & First Responders. Southern Regional Police & Eureka Fire Department were both recognized.
 - Police Commission/May reporting—an email was received about Officer Smith & K-9 Ransom who assisted in a suspicious vehicle stop. Ransom alerted to drugs in the vehicle where methamphetamines were found & an arrest was made.
 - A new officer was hired by SRPD, part-time right now, but he should be a good addition to the department.
 - A continuation meeting was held in May to discuss Glen Rock’s changing membership status, so the Finance Committee will put together projections that will be presented at Wednesday’s (June 7th) Police Commission meeting, held at the New Freedom Borough Office @ 7pm.
10. **Executive Session**—at this time, Mr. Burkins made a motion to recess to Executive Session @ 9:37pm. to discuss contract negotiations and a personnel matter. Mr. Elwell seconded. All were in favor; motion carried.
11. **Executive Session**—Mr. Burkins made a motion to reconvene the meeting @ 10:01pm. Mrs. Bloom seconded. All were in favor; motion carried. No decisions were made; no voting is necessary.
12. **Adjournment**—With no further business before Council, Mr. Gemmill made a motion to adjourn the meeting @ 10:01pm; Ms. Almony seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary