

Stewartstown Borough Council Meeting Minutes
Monday, October 2nd, 2023

Members present

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

Others present

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

Visitors

Jordan Ilyes
Chief James Boddington
Dave Stampler
Erica Rearich
Louise Rosowsky

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.

2. **Public Comment/Visitors—**

• **Chief Boddington, SRPD was present to discuss the following:**

- **The Disruptive Conduct Ordinance** that Glen Rock passed in the hopes of cutting down on the number of calls the Police must make to certain (or the same) addresses for disruptive behavior. Chief said he's been policing the southern York County area for 46 years and rental properties can be a problem. Sometimes it's the tenants who are the cause, sometimes the property owners. This Ordinance gives some control for those who become nuisances to their neighbors and to the Police. The DCO also puts regulations in place to help make neighborhoods safer.

Glen Rock's DCO covers a multitude of things besides behavior, such as how the property is maintained, inspections, regulated plumbing, etc.; however, Stewartstown can choose to include different language, if they wish. Mainly, it establishes conduct standards for both tenants and landlords. Many times, when Police respond to a nuisance call, the complainant doesn't want to testify against their neighbor because of repercussions. With this Ordinance, if Police get a call for disruptive conduct, a report is sent to the Borough. If 3 reports are received within a certain period of time, the Borough has means to fine the landlord or even revoke their rental license.

There are a few properties within Stewartstown Borough where SRPD is currently responding 2-3 times/week for disruptive conduct calls. Chief believes the DCO will help make their policing more efficient & cost effective. There's a possibility Stewartstown Borough's Police costs will increase depending on the number of times/calls they must respond.

Atty. Sharnetzka said the landlords may need to rewrite their leases to include adequate wording of stipulations of the DCO. Obviously, if there's a landlord with no problem tenants, the DCO wouldn't pertain to them or be an issue.

Mrs. Carl said the Stewartstown community is growing & changing. We want to ensure we have something in place to handle that growth. She would rather see the possible increased expenditures spent on something else rather than Police expenses for nuisance calls.

Mayor Barnette said with this Ordinance, there's documentation to give the landlord "footing" to evict a problem tenant, if necessary.

Ms. Almony asked Council to review the Ordinance until the November 6th Council meeting, when it will be discussed again.

Of note, Jordan Ilyes, who owns high-end rental properties in Hanover, Red Lion & Dallastown stated Dallastown and Red Lion don't have landlord licensing, but he believes it may soon be instituted in Hanover Borough.

- **SRPD Agreement with Glen Rock Borough**—the final draft of the 7-year agreement with Glen Rock should be approved by the Police Commission & signed by Glen Rock by the end of 2023. Chief Boddington is confident the agreement will work and benefit the main members.

New Freedom & Shrewsbury Boroughs have already finalized the agreement.

Mrs. Bloom made a motion authorizing our representatives to vote in favor of the agreement. Ms. Almony seconded. All were in favor; motion carried.

- **Dave Stampler, 45 High Street** wanted to discuss the recent ZHB decision to grant a Variance for 17 N. Main Street. The owner wants to create a two-family residential dwelling in this commercial property. Dave doesn't see the hardship because the owner said he purchased the property with the intention of creating residential dwelling units. Dave serves on the ZHB and although the Variance was granted, he said he voted to deny it because the owner would only need 1 dwelling unit to meet the minimum Variance requirement. Dave believes the Variance approval/this case should be thrown out & reheard. Atty. Sharnetzka said the Borough is always a party at a Zoning Hearing, although they don't typically take action. Since the Borough didn't participate in the initial hearing, he's not sure they have a standing to appeal the decision. He will research this.

3. General Business

- **Approval of Meeting Minutes**—Ms. Kreiss made a motion to approve the September 5th, 2023 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 Sept. 2nd thru Sept. 27th, 2023, totaling \$54,660.96. Mr. Burkins seconded. All were in favor; motion carried.
 - **Sewer Funds**—Ms. Kreiss made a motion to approve Sewer Fund bills dated Sept. 2nd thru Sept. 27th, 2023, totaling \$270,620.14. Mrs. Bloom seconded. All were in favor; motion carried.
 - **Water Funds**—Ms. Kreiss made a motion to approve Water Fund bills dated Sept. 2nd thru Sept. 27th, 2023, totaling \$93,561.65. Mrs. Bloom seconded. All were in favor; motion carried.

4. Engineer's Report—Jason Brenneman reported:

- **56/58 S. Main Street Storm Sewer Replacement**—the work has been completed. Springfield Contractors found a few additional issues than expected once they were on the job, so the invoice may be a little higher. Sewer & Water staff conducted flagging during the project, which reduced the project costs by approx. \$2,500 + markups. Springfield's invoice should soon be received.
- **Street Work**—the County LSA grant application has been submitted for East Pennsylvania and the replacement of the storm sewer system, sanitary sewer & street reconstruction. Curb & sidewalk couldn't be included in the grant app because the County requires the property to be Borough-owned or maintained, and curbs & sidewalk are the homeowner's responsibility. Jason recently found there is a Statewide LSA grant program also, and the Borough-owned & maintained is not a requirement for that. He suggested submitting a separate grant app with the State for E. PA. curb & sidewalk. Those applications are due by end of November. There is no match for either LSA Grant.

Council had approved spending up to \$5,000 for Jason's time/work for the County grant submission. He estimated spending about half of the time for the State grant because a lot of the work is already complete.

County grant is to be awarded April/May 2024 and we have 3 years to use the funds. Partial grants can be awarded.

Statewide grant is to be awarded July 2024 and we have 3 years to use those funds.

Mrs. Bloom made a motion authorizing Jason to spend up to \$2,500 and to move forward with the Statewide LSA Grant submission. Mrs. Carl seconded. All were in favor; motion carried.

- **George Street Townhomes**—it was discovered that there were no stormwater inspections conducted at the new townhomes. Jason had been contacted for the 1st townhome, but none after that. The developer may have had their engineer conduct the inspections, which is fine, but Jason never received any information regarding those. After Jason asked for part of the stormwater inspection report, they couldn't provide it. The Borough held the U & O for one property, (due to settle last week) until Jason received the requested information. A Letter of Credit or Bond had been submitted in the event something is not done or done incorrectly. Jason will report more on this next month.
- **Christmas Light/Dorn Electric**—Dorn found they are NOT COSTARS approved but are reviewing the necessary steps to do so. More will be reported as it's learned.
- **13 Mill Street**—Atty. Sharnetzka reported that he & Jason Brenneman have been working with Jordan Ilyes (developer, 13 Mill) and Jordan's attorney to create the proposed text amendment of the Borough's Zoning Ordinance pertaining to the Industrial Zone. Those comments would need to go to YCPC & the Borough's Planning Commission before the amended Ordinance gets advertised & adopted. The involved parties have also created a Developer's Agreement to protect the Borough. The agreement includes a traffic study requirement and language involving the Bronson Avenue cul-de-sac. Currently, Bronson Avenue isn't designated as "No Parking", but at only 14' wide, Jason suggested it be a No Parking street if it's proposed as an egress for Jordan's apartments. To do so, would require a traffic study for which Jordan has already started the process. He's also agreeable to widening Bronson, in which case, the homeowner in the cul-de-sac would have no off-street parking.

Jordan was present tonight & stated he's working through logistics with the homeowner. He would create an off-street parking area for the homeowner which would make it a much safer option at the residence. After the traffic study is complete, an Ordinance would need to be passed to make Bronson Avenue a No Parking street.

Atty. Sharnetzka made known that, once these text amendments are made to the Zoning Ordinance, they will affect all properties within the Industrial Zone.

Mr. Elwell made a motion to approve the Developer's Agreement with a few noted corrections to the language; Mrs. Bloom seconded. All were in favor; motion carried.

Mr. Burkins made a motion to proceed with the text amendments by sending them to York County Planning Commission & the Borough's Planning Commission for review & comment; Mrs. Bloom seconded. All were in favor; motion carried.

This is not final approval of the text amendments. There will be more time for review & consideration before final action.

Jordan also asked Borough Council to consider passing a LERTA (Local Economic Tax Revitalization Tax Assistance) Ordinance which would help developers such as himself with a tax abatement. It doesn't hurt the municipality, but the developer pays a lesser tax amount each year over a 10-year period. Atty. Sharnetzka will gather more information on this until the November Council meeting.

5. **Solicitor's Report**—Atty. Sharnetzka continued his report:
 - **Comcast Cable Franchise Agreement**—he will review for discussion at the November Council meeting.
6. **President/Vice-President Report**—Ms. Almony said the Personnel Committee discussed installing timeclocks at both the office & Wastewater Treatment Plant. Council had talked about a timeclock for a while as a better way for employee's to log time. Currently, employees manually write their time on timesheets. Mrs. Carl suggested an App for logging time, which she will research for more information until the November Council meeting.
7. **Treasurer's Report**—Stacy Myers reported:
 - Audit proposals from Hamilton & Musser—Stacy sent RFP's to 3 different auditing firms. Hamilton & Musser was the only one to respond with a 3-year proposal for both the Borough and the Authority.
 - 2023 cost--\$15,050 (Borough) & \$9,850 (Authority)
 - 2024 cost--\$15,550 (Borough) & \$10,260 (Authority)
 - 2025 cost--\$16,150 (Borough) & \$10,670 (Authority)

Of note, the 2022 audit costs with the current firm will cost the Borough just under \$40,000 & the Authority approx. \$25,000.

Mr. Burkins made a motion to accept Hamilton & Musser's 3-year audit proposal; Mrs. Bloom seconded. All were in favor; motion carried.

Stacy will ask for Authority approval at their October meeting.

 - FYI—Dawn Gillispie will be submitting her resignation from the Planning Commission, effective 11/30/2023.
 - YTD General Budget numbers are in the Council packets for their review. Ms. Almony said a budget workshop was suggested to include a couple of Council members as well as Authority members + Ira, Stacy & Missy. Suggested dates/times will be emailed to get this scheduled.
8. **Sewer & Water Supervisor Report**—Ira Walker, Jr. distributed his report. If Council has any questions, forward them to Ira or we can discuss them at the November meeting.
9. **Mayor's/Police Report**—Mayor Barnette reported:
 - Stewartstown Main Street 5K was held Saturday, September 30th. It was well attended & HARP's Recreation Director, Rick Kerns took first place!
 - Police information—
 - Sgt. Teague was hospitalized recently but is back on light duty.
 - New officer is doing well & now patrolling on his own.
 - New car is on the road & the other car should be ready in a couple of weeks.
 - Collective Bargaining Agreement is still in discussion.
10. **Executive Session**—Mr. Burkins made a motion to recess to Executive Session @ 8:24p.m. to discuss a personnel matter. Mrs. Bloom seconded. All were in favor; motion carried.
11. **Reconvene**—Mr. Burkins made a motion to adjourn Executive Session @ 9:27pm. Mrs. Bloom seconded. All were in favor; motion carried. No decisions were made.
12. **Adjournment**—With no further business before Council, Mr. Burkins made a motion to adjourn @ 9:29pm. Mrs. Carl seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary