

**Stewartstown Borough Council**  
**Meeting Minutes**  
**Monday, February 4<sup>th</sup>, 2019**

**Members**

Donna Bloom  
Polly Kreiss  
Roy Burkins  
Mike Ellinger  
Kenton Kurtz  
Gordon Wisnom, Sr.

**Others**

Craig Sharnetzka, Solicitor  
Jason Brenneman, Engineer  
Ira Walker, Jr. Sewer/Water  
Vince Catalano, Sewer Plant  
Mayor Robert Herzberger  
Stacy Myers, Recording Sec'y

**Visitors**

Jennifer Donnelly

1. The meeting was called to order @ 7:00p.m. Everyone present participated in the pledge to the flag.
2. **GENERAL BUSINESS**
  - Approval of Meeting Minutes—Mr. Burkins made a motion to approve the January 7<sup>th</sup>, 2019 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
  - Approval of Financial Statements
    - **General Funds**—Mrs. Bloom made a motion to pay General Fund bills dated January 5<sup>th</sup> thru February 1<sup>st</sup>, 2019, totaling \$104,478.63; Ms. Kreiss seconded. All were in favor; motion carried.
    - **Sewer Funds**—Ms. Kreiss made a motion to pay Sewer Fund bills dated January 5<sup>th</sup> thru February 1<sup>st</sup>, 2019, totaling \$42,215.21; Mr. Burkins seconded. All were in favor; motion carried.
    - **Water Funds**—Mr. Kurtz made a motion to pay Water Fund bills dated January 5<sup>th</sup> thru February 1<sup>st</sup>, 2019, totaling \$44,435.77; Mrs. Bloom seconded. All were in favor; motion carried.
3. **PUBLIC COMMENT/VISITORS**—Jennifer Donnelly from 30 Church Street was present to request a leash law be put into effect in the Borough. When she called the Borough Office about a woman who frequently walks with two pit bull-type dogs, untethered, she was told the Borough has an Ordinance prohibiting cats & dogs to be “running at large”, and that they must have valid animal licensing, but a “leash law” is not in affect in the Borough. She reported a recent incident where she was walking her dog & witnessed this same woman walking her two dogs without leashes. Both women ended up in Rutters’ parking lot (W. PA Ave), where the one pit bull made eye contact with Ms. Donnelly’s dog, charged it and began fighting it. The dogs were separated & neither suffered any injury; however, when Ms. Donnelly asked the woman why her dogs were not on leashes, the woman replied, “they’re well-trained and this has never happened before”. When Ms. Donnelly called Southern Regional Police, she was told there IS a Pennsylvania Leash Law, but when she talked to the Borough’s Animal Control Officer, she was told there isn’t a leash law because of dogs used for hunting purposes. Council members agreed with Ms. Donnelly that that rule should not hold true when walking dogs in town and that, next time, it could be a child that gets attacked. Council agreed to let Mr. Sharnetzka review the State laws and codes and research leash laws in other municipalities. He will report back next month. Ms. Donnelly also mentioned the junk, storage bins, and a damaged carport shelter at 43 Church Street and asked if the Borough can do anything about that. Another complaint had been received last week about this property and the Borough Office will be sending a certified letter tomorrow, 2/5 to the property owner(s) notifying them they must adhere to the Borough’s Nuisance Ordinance.

4. **SOLICITOR'S REPORT**—Mr. Sharnetzka reported:
  - Ramsey Theater, 3 South Main Street—Craig spoke with the Authority Solicitor, Shane Rohrbaugh and learned that Bill Neal (owner of the theater) is in bankruptcy. He also learned Mr. Neal has a stipulation in the bankruptcy (and this is approved as an order of the Court) that he has until March 31<sup>st</sup>, 2019 to make any necessary repairs on all real estate he owns. On or before April 1<sup>st</sup>, 2019, he will contact a realtor to list all those properties (other than his residence). Any property that remains unsold as of September 2019 will go to public sale with an auctioneer. Craig recommends waiting to see the outcome of this rather than moving forward with obtaining a structural engineer for the movie theater property.
  - The two easements for the West Pennsylvania Avenue stormsewer project were recorded in January. One was for 26 W. Penna, the other for 28 W. Penna. Avenue.
  - Pennsylvania Office of Open Records now has a new address & fee schedule. Craig stated the Borough may want to consider updating their Fee Resolution to reflect the changes.
  - May 31<sup>st</sup>, 2019—Municipal Night at the Ballpark for CGA Law Firm—invitations will be mailed soon.
  - Requests a brief Executive Session. Council recessed to Executive Session @ 7:17p.m.; Reconvened @ 7:22p.m. No action taken; Mr. Sharnetzka left the meeting at this time.
5. **ENGINEER'S REPORT**—Jason Brenneman reported:
  - Bids for the stormsewer project for West Pennsylvania Avenue will be ready for the March Council meeting.
  - Ecker Avenue—Manifold Excavating will complete the culvert installation. Jason spoke to Aaron Manifold regarding the large tree & the gas line that extends across the creek in that area. Aaron spoke to Columbia Gas about the tree roots possibly interfering with the gas line, but they're not interested in removing it. After some discussion, Council feels more comfortable with a tree company removing the dead tree/roots. Mr. Kurtz made a motion for Borough staff to obtain a tree service; Mr. Burkins seconded. All were in favor; motion carried. Aaron will get his schedule to Jason; he would like to wait till warmer weather to do the work. Jason will try to bid the project for the April Council meeting.
  - Received PEMA correspondence addressed to "Flood Plain Administrator"—the Borough has no flood plains in the Borough, but they are part of the NFIP (National Flood Insurance Program) so residents can obtain flood insurance. Jason assumes the certificate that came with this correspondence needs to be completed because of that; he will complete it & submit it to PEMA, if necessary.
  - Of note, a spiral screen update—Jason is still corresponding with DEP to satisfy their requests to obtain the permit. Most recently, DEP requested instantaneous flows of the drain pit pump & the belt press line. The plant is permitted at 625,000 gallons/day; it was designed for 740,000 gallons/day. The instantaneous flow that Jason had the design for was 1.4million gallons/day. Council will be updated as more information is obtained.
6. **SEWER/WATER SUPERVISOR REPORT**—Ira Walker, Jr. submitted his report which will be on file with these Meeting Minutes. Mr. Kurtz made a motion to approve the following expenses; Mr. Burkins seconded. All were in favor; motion carried.
  - Messick's service call & repairs on the skid loader on 1/17/19 for a cost of \$863.86.
  - Springettsbury Township Wastewater Treatment Plant bill for five loads of liquid sludge that Miller & Sons hauled from the thickener. Total cost was \$1,113.36.
  - New annual fee charged to municipal water systems by PA DEP. Based on population, Stewartstown Borough's fee is \$6,500.
  - Control Systems 21 expense for the repair of a bad "Ack Pak". Cost is \$224.45.
  - Six reagent kits ordered from Controls Systems 21 for the chlorine analyzers. Cost is \$364.50.

- Purchase of a new influent sampler for a cost of \$2,800.
  - Welcome to Vince Catalano, who began working at the Sewer Plant on January 28<sup>th</sup>. He is a good addition to our staff! Of note, Ira suggested Vince take a class called “Collection Station Certification” that will count towards his sewer license certification. Cost for the 8-week course is \$710. Before registering Vince for the course, Ira will also verify that he and/or Tracy Baldwin don’t need the certification also. Mr. Burkins made a motion authorizing Vince Catalano to take the class (and Ira and Tracy, if they need the accreditation); Mrs. Bloom seconded. All were in favor; motion carried.
7. **MAYOR/POLICE REPORT**—Mayor Herzberger reported:
- At last week’s York Adams Tax Bureau meeting, YATB reported they are concerned about the report from the State & them taking over the earned income tax collection. The report, prepared by the Department of Treasury, suggested there would be substantial savings by going with a centralized collection bureau, but YATB stated they had a lot of problems with the analysis & items that weren’t included in the report. Mayor stated the report did not include all the various jurisdictions & tax codes/amounts for the State and the report indicated the data processing time period to collect that information is 5-7 years. More information will be given on this as it’s obtained.
  - Stormwater Management Authority meeting held at the Borough’s meeting room in January—approx. 15 people attended with 4 from Stewartstown Borough, 3 from Crossroads Borough, 3 from Hopewell Township, 1 from North Hopewell Township & 1 from East Hopewell Township. YCPC representatives received some “heat” from Hopewell Township reps due to the township having a lot of farmland. Stewartstown Borough residents would be required to pay \$48/household. Commercial properties would be charged based on square footage of impervious material & farms would have a flat fee + a tillable-acre fee. Some municipalities believe this Authority is not the best way to manage the stormwater issue. Some believe that if this is a worthwhile cause, the cost should be included in the resident’s taxes. The budget for the Stormwater Authority is substantial, at \$14 million. Jason reported he heard York County Planning Commission is now rethinking this Stormwater Management Authority due to the kickback they’re receiving from farmers & the agricultural community.
  - February 6<sup>th</sup>—next Police Commission meeting
8. **TREASURER’S REPORT**—no report
9. **OTHER BUSINESS**—
- Mike Ellinger reported on the recent meeting at Hopewell Area Recreation. Through a grant, HARP hired a consultant to make recommendations and the consultant recommended they hire a full-time Parks & Recreation Director. They currently have 4-5 volunteers who, besides their full-time jobs, simply don’t have enough time or experience to do what’s needed there. Mr. Ellinger distributed information on what the job requirements for the Director would be, including administrative, strategic planning, recreation programs & facilities management functions. Information on potential funding sources for a Parks & Rec Director was distributed, one of which is a DCNR Circuit Rider Grant that offers \$60,000 in 2019, \$45,000 in 2020, \$30,000 in 2021, \$15,000 in 2022 & \$0 in 2023. HARP is eligible for this grant right now; Stewartstown Borough would most likely be the grantee. All municipalities attending this meeting agreed that, at this point, HARP doesn’t have much of a choice. The volunteers are getting stressed out & burned out with the required operations & duties, so a Parks & Recreation Director is either hired or we close the doors of the Hopewell Parks & Recreation. A meeting is scheduled for February 14<sup>th</sup>, 2019 and HARP wants to know if the municipalities are in agreement with applying for the grant. Mr. Ellinger made a motion for

- HARP to proceed with the grant application & paperwork to obtain a Parks & Recreation Director; Mrs. Bloom seconded. All were in favor; motion carried.
- York County Boroughs Association meeting dates for 2019—
    - March 28<sup>th</sup>—to be held at Seven Valleys Fire Hall—discussion to be held on blighted properties
    - June 27<sup>th</sup>—picnic at Lake Redman with York County Planning Commission speaking on the Stormwater Authority
    - September 26<sup>th</sup>—to be held in Hellam—discussion from PSAB
    - November 9<sup>th</sup>—to be held at Great American Saloon—speaker TBA
10. **ADJOURNMENT**—Mr. Ellinger made a motion to adjourn the meeting @ 8:15p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary