

Stewartstown Borough Council
Meeting Minutes
Monday, May 1st, 2023

Members present

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

Others present

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

Visitors

Linda Miller
John Barnette
Bill Amberman
Mel Stachura
Dan & Marlene Floor

Jordan Ilyes
Charles Tolson
Dan & Meghan Webb
Joshua Butler
Jason & Donna Roberts

Eric Johnston
Bob Hersey
Aaron Manifold
Will Reinseder

1. The meeting was called to order @ 7:00pm followed by the pledge to the flag.
2. **Public Comment/Visitors**

Jordan Ilyes, from Ilyes Holdings, LLC brought his idea of revitalizing 13 Mill Street to Council & tonight's visitors. He currently has the former factory under contract and is proposing a mixed use consisting of one & two-bedroom apartments & retail spaces. He stated Small Town Sweets has expressed interest in moving into a space also, and Jordan is interested in possibly adding a brewery & a café/coffee shop. Jordan was born & raised in York County, is involved in real estate & has completed several redevelopment projects (12 total), especially older buildings. He has rehabbed McCallister Hotel (Hanover), Keystone Color Works (York) & the Red Lion Table Company (Red Lion), to name a few. He self manages all the properties that he rehabs; he's not a property flipper. His rents are way above market rate, as they're popular with young professionals as well as empty nesters. He's at the beginning stage of planning & wanted to gauge Council's interest in this project coming to Stewartstown Borough. Eric Johnston presented the sketch plan of the building which has frontage on Mill Street, as well as Bronson Avenue. Eric said, when creating residential spaces from old buildings, finding adequate parking can be a challenge. The architect's preliminary layout shows 106 residential units, 30 of those being loft apartments, so 212 parking spaces would be required. Some parking is outside, while some is proposed to be inside as Eric stated the prior use of the building required reenforced floors which should be adequate for interior parking. Jordan stated typically 1½-2 parking spaces are offered in these types of buildings. The spaces are leased so as not to cause an issue with who should & shouldn't be parking there.

Currently, they're short on parking, per the Borough Ordinance, but are hopeful with an amendment to that Ordinance, it would be accepted. 40-50 parking spaces are being considered for retail uses.

With the property being in the Industrial Zone, the multi-use building is not currently a permitted use by Special Exception, so it would involve Jordan trying to obtain a Special Use Variance which is typically very difficult. Being that the Borough's Zoning Ordinance is very dated, Jordan & Eric are proposing the possibility of Council updating the Ordinance to include such a use in the Industrial Zone. This can be a time-consuming process, but it may work best than trying to obtain the Variance.

Jordan invited Council members to schedule a tour of one of the properties he has rehabbed, so they can see firsthand the possibilities for the old 13 Mill Street building.

Other comments about the proposed rehab:

- Existing brick to stay exposed, as well as the beams & wooden floors.
- Water service lines will be upgraded for both residential use & sprinkler lines.
- Pond/wetlands on the property (near Bronson) must stay wetlands.
- Visitor Aaron Manifold suggested Jordan (& Council) be cognizant of the traffic patterns going in & out of Mill Street & Bronson Avenue, as that is the proposed ingress/egress. He's not sure how easily attainable a PENNDOT permit will be if Jordan plans to widen Bronson Avenue onto Rt. 851, as it's right at the crest of the hill. What Jordan is seeing now, more than 5 years ago is the number of people working from home & the decrease in commuter traffic, so he's predicting a nice flow of traffic, mostly in/out of Mill Street, with back-end access using Bronson Avenue. Jordan has spoken to most Bronson Avenue residents, as well as Gordon's Service Center. All of them were very receptive to the proposed use for the old building.
- Borough Council had been in discussions with John Nolan & Stewartstown Railroad with possible repair/replacement ideas of the Mill Street railroad tracks. Mrs. Carl wondered if Jordan would be interested in partnering in that endeavor; however, Jordan doesn't use grants or tax money to fund his rehab projects, so there's not a lot of "extra money". If there's a way he could possibly help, he'll do so. Jordan had also spoken with John Nolan about the railroad's financial situation & what they'd like to do.
- Concerning the proposed Mill & Bronson ingress/egress, Jordan recently met with the Zoning Officer & Borough Engineer and proposed that most residents leaving the apartments may be heading toward Shrewsbury & not travel over the railroad tracks. Bronson Avenue is only 16' wide with residents currently parking on both sides. Adding any amount of traffic to that area may be cause for concern, but this will be a Land Development issue.
- As the old water tower is an iconic part of Stewartstown's history, Jordan plans to keep it & rehab it as well.
- The existing block building (behind Gordon's) is proposed for interior parking, as it would not make attractive residential space.
- Ms. Almony will schedule a tour of one of Jordan's buildings for interested Council members.

Regarding the zoning issues:

- Atty. Sharnetzka said Jordan is asking for preliminary feedback from Council on whether or not they're willing to amend the Zoning Ordinance to allow multi-family housing/apartment use in the Industrial Zone. He said a text amendment could possibly be made to the ZO, but if Council is willing to do so, they must be aware that they will make a use that's not currently permitted anywhere in the Industrial Zone & permit it everywhere in that zone. The Borough's current Industrial Zone is made up of most of Mill Street (both sides), out Rt. 851, Bronson Avenue, both sides of Free Street & also a portion of vacant property across the street from Bailey Drive.
- If Council doesn't want to do a text amendment, Jordan would need to apply for a Use Variance in order to do what he's proposing at 13 Mill Street. There would be several areas of relief they would need to request, i.e., parking, buffers & for the use itself.
- Jordan said some municipalities use the word "conversion" where it's converting an existing property or to require a certain amount of residential units (75 or more). This would prohibit new construction of a multi-use building in the zone but would allow

Jordan to move forward with his project. And there aren't a lot of existing properties in the Industrial Zone that could meet that criteria.

- Ms. Almony suggested Council review the Industrial portion of the Zoning Ordinance and schedule a special meeting where more discussion on the proposal for 13 Mill Street can be held. Planning Commission members can offer input at the meeting, as well as the Zoning Officer & Borough Engineer.

Mrs. Bloom made a motion to advertise for a special Council meeting to be held Tuesday, May 16th, 2023 @ 7:00pm. Ms. Kreiss seconded. All were in favor; motion carried.

3. **General Business**

- **Approval of Meeting Minutes**—Mr. Burkins made a motion to approve the April 3rd, 2023 Meeting Minutes; Ms. Kreiss seconded. All were in favor; motion carried.
- **Approval of Financial Statements**
 - **General Funds**—Ms. Kreiss made a motion to approve General Fund bills dated April 1st thru April 27th, 2023, totaling \$151,185.57; Mr. Burkins seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated April 1st thru April 27th, 2023, totaling \$76,107.31; Mr. Elwell seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated April 1st thru April 27th, 2023, totaling \$122,887.48; Ms. Kreiss seconded. All were in favor; motion carried.

4. **Engineer's Report**—Jason Brenneman wasn't present tonight, but submitted the following:

- **56/58 S. Main Street work**—the PENNDOT permit has been submitted for the replacement of the storm sewer pipe.
- **Streets Committee**—the committee met with Jason several times over the last two months. Priority has been placed on the repair of East Pennsylvania Avenue. Jason reviewed several grant opportunities that could possibly help with the cost. Applications for the ARLE Grant (Automated Red Light Enforcement Program) are due in June. No match is required for this grant, but only 10% of the awarded money can be used for engineering, so another funding source would be necessary for any amount over & above. Jason submitted project details for East Pennsylvania to the PENNDOT office to see if it aligns with the grant initiatives & what they would fund. No word has been received yet. If the project gets a favorable response, Council could authorize Jason to create the grant submission with a cost estimate of \$3,000-\$5,000 to do so.

Other grants researched included the LSA grant (PA gaming money) which has applications due in September. CDBG (Community Development Block Grant) are due late fall/winter. Mr. Elwell made a motion authorizing Jason Brenneman to submit the grant application for the ARLE grant for East Pennsylvania Avenue's restoration, contingent on receiving a favorable pre-application response, for a cost not to exceed \$5,000. Mr. Gemmill seconded. All were in favor; motion carried.

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

- **56/58 S. Main Street**—the finalized easement agreements have been received & recorded. Aaron Manifold said the restoration work is complete. We will wait for the PENNDOT permit to complete the final storm sewer work.
- **Stewartstown Presbyterian Church Agreement**—the lease between the Borough & the church has been finalized. This is to benefit Hopewell Area Park & Recreation, who agree to pay \$25/annual rent to the church on behalf of Stewartstown Borough.

6. **President/Vice-President's Report**—

Ms. Almony reported:

- Potholes on E. Pennsylvania—Ira suggested contacting contractors to see if any would have asphalt/paving material left over from jobs so they could apply as a temporary fix. He has already contacted two contractors & has heard back from one of them. He's waiting to hear from the other to compare costs.
- Bailey Hotel—the developer has submitted a change of use application to now create apartments rather than a hotel. Being that the property is in the Commercial Zone, a Variance would be necessary to allow a residential use. More information is required for the submitted application to be complete, but Borough staff is anticipating it will be dropped off soon. Once submitted, the application will go before the Zoning Hearing Board, which staff is anticipating taking place in June. At this point, until the application is complete, the Borough cannot stop the construction that is ongoing on Bailey Drive, unless there would be a safety issue.

Atty. Sharnetzka said Council can send a letter to the Zoning Hearing Board making them aware of Council's position on the change of use. Aaron Manifold stated Council can authorize Atty. Sharnetzka to represent the Borough in opposition of any change & that can be done right now, if wanted. Craig said this is the risk the developer is taking, to apply for zoning relief after construction has started. The Land Development Plan they submitted must conform with the zoning, but if they change from a hotel to apartments mid-construction, they may believe they can conform to this use. Craig recommended inviting the developer to the next meeting so he can explain his intentions. After that, Council can take their position to the ZHB & at that point, request that certain conditions be put on the use, if the use Variance is granted. If the conditions are violated, fines/citations can be issued.

Craig doesn't foresee this developer having any interest in government funding & low-income housing. This concern can be voiced, but he believes they're going to want a return on their investment & the rents will be high.

Are there regulations defining a hotel? Length of stay, etc.? This isn't defined in the Borough's Zoning Ordinance, but Craig said the Department of Revenue defines "transient use" as 30 days or less. It's not a permanent use, but a transient one.

Mrs. Carl made a motion to invite Mr. Juffe to the June 5th Borough Council meeting in order to have a proactive discussion with him. Mrs. Bloom seconded. All were in favor; motion carried.

Mr. Burkins reported on the police contract negotiations. Of the 15 departments in York County, SRPD currently rates 11th on the pay scale. They're requesting 4-4½% increase on the next 5-year contract which will bring them to 7th on the scale. Nothing is final, but Roy just wanted to keep Council updated. The meetings have been very productive. Of note, if the department disbands (due to Glen Rock discussions, etc.), the officers request a guarantee (written in the contract) that they would be paid until the end of the contract term. More will be reported as it's known.

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

- Fire Police requests—Ms. Almony made a motion to approve the following Fire Police requests; Mr. Gemmill seconded. All were in favor; motion carried.
 - May 20th—New Freedom's Sesquicentennial Parade, 3pm-6pm
 - July 8th—New Freedom's Annual Carnival Parade, 3pm-6pm
 - Week of June 26th thru July 1st—Shrewsbury Borough's Annual Fireman's Carnival
- PA WARN recommendation to add cyber security to office computers—PA WARN consists of water operators & systems in PA from the EPA level down to the local level. Cyber security & the risk of someone hacking into a public drinking water system is being taken very seriously. Ira contacted Stewartstown's IT (Mark at Nerd911), to get his thoughts about what type of system can be added to ensure more cyber security. Mark offered a price for

revamping the network in the office to include remote-monitoring, professional security gateway, battery backup/surges, etc. The upgrade could also include (if wanted) a new camera system with recording capabilities.

Ballpark cost of the system upgrade & installation is \$4,250. Each camera is approx. \$200; recorder is \$1,750. Council agreed this is a necessary cost, but had two questions:

- Is there an ongoing cost for monitoring? *Stacy will find out & report back in May.*
- Will this be a shared cost between the Borough and Authority? *Ira said the Authority would be involved, as it would involve the SCADA system, monitoring the water system, etc.* This will be discussed at the May Authority meeting.

8. **Sewer & Water Supervisor Report**—Ira Walker, Jr. reported on the new items for this month. All expenses are approved by the Sewer & Water Authority.

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

Mayor's Report--

- Flags for Heroes Event—sponsored by Southern York County Rotary will be held at New Freedom Heritage Green on Saturday, June 3rd @ 10:30am. Military heroes or First Responders can be recognized. Flags will be displayed from May 24th-June 4th. Individual sponsorships are \$50; corporate sponsorships are \$500.
- Give Local York—May 5th—a Block Party will be held at Mason Dixon Library from 4pm-8pm involving the Stewartstown Historical Society, Stewartstown Senior Center & the Food Pantry. Games, food, & music will be enjoyed.
- HARP Master Plan survey—still open for public input.

Police Report—

- Conditional job offer has been given to an officer currently in Baltimore County. He needs to obtain his Act 120 clearances yet.
- Judge Sweeney visited a recent Police Commission meeting where she gave updates on some drug activity in the area. She also reported that York County is the 2nd highest in the state for “drug delivery resulting in death”. (Lancaster County is the highest) She plans to hold a community information event in New Freedom, date is TBA. The use of a new drug “Tranq” is on the rise & unfortunately, NARCAN does not phase it or reverse its effects.
- Complaints were received about the vape shops in Shrewsbury & New Freedom. Attorney General's office conducted an investigation where they found multiple violations. The shops were put on notice & received fines.

10. **Committee Discussion**

- Donna Bloom updated everyone on the recent IGA Meeting. Glen Rock originally said they wanted only a 1.5% increase to the contract while Shrewsbury, New Freedom & Stewartstown did not agree. Glen Rock then said they could probably agree to a 3% increase. The other 3 municipalities do not want Glen Rock to have a seat on the IGA Committee, which GR agreed to. None of the terms or discussion was brought to Glen Rock's Council. Mrs. Bloom urged Stewartstown Council to read the email she sent regarding the recent IGA Committee discussions & provide feedback/thoughts to her prior to the next IGA meeting, scheduled for May 23rd.

11. **Adjournment**—With no further business before Council, Mr. Gemmill made a motion to adjourn the meeting @ 8:55pm; Mrs. Carl seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary