

Stewartstown Borough Council Meeting Minutes
Monday, October 6, 2025

Members present

Pamela Almony
Roy Burkins
Donna Bloom
David Elwell
Kimberly Carl
Kenton Kurtz

Others present

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

Visitors

Linda Miller
Dawn Gillispie
Christian Miller
Bob Holmes
Stephanie Thompson
Jason Mosebach
Jack Cogle

Jeff & Joyce Ryer
Dave & Carol Stamper
Paul & Louise Roscosky
Kevin & Joyce Brunicke
Jared Briggs
Lacey Roberts

Polly Kreiss
Jordan Ilyes
Ken Anderson
Todd Werner
Aaron Manifold
Jeff Carl

1. The meeting was called to order @ 7:00pm followed by the pledge to the flag.
2. **General Business**
 - **Approval of Meeting Minutes**—Mrs. Bloom made a motion to approve the September 2nd, 2025 Meeting Minutes; Mr. Elwell seconded. All were in favor; motion carried.
 - **Approval of Financial Statements**
 - **General Funds**—Mrs. Bloom made a motion to approve General Fund bills dated August 29th thru October 3rd, 2025 totaling \$104,212.52. Mr. Burkins seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated August 29th thru October 3rd, 2025 totaling \$535,124.08. Mr. Burkins seconded. All were in favor; motion carried.
 - **Water Funds**—Mr. Burkins made a motion to approve Water Fund bills dated August 29th thru October 3rd, 2025 totaling \$39,333.24. Mr. Elwell seconded. All were in favor; motion carried.
3. **Public Comment/Visitors**—The following were present to address Council
 - **Dave Stamper, 45 High Street** reported there has been a chronic issue with stormwater coming from Memory Lane onto High Street, especially since the last house on Memory Lane was built. He asked if it was possible to install an inlet on High Street across from Memory Lane to catch that runoff. That would decrease the runoff onto his property that is eroding his driveway. Council is discussing paving High Street once the Cloverfield development is complete. Jason B. did look at the area of wash out along Memory and suggested filling that with stone, at least for the time being until a permanent fix is scheduled. Dave also stated he would be in favor of making Memory Lane a one-way street, being that it's so narrow & many residents have stakes in their yards to prohibit cars from driving there.
Dawn Gillispie, 43 High Street, also reported problems along Memory Lane. She would be in favor of making Memory a one-way street, although she's not positive that would be the answer. Maybe restricting it to "local traffic only" or "no large trucks". Speeding on the road has increased with many motorists using it as a short cut to High or Main Streets. Plus, two vehicles passing each other is nearly impossible. Larger trucks (RV's, trash trucks, etc.) cannot navigate the slope on the west side of Memory, with some even getting stuck which then blocks traffic on High Street.
Council had recently adopted an Ordinance prohibiting large truck traffic on certain Borough streets; however, Memory Lane wasn't one of them. Mrs. Almony said the Streets & Roads Committee can discuss possible solutions. Jason Brenneman also suggested contacting LTAP to possibly add Memory Lane to the restricted truck street list.
 - **Jared Briggs, 70 Poplar Springs Blvd**, was present to request an Ordinance be created to make it unlawful to discharge a firearm or bow & arrow within 150' of an occupied dwelling, residence, or building occupied by human beings. Jared mentioned several incidents in Pennsylvania where people have lost their lives as a result of these types of activities. Although he is not against hunting and actually teaches a hunting safety course, he does not believe it should be done in close proximity to residences. Recently, he called SRPD about his neighbor shooting his compound bow in the direction of Jared's backyard. SRPD responded but said they could not do anything because "there are no laws on the books prohibiting this activity". Atty. Sharnetzka

said there are State laws about where you can and cannot discharge firearms. He's not positive about bow & arrow shooting. Jared said State law for firearms falls under "reckless endangerment of another person". Other neighbors are also concerned for their family's safety where this resident's archery shooting is involved. If there's a way to target shoot safely, Jared wouldn't be opposed. He supplied Council with articles from other municipalities, game commission safety manuals, etc.

Atty. Sharnetzka will research State laws concerning this and report back next month.

- **Dan Stoltzfus, owner of 1 & 2 S. Main Street**, is interested in possibly purchasing the old theater lot at 3 S. Main (currently owned by the Borough). A discussion will be scheduled between Council committee members & Mr. Stoltzfus.
- **At this time**, Mrs. Carl wanted to address everyone tonight about recent social media discussion surrounding the subject of Recreation fees that are charged for new dwellings in the Borough (as part of the Borough's SALDO). There are a lot of stories & rumors circulating on social media and Mrs. Carl said it's not the best venue for obtaining accurate information. Some comments claim people are "taking bribes" or "underhanded money" to allow certain businesses to come into the Borough, which is untrue & unacceptable. She ran for Council on the platform of Economic Development and is in favor of Jordan Ilyes' project at 13 Mill Street. She loves to see blighted properties be cleaned up and redeveloped, but it costs a lot of money and properties such as the old theater (3 S. Main) became a public safety issue, with trespassers and illegal activities. Companies & visionaries such as Jordan Ilyes, can develop something great out of blighted properties. Mrs. Carl contacted York County Economic Alliance about attending tonight's meeting, but they could not on such short notice. They are happy to attend next month to explain what a great tool LERTA is, as it encourages development & improvements of properties by easing the tax burden basing the assessment on only the developed portion of the property, spanning over a 10-year period. LERTA (Local Economic Revitalization Tax Assistance) offers a different type of financial assistance to developers. Mrs. Carl also mentioned the approval process for the Bailey Hotel as well, whose plan went before York County Planning Commission for comment/recommendation, the Borough's Planning Commission (only a recommending committee) and then to Borough Council. If allowed in a certain zone, Council cannot control how a company does business or who lives in them. As it was planned to be a "hotel/suite use" not a residential use, we cannot control who lives there; however, if there is an issue/concern/nuisance, SRPD takes the Borough's Disorderly Conduct Ordinance very seriously. As far as Jordan Ilyes' plan for 13 Mill Street goes, Jordan has come before the Sewer & Water Authority as well as Borough Council for the past year or so and has been very transparent with his ideas and plans, and Mrs. Carl believes it to be a project that will better the community and development of the Borough and its residents.
- **Jordan Ilyes, 13 Mill Street** brought a rendering of the proposed residential and commercial uses for the property. He started working with the Borough nearly two years ago and has always been transparent about his intent and is excited to move it forward. He's here tonight to discuss Recreation fees and said in the 40+ redevelopment projects he's completed in York County; he has never paid Rec fees. Jordan said he was surprised to learn of the \$380,000 that are due when he went to pick up his building permits. Of his 40+ projects, three of which are in Hanover, Jordan said they bring a lot of pride to a community and buildings, homes, & businesses around them are also being beautified. His two redevelopment projects in Red Lion have helped the town earn the title of the "next Lititz". Jordan said he went to Hopewell Township & the HARP board to express his intent & experience. He said this is a unique situation with Stewartstown Borough being part of a joint-municipal Recreation Board. Jordan's attorney, Christian Miller was also present tonight and said, while nothing is on the agenda for approval tonight, they requested an in-depth consideration of what the Rec fee is for the Borough and what can/cannot be charged. Jordan is not looking to put the Borough into any financial bind or in the threat of litigation. Christian stated, about the actual agreement between Stewartstown Borough, Crossroads Borough, Hopewell Township & East Hopewell Township, Section 2A.I is the only mandatory provision that mentions Recreation Fees stating "*each municipality shall contribute to the capital account of HARP. The recreation fees collected for each new residential dwelling lot approved*". Christian said that's "dwelling lot approved". That's the only mandatory section noting rec fees. There's also a section stating, "*rec fees per residential lot or unit*", but that is permissive and is authorized in the title. Each municipality is authorized (has the ability) to charge those fees, but nothing says it **has to charge them**, and nothing says the money **has to go** to HARP. The only mention that anything must go to HARP is for "*each residential dwelling lot*". Based on that, Christian said it's up to the Borough on how they want to interpret that. The Borough passed a Fee Resolution in 2024 increasing those fees to \$3,200, but it doesn't say it's "per lot" or "per dwelling unit". It states, "per

the Joint Municipal Agreement”. Christian said the only other time he found that the Borough has encountered this issue of Rec fees was with Westminster Place. That plan was approved in 2009 and that’s when the Rec fees would’ve been assessed, but they were not. Rec fees are typically charged when you have a large residential development coming in & it takes up approx. 200 acres of rural farmland and ¼-acre lots are created from it. Then you get a Rec fee for each lot that’s created. Christian said Jordan is already committed to this project and will stand by what he has offered to pay. If the Borough finds that the language of the agreement is correct, then they could only charge him 1 Recreation fee because it’s one lot; however, Jordan has agreed to pay what he said he would even if he has no legal liability to do so.

Mrs. Carl asked if the attorneys involved can review/discuss the agreement again to determine what legal authority it has to charge Rec fees. At last month’s meeting, the motion was made (& carried) for Jordan to pay \$200,000 up front for Recreation fees and to bond the remaining \$174,000 to be payable over the next 5 years. Jordan isn’t asking for action tonight, but just a reconsideration with another look at the information provided tonight. Christian said the agreement is what it is, and it’s up to each municipality to interpret that with a developer working within their municipality what Rec fees to charge. It wouldn’t need to come before the joint municipalities for approval.

Atty. Sharnetzka explained that Christian is stating there’s an interpretation of the agreement that he thinks would not require Stewartstown Borough to **require** the Recreation Fee. There’s no mandatory contribution; but there is a permissive contribution. He said the agreement is only for Stewartstown Borough to pay the rec fees to HARP. The Borough still has their own ordinances, resolutions, etc. and would still have to waive the Rec fee. Atty. Sharnetzka said the Borough’s SALDO (Subdivision and Land Development Ordinance) states, “per dwelling unit, or new lot”, and that’s been consistently applied to every dwelling unit created. The fees were waived for Westminster Place, but it wasn’t a question of whether the Rec fees were owed because new units were being created. It was a question of whether or not the Borough would waive them in that case because it was going to be an older-adult community. In turn, Hopewell Township & the Rec Board threatened to sue the Borough at that time because those fees were waived.

Atty. Sharnetzka stated Rec Fees were charged when the Bailey Hotel & Suites was built. That was one lot, but 30 separate dwelling units. He has agreed to meet with the other solicitors involved, if Council wishes that to occur.

- **Aaron Manifold, Hopewell Township Board of Supervisors**, stated that, although Jordan stated he wasn’t aware of the Rec fees, at the March 2025 Borough Council meeting, when Council granted several waivers for Jordan’s project, the solicitor said at that time that Jordan would be required to pay the Recreation Fees. The meeting minutes note that discussion. Jordan wasn’t present at that meeting, but his architect Eric Johnston represented him that night. Jordan said, although a lot of Rec fees may be required by SALDO, he’s never asked for a waiver for a redevelopment project, but he suspects that’s a “boiler plate” requirement.
- **Stephanie Thompson, 84 S. Kennard Dale Ave**, confirmed that Council’s decision at the September meeting was that Jordan would pay \$200,000 upfront & bond the remainder, payable over 5 years. She understands that the Borough has already made some accommodations for Jordan, i.e. adopting the LERTA Ordinance, and some other things. (The Authority agreed to waive some of the upfront EDU requirements in lieu of Jordan replacing a sewer line on his property, saving the Authority from doing so).
Atty. Sharnetzka said Jordan’s plan is still before Council. His Subdivision & Land Development Plan was conditionally approved by Council. Yes, Jordan is requesting that Council reconsider the requirement for him to pay Rec fees, but procedurally, it’s within his ability/right to come to Council and make that request. If his plan would be denied, then he cannot come back with that request.
- **Robert Holmes, 11 N. Main St./HARP Board member**, said he’s in favor of Jordan’s project moving forward, but doesn’t think it’s fair to the community to waive Rec fees. The agreement is what it is. Jordan’s idea of higher-end apartments for singles, older residents with no children, etc., may turn out differently, as there may be older residents raising their grandchildren who may benefit from HARP & its programs.
- **Mr. Elwell** stated we’re talking about private property, and this is a private venture. We’re talking about public funds that are tied to an intermunicipal agreement, that if Council were to waive any of that, it’s in bad faith and, in his opinion, a misuse of our public structure to grow shared facilities that are available to everyone. Jordan said, he’s also creating restaurants & commercial uses that are available to the public and that’s why he feels a compromise would be best.
- **Joyce Ryer, 56 S. Main St.**, asked Jordan if 10 years to pay the remainder of the Rec fees would offer hardship relief? Could that be a negotiation? She also would love to see the project move forward but feels longer period of time to pay may be a bargaining chip.

Ms. Almony stated the involved parties, and possibly the Solicitors, will regroup for further discussion and this will be on the agenda next month.

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

- **Salt Storage Shed Agreement**—Hopewell Township drafted this agreement for the Borough to store salt at their facility, at least the salt that the Borough has on hand currently as well as the salt required to be purchased from the COSTARS contract. That's approx. 160 tons total, depending on how bad the winter is. It's a December 2025-December 2026 agreement, at \$5,000/year, and allows the Borough to move the salt storage away from the WWTP where space is not adequate. The agreement can continue past 2026, if both parties agree or the Borough can cancel anytime with 30 days' notice, if they choose. If the Borough would use their allotment of salt, the agreement allows them to purchase from the Township at the COSTARS price. Mrs. Carl made a motion to approve the Salt Storage Agreement with Hopewell Township; Mrs. Bloom seconded. Discussion was held. Atty. Sharnetzka noted a couple revisions he'd like made to the agreement:
 - The Liability section stated "*licensor (township) wouldn't be liable, unless an injury or damage is caused through their negligence or willful misconduct of the licensee (borough)*". "Licensee" should be "licensor" in this sentence.
 - Question regarding the termination section & the required 30 days' written notice, but the agreement allows the current salt owned by the Borough to stay & be used. The Borough must take a minimum of 60 tons (thru COSTARS), and that allotment hasn't been received yet. Once that quantity is used, we'd purchase from the Township on an as-needed basis at the COSTARS price. Atty. Sharnetzka is fine with that explanation and will make the first noted revision & a typographical correction before sending it to the Township Solicitor.

Mrs. Carl amended her motion to include Atty. Sharnetzka's revisions to the agreement; Mrs. Bloom amended her second. All were in favor; motion carried.

- **2025 Streets**—After the Borough was contacted by PennDOT about a sinkhole on E. College Avenue, a failed metal storm sewer pipe was found within the Borough's ROW. This was determined to require an emergency repair due to safety, and three phone quotes were obtained.
 - **Zahn Contracting Corporation**--\$18,757
 - **Fitz & Smith**--\$24,000
 - **Manifold Excavating**--\$24,210

Council President Almony sent emailed approval to move forward with the emergency repair with Joe Zahn who plans to start the work this week pending the receipt of materials.

Atty. Sharnetzka prepared Resolution 2025-04 indicating this issue occurred and was an emergency. This allows the Engineer to move forward after obtaining three phone quotes. The Resolution states Zahn Contracting was authorized to move forward with the repair.

Ms. Almony made a motion to adopt Resolution 2025-04; Mr. Kurtz seconded. All were in favor; motion carried.

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

- **Draft Agreement between Comcast & Stewartstown Borough**—a redlined version was provided for Council's review. The agreement allows the Borough to receive 5% of the annual gross revenue, which is the maximum allowed to collect.
- **Draft Agreement between Armstrong Cable & Stewartstown Borough**—a redlined version was provided for Council's review. Both agreements are what was proposed to the Borough and what Craig's office has proposed.

Mr. Elwell made a motion to accept the revised agreements and to send them to both entities. Mr. Burkins seconded. All were in favor; motion carried.

6. **Sewer & Water Supervisor's Report**—Ira Walker, Jr. submitted his report. All expenses will go before the Sewer & Water Authority for action. Of note:

- There are 263 old meters yet to be replaced with the new style. Water staff is working diligently to complete this project by the end of 2025.
- Recently, the Authority purchased a new skid steer and is discussing a possible seasonal rental rate for the Borough to use the old skid steer for road salt or possibly even buy it from the Authority. Atty. Sharnetzka stated there was an agreement between the two entities about Borough employees using Authority equipment. More discussion will be held at the next Authority meeting.

7. **President/Vice-President Report**—Ms. Almony reported:

- **Street sign list**—A list of necessary signs and a quote from PA Municipal, Inc. was distributed to Council. The sign list included 39 Speed Limit signs, 16 Children at Play, 2 No Parking Here to Corner, 7 small No Parking, 3 Stop signs, 1 Dead End, 1 No Outlet and some street name signs. Mr. Burkins made a motion to move forward with the purchase from PA Municipal, Inc. for \$3,385.88; Mr. Elwell seconded. All were in favor; motion carried. Mayor Barnette stated Officer Grove questioned the No Parking area in front of the post office where the curb is no longer bright yellow. He said the sign could be misinterpreted in regard to which corner is meant in “no parking here to corner”. Office staff also talked to Officer Grove who suggested the curb be repainted to be more visible. Discussion was held on who can do this.

8. **Treasurer’s Report**—Stacy Myers reported:

- **First Energy cost to install outlets & secondary spans on remaining 28 poles as well as flagging.** A quote of \$23,000 was given by First Energy who stated this is a 2025 price; however, due to linemen shortage, they will not get the work completed until spring of 2026. For the 2025 holiday season, Dorn Electric is onboard to get the lights operational. Ms. Almony made a motion to approve paying the \$23,000 and moving forward with the work. Mr. Burkins seconded. All were in favor; motion carried.
- **Regarding the curb painting**, who will do this? There doesn’t seem to be Eagle Scouts looking for projects to complete, and the Borough doesn’t get help (like previously) through the York County Prison System. Ira said he can research the Scout troops for any possible volunteers.

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

- **Civil Service Commission appointment**—As discussed last month, Kevin Brunicke cannot serve because of his appointment to the Sewer & Water Authority. His wife, Joyce Brunicke has offered to serve on the Commission’s vacancy. Mr. Burkins made a motion to appoint Joyce Brunicke to the Civil Service Commission. Mrs. Bloom seconded. All were in favor; motion carried.
- **The three NRPD detectives who lost their lives in the line of duty recently** was a terrible loss felt throughout the County and throughout Police Departments. Mayor Barnette expressed gratitude to SRPD and all officers for all they do. Of the two other officers injured in the incident, one has been released from the hospital, and the other should soon be.
- **M & T Bank (Shrewsbury) robbery** occurred in August. The thief fled on foot & SRPD canvassed area cameras and were able to identify a car via the license plate reader system.
- **Two recent medical emergencies** occurred where SRPD responded & assisted First Responders with life-saving acts.
- **Of note, Mayor Barnette** is now the Police Commission Chairperson. Congratulations!

10. **Adjournment**—With no further business before the Council, Mr. Kurtz made a motion to adjourn @ 8:45pm. Ms. Almony seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary