

**Stewartstown Borough Council
Meeting Minutes
Tuesday, July 5th, 2022**

Members present

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

Others present

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

Visitors

Jason Roberts
Joe Hall
Connor Hood, Cintas Uniforms

Dale & Dawn Gillispie
Wayne DeShong

John Barnette
Stephanie Thompson
Ken Anderson

1. The meeting was called to order @ 7:00pm. followed by the pledge to the flag.
2. **Visitors & Public Comment**—Connor Hood from Cintas Uniform Company was present to discuss the potential for supplying Borough employees with uniforms. Connor met with Ira recently who told him employees currently have an annual uniform allowance of \$350 for shirts, sweatshirts, coats, etc. Ira said, due to the chemicals that the employees work with, their clothe can get stained, bleached & ruined easily & the expense of a good work boot can eat up their clothing allowance rather quickly. Connor relayed some benefits that Borough employees would see by going through Cintas:
 - Uniform options to suit their type of work, such as pants, a lighter-weight for warmer weather & a heavier weight for cold weather, high-visibility shirts & winter items such as sweatshirts & jackets, when needed. Cintas has a partnership with Carhartt to provide the heavier-weight clothing.
 - Each employee would receive 11 sets of a uniform (shirts/pants)
 - Any torn or ruined item of clothing will be replaced free of charge (employee would put the item in a special bag to be collected by Cintas)
 - Weekly laundering of uniform items
 - Borough emblem (or name) would be added to each uniform at no extra cost
 - Should an employee leave the Borough, they should return their uniform items. If they would keep any items, the cost would be deducted from their final paycheck.

Connor said government entities, municipalities, schools, etc. can get a lot better prices through Omnia Partners, who Cintas deals with to procure their items. It's free to sign up for Omnia.

Connor distributed the following pricing options to Council:

- Standard clothing option including laundering--\$45.35/week total for **all** 5 employees
- Carhartt clothing option including laundering--\$62.40/week total for **all** 5 employees
- Cintas buys all the clothing items, so there's no upfront cost to the Borough. They do NOT, however, provide boots or shoes, only clothing.

Connor offered references that Cintas currently deals with such as Spring Grove Borough, York Township, Borough of Gettysburg & a few others. Borough Council will review the options & report back to Connor with their thoughts. If they want to move forward with Cintas, they can decide on whether or not to provide a spending allowance for employees' work boots. In the meantime, Connor will get the Omnia signup info to Stacy.

3. **General Business**

- **Approval of Meeting Minutes**—Mrs. Bloom made a motion to approve the June 6th, 2022 Meeting Minutes; Ms. Kreiss seconded. Mrs. Carl requested an amendment to Item #10, Economic Development Committee Report, *to remove the sentence that the summary on the theater project will be on the website*". She stated that report is not ready for public viewing yet. Mrs. Bloom & Ms. Kreiss amended their motions to include the stated revision. All were in favor; motion carried.

Of note, Mrs. Carl explained there was a right-of-way on Mr. Hostler's property (next to the theater site) that is now blocked by the deck on Mr. Hostler's property; however, if the ROW was ever recorded with the land, the Borough may have recourse to go back on that. More on this later as further research is done.

- **Approval of Financial Statements**

- **General Funds**—Ms. Kreiss made a motion to approve bills dated June 2nd thru June 30th, 2022, totaling \$38,940.35; Mr. Burkins seconded. All were in favor; motion carried.
- **Sewer Funds**—Ms. Kreiss made a motion to approve bills dated June 2nd thru June 30th, 2022, totaling \$151,987.78; Mr. Burkins seconded. All were in favor; motion carried.
- **Water Funds**—Mrs. Bloom made a motion to approve bills dated June 2nd thru June 30th, 2022, totaling \$67,440.16; Ms. Kreiss seconded. All were in favor; motion carried.

4. **Solicitor's Report**—Mr. Sharnetzka reported:

- **Intergovernmental Cooperation Agreement for Police Services**—since last month's meeting when Mayor Sharkey attended for IGA discussion, Craig sent some revisions to Peter Ruth (Solicitor, Police Commission). Council has a copy of those revisions, but no action is due at this time, because per Mayor Sharkey, more revisions are expected from Glen Rock Borough.
- **Upside Investments, LLC/Bailey Hotel**—as a result of their use of the stormwater facilities that currently run under that property & empty across Bailey Drive into a vegetative area, Jason Brenneman stated the pipes & that vegetative area need to be maintained. Craig drafted a Stormwater Facilities Maintenance Agreement that will be signed by Upside Investment, LLC & also Cornerstone Plaza, LLC (owner of property on the opposite side of Bailey Drive). The developer & Jason reviewed & agreed with the Agreement which requires Upside to maintain the pipes which are on their property & requires Cornerstone to not only maintain the pipes, but also to maintain the vegetative discharge area. There were specific recommendations from Cornerstone's Solicitor regarding that vegetative area & Jason agreed with those recommendations. Those will also be included in the Agreement.
If maintenance is not done, the Borough has the right to go on the property, complete the maintenance & bill them for involved costs. The Agreement will be recorded so it becomes a burden on the property & will be a benefit to the Borough.
Mr. Burkins made a motion to approve the Stormwater Facilities Maintenance Agreement with Upside Investments, LLC & Cornerstone Plaza, LLC; Mrs. Bloom seconded. All were in favor; motion carried.
- **Modernized Sample Nuisance Ordinance**—Craig's office recently drafted a modernized Nuisance Ordinance for another municipality, one that includes prohibiting fireworks, drones, recreational vehicles & some other items not included in our current Nuisance Ordinance. He can send the draft to Council for their review & potential approval if they wish.
- **15 Springwood Rd. Stormwater work**—Last month, Council discussed sending a letter to the homeowner after the stormwater work was completed. It was thought the homeowners would maintain the area now that the work is complete, but Council wants to confirm where

future responsibility lies. Craig didn't recommend any easement agreements allowing the Borough to go onto private property to conduct maintenance. Mr. Gemmill said, while he realizes the homeowner was aware of the required stormwater maintenance when they purchased the property, he said it's unfortunate they have to handle runoff from the school, Eureka, & neighboring properties. Ira said, before that house was even built (late 1980's) that runoff maintenance was known, as 15 Springwood sits at a low point. Jason said it's a tough situation, although he doesn't recommend any municipality conduct maintenance for these types of properties.

After discussion, Mrs. Bloom made a motion authorizing Atty. Sharnetzka to send a letter to the Cantwell's that they can countersign, stating they are satisfied with the work, will maintain the property & not come back to the Borough for future maintenance; Mr. Elwell seconded. All were in favor; motion carried.

5. **Engineer's Report**—Jason Brennehan reported:

- **High Street Inlet Replacement**—Jason spoke to Aaron Manifold last week who is getting a price for the inlets & piping. Jason will pass that along, once received.
- **Borough Storm Sewer Map/Analyzation**—Jason's office prepared a storm sewer map of inlets & pipes within the street ROW. It's important to look at the inlets in the streets the Borough plans to pave over the next 2-4 years. Jason provided a list of those most important at this time, if Council wants to just focus on those or do the entire Borough. Televising storm sewer lines is considered maintenance work, which Craig said does not need to be bid; however, he did recommend paying wage rates if the work exceeds \$25,000. Jason & Craig agreed, the lines could be televised for less than that amount each year & even Borough staff could assist by pulling grates & looking in the first few feet of inlets to determine their condition, so wage rates would not be applicable.

Borough Mapping Application/Diamondmaps—this software would be a good asset management tool for both the Borough & the Authority to document water/sewer lines, road paving projects, etc. Jason said it's \$60/month for the subscription (cost for the Borough & Authority together). Ira had worked with PA Rural Water who has the whole water & sewer system mapped. Ira, as well as Jason would have sign-in access to the software which is cloud-based & can be backed up to protect information. Usernames & passwords can be created for one user or several users. Read-Only access can be given for other users too, as the software & capabilities are very flexible. Other information, such as parcels in the Borough can be imported into the software as well. Jason said there is other mapping software available, such as Ezri, but Diamondmaps is much more user-friendly. Mr. Elwell researched Diamondmaps & said it's not complex at all and he was satisfied with the security measures that are in place, especially when dealing with the Borough's infrastructure. Mrs. Carl stated this software could allow the Borough to possibly reduce engineering time for certain future projects.

After more discussion, Mrs. Carl made a motion to move forward with the Diamondmaps software program for \$60/month for the subscription cost; Mrs. Bloom seconded. All were in favor; motion carried.

- **Memory Lane alley discussion**—Ms. Almony made a motion to amend the agenda to allow discussion on this subject; Mrs. Bloom seconded. All were in favor; motion carried. Mr. Elwell started the discussion, stating he was approached by a few Memory Lane residents regarding maintenance of the alleyway (sort of a dirt road) extending south off Memory. The Irvin's had their property surveyed recently & it had come up 6' shy of the alleyway. The alleyway is in disrepair with potholes, etc. Wayne DeShong & the Gillispie's, (High Street residents), as well as Joe Hall (Main Street resident) were present to get direction on who is responsible for the alleyway since their properties back up to it. Office staff & Jason had researched and stated the alleyway was not adopted by the Borough, so therefore the Borough would not maintain it. Jason said there are instances where deeds

mention easements or rights-of-way but, in this case, it does not state this is a “public” ROW. There are such things as private rights-of-way that would be maintained by several property owners. It was Jason’s understanding that this Memory Lane alleyway was private. If an alleyway, such as this, is not adopted by the municipality within 21 years, it reverts back to the previous property owners.

Mr. DeShong and Mr. Gillispie (Dale) have been filling in the potholes & trying to make the alleyway as smooth as possible, but when the neighboring business, Clearview, opened (at 38 N. Main), they expanded their parking lot back to the end of their property and now their vehicles & trailers use that alley so frequently (15-20 trips/day), the gravel doesn’t remain in the potholes. Mrs. Gillispie (Dawn) stated Clearview’s staff travel on the alleyway at higher rates of speed than should be allowed. There are children & pets living in that area and she’s very concerned for their safety. This was mentioned to the business owner, which helps the situation, but only temporarily. Years ago, Mr. Gillispie was told that if the alleyway was abandoned by the Borough, the nearby residents could claim it as part of their property. If that’s so, he said he will continue to maintain it, but he will prohibit Clearview’s vehicles from accessing it. Mr. DeShong stated, when he bought his home approx. 50 years ago, he was told that gravel lane was a private alley which allowed access to everyone who owned from the alley-out. He just wants to know who is responsible for maintaining it.

Neighboring properties would like Clearview’s help to maintain the alleyway also, especially if they continue to use it as heavily as they do.

After hearing from the neighboring property owners, Mr. Sharnetzka said since the Borough has never adopted the alleyway, it is a private easement/right-of-way. Since it’s a private matter, the Borough can take no action, nor can they offer any direction to the neighboring homeowners on their responsibilities or liabilities concerning this alleyway. He said, the homeowners could do some research, title searches, etc. to see who has the right to use the roadway, if anyone. They also need to understand where their titles start & end; they need to research their deeds as well for information.

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

- **Social Media Policy adoption**—Council President Almony presented the policy for Council’s review with her request it be adopted & included with the Employee Handbook. The policy outlines the use of social media for employees & the responsibilities (& possible liabilities) it may involve. It urges employees to make responsible decisions with their use of social media, especially that which may have a bearing on the Borough. It does not restrict an employee’s use of social media during personal time for purely personal reasons, nor where the employee does not identify themselves as a Borough employee, or where they do not claim to represent the Borough.

Mrs. Bloom made a motion to adopt the Social Media Policy to be included with the Employee Handbook; Ms. Kreiss seconded. All were in favor; motion carried.

- **Police Office Sewer Pump backup**—a few weeks ago, the pump in the Police Office garage backed up due to a clog. This is the 2nd occurrence this year, the 1st being in February. In February, the cause of the clog was found to be from wipes (those claiming to be disposable). At that time, Impact Disaster Services cleaned up the damage in the Police Office at a cost of \$4,624. A claim was filed with the Borough’s insurance company & the Borough paid the \$2500 deductible & was reimbursed for the difference.

IDS was called for the recent occurrence & the clog was again, caused by wipes or rags that were in the sewer system which clogged the pump. Another claim was filed with the insurance company & the Borough will pay the \$2,500, if IDS’s bill exceeds that amount.

Mr. Burkins asked for all pictures, invoices & other documentation of both incidents, so he can take everything to tomorrow night’s Police Commission meeting. The Borough pays all utility bills for the downstairs Police Office, for which no reimbursement is received, nor is

any rent paid for the office space, used by SRPD as a hub. Council would like to, at least, get reimbursed for the out-of-pocket expense of \$5,000 (for the two deductibles paid).

It was recently found that the one downstairs toilet (in Police Office) was leaking, and that usage shows on the Borough's water bill (which will be paid by the Borough also). Mr. Burkins stated there is no written agreement between the Borough & SRPD. The downstairs office was donated to the Police Commission for \$1/year, and the reason was for convenience, so any resident needing to meet an officer would not need to drive to the New Freedom office. In addition, the officers use the hub for paperwork, Police interviews, etc. SRPD paid for any renovations that were done to the downstairs office space.

All this will be brought to the Commission's attention tomorrow night & Mr. Burkins will report back next month.

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

- FYI—the 2nd round of ARPA funds (American Rescue Plan Act) is expected around July 14th, in the same amount as received last July, which was \$118,590.

- Fire Police request was received today from Springfield Township, to request Fire Police assistance at their Annual Car & Vendor Show on September 5th, 2022.

Mrs. Bloom made a motion to amend the agenda to discuss Fire Police business; Ms. Kreiss seconded. All were in favor; motion carried.

Mr. Burkins made a motion to approve Springfield Township's request for the September 5th event; Mr. Gemmill seconded. All were in favor; motion carried.

- Fire Police had approached Mr. Burkins about the route for the Main Street 5K (scheduled for August 13th, 2022), stating they didn't have enough manpower to shut down the street & reroute traffic for the planned route. Ira said the PennDOT permit had already been obtained for the event & he had assisted Harry (who approached Mr. Burkins with the concern) with the permit request. Mr. Burkins will talk to Harry again & if there are any further concerns, they can discuss them with Jason Cole, who is in charge of the event.

8. **Sewer/Water Supervisor Report**—Ira Walker, Jr. presented his report. All expenses will be submitted to the Sewer & Water Authority for action. Of note, President Almony stated she received compliments from 3 different people about the courtesy & professionalism they received dealing with the Borough water & sewer staff.

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

- She officiated a wedding on April 11th (Jeffrey Anderson/Irene Limneos) and received \$100.
- After officiating a wedding in March, she received a \$75 gift card from the couple.
- SRPD's most recent hire submitted his resignation, effective July 4th, so applicants will be sought for a new officer.
- The IGA Committee is meeting tonight as they continue to work on the Agreement with Glen Rock Borough. Police Commission meets tomorrow night, 7/6.
- Of note, Class C fireworks are legal for purchase; however, State law states they cannot be set off within 150' of any dwelling. This restriction, as well as prohibiting the use of fireworks after 10pm is included in the Borough's Nuisance Ordinance. SRPD is responding to complaints about fireworks, but it remains a difficult thing to enforce & it pulls Police resources away from more important calls.

10. **Committee Discussion/Other Business**

- **York Waste Solid Authority Landfill Expansion**—Mrs. Carl mentioned a possible future site re-use of the complex on Althouse School Road in Hopewell Township. YCSWA in in discussion with the Township about landfill capacity, additional recreational facilities, walking trails, etc. Mrs. Carl said, although the facility is in Hopewell Township & they haven't asked for Borough support, she feels it's important for Borough residents & Council to show support & attend future meetings where more discussions will be held. There is a proposed meeting in August (date TBA) to be held at Eureka Fire Hall. Mrs. Carl proposed

also having a booth at Eureka's Carnival to promote awareness to the community about the potential landfill expansion & reopening, in addition to any other questions or concerns the residents may have regarding the Borough. Informational flyers or pamphlets could also be distributed regarding the sewer/water system (use of "disposable" wipes, etc.) Some Council warned against too much information being offered at the proposed booth, such as questions that may start conversations the Borough cannot address. The landfill involves other municipalities as well, not just the Borough.

She & Mayor Barnette are willing to man the booth; however, no other Council members could offer their time for the week of the carnival.

- **Blighted Properties Summary**—the summary was emailed to Council for their review. Mrs. Carl would like more discussion & Council input once it's reviewed. The summary urges a municipality to be more proactive than reactive where vacant properties (& those in disrepair) are addressed. The movie theater was in disrepair for years & the former owner falling into tax delinquency prior to the Borough obtaining the property & grant funds to use towards its demolition. Inspection of rental properties was also mentioned, although the Borough currently does not require this, but does require all rental properties & tenants to register with the Borough Office. Some obvious properties of concern can be brought to the attention of staff (if they're in violation of the current ordinances). The Borough's Zoning Officer doesn't enforce Ordinances. Although he can, he deals mostly with building permits & zoning issues.

Mrs. Carl would like to review those Borough properties that may be delinquent in their taxes, stating these often are those falling into disrepair. This tax information can be found on the York Adams Tax website. Information on funding sources & points of contact were also included in the summary paperwork.

President Almony requested Council review the Blighted Property Summary in preparation of discussion at the August Council Meeting.

Mrs. Carl stated the Economic Development Committee is now up to 10 members. They continue to look at different opportunities for the Borough. The minutes from their last meeting were distributed to Council.

- **Street sweeper discussion**—after speaking to New Freedom staff, Mrs. Bloom stated they aren't including travel time to/from New Freedom in their \$80/hour cost for the use of the sweeper. The cost includes one of their staff to operate the sweeper. Mrs. Bloom said some Borough streets are worse than others as far as needing cleaned. Main Street (both North & South), East & West Pennsylvania & Camelot Court are some of the worst. After sweeping, Ira said he will remove all the debris collected from the cleaning. Ira said the sweeper can hook up to a hydrant for necessary water also.

In order not to have an "open-ended" cost, Mr. Elwell made a motion to hire New Freedom Borough for street sweeping, not to exceed \$1,500; Ms. Kreiss seconded. Motion carried with Mrs. Carl opposing. The funds to pay for street sweeping will come out of the General Fund.

Staff will research whether or not liquid fuels can be used for this purpose & report back.

11. **Executive Session**—Ms. Kreiss made a motion to recess to Executive Session @ 9:17pm to discuss a personnel matter; Mrs. Bloom seconded. All were in favor; motion carried.
12. **Council reconvened**—Mr. Burkins made a motion to reconvene the meeting @ 9:50pm; Mrs. Bloom seconded. All were in favor; motion carried.
Mrs. Bloom made a motion to approve a pay increase of \$2.15/hr. to Melissa Matthews. Mr. Burkins seconded. Motion carried with Mrs. Carl opposing.
Mr. Burkins made a motion to approve a pay increase of \$3/hr. to Ira Walker, Jr.; Ms. Kreiss seconded. All were in favor; motion carried.
13. **Adjournment**—With no further business before Council, Mr. Burkins made a motion to adjourn the meeting @ 9:52pm. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary