

Stewartstown Borough Council
Meeting Minutes
Monday, March 6th, 2023

Members present

Pamela Almony
Donna Bloom
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

Kenton Kurtz
Gordon Wisnom, Sr.
Erica Rearich

Felicia Markline
Linda Miller

Jason Roberts
Thomas Stahl

1. The meeting was called to order @ 7:00pm followed by the pledge to the flag.
2. **Public Comment**—Kenton Kurtz, 6 Fulton Avenue was present to discuss something stated at last month's meeting when the revised Sidewalk Ordinance was discussed. It was said by a member of Council that the Borough doesn't have a revised Sidewalk Ordinance because "Kenton threatened not to sign it because he thought it was a terrible Ordinance." He hasn't been Mayor for over a year & stated, if that's the only reason the Ordinance wasn't passed, why hasn't it been passed since his term has ended? On February 8th, he texted this same Council member to ask, "why the Ordinance wasn't passed?" After a day or so with no response, he texted again to ask if this Council person was ignoring a constituent?" to which he received the response, "no, are you being passive aggressive?" He wanted to make the rest of Council aware of the situation because he obviously wasn't the one to blame for the revised Ordinance not being passed.
3. **Engineer's Report**—Jason Brenneman reported:
 - **56/58 S. Main Sinkhole/Storm Sewer Issue**—this was discussed last month, after the homeowner of 56 S. Main stepped & fell into a sinkhole which formed on 58 S. Main's property, right next to 56 S. Main's driveway. Ira tried to video the pipe; however, the camera didn't extend far enough into the pipe. Shrewsbury Borough was able to extend their camera approx. 35', parallel to Main Street, at which point, it entered an underground concrete structure then made a 90° angle to the private line of 56/58 S. Main. Jason calculated an estimate to replace the collapsed pipe, totaling \$43,500. Due to the close proximity to the foundation of the house & garage, additional costs may be added by the contractor who would be awarded this job, so those costs are unknown at this time.

Jason didn't research the option of pipelining because of the poor condition of the pipe, in addition to it being in the PENNDOT ROW & needing to meet all of their specifications. Atty. Sharnetzka said the Borough has an agreement to maintain the pipe, not to dig it up. Because the pipe is caved in, Jason said the water has nowhere to go. He's guessing all runoff coming down Main Street enters that pipe, but once it hits that area, it's unknown where it's going. Can this be considered an emergency so the Borough could pursue an emergency permit from PENNDOT in order to get it resolved faster & maybe **not** have to bid the project? Otherwise, a PENNDOT permit (not an emergency) could take 2-3 months to receive. The homeowners are not reporting any water in their basements at this time. Atty. Sharnetzka didn't recommend doing this repair without bidding, as he was unsure whether it could be deemed an emergency. This pipe could have been in poor condition for some time. Jason said it would be impossible to have bid documents prepared by Council's April meeting due to needing the PENNDOT permit first, surveying the property, preparing

paperwork, etc. If considered an emergency situation, Jason said a contractor could be obtained (by getting 2-3 phone quotes) to dig up the area after being given a quick written scope of work, i.e., how much pipe would need to be installed, how much concrete is involved, etc. The Borough has an emergency permit with PENNDOT for situations like a water main break, but Jason isn't sure if PENNDOT would deem this an emergency even though, essentially, we wouldn't be doing any of the above work **in** the State roadway. He suggested doing something to convey the water now while we're waiting for the PENNDOT permit & bid document preparation, since we're unsure of where the water is going. Mr. Gemmill made a motion authorizing Jason to move forward with preparing bid documents. Mr. Burkins seconded. All were in favor; motion carried.

Jason advised having the PENNDOT permit in hand before sending out any bids. Council believes notice should be sent to 58 S. Main's homeowner so she's aware of the timeframe for the repair. Ira had spoken to her because she was unaware of the situation & he didn't want her to get blindsided with a repair. He feels it is an emergency & should be done quicker. It's true, no one is sure how long the pipe has been like this, but we **are** aware of it now.

Atty. Sharnetzka said the Borough doesn't have permission to do anything on the property right now. The former agreement was to allow the Borough to maintain the pipe installed behind 56 & 58 S. Main's property, not in this area of the properties. An agreement should be put in place before any work is done.

As Jason previously stated, he believes something should be done to convey the water while we wait for the permit & bid documents.

Mr. Burkins made a motion to send a contractor to the area to make a temporary repair for stormwater conveyance. Mr. Gemmill seconded. More discussion was held.

Mr. Burkins amended his above motion from "make a temporary repair" to "exploration of the area" and to obtain permission from the homeowner prior to doing so. Mr. Gemmill amended his second to agree. All were in favor; motion carried.

Atty. Sharnetzka will make contact with the homeowner in preparation of drafting a new agreement while communicating with Jason & Ira.

- **Streets/Curbs/Sidewalk/Storm Sewer**—Jason said his office already has storm sewer maps & a 5-year plan for streets, so in talking to Pam, he suggested meeting with the Streets & Roads Committee, along with staff to create a priority list of items from Council & staff, i.e., streets in disrepair, what issues does staff receive the most complaints about, etc. in order to select the most important items that need attention quickly & also to create a plan of action for the rest of the items for the future. Also in the meeting, Jason said grants that are attainable for our types of issues can be discussed. He requests Council & Borough staff's suggestions be emailed to him prior to scheduling a meeting with Streets & Roads. Mr. Gemmill said his main priority is repairing East Pennsylvania Avenue, with or without sidewalks.
- **Mid-block crosswalks**—previous discussion was held on a possible crosswalk in front of the Post Office. Jason talked to TRG Engineering about it who said there are a lot of requirements that need to be met for mid-block crossing, including meeting all ADA requirements. TRG said, most likely, PENNDOT would not permit it.
- **Poplar Springs—Stormwater basins, end of Chantlear Court**—Jason's office has previously performed inspections for the property maintenance firm who handles the maintenance of these basins. They contacted Jason again to inspect & recommend any repairs & he wanted to ensure Council had no issues with his office doing so, which is a billable service to the Homeowner's Association. Council has no problem with this.

4. **General Business**

- **Approval of Meeting Minutes**—Mrs. Bloom made a motion to approve the February 6th, 2023 Meeting Minutes; Mrs. Carl seconded. All were in favor; motion carried.
- **Approval of Financial Statements**
 - **General Funds**—Mr. Burkins made a motion to approve the General Fund bills dated February 3rd thru March 1st, 2023, totaling \$62,516.37; Mr. Elwell seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve the Sewer Fund bills dated February 3rd thru March 1st, 2023, totaling \$50,886.87; Mr. Elwell seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve the Water Fund bills dated February 3rd thru March 1st, 2023, totaling \$25,296.62; Mr. Burkins seconded. All were in favor; motion carried.

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

- **Reminder**—Municipal Night at the Ballpark will be Friday, May 12th. He will bring invitations to the April Council Meeting.
- **Bailey Springs Hotel**—owned by Upside Investments, LLC, the proposed two-story 30-room hotel will sit on the now-vacant lot at Bailey Springs Plaza. Council had previously approved the LDP on the condition that requirements be finalized, one of which included dealing with stormwater discharging from the property. There was an agreement for this stormwater maintenance between the Borough & Upside and Council had approved that in the Fall of 2022 & it has now been signed by the developer also. Another condition was for the developer to supply a bond which has now been provided. Updated Land Development Plans have also been provided to the Borough which Council members can sign tonight. Mr. Gemmill asked if Council could get an updated rendering to see what the hotel will look like, because it concerns him that the back of the building will face Rt. 851. The developer had shown a draft drawing without much detail back in 2020. Atty. Sharnetzka said the renderings aren’t the same as the LDP which has already been approved. He can ask if the developer has an updated rendering of the proposed hotel, but it doesn’t affect what has already been approved.

Mr. Burkins made a motion to authorize Council President Almony to sign the Stormwater Management Agreement; Mrs. Bloom seconded. All were in favor; motion carried.

6. **President/Vice President’s Report**—Mrs. Almony reported receiving some complaints about residents openly burning in the Borough, most recently during the spring-like weather we had. We have an Ordinance prohibiting open burning except for the months of May & November with the exception of recreational/entertainment fires. She wants residents to be mindful that, even with recreational fires, we don’t want to “smoke out our neighbors” & there are restrictions on the types of materials that can be burned in addition to the proximity to a home/building. This reminder will also be printed in the next Borough newsletter.

7. **Treasurer’s Report**—Stacy Myers reported:

- **Website update/discussion**—Sunken Treasure Design (Mike Males) has offered a new website design to the Borough at a greatly reduced rate, \$1,100. The current Borough website is approx. 7-8 years old & the older technology can only be updated so much. Mr. Gemmill made a motion to authorize Sunken Treasure Design to update the Borough website at a cost of \$1,100; Mr. Elwell seconded. All were in favor; motion carried. This cost will be taken from Computer Services in the 2023 Budget.
- **Bank switch update**—the transfer of Borough accounts from Santander Bank to M & T Bank is underway. The new accounts are now open & checks for each account have been ordered. The total turnaround will take approx. 4-6 weeks.

- York County Boroughs Association Dinner Meeting will be held Thursday, March 23rd @ 6pm. Anyone interested in attending, let Stacy or Missy know by Friday, March 10th.
 - Volunteer Fire Credit Tax Program—the 3 volunteers (within Stewartstown Borough) who are eligible for this program should be approved by Council.
Mr. Burkins made a motion to approve the Tax Credit for the 3 eligible volunteers living in Stewartstown Borough; Mrs. Bloom seconded. All were in favor; motion carried.
8. **Sewer/Water Supervisor Report**—Ira Walker, Jr. submitted his report. All expenses will go before the Sewer & Water Authority for approval.
9. **Mayor/Police Report**—Mayor Barnette reported:
- As part of Hopewell Area Recreation & Parks (HARP) master plan for park improvements, they've created a survey where residents can add their input. It's on the HARP website & also the Borough's Facebook page. Some improvements being considered are updating the fields & batting cages, adding walking trails, increasing security cameras & possibly adding a skate park.
 - Night Market—a farmer's market style venue is coming to 16 S. Main Street on the 1st & 3rd Fridays of each month, beginning May 19th. For more information or to participate, email events@aviatorpa.com
 - Police Commission met this past Wednesday. The applicant that was interviewed had passed all the physicals & testing except his eye exam which is required by the State.
 - Car break-ins are on the rise—officers urge people to lock your vehicles & take your belongings with you.
 - Ms. Almony stated legislation sponsored by Senator Greg Rothman (PA's 34th District) permitting local police in PA to use radar for speed enforcement was unanimously approved by the Senate Transportation Committee, so we'll see what the outcome is with that. Mayor Barnette said Representative Mike Jones is in favor of it, should it go for a vote. Senator Kristin Phillips-Hill is also in favor of it.
10. **Committee Reports/Other Business**
- Economic Development—Mrs. Carl reported from the last Committee meeting:
 - They're covering a lot of information & trying to streamline their efforts. One of the things they discussed was what they want to include on the Borough website, i.e., committee contacts, resources for residents, frequently asked questions, surveys, etc.
 - The committee also took an inventory of vacant commercial buildings in town & plan to invite some of those property/business owners to future meetings to find out what the committee could do or information they can provide to help revive their business.
 - Want to formalize the committee's mission & goals & focus on their quarterly objectives, one of which is the movie theater project/property.
 - Mrs. Carl stated she may need to slow things down & focus on her health as she was recently diagnosed with breast cancer. Others on the ED Committee can possibly step up to lead things for a while, as she's uncertain how she'll be feeling. Same goes for her position on Borough Council & the need to miss some meetings due to her health. We wish her the best & are here to help should she need anything.
 - Thomas Stahl, with the Stewartstown Railroad was present to discuss upcoming events that will be held. Borough staff had spoken to Dee Bush & received a list of train rides, egg hunts, etc. These will be noted in the next quarterly Borough newsletter. The Railroad hopes to keep their numbers & revenue increasing!
11. **Adjournment**—With no further business before Council, Mr. Burkins made a motion to adjourn the meeting @ 8:17pm; Mrs. Carl seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary