

**Stewartstown Borough Council
Meeting Minutes
Monday, November 7th, 2022**

Members present

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

Others present

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

Visitors

Rick Kerns
Jason Roberts
Phil Giunta
Barkari Hargett-Robinson

Linda Miller
Seth Henschen
Chad Heister
Dale, Dawn & Dillon Gillispie

Gordon Wisnom, Sr.
John Barnette
Stephanie Thompson

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag. President Almony took a moment to thank any veterans, present tonight, for their service.
2. **Public Comment/Visitors**

- **Phil Giunta from Pennsylvania Rural Water Association** thanked Council for having him & explained that he's been working with Felicia Markline & Nate McCloskey to obtain their wastewater certification. PRWA provides training & Phil reported on some of the things he's experienced. PA is experiencing supply shortages in chemicals as well as some equipment & parts that are taking 60-90 weeks to receive. He also reported, the most precious resource is the operators & that two-thirds of PA's Wastewater Treatment Plant operators are nearing retirement age. He recommends that when municipalities find good employees, they should hold onto them. He distributed material that is typical of his 12-week program & what is required to pass an exam for certification. Competition for other good-paying jobs with less responsibility of a WWTP Operator is fierce, especially now. Many young people don't apply for operator-types of jobs because the training & classes are tough. He stated the Stewartstown Borough water & wastewater staff do a great job & he encouraged Council to do what's possible to keep them. Of note, a salary survey regarding WWTP Operators is on PRWA's website.
Ira thanked Phil personally for all the time he commits to Stewartstown Borough & their employees.
- **Chad Heister from Pennsylvania Rural Water Association** was also present, as he's on the energy side of things at PRWA. He conducts rate studies for municipalities to determine, are they charging enough for their water & wastewater? He also conducts walkthroughs at wastewater treatment plants to point out energy-saving possibilities. He can be a valuable resource for municipalities with their own water & wastewater services, which are free for PRWA members.
- **Bacari Hargett-Robinson from Unifirst** was present to discuss the contract of Unifirst's laundered uniform service that Council approved last month; however, no term for the contract was set at that time. Barcari said there are 3-year and 5-year contracts. Proposals were distributed to Council again tonight. Previously, Council had also reviewed proposals from Cintas Uniform Services, which they believed was for a 5-year term.
If approved tonight, Council President Almony was hoping to have the uniform contract in place by December 1st. When Council approved Unifirst's contract last month, they believed it was for one year. It was requested at that time that uniform samples be dropped off for

employees to decide what items/selection they wanted; however, that was never done. Samples & selections were already received from Cintas & Ira stated Cintas offered more flexibility in their apparel options. Barcari did have pant samples available tonight, which he offered to present to Council. He had a book of uniform options, but Ira said he & the staff were waiting for samples to be dropped off.

Cintas' proposal was \$54.70/week for 5 employees (or \$2,844.40/year total for 5 employees=\$14,222 total for the 5 years).

After more discussion, Mr. Gemmill made a motion to rescind the October 3rd, 2022 motion to accept Unifirst's uniform proposal and instead move forward with a 5-year contract with Cintas; Mrs. Bloom seconded. All were in favor; motion carried.

- **Rick Kerns, Park & Recreation Director** of Hopewell Area Recreation & Parks came to give Council a brief rundown of HARP's recent activities.
 - Finished the Road Rally Scavenger Hunt in October—it was a lot of fun with 8 teams participating.
 - December 4th NYC bus trip is sold out (56 tickets)
 - December 8th Paint Class is sold out (30 spaces)
 - December 16th—Santa in the Park event to be held
 - December 30th—STEM event, “Journey to Space”

Rick also reported that HARP plans to pursue a Master Plan that will include the land development of the acquisition of the property by Hopewell Township. That Master Plan will include a playground improvement & possibly a skate park. The Plan will also be used to pursue grant funds, most likely from DCNR. Rick brought HARP's Strategic Plan tonight for review, as well as a breakdown of the people who have used HARP's programs this past year.

3. **Engineer's Report**—Jason Brenneman reported:

- **2023 Street Work**—
 - **High Street**--no road work is proposed until Cloverfield is finished
 - **George Street**—no road work is proposed until the 2nd townhome building is completed
 - **Other streets being considered**
 - **Springwood Avenue**—there is some settlement & spot patches in the street that could be repaired. Approximate budget-\$30,000. This wouldn't need to be done now; however, completing these patches now may save the street long term.
 - **Ice House & Katie**—both of these streets would involve fabric & overlay plus 7 curb ramps which must be brought into ADA compliance. Approximate budget--\$150,000
 - **Mill Street (851 to Gordon's Service)**—would involve fabric & overlay. Approximate budget--\$30,000
 - **Storm sewer project at 26 W. Pennsylvania Avenue**—estimate of \$28,000. Jason recommends this be done in 2023.
 - **High Street Inlet Replacement**—Aaron Manifold quoted approx. \$6,000 on labor + the two inlets and paving, which Jason estimates around \$10,000. Total project estimation-\$16,000. Jason recommends this work be done prior to the paving of High Street, but this inlet replacement wouldn't need to be done in 2023. Paving of High Street will require saving Liquid Fuels money for a couple of years.

Of note, the Liquid Fuels balance will be approx. \$150,000 with the 2023 allocation (coming in March 2023). Council should review the street list & decide what should take precedence. Jason recommends getting bids out by March. Mr. Gemmill recommended doing some work on Mill Street, especially near the railroad tracks because the road is in terrible condition. Last month, John Nolan (from Stewartstown

Railroad) discussed proposals for repair/replacement of the railroad tracks, ties, etc., but the Railroad doesn't have a lot of money to contribute to the repair & the Borough isn't footing the whole bill. Council should think about how they want to proceed with that repair in the Spring to at least make it a drivable surface, and/or join with the Railroad to do so. Notice could be sent to the Stewartstown Railroad letting them know what the Borough plans to do & asking them to help financially, although the Borough can't **make** them do it. John Nolan was to discuss with the railroad & they were to fill in existing potholes in the meantime.

- **13 Chantilear Court Sump Pump Discharge Issue**—Jason met Atty. Sharnetzka onsite tonight. Although the resident at 15 Chantilear was experiencing settlement (sidewalk, street) due to the sump pump discharge coming from his neighbor at 13 Chantilear, it seems as though the sump pump is no longer running. The resident at 15 Chantilear stated he can no longer hear the pump running. In 2018, the Sewer & Water Authority had sent notice to 13 Chantilear stating he must stop discharging the sump pump into the street. They had offered to pay half the cost for a contractor to run a pipe under Chantilear to divert the water, but no response was ever received from the resident. Jason plans to bring this issue to the Sewer & Water Authority this month and will update Council after that.
- **Stoltzfus Plan Review**—Jason said this plan was received & his office provided comments, although York County Conservation District is still working on the NPDES Permit & their comments. Atty. Sharnetzka reported a previous Subdivision Plan stated the Borough was going to extend, improve & maintain Trout Lane. Tom Stifler & Mr. Stoltzfus did not want the improvements & wanted Trout Lane to remain as is. An Agreement had been created stating Mr. Stifler was going to reverse subdivide Lots #1, #3 & #4, so there would no longer be two lots along Trout Lane. He would then merge them back into his own property. Borough Council agreed to this & Mr. Stifler agreed to never require the Borough to make the improvements on Trout Lane. This Agreement was previously approved, so Craig will have Ms. Almony sign it tonight.
- **Hotel Land Development Plan**—developer is currently working on outstanding conditions of the plan.

4. **General Business**

- **Approval of October 3rd, 2022 Meeting Minutes**—Mr. Gemmill made a motion to approve these Meeting Minutes; Ms. Kreiss seconded. Mrs. Carl requested a correction; Item #11, *“Council reconvened from Executive Session. A motion was made authorizing each employee to receive a \$1,000 bonus from the ARPA funds”*. Minutes state *“all were in favor”*, but Mrs. Carl said she voted *“nay”*. This correction will be made & above motion carried with this correction.
- **Approval of Financial Statements**
 - **General Funds**—Mrs. Bloom made a motion to approve General Fund bills dated Oct 1st thru Nov 3rd, 2022, totaling \$121,795.88; Mr. Burkins seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mr. Burkins made a motion to approve Sewer Fund bills dated Oct 1st thru Nov 3rd, 2022, totaling \$88,192.28; Ms. Kreiss seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated Oct 1st thru Nov 3rd, 2022, totaling \$56,196.98; Ms. Kreiss seconded. All were in favor; motion carried.

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

- **13 Chantilear Sump Pump Discharge Issue**—as Jason Brenneman reported earlier, they met onsite tonight, and Ira had met with Jason previously about this issue. A street patch was done a few years ago because of settling and the settling is occurring again at 15 Chantilear.

As Jason agreed, Craig does not feel, nor could we prove the water is coming from 13 Chantilear's sump pump anymore. It may be coming from underground springs, but 15 Chantilear no longer hears 13 Chantilear's pump running. Craig doesn't feel this is a legal issue, but either an engineering and/or a Borough or Authority issue to fix.

- **15 Springwood Avenue/Cantwell's**—during the last conversation Craig had with Mrs. Cantwell, she didn't agree with them being held responsible for future maintenance of the storm drain/pipe. She stated she & her husband may obtain an attorney, but neither the Borough nor Craig have heard anything else. Craig suggested sending a letter to the Cantwell's stating the Borough will not maintain the storm drain area & they are putting the Cantwell's "on notice" as such and the Borough will be taking no further action. Mr. Burkins made a motion authorizing Craig to send such letter; Mrs. Bloom seconded. All were in favor; motion carried.
- **55 W. Pennsylvania/Clary driveway agreement**—an agreement was created to allow Mr. Clary to complete some improvements within the Borough's right-of-way. The Agreement was emailed to Mr. Clary, but neither Craig's office nor Borough staff has heard from him, so maybe his plans have changed.
- **Non-conforming structures**—this issue was raised by a realtor regarding a property in the Borough that was for sale. The potential buyers had a problem obtaining financing because of the requirements of Sections 707, specifically 707C & 707D of the Zoning Ordinance, that require a structure to be built in accordance with these sections, should 75% or more of the market value be destroyed. This section on "non-conforming structures" would imply to many of the older properties in the Borough because they were built before the ZO was created. These properties sit on lots that are often narrower & smaller than newer properties. Banks & mortgage companies balk at offering financing due to this provision in the current ZO because they're mortgaging their investment (the house). If the home were destroyed, the lot most likely wouldn't meet the setbacks or zoning regulations. Craig suggested Council revise the current zoning standards & he will contact Wade Porter (Borough Zoning Officer) to discuss this & the possibility of Wade (& New Freedom Borough) having a sample Ordinance that Stewartstown could mirror. More on this at the December meeting.
- **Draft Ordinance Amending & Restating the Volunteer Service Credit Ordinance**—a few years ago, Stewartstown Borough adopted Ordinance 2020-003 that allowed for some income tax relief for Fire Company & EMS volunteers. That allows for up to \$500 relief of the volunteer's Earned Income Tax credit. Ordinance 2022-01, before Council for action tonight, would restate the above EIT credit of up to \$500, but also includes 100% exemption from payment of the local Real Estate Tax (only Stewartstown Borough portion). This is being done as an incentive for municipalities who are suffering from lack of volunteers and is also being offered at the county level too.

Criteria for qualification of the credit is defined in Ordinance 2022-01, which involves a "point system". Ira Walker, Jr. stated Eureka's point system requires 100 points (whether through calls, training, meetings, etc.) to be obtained to qualify. The previous Ordinance noted both Eureka Fire Company & Eureka EMS as the two entities required to be served by the volunteer; however, Ira stated at least one volunteer of Eureka also serves/volunteers elsewhere. He would like to see the Ordinance cover any qualifying member of neighboring municipalities because it would probably be only a handful of people & their volunteer services are desperately needed.

Gordon Wisnom, Sr., as well as Ira stated volunteerism is at a critical level and municipalities may need to come up with financial resources to pay for fire protection. This Ordinance shows taxpayers that Council is making an effort to attract volunteers prior to budgeting for paid services.

Craig suggested keeping Ordinance 2022-01 the way the draft reads, naming “Eureka Fire & Eureka EMS” but also add “or any other Fire Department or volunteer EMS service, providing the Chief or Controller of that service sends a notarized list to the Borough indicating who would be a qualified candidate. Other departments may have different point systems in place, but they are also adding language to include neighboring companies. Council would like the Ordinance to specify **Pennsylvania** fire departments or volunteer EMS services.

Mrs. Bloom made a motion to advertise Ordinance 2022-01 that includes the amended language as stated above; Mrs. Carl seconded. All were in favor; motion carried.

- **Tax Ordinance per Act 57 regulations**—if Council is not planning to raise taxes, the tax milage can be passed via a Resolution; however, Craig is recommending Council pass an Ordinance to include the new Act 57 regulations discussed last month. Council is not planning to raise taxes for 2023, so the Ordinance will state the existing rate of 2.85 mils.

Mr. Burkins made a motion authorizing Atty. Sharnetzka to prepare & advertise an Ordinance to include Act 57 regulations for action next month; Mrs. Bloom seconded. All were in favor; motion carried.

6. **President/Vice-President Report**—Ms. Almony & Mr. Burkins reported:

- **Pavement markings**—this was discussed last month. Ms. Almony gathered prices for “25 mph”, but other options/markings were discussed & may be considered. Cost is \$80/number, so “25” would be \$160. Cost for “mph” is \$230, so total cost would be \$390/placement. Shrewsbury Borough has offered to assist Stewartstown during installation. Seth Henschen asked Council to consider repainting crosswalks around town that have faded, such as on Hill Street (Rt. 851). Adding a new crosswalk on Main Street would require PennDOT permission since it’s a State road, but Ms. Almony can research this suggestion. Mr. Elwell suggested adding “Slow” or “Stop” pavement markings near bus stops, especially along Main Street where people tend to speed. Mr. Burkins reported there are 12 school buses that are currently equipped with cameras that will take a picture of the driver of a car, as well as pictures of the front & rear of the vehicle. This was done in response to SRPD receiving 87 complaints of people driving past school buses when the bus is stopped with the “Stop” arm extended. Mrs. Bloom suggested concerned citizens call their Congressmen and/or Senator to urge them to push the Radar bill that seems to have stalled. Mayor Barnette received an email from the Mayor’s Association stating the Radar bill is dead; however, when she checked it wasn’t showing it was dead, but it’s in the House with the Appropriations Committee. State Representative Mike Jones is in favor of it, but it hasn’t yet gone for a vote.
- **Glen Rock Borough’s letter to SRPD Commission**—per Glen Rock Borough’s October 20th, 2022 letter to the Commission, their Council is proposing to end their commitment as a fulltime member of the Southern Regional Police Department as of December 31st, 2023. They would like to continue buying hours and stated they can only afford to pay \$250,000 annually for police services; however, Mr. Burkins said they are locked in until December 31st, 2024, and their estimated costs for 2023 are \$345,016. The Commission is in the middle of contract negotiations with the officers right now, so it’s unknown what their requests will be. The last 5-year contract with the officers included annual increases of 4½% the first two years and 3½% the following three years. In their letter, Glen Rock stated they’re willing to budget 3% each year as an average increase which means New Freedom, Stewartstown & Shrewsbury Boroughs would need to pick up the remainder if they don’t want to lay off any officers. All members are very happy with SRPD & their coverage. Glen Rock’s letter doesn’t say they’re opting out; this is simply a letter listing their intentions, but Mr. Burkins wanted to bring it to Council’s attention.

Glen Rock Borough has been threatening to opt out of the agreement for years and some Stewartstown Council don't believe it's fair for everyone else to pay in order for Glen Rock to have coverage. Mayor Barnette said in recent discussion, it was hoped that the Commission will agree to Glen Rock's cap of \$250,000 and once that amount is reached, they would go through State Police for coverage. The suggestion was made to invite neighboring municipalities to join the agreement, should Glen Rock opt out; however, this was previously done, and Hopewell Township (for one) wants to continue with State Police.

Glen Rock is committed contractually until December 31, 2024, but Mr. Burkins asked that Council members think about what response they want to give to the Commission, and more discussion will take place at the December Council meeting. As a resident, Mr. Wisnom believes Stewartstown should stay with Southern Regional. Mr. Gemmill stated that when the Borough had their own Police Department, we paid approx. \$600,000/year and didn't have 24/7 coverage, so we (Stewartstown) have some budgetary room compared to the previous police expenses. Mrs. Bloom stated, if we're faced with having to go to paid fire protection (due to lack of volunteers) and pay the difference due to Glen Rock's withdraw from the police agreement, Council may have to think about raising taxes for 2024. Resident Jason Roberts stated that criminal activity is moving north from Baltimore City, Baltimore County, etc., and if we lose two SRPD officers, he believes we will all feel the affects of that. He said SRPD does a phenomenal job.

Mayor Barnette stated that, per the report from another municipal police department, the Sergeant is earning as much as SRPD's Chief is currently earning, so SRPD is already on the low end of the pay scale. Mr. Burkins researched the reports of 15 Police Departments across the County and SRPD seems to be right in the middle.

The next Police Commission meeting will be held Wednesday, December 7th.

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

- **Resolution 2022-04**—authorizing the application of grant funds through the H2O PA Supply, Sanitary Sewer, and Storm Water Projects Program through DCED. If awarded, these funds will be used for the upgrades at the Wastewater Treatment Plant, Mr. Gemmill made a motion to adopt Resolution 2022-04; Mrs. Bloom seconded. All were in favor; motion carried.
- **Fire Police Request**—Mr. Burkins made a motion to approve Fawn Grove Borough's Fire Police request for their Christmas in the Grove event, November 19th, 2022. Ms. Kreiss seconded. All were in favor; motion carried.
- **Informational Items**
 - **On October 26th, Stacy met with M & T Bank reps** about transferring the Borough's bank accounts from Santander. M & T is working on a proposal based on Stewartstown's current financial needs. A Resolution is required for the Borough & Authority to authorize making the switch. Mr. Elwell made a motion authorizing Atty. Sharnetzka to prepare this Resolution for the December Council meeting; Mrs. Bloom seconded. All were in favor; motion carried.
 - **Stacy has been in discussions with Invoice Cloud** since Spring, learning about their bill pay platform. IC would take the place of MuniPay (current credit card software), as well as offer many other payment options for residents that the Borough currently doesn't have. The Borough's current billing software (MuniLink) has a good working relationship with Invoice Cloud, encouraging their customers, like Stewartstown, to move to this platform. The IC rep has offered to waive the fee that is typically charged for integrating the Invoice Cloud system with MuniLink. And since they work so closely with MuniLink, they handle 80% of the work involved to integrate the two systems/software together. There would be a \$100/month fee for ongoing customer service, software updates, etc. Because sewer & water bills

generate the most revenue, Stacy will discuss Invoice Cloud at the next Sewer & Water Authority meeting.

- **PLGIT & Santander bank balances** are included in Council packets, per request.
- **York County Resource Recovery Facility announces increase of \$2.00/ton**—Penn Waste’s letter is included in Council packets. This will result in a \$162.80 increase in Penn Waste’s monthly invoice, effective January 1st, 2023. Stewartstown’s monthly Penn Waste bill will go from \$26,272.84 to \$27,553.06 (this amount also reflects the 2023 increase per our contract with Penn Waste).

8. **Sewer & Water Supervisor Report**—Ira Walker, Jr. distributed his report. The expenses will be submitted to the Sewer & Water Authority for approval.

9. **Mayor’s/Police Report**—Mayor Barnette reported:

Mayor’s Report--

- On September 24th, she officiated a wedding between Tyler Kossiakoff & Patricia Brooks and was given \$120.
- She read a letter from James Nowak, President of the Pennsylvania State Mayor’s Association in response to a request she made on the role of a Borough Mayor. He stated the Borough Code doesn’t include all the leadership roles the Mayor can exercise, but every municipality is unique. It’s custom & tradition that determines the various leadership roles that the Mayor plays in their municipality. Borough Council is a body of 5 or 7 individuals and speaks to the public collectively, not as individual members. It’s incumbent upon the Borough Mayor to act in a leadership capacity as the only Borough Executive Officer elected by the people.

Mayor Barnette went on to read parts of the February 2021 issue of the Borough News entitled “The Ever-Changing Role of Borough Mayors”. Additionally, Title 8, 1003 of the Borough Code states, “the Mayor may attend any & all regular & special meetings of Council and take part in the discussions of Council in matters pertaining to Borough affairs.”

She also requested to be notified of any committee meetings. She does not count as a quorum & is more than happy to attend.

The Mayor is a liaison between police (public safety) and the community. They don’t have voting power, except in the case of a Council tie.

Mrs. Carl asked if the Mayor has always been invited to committee meetings. Years ago, Council Workshop (committee) meetings were held midway through the month. Then the regular Borough Council meeting was two weeks after. The Mayor was never NOT invited to Workshop meetings, but some previous Mayors chose not to come.

- Fall Fest was held on October 8th and was well attended.

Police Report:

- Since the October Stewartstown Council meeting, the Police Commission held two meetings, one of which was the budget meeting. An approximate \$15,000 increase in police expenses is anticipated; however, that isn’t finalized.
- Mayor Barnette has a copy of the 2021 Southern Police Commission Auditor’s Report, should anyone want to review.
- Recent Police activity:
 - Vehicle break-ins in Shrewsbury & New Freedom
 - Vehicle theft due to keys left in the vehicle—investigation ongoing
 - Alexander Jewelers, Shrewsbury experienced a break-in; arrests made/closed out
 - CVS—recent looting; arrests made/closed out
 - Miles Appliance experienced an incident of credit fraud; arrests made/closed out
- A recent presentation on the “Dangers of Vaping” was given by Officer Hanson & Officer Blaise (SRO’s) in New Freedom; resulted in 1 child getting help for an addiction.

10. **Executive Session**—Mr. Burkins made a motion to recess to Executive Session @ 9:40p.m. to discuss a personnel matter; Mrs. Bloom seconded. All were in favor; motion carried.
11. **Council reconvened**—Mr. Burkins made a motion to reconvene @ 9:52p.m.; Ms. Kreiss seconded. All were in favor; motion carried.

The following changes are to be made to the Employee Handbook:

- A definition for emergency calls, specifically referencing the SCADA system and how employees will be compensated. Ms. Almony made a motion that any calls or texts, generated by the SCADA system or other system installed or used by Stewartstown Borough and used for the monitoring of various sewer & water departments that notifies employees of issues, during off-hours only, will be compensated at the rate of 15 minutes/call or text of vacation time as compensatory compensation. Mrs. Bloom seconded. All were in favor; motion carried.

- Ms. Almony made a motion to revise the way employees obtaining their sewer & water exams are compensated. Currently, when the employee obtains their sewer or water license, they would receive a pay increase of \$2/hr.; however, Ira explained there are a couple different exams that are being taken.

The sewer license consists of 3 separate exams—General knowledge, a Sewage Collection Module & an Activated Sludge Module. The Sewage Collection Module is a stand-alone license. To give the employee more incentive, once the Sewage Collection exam is passed, they will receive the \$1/hr. increase, then another \$1/hr. increase once the other two exams are passed.

The water license consists of 6 separate exams—General knowledge, the Water Distribution license, and 4 others. The Water Distribution is a stand-alone license in which the employee will receive a \$1/hr. increase once obtained. After the other exams are passed, the employee will receive a \$1/hr. pay increase.

Mrs. Bloom seconded. All were in favor; motion carried.

Additional action:

Ms. Almony made a motion to extend an offer of employment to Tyler Robinson, as a general laborer, at the rate of \$20/hr. Ms. Kreiss seconded. All were in favor; motion carried. Tyler's employment would not begin until January 2023.

12. **Committee Discussion**

- Mr. Gemmill presented and made a motion to accept a quote of \$1,781 from Affordable Insulation to insulate the Executive Session room. Mrs. Bloom seconded. All were in favor; motion carried.

13. **Adjournment**—With no further business before Council, Mr. Gemmill made a motion to adjourn @ 10:02p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary