

**Stewartstown Borough Council Reorganization Meeting Minutes**  
**Tuesday, January 2<sup>nd</sup>, 2024**

**Members present**

Pam Almony  
Donna Bloom  
Kim Carl  
Roy Burkins  
Dave Elwell  
Jason Roberts

**Others present**

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

**Visitors**

Linda Miller  
Donna Roberts  
Randy Babcock

Jordan Ilyes  
John Barnette

Keith Foor  
Randy Schwinn

1. The meeting was called to order @ 7:00p.m. by Mayor Barnette, followed by the pledge to the flag.
2. **Reorganization of Council**—
  - **Mayor Barnette swore in the following Council members** who then recited their Oath of Office—Jason Roberts, Pamela Almony, Donna Bloom & Roy Burkins.
  - **Appointing a Council President & Vice President**—
    - Mrs. Bloom nominated Pam Almony as President. No other nominations were made. Mrs. Bloom made a motion to reappoint Pam Almony as Council President; Mr. Burkins seconded. All were in favor; motion carried.
    - At this time, Mayor Barnette turned over the gavel to Ms. Almony.
    - Ms. Almony nominated Roy Burkins as Vice President. No other nominations were made. Ms. Almony made a motion to reappoint Roy Burkins as Council Vice President; Mrs. Bloom seconded. All were in favor; motion carried.
  - **Appointing CGA Law Firm** (Craig Sharnetzka) as Borough Solicitor—Ms. Almony made a motion to reappoint CGA Law Firm/Atty. Craig Sharnetzka; Mr. Burkins seconded. All were in favor; motion carried.
  - **Appointing James R. Holley** (Jason Brenneman) as Borough Engineer—Ms. Almony made a motion to reappoint James R. Holley/Jason Brenneman; Mr. Roberts seconded. All were in favor; motion carried.
  - **Reappointments to the Zoning Hearing Board:**
    - **Michael Binko**—Ms. Almony made a motion to reappoint Michael Binko to the ZHB; Mr. Burkins seconded. Mrs. Bloom said she opposes Mr. Binko's reappointment because he or someone from his household made posts on social media during & after Zoning Hearings that were unprofessional and could mislead the public into believing Mr. Binko's decision as ZHB member was predetermined. 3 Council members opposed the reappointment (Burkins, Almony, Bloom) & 3 abstained (Elwell, Carl, Roberts) and requested Mr. Binko attend the February Council meeting to have a discussion about Council's concerns. Motion died due to the abstention.  
Mrs. Carl made a motion to invite Michael Binko to the February 5<sup>th</sup>, 2024 Council meeting for further discussion & to voice Council's concerns. Mr. Roberts seconded. All were in favor; motion carried.
    - **David Stampler**—Ms. Almony made a motion to reappoint Dave Stampler to the ZHB; Mr. Elwell seconded. All were in favor; motion carried.

- **Jack Cunning (alternate)**—Ms. Almony made a motion to reappoint Jack Cunning as alternate to the ZHB; Mr. Elwell seconded. All were in favor; motion carried.
  - **Reappointments to the Borough Planning Commission:**
    - **Catherine Hoy**—Ms. Almony made a motion to reappoint Catherine Hoy to the Planning Commission for a 5-year term; Mrs. Bloom seconded. All were in favor; motion carried.
    - **Justin Bernd**—Ms. Almony made a motion to reappoint Justin Bernd to the Planning Commission for a 5-year term; Mrs. Bloom seconded. All were in favor; motion carried.
3. **Public Comment/Visitors**—Randy Babcock & Gary Schwinn represented the Stewartstown Lions’ Club tonight to discuss the need for repair/replacement of the infrastructure & wiring for the town’s Christmas lights. Dorn Electric had submitted a proposal to Borough Council last summer, totaling approx. \$31,000 for the necessary work. Council had told Ferd Dorn that, even if the project is split into 4 separate work orders, it would still count as one project and at that amount, would need to be bid. (As of 1/1/2024, any project over \$23,200 would need to be bid). Dorn looked into the possibility of becoming a COSTARS member in order to be approved by the State to do the work; however, Ferd didn’t want to pursue that option. Randy said the Lions’ Club is willing to help pay a portion of the total cost & per Ferd, he believes they can get the cost below the bidding threshold. (As of 1/1/2024, projects between \$12,600 & \$23,200 require 3 phone quotes). Ms. Almony did report that money has been built into the 2024 Budget for a line upgrade for the Christmas lighting. Dorn needs to submit a proposal for the whole project, and whatever the Lions’ Club decides to pay, that’s fine. Randy & Gary will discuss this with Ferd & report back.
4. **General Business**
- **Approval of Meeting Minutes**—Mr. Burkins made a motion to approve the December 4<sup>th</sup>, 2023 Meeting Minutes; Mrs. Bloom seconded. All were in favor; motion carried.
  - **Approval of Financial Statements**
    - **General Funds**—Mrs. Bloom made a motion to approve General Fund bills dated Nov. 30<sup>th</sup> thru Dec. 29<sup>th</sup>, 2023, totaling \$30,552.72. Mr. Burkins seconded. All were in favor; motion carried.
    - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated Nov. 30<sup>th</sup> thru Dec. 29<sup>th</sup>, 2023, totaling \$154,149.77. Mr. Elwell seconded. All were in favor; motion carried.
    - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated Nov. 30<sup>th</sup> thru Dec. 29<sup>th</sup>, 2023, totaling \$60,948.60. Mr. Burkins seconded. All were in favor; motion carried.
5. **Engineer’s Report**—Jason Brenneman reported:
- **Street Work**—As Council previously approved the replacement of two inlets & associated pipe on High Street (near Cloverfield development), Jason’s office is gathering quotes for that work, which he’s planning for this Spring. He’s also preparing paperwork to bid out the reconstruction of George Street (from W. Pennsylvania to the end) for this Spring. If there’s other street work that Council would like to include this year, Jason asked that decision to be made by February’s meeting in order to bid it at the April meeting. Work would then begin in May.
  - **2024-2026 CDBG Grant Application**—this is due later this month, so Jason continues to work on that to be submitted by the deadline.
6. **Solicitor’s Report**—Craig Sharnetzka reported:
- **Amended and Restated Nuisance Ordinance**—Last month, Craig submitted this draft for Council’s review. If there are no changes, authorization to advertise the Ordinance can be made. Discussion was held on adding other items seen as nuisances by some residents, but

being a “gray area” that could not easily be defined, it was decided to make only the following changes to the draft:

- Section Z (page 9)—omit “*or before 9am on Sundays & holidays*”.
- Section I (page 6)—add “*and what materially disturbs people of reasonable sensitivity*”.

Ms. Almony made a motion to advertise this Ordinance with the above revisions for adoption at the February 5<sup>th</sup> meeting; Mr. Burkins seconded. All were in favor; motion carried.

- **Disruptive Conduct Nuisance**—Last month, Craig submitted this draft for Council’s review. If there are no changes, authorization to advertise the Ordinance can be made. This was modeled after Glen Rock’s Ordinance; however, the landlord/tenant registration & maintenance provisions were taken out, leaving only the disruptive conduct portion of it, which would allow the Borough to levy & collect fines if there are multiple, repeated offenses at a rental property in the Borough.

Mr. Elwell suggested a change to Section C (page 4)—to change “after three Disruptive Conduct incidents in any twelve-month period to *18-month period*.”

Ms. Almony made a motion to advertise this Ordinance with the above revision for adoption at the February 5<sup>th</sup> meeting; Mr. Elwell seconded. All were in favor; motion carried.

- **Resolution 2024-01**—Amending and Accepting Tax Collection Agreement with the York County Treasurer’s Office. Mr. Burkins made a motion to adopt Resolution 2024-01. Mrs. Bloom seconded. All were in favor; motion carried.
- **LERTA Ordinance**—Craig reviewed sample Ordinances & can prepare a draft for February, if Council wishes. Local Economic Revitalization Tax Assistance Ordinances are set up to encourage improvements of deteriorating properties & provide a tax incentive to do so. It provides a scaled charge for only the improvements (not for the property itself), giving the developer some tax relief. The applicant would need to apply & meet the requirements to obtain the relief. This would pertain only to the Industrial & Commercial Zone.  
Mr. Burkins made a motion authorizing Craig to prepare a draft Ordinance for action at the February 5<sup>th</sup> meeting; Ms. Almony seconded. All were in favor; motion carried.
- **Proposed Text Amendment to Zoning Ordinance**—Craig has reviewed comments & recommendations from York County Planning Commission, Jason Brenneman, & Stewartstown Borough Planning Commission regarding the proposed text amendments for the Industrial Zone & related to the 13 Mill Street project. He also submitted his own comments & recommendations for the committees’ review. Based on those, Craig feels we’re ready to move forward to prepare a draft to be advertised & then adopted in February, if Council agrees. He stated the text amendment allows residential use, but also four other uses and right now, those are limited to uses permitted in the Industrial Zone. Based on comments from Jordan Ilyes & the Planning Commission, Craig feels the uses allowed in the Commercial Village Zone could also be allowed in the Industrial Zone, specifically restaurants, tearooms, cafés & other places serving food & beverages. If these & other such practical uses are not allowed, the developer would need to go before the Zoning Hearing Board for approval. Council agreed.

Ms. Almony made a motion to revise the Text Amendments to include permitted uses allowed in the CV Zone & to include recommendations of the Borough Planning Commission & to authorize advertising the revised Text Amendments in preparation of Ordinance adoption at the February 5<sup>th</sup> meeting; Mr. Burkins seconded. All were in favor; motion carried.

7. **Sewer/Water Supervisor Report**—Ira Walker, Jr. submitted his report for Council review, pointing out that Tyler Robinson just found out he passed the remaining necessary items to obtain his Sewer license. Congratulations Tyler!

8. **President's/Vice President's Report**—Ms. Almony/Mr. Burkins:
- **Employee pay increases, per the Employee Handbook--**
    - Nathan McCloskey, \$1/hr. for passing his CDL test.
    - Tyler Robinson, \$1/hr. for passing his CDL test + \$1/hr. for passing his sewer exam.Ms. Almony made a motion to approve the pay increases listed above for Nathan & Tyler, retroactive from the date of their exams. Mrs. Bloom seconded. All were in favor; motion carried.
  - **Resignations from the Sewer & Water Authority—**
    - Kenton Kurtz, effective December 31<sup>st</sup>, 2023. Ms. Almony made a motion to accept Kenton's resignation; Mrs. Bloom seconded. All were in favor; motion carried.
    - Gordon Wisnom, Sr., effective January 1<sup>st</sup>, 2024—Ms. Almony made a motion to accept Gordon's resignation; Mr. Burkins seconded. Atty. Sharnetzka said in order to accept Gordon's resignation tonight, a replacement must be found within 30 days & Council won't meet again until after those 30 days. Staff, nor Council doesn't have a replacement at this time.  
Ms. Almony withdrew her motion until a replacement is found for Mr. Wisnom's term. Mr. Burkins withdrew his second. All were in favor; motion carried.
  - **Appointment to the Sewer & Water Authority—**
    - Ms. Almony made a motion to appoint Linda Miller to the Authority to fill Kenton Kurtz' term, expiring 12/31/2027. Mr. Burkins seconded. All were in favor; motion carried.
9. **Treasurer's Report**—no report.
10. **Mayor's/Police Report**—Mayor Barnette reported:
- SRPD Commission met on 12/6/23. A rash of thefts at gyms has been reported. Thieves are getting day passes for gyms, then burglarizing members' belongings. Police tracked them to Virginia where they were arrested & items were recovered.
  - New Freedom Christmas Parade—there were some issues with traffic control because SRPD wasn't made aware of parade route changes.
  - Police Commission 2024 Budget has been passed.
  - IGA Committee will begin meeting again on January 16<sup>th</sup>, 2024 @ 6pm.
  - In light of Council's authorization to move forward with the Disruptive Conduct Ordinance, Chief Cunningham reported that, at two of Stewartstown Borough's problem apartment buildings, there were 49 Police calls at one property (in 2023), resulting in 3 arrests & 36 Police calls at the other property (in 2023), resulting in 1 arrest. Some landlords & management companies have reached out to SRPD about these ongoing problems. This Ordinance should be a big help to landlords.
  - Tractor trailers traveling on side roads (non-PENNDOT roads) continue to be a reported problem. If the Borough wants SRPD to enforce restriction of these vehicles, an Ordinance is required, for which a traffic study may need to be conducted.
11. **Committee Discussion/Other business**—Mrs. Bloom mentioned two items:
- She suggested setting up Zoom meetings for Borough Council meetings. Jason Roberts agreed to research what would be involved (costs, equipment, etc.) & report back in February.
  - Is it possible to make the theater lot into public parking? She spoke to a PENNDOT rep, who said, if a traffic study is conducted & the lot is large enough for parking, PENNDOT may approve an on/off lot, just for parking, not for residential parking use. Previously, the Borough was told by PENNDOT, the lot is too close to the intersection to be used as a parking lot. Jason Brenneman said the lot would be considered a "low volume driveway" but would still require a scoping meeting with PENNDOT. His office deals with TRG for traffic studies/engineering, and he said there is some research & paperwork involved for a scoping meeting. If PENNDOT gave their approval, their permit typically costs \$8,000-\$10,000.

Some Council members aren't willing to pay taxpayer money for something that may not get approved anyway.

12. **Adjournment**—With no further business before Council, Ms. Almony made a motion to adjourn the meeting @ 8:51pm. Mr. Elwell seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary