

Stewartstown Borough Council Meeting Minutes
Monday, August 7th, 2023, 7:00p.m.

Members present

Pam Almony
Roy Burkins
Polly Kreiss
Donna Bloom
Kim Carl
Bill Gemmill

Others present

Mayor Brittany Barnette
Jason Brenneman, Engineer

Visitors

Jason Roberts
Janet McElwain

The Council meeting was called to order @ 7:00p.m. followed by the pledge to the flag. Due to severe storms in the area and not all staff/guests being able to attend tonight's meeting, Ms. Almony moved to recess the meeting until Thursday, August 10th, 2023 @ 7p.m. Meeting recessed @ 7:05pm.

Stewartstown Borough Council Meeting Minutes
Thursday, August 10th, 2023, 7:00p.m.

Members present

Pam Almony
Donna Bloom
Dave Elwell
Bill Gemmill

Others present

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

Visitors

Jason Roberts
Casey Saylor, Mason Dixon Library

Nate McCloskey
Carina Shaw

1. The August 7th, 2023 Council meeting reconvened Thursday, August 10th at 7:00p.m. followed by the pledge to the flag.
2. **General Business**
 - **Approval of Meeting Minutes**—Mrs. Bloom made a motion to approve the July 3rd, 2023 Meeting Minutes; Mr. Elwell seconded. All were in favor; motion carried.
 - **Approval of Financial Statements**
 - **General Funds**—Mr. Elwell made a motion to approve General Fund bills dated July 1st thru August 3rd, 2023, totaling \$120,687.17; Mrs. Bloom seconded. All were in favor; motion carried.
 - **Sewer Funds**—Mrs. Bloom made a motion to approve Sewer Fund bills dated July 1st thru August 3rd, 2023, totaling \$155,263.04; Mr. Gemmill seconded. All were in favor; motion carried.
 - **Water Funds**—Mrs. Bloom made a motion to approve Water Fund bills dated July 1st thru August 3rd, 2023, totaling \$76,128.60; Mr. Elwell seconded. All were in favor; motion carried.
3. **Public Comment/Visitors**
 - **Rudy Kocman, from Kocman Insurance** was unable to attend Monday's meeting (storms) or tonight (out of town); however, Stacy reported he met with her & Missy in the office recently to discuss the Borough's property insurance renewal for 2023-2024. Council reviewed the premium summary which has slightly increased from last year by \$1,843. Rudy also dropped off a dividend check for \$2,730.43 and stated this is the 13th year that the PSAB program (that the Borough is a part of) has generated a dividend. Mrs. Bloom made a motion to approve the property insurance renewal in the amount of \$69, 195. Mr. Gemmill seconded. All were in favor; motion carried.

- **John Nolan, from Stewartstown Railroad** was present to discuss the Mill Street railroad crossing & potential repair. Jason Brenneman had met with John a few weeks ago, along with several Council members, to discuss the repair that has now become a requirement per the PUC. Jason had obtained quotes from 2 contractors to replace pipe, add an inlet, base repair, and repave the whole area.
 - Clearview Excavating
 - \$16,360—Railroad’s responsibility which would include demolition, stone base & paving in between & outside the tracks.
 - \$21,650—Borough’s responsibility which would include additional paving & stone base, piping & inlet.
 - Fitz & Smith
 - \$16,313.75—Railroad
 - \$13,625—Borough

More discussion was held. If the proposed development of the old furniture factory (13 Mill Street) takes place, there are potential repair/replacements planned for the railroad tracks, but that could be years from now and a plan for repair must be in place by October 2023, per the PUC. John obtained a quote from Don Marsteller of \$9,921 for a bare-minimum repair involving removing the base along the RR tracks (3’ on either side), then repave, but then the area inside the tracks wouldn’t be paved. If the bare minimum would be done, Jason suggested an agreement between the Borough & Railroad be created, stating the Railroad will complete this work now, but once the development of 13 Mill Street is known, the Borough can reinvestigate the crossing. If the project would fall through & complaints about the tracks are received, that would be the Railroad’s responsibility. John was agreeable to this, but also suggested letting the PUC make the determination of how the area is repaired.

John said he talked to Jordan Ilyes (potential developer of 13 Mill Street) and proposed a land swap to help facilitate the development moving forward. In the event the railroad doesn’t remove its tracks from the 13 Mill property, Jordan would have no parking lot. The property lines within the old lumber yard & the old furniture factory are very difficult to determine, so John suggested a land swap to facilitate a better layout. There’s an in-fee parcel (within Gordon’s parking lot) that the Railroad owns, and they would be willing to swap this for a parcel of land (owned by Gordon’s) across from Dollar General. The RR tracks would be moved (at Jordan’s cost) to that parcel to help facilitate the parking area that Jordan would need. He also suggested, if Jordan wanted the RR tracks removed from the 13 Mill property, that Jordan pay for the repair to the Mill Street RR crossing & complete road repairs. John stated Jordan was agreeable to this, should his project move forward.

Additional discussion was held. Council would like to see the area be repaired correctly, along with the pipe & inlet replacement, but the Railroad has a timeline with the PUC. Council is agreeable with the Railroad doing the repair now, as PUC is requiring, as the development of 13 Mill is not being planned at this time. Atty. Sharnetzka said no agreement is necessary; we can let the PUC regulate the repair & move forward with the bare minimum repair. Jason said the Borough can complete the pipe/inlet replacement next year. This year’s surface repair won’t compromise the Borough’s pipe/inlet work next year.

John said PUC standards only require 2’ outside the rail to be repaired; however, he’s offering to do 4’ to make a smooth transition. If agreeable to Council, John wants to obtain Don Marsteller to complete a paving project that would encompass both tracks (outside and in the middle) to make it smooth. Anything done to the road after that, the Railroad will assist, wherever necessary. Any holes, road failures, problems with the

crossing, or if the Borough begins receiving complaints, the Railroad will be responsible to correct.

In representing Stewartstown Railroad tonight, John Nolan stated the Railroad will smooth the tracks, 4' outside the tracks on both sides and also in between both rails and tracks.

- **Casey Saylor, Mason Dixon Library Board member** presented the 2023 YTD report from the Library as well as past years to show how visitation has increased. There has been a 23% increase in visitation this year over 2022, with over 28,000 patrons served so far this year. The library has increased its circulation collection and their in-person programming is growing. While the library is very happy to be back to its pre-pandemic status, with this comes the need for increased staffing which will result in a \$22,000 shortfall in the budget. The library can absorb this shortfall at this time, but wanted to illustrate how important continued support from neighboring municipalities can be. Casey shared donations from Crossroads Borough (\$3,250), East Hopewell Township (\$5,000) & Hopewell Township (\$10,800). Stacy Myers stated Stewartstown Borough's contribution to the library has been \$2,200/year since 2020, which is the amount budgeted for 2023, but before that the contribution was \$2,000/year since 2011. She believes Council should consider increasing their contribution in the 2024 budget. Casey thanked Borough Council for their support in years' past, as well as the future.
 - **Stephanie Thompson** was on the agenda to discuss possible leaf collection in the Borough; however, she didn't attend tonight's meeting. We could possibly partner with New Freedom Borough for this & Ms. Almony will contact them to discuss the cost.
4. **Engineer's Report**—Jason Brenneman reported:
- **56/58 S. Main Street storm sewer work**—once the contractor receives the materials, Jason will coordinate with Borough staff to provide flagging during the work.
 - **Street work**—Jason would like to prepare bids early (March/April) to get the best prices. Street/Roads Committee would like to include George Street & Mill Street (pipe/inlet/paving up to Rt. 851). High Street was considered; however, the Cloverfield development is still under construction. Any other streets Council wants to include? Let Jason know.
 - **Grant opportunities**—an LSA Grant (gaming money) thru DCED is open, both Countywide & Statewide, with applications due September 30th. No match is required, but the project must be applicant-owned & maintained. Application fee is \$100 & Jason stated his office can put together the paperwork for approx. \$5,000-\$6,000. He's never put together the grant application for street work, but Jason suggested submitting it for E. Pennsylvania Avenue's street reconstruction, storm sewer work & also sanitary sewer (if Authority approves). Money isn't available for curbs & sidewalk along E. Pennsylvania, and CDBG money could be sought; however, those grants are income-driven, with 50% of residents required to meet low-to-moderate income levels to qualify. Homeowners don't want to divulge that type of information.
DCED may be changing the "applicant-owned & maintained" requirement, and if so, we could possibly apply for the grant again next year for curb & sidewalk, but for now, that's the requirement. And, if approved, the grant is good for 3 years.
Mr. Elwell made a motion authorizing Jason to move forward with submission of the grant application & paperwork for the E. Pennsylvania Avenue road project for costs not to exceed \$6,000; Ms. Almony seconded. All were in favor; motion carried.
5. **Solicitor's Report**—Atty. Sharnetzka reported:
- **Ilyes' proposed text amendments to Zoning Ordinance/13 Mill Street**—Craig relayed to Mr. Ilyes' attorney that, as part of the rezone request, Council is requesting assistance with the railroad crossing on Mill Street. Mr. Ilyes seems agreeable to this & Jason

Brenneman supplied further information regarding that. Mr. Ilyes has also met with the Railroad, as well as adjoining property owners, so everyone is working together. No further communication was received.

- **55 Kings Way permit**—Resident was at last month’s Council meeting to discuss an issue with the permit for her deck, as her contractor disagreed with the Zoning Officer’s interpretation of the International Residential Code & what was required, as far as the wood/material. Atty. Sharnetzka & Wade Portner (ZO) met with the homeowner & her contractor to explain the code & what was required. The contractor has now found fire-resistant wood that can be used & a revised plan per the fire code has been submitted for the deck. This issue was a result of Ms. Linzey’s (homeowner) permit being issued without being signed off by Mr. Portner; however, the Borough included Mr. Portner’s comments about fire-resistant wood being necessary in this close proximity of townhomes. The contractor missed those comments & moved forward with tearing down the old deck.

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

- **25mph thermal-plastic road markers**—there are additional suggestions where the 3 markers be placed:
 - Westbound lane of Church Street (in front of 46 Church, prior to curve)
 - Westbound land of Mill Street (in front of 25 Mill, at crest of hill)
 - Northbound lane at N. Main, near Ovelton AvenueMr. Elwell made a motion to purchase an additional set for Broadway (Eastbound lane coming from Hill Street), not to exceed \$500; Mrs. Bloom seconded. All were in favor; motion carried.
- **Apartment D lease for new tenant**—Mrs. Bloom made a motion to approve the lease for Kelsie Britt; Mr. Elwell seconded. All were in favor; motion carried.
- **Movie theater lot parking**—it was previously discussed to install barriers/signs to prohibit people from parking in the vacant lot. Wires came down in the recent storm & Met-Ed requested all residents (from 1 S. Main) move their vehicles from the back of the property. Some of those tenants were parking in the vacant theater lot. Steve Mummert told Borough staff he will remove the tree limbs, etc. within the next few weeks, at which time, the 1 S. Main tenants can park back there again. Staff will monitor this, so then barriers can be added to the theater lot.
- **Borough Office parking**—for years, there have been personal vehicles (a Suburban & Jeep) parked in the Borough lot. They belong to 2 N. Main (old library)homeowner, because he has no garage or off-street parking. Lately, he has also been parking 1 or 2 box trucks in the Borough lot as well. Council agreed that the Borough lot should be kept for Borough tenants, staff, and customers conducting Borough business, as well as meeting nights when the lot tends to fill up. It’s not the Borough’s responsibility to provide parking. Council suggested Borough staff mail a letter to Mr. Shores, requesting he remove all his vehicles from the Borough lot.

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

- Dorn Electric proposals for Christmas light/wire replacement—Stacy is waiting to talk to Ferd Dorn about the proposals, which she hopes to do before September’s meeting. Ms. Almony made a motion to table this until the September 5th meeting; Mrs. Bloom seconded. All were in favor; motion carried.

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

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

- Eureka’s Carnival went really well. Ira reported this was one of the best carnivals held, grossing around \$125,000, so Eureka is hoping to net around \$40,000.

- Southern Regional Police Commission—two meetings were held since July’s Council meeting. The new officer was sworn in & things are going well.
 - Recent jewelry store burglary—suspects were arrested & most of the stolen items were recovered.
 - Catalytic converter thefts from a couple years ago—suspects were arrested, as they also had charges from 15 other jurisdictions.
 - Robbery of Subway this month—arrest has been made.
 - SRPD reported an increase in 911 hangups—they believe it’s due to the wrong buttons being pressed on Smart phones, Androids, etc. Police state, if a 911 call is made in error, stay on the line & tell the operator it was an accidental call, because Police have to respond to all calls.
 - Disruptive Conduct Ordinance—more discussion may be held at the September meeting.
10. **Executive Session**—Ms. Almony made a motion to recess to Executive Session @ 9:01p.m. to discuss a personnel issue & a Police matter; Mr. Gemmill seconded. All were in favor; motion carried.
 Ms. Almony made a motion to reconvene @ 9:21p.m. Mr. Gemmill seconded. All were in favor; motion carried. No decisions were made on the Police matter.
 Ms. Almony made a motion to give each employee a 7% cost of living increase, noting these raises are not based on merit; Mr. Gemmill seconded. All were in favor; motion carried.
11. **Adjournment**—With no further business before Council, Mrs. Bloom made a motion to adjourn @ 9:23p.m. Ms. Almony seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary