

APRIL 19, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regular meeting of the Waynesboro Borough Council to order at 7:50 p.m. (following the public hearings) with the following in attendance:

Council Members – Delmos Oldham, Patrick Fleagle, Niccole Rolls, C. Harold Mumma, Chad Rooney and Michael Cermak

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Denny Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Utilities
Jody Sanders, Deputy Fire Chief
John Beck, Assistant Fire Chief

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder

PLEDGE OF ALLEGIANCE: Mayor Starliper led those present in the Pledge of Allegiance.

UNFINISHED BUSINESS

ADOPTION OF ZONING ORDINANCE AND SUBDIVISION/LAND DEVELOPMENT ORDINANCE: President Mumma noted that additional discussion is required regarding the appropriate limit to be placed on pets in a residence, and he opened the floor to the public once again.

Ann Markell, 210 Roadside Avenue – Ms. Markell suggested that no number be used, but rather focus on the appropriate care of the animal (to deal with issues you are trying to eliminate that have an effect on the health and welfare of the community) and make it strictly complaint-driven.

Connie Warrenfeltz, 707 Fir Spring Drive – Ms. Warrenfeltz noted that the existing regulations have worked in the past; but issues such as those shown in Mr. Stains' presentation are only with a few residences ... and no matter what kind of ordinance is written, there will still be issues with those individuals. Mention was made of the definition of a "kennel" and Ms. Warrenfeltz stated the ordinance makes it sound like a

commercial venture, not a homeowner with a sizable number of pets (but they should still be required to ensure their appropriate care and have regard for their neighbors).

Evelyn Sanler, 102 Garfield Street – Ms. Sander suggested that if a residence has numerous (say 6) complaints against them, then have provisions/penalties for those individuals instead of limiting everyone on the number of pets they can have.

Ann Markell, 210 Roadside Avenue – Ms. Markell agreed, stating if a residence has proven to be a nuisance to their neighbors (based on the number of complaints received), then the Borough should step in.

Manager Stains commented that it seems the number of pets is the biggest issue and not necessarily the type of animals proposed as common house pets vs. exotic. Several members of the audience voiced they have no problem with exotic pets as long as they are cared for.

Solicitor Wiser pointed out that the Borough is preempted from passing laws regarding the day-to-day care of animals (i.e. things that are covered by the current Dog Law) or pass restrictions that are more stringent. The Borough is very limited in what can be regulated ... and those items include leashing or curbing of pets to ensure they are controlled, making sure that waste is picked-up and noise.

Following additional discussion, Ms. Markell noted (in her opinion) that the changes in the ordinance would be acceptable if Item #1 (which sets the number at 4) is eliminated. Members of the public seemed to be in agreement.

Councilman Oldham discussed the keeping of venomous-type animals and the potential danger to emergency personnel. Chief Sourbier agreed that it is an unacceptable risk to emergency personnel and other residents of apartment complexes. He feels it is prudent to include the prohibition of exotic animals.

Lindsey Ulrich, 722 S. Church Street – Ms. Ulrich suggested that residents who own venomous animals could be required to post a sign on their house so emergency personnel are put on caution.

Solicitor Wiser stated it is unreasonable, in his opinion, to ask police and volunteers to risk their lives in that type of situation.

Councilman Fleagle noted that a lot of time and effort has been put into these proposed revisions, and he feels it is essential that the ordinance be passed to make a better community. He stated he does not agree with the dog/cat provisions proposed. President Mumma clarified that everyone was in agreement with eliminating Item #1.

Darwyn Benedict, 410 N. Grant Street – Mr. Benedict mentioned that the Waynesboro Hospital recently completed an expansion project because there are no impact fees and Martin's Food Store moved to Waynesboro because there are no impact fees. He

agreed with Mr. Martin's comments at the public hearing regarding potential fees to be assessed in regard to recreational facilities in the proposed SALDO. These fees will affect not only the developers but the community as a whole.

Steve Monn, Chairman of the Waynesboro Planning Commission – Mr. Monn suggested that the fee be removed, but the percentage of land remain. Regarding the animal provisions, he reminded the public that the ordinance was not just written for pet owners, but for every neighbor within the Borough.

Ms. Markell commented that #2 covers the issue completely ... "It shall be unlawful for any person or persons, corporation, partnership, or other entity whatsoever, to harbor, care for, shelter or maintain any customary household pet in such a manner as to disturb or unduly annoy the public through the pet's noise, barking, other sounds, smells, mischief or other harmful propensities."

As part of the discussion regarding animals, Solicitor Wiser added the following clarifications: (a) under "customary household pet", wolves should be added and "restricting" snakes should be corrected to read "constricting" snakes; (b) under "exotic animals", constricting snakes should be added; (c) the definition of "kennel" should be addressed if the number of permitted pets is modified; and (d) under 62c dealing with "keeping of chickens", fowl should be substituted for chickens.

Mr. Wiser also noted that Council had previously discussed amendments (which were not included yet in the document before them at this time) including (a) Page 27, Article IV, Section 11B, on the registration of non-conforming uses and structures, the term "structures" should be removed.

Councilman Fleagle made a motion to adopt the revised Zoning Ordinance, eliminating Item #1 (dealing with the number of pets allowed) and the changes indicated by Solicitor Wiser. Councilman Oldham seconded; the motion passed 5-1 (Councilwoman Rolls opposed).

Solicitor Wiser noted that Council will also need to act on the Subdivision/Land Development Ordinance (SALDO). Councilwoman Rolls stated she would like to see a fee established for the "in lieu of" recreation preservation before any action is taken. Solicitor Wiser noted that the Borough's 2017 Fee Schedule Resolution would have to be amended to incorporate this fee, and Council can wait until their next meeting to do this if they so desire. (The SALDO must be acted on within ninety (90) days of the public hearing, so a second public hearing would not be required.) After further discussion regarding the setting of a fee, Kevin Grubbs added that Council could also remove the fee altogether, thereby requiring the developer to allot an area for recreation facilities; and there are numerous options contained in Section 7-16-4 on page 40 providing for maintenance of those facilities. It was the consensus of Council to table action on the SALDO until the next Council meeting.

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Amy Kaufman (GMS Funding Solutions) provided Council with their 2014-2017 Public Funding Summary and reviewed their funding efforts during that time period, which totaled \$1,073,090 secured for the Borough. (A copy of the Summary is included with these minutes as Addendum #1.)

A large grant initiative (in excess of \$500,000) in 2017 is the Multimodal Transportation Fund Grant through the Commonwealth Financing Authority. This grant would be used to improve pedestrian safety and the walkability of downtown; and in preparation for this effort, an application in the amount of \$20,000 was submitted to the USDA to fund a comprehensive professional lighting study. Research for a qualified professional engineering firm led them to Brinjac Engineering to conduct the study. Recently, however, the USDA grant funding has been frozen. They would like to still proceed with submitting the application to the MTF program, but they feel the professional lighting study would make a considerable impact in the competitiveness of that application. She asked Council to consider upfront funding of \$20,000 for the study; and if the USDA grant comes through in the future, they will request a change in scope and direct those funds to the municipal match for the MTF grant (which is a 70% grant, 30% match).

After discussion regarding suggestions made by local firms and individuals, Councilwoman Rolls stressed the importance of having the lighting study conducted by a professional lighting engineer prior to committing tax money to a project that may or may not fix the problem. It is anticipated that the study could be completed by early to mid-summer.

COMMITTEE REPORTS AND VOTING ON ITEMS FROM COMMITTEE REPORTS (AS NEEDED)

PERSONNEL COMMITTEE: Councilman Cermak noted that favorable performance evaluations were received for Gary Zentmyer and Melinda Knott. No action was required.

Councilman Cermak made a motion to approve the hiring of Northside Pool staff listed on Addendum #2 of these minutes. Councilman Fleagle seconded; the motion passed 5-1 (Councilwoman Rolls abstained).

Councilman Cermak made a motion to approve the hiring of Glenn Kaiser as Pool Custodian at the rate of \$9.50/hour. Councilman Fleagle seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the hiring of Daryl Burns as Temporary (part-time) Maintenance Worker at the rate of \$13.61/hour. Councilman Rooney seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Rooney noted that the Property Committee will meet the following evening (04/20) at 6:00 p.m.

STREET COMMITTEE: No report. Councilwoman Rolls noted that the Street Committee's next meeting will be held on 04/26 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report.

RECREATION BOARD: Councilman Rooney noted that a meeting has been tentatively scheduled for 04/26 at 6:30 p.m. with the Memorial Park Board to continue discussions regarding Memorial Park upgrades.

MAYOR'S REPORT: The Mayor's Report was as follows –

“On April 6th, I attended the Chamber's mixer at the Summit Health Rehab Center.

On April 8th, I participated in the Save-a-Vet-Save-a-Pet fundraiser for the FCVA Project. Over \$7,000 was raised. Congratulations to the American Legion Post 15 and all who helped.

On April 10th, along with Chief Sourbier, an award was given to a young lady for an exemplary service. (Chief Sourbier explained that a six-year old was honored for her efforts to save her father's life during a medical emergency.)

On April 19th at Renfrew Park, I had the privilege of uniting in marriage Kelly Rinehart and Christopher Pawlus. We wish the Pawlus' the very best.

Also on the 19th, I attended the Chamber's mixer at the BB&T Bank office.

Also, I do hope that you will be able to attend the Cancer Auction on the 22nd.”

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: No report.

JUNIOR COUNCILPERSONS' REPORT: No report.

MANAGER'S REPORT: Manager Stains reported the following –

- Completed a Right-to-Know Request for Trisha Frassetto of Signature Information Solutions, LLC in Trenton, NJ requesting monthly Tax Collector Statements for March, 2017
- Completed a Right-to-Know Request for Ian McCurdy of Lender Consulting Services, Inc. in Harrisburg, PA, requesting the following information for 230 S. Potomac Street (Potomac Professional Center):
 - a. Date the site was connected to public sewer
 - b. When any current building and/or past building was constructed
 - c. Current and/or previous uses/occupants
 - d. Any environmental enforcement actions, complaints, notices of violations, tanks, etc.
 - e. Building, zoning and fire code violations
- Met with Jeffrey Stonehill on April 10th for a kick-off meeting for the Borough's Fiscal, Operational and Mission Management Analysis which is being completed by the Pennsylvania Department of Community and Economic Development. Mr. Stonehill will be meeting with staff, department heads and attending future Council meetings. The scope of the report will include:
 - a. Assessing current and projected financial position and associated fiscal management practices.
 - b. Conducting in-depth management and mission audit of Borough departments
 - c. Best Practice Research
 - d. Implementation strategy development
 - e. Long-range financial forecasting
 - f. Public involvement
 - g. Ongoing monitoring and evaluation

Recommendations should be received in time for the 2018 budget preparation, with DCED working with the Borough through 2019 on implementations.

- Playground equipment has been installed at Rotary Park by GRC and our inspector has been working with the contractor to finish the project. We anticipate the equipment to be open in the next few weeks once the permitted base mulch arrives.
- Playground tube at Memorial Park has been taken out-of-service due to damage.
- I hired Linda Cole on April 10th to perform the cleaning service of Borough Hall. She will begin May 7th at the rate of \$10.00/hour and will be completing her background checks to authorize her unescorted access to the Police Department for cleaning.
- In the spirit of good inter-municipal cooperation, I have worked with the municipalities of Emmitsburg, MD and Chambersburg, PA for pool memberships for the 2017 season. Both communities are repairing their pools and will be granted memberships at the Waynesboro Resident Rate for 2017 only. Chambersburg has also agreed to sell memberships and coupon books for the pool at the Chambersburg Rec Center. Chambersburg will be sending us a check monthly to pay for memberships sold.

- We are currently receiving proposals from heating and air conditioning companies to replace the oil burner at Borough Hall which was budgeted for replacement this year.
- The Clayton Avenue water line project is progressing and should be completed in the coming weeks. Once the line is completed, staff will be divided between Northside Pool and the walking trail.
- Depending on weather, our crews will begin a water line project on State Hill Road from Ninth Street to the intersection of Welty and Lyons Roads. They will be working on conjunction with Washington Township, and their salaries will be paid through a grant received by Washington Township.

PUBLIC COMMENTS – AGENDA ITEMS: Visitors desiring to comment on a particular agenda item will be recognized by the President to speak when the topic is being discussed.

PUBLIC COMMENTS – NON-AGENDA ITEMS: None.

CONSENT AGENDA: Councilman Fleagle made a motion to approve the Consent Agenda, as follows –

- A. Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of March, 2017.
- B. Pay Bills – Check Details dated 04/10 and 04/14

Councilman Oldham seconded; the motion passed unanimously.

NEW BUSINESS

STREET LIGHT STUDY: Manager Stains noted, at the last Downtown Revitalization Committee meeting, much input was provided by downtown business people regarding possible solutions to the Borough's lighting issues. He disagreed with the suggestion made to utilize a lighting study from another community and make it work for Waynesboro. Pedestrian safety in the Borough has been discussed for many years, and the inefficient lighting has been addressed numerous times. A suggestion was made to replace all the light bulbs, and Mr. Stains noted this endeavor would cost approximately \$7,500 and may also prove to be ineffective. Instead, he recommended getting the study done utilizing money from the PLGIT account for street lights (which currently has \$23,000 in it). He feels it is important to find out what a certified lighting engineer has to say about the Borough's street lights and then come up with a plan to move forward with the necessary lights for better pedestrian safety in the community. Councilman Cermak made a motion for approval and Councilwoman Rolls seconded. Clarification on the motion was requested and Mr. Stains explained that \$9,000 would cover the cost of the study; additional costs for engineering would be incurred, for total costs up to \$20,000. A vote was called and the motion passed unanimously.

APPROVE MULTIMODAL TRANSPORTATION FUND (MTF) GRANT APPLICATION:

Mr. Stains requested Council's authorization to begin working with GMS on the MTF grant application in anticipation of receiving beneficial information back from the lighting study prior to the 07/31/2017 application deadline. A resolution will be forthcoming for Council's approval closer to that time and no funds are being committed with this motion. Councilman Fleagle made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

APPROVE SAFETY MANUAL: Mr. Stains noted that the Borough's new workmen's compensation carrier is requiring the Borough to have a Safety Manual in place. A draft has been prepared and presented to Council for review; and the document has been reviewed and recommended by the Solicitor. Councilman Cermak made a motion to approve the Safety Manual, as presented. Councilwoman Rolls seconded; the motion passed unanimously.

REQUEST FROM ALEXANDER HAMILTON MEMORIAL FREE LIBRARY RE:

ANNUAL FUNDRAISER: Mr. Stains presented a request from the Library for permission to serve alcohol on-site at their annual fundraiser event on 09/09. (As this is a Borough-owned property, alcohol is prohibited.) Councilman Cermak made a motion to approve the request, provided that an Alcoholic Beverage Rider is added to the insurance policy. Councilman Rooney seconded; the motion passed unanimously.

WEBSITE RE-DESIGN: Mr. Stains noted that the Borough's website has not been "overhauled" for several years and it is difficult to navigate. He has obtained a price estimate from Cermak Technologies for the re-design, which will make the website more user-friendly (especially for mobile technology); and recommended the expense be taken from Administration-Major Equipment and reimbursed from the Administrative Reserve Account. Councilwoman Rolls made a motion for approval. Councilman Rooney seconded; the motion passed 5-1 (Councilman Cermak abstained).

FINAL LAND DEVELOPMENT PLAN FOR OTTERBEIN MINISTRIES, INC.:

Kevin Grubbs presented the Final Land Development Plan for Otterbein's new church facility on Welty Road. The revised plans were reviewed by the Waynesboro Planning Commission on 04/10 and recommended for approval. Councilman Oldham made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

SUMMER JUBILEE FIRECRACKER 5K RACE AND KIDS' ONE-MILE FUN RUN

(JULY 4, 2017, BEGINNING AT 7:30 A.M.): Kevin Grubbs presented a request from the Summer Jubilee Committee to hold their annual 5K Race and Kids' Fun Run on 07/04, beginning at 7:30 a.m., and following the same route as last year. Councilman Fleagle made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

FOR INFORMATION ONLY

TREE CITY USA RECOGNITION: Mr. Stains announced that Waynesboro has once again been named a Tree City USA by the Arbor Day Foundation. Members of the Shade Tree Commission and residents who assist in recycling leaves, etc. are to be commended for their efforts.

PRESS QUESTIONS:

Jennifer Fitch, Herald Mail

Question: Was the \$2,257 mentioned per bulb or a total cost?

- Jason Stains responded that that price was the total cost for the bulbs and electronic eyes.

Question: Please refresh my memory what the acronym PLGIT stands for.

- Staff advised it is Pennsylvania Local Government Investment Trust

Question: Regarding the Zoning Ordinance, did you take out Item #1 or the entire section regarding animals?

- Solicitor Wisner stated that 62B-1 was removed.

COUNCIL AND STAFF COMMENTS: Councilman Rooney noted his appreciation to residents who attended this meeting to provide input. He also noted he is happy to see that the website will be updated.

Kevin Grubbs noted that Council approved amendments to the Parking and Traffic Regulations on 02/01/2017; and this must be done every 90 days to approve/extend the timeframe for any signs, etc. implemented since the entire ordinance was adopted at the end of 2016. Councilman Cermak made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

Police Chief Sourbier reported that Rutter's donated \$400 to be used for expenses at National Night Out. He is grateful for the community support for this well-attended event. Chief Sourbier also reported that the Police Department is participating in the Co-Responders Project with the Franklin County Mental Health Department. He explained that a mental health counselor is assigned to the Police Department two (2) days a week, during which time they will schedule appointments and be available to respond and deal with persons in circumstances the police officers feel are "outside their scope of expertise".

Bill Kohler (Mainstreet Waynesboro, Inc.) invited Council and the public to attend a groundbreaking ceremony to be held at the parklet on 04/21 at 11:00 a.m.

Councilman Oldham noted his appreciation to members of the public who attended and commented at this evening's hearing and meeting.

Councilwoman Rolls announced that the second annual "Spring Clean Waynesboro" event will be held on 05/06. Additional information is available on the "Be in the Know Waynesboro, PA" Facebook page. The coordinator is Linda Clark.

Mayor Starliper reported that the Waynesboro Fire Police will be assisting at the following events:

1. Brothers of the Brush Easter Egg Hunt at Renfrew on 04/22
2. Mont Alto Tractor Pull on 05/20
3. Mont Alto Carnival on 06/16 - 06/23
4. Mont Alto's Project Big Love on 07/29
5. Mont Alto Gun Drawing on 08/19
6. Mont Alto Tractor Pull on 09/09
7. Memorial Day Parades for Greencastle and Waynesboro on 05/29
8. God Bless America Motorcycle Run on 06/04

Council adjourned to executive session at 9:31 p.m. to discuss personnel and code enforcement matters. They reconvened to regular session at 10:19 p.m.

Councilman Cermak made a motion to hire Aaron Huntington, Kellee Rogers and Kimberly Wolfe as Police Officers. Councilman Rooney seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 10:20 p.m. on an Oldham/Fleagle motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary

BOROUGH OF WAYNESBORO

2014 - 2017 PUBLIC FUNDING SUMMARY

2014

- **Fairview Avenue & Welty Road Improvements**
PennDOT Multimodal Transportation Fund (MTF) Program - \$500,000
- **Community Walking Trail**
Franklin County Tourism and Quality of Life Enhancement Grant - \$94,644

2015 *GMS not under contract with the Borough*

2016

- **Memorial Park Rehabilitation Project**
PA DCNR Community Conservation Partnerships (C2P2) Program - \$150,000
- **Memorial Park Rehabilitation Project**
PA DCED/CFA Greenways, Trails Recreation Program (GTRP) - \$205,000
- **Community Walking Trail**
Franklin County Tourism and Quality of Life Enhancement Grant - \$41,300
- **Police Vehicle Acquisition**
US Dept. of Agriculture (USDA) Community Facilities Program - \$82,146

2017

- **Municipal Lighting Study**
USDA Rural Business Development Program – Requested \$20,000, Award date to be determined
- **Streetscape, Lighting & Associated Pedestrian Safety Improvements**
CFA Multimodal Transportation Fund (MTF) – Exact request amount to be determined, likely in excess of \$500,000

Total Public Funding Awarded To Date: \$1,073,090

For questions, please contact Amy Kaufman at (717) 552-2639, Ext. 201 or
akaufman@gmsfundingsolutions.com.

2017 NORTHSIDE POOL STAFF**Manager**

Morgan Brandes Salary of \$8,500 for the 2017 season

Concession Supervisor

Michaela Shover \$10.30/hour (\$10.00 + \$.30 for 2 years' service)

Assistant Managers

Jarrett Rolls \$9.70/hour (\$9.25 + \$.45 for 3 years' service)

Eli Leggett \$9.40/hour (\$9.25 + \$.15 for 1 years' service)

Head Lifeguards

Julianna Smith \$9.20/hour (\$8.75 + \$.45 for 3 years' service)

Max Roberts \$8.90/hour (\$8.75 + \$.15 for 1 years' service)

Lifeguards

Cassidy Brandes \$8.85/hour (\$8.25 + \$.60 for 4 years' service)

Hannah Brandes \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Timothy Correll \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Anita Denisenko \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Elizabeth Farmer \$9.00/hour (reached maximum rate)

Jacob Foster \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Lindsey Frey \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Mya Giasomo \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Mya Graves \$8.25/hour

Gabrielle Greco \$8.55/hour (\$8.25 + \$.30 for 2 years' service)

Abigail Hinkle \$8.40/hour (\$8.25 + \$.15 for 1 years' service)

Sarah Stains \$8.25/hour

Cashiers

Vicki Baker \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Bethany Barkley \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Virginia Cooley \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Jenna Harne \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Alivia Leggett \$7.25/hour

Kelly Leshner \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Isabelle Painter \$7.55/hour (\$7.25 + \$.30 for 2 years' service)

Alex Stoops \$7.40/hour (\$7.25 + \$.15 for 1 years' service)

Charles Thomas \$7.40/hour (\$7.25 + \$.15 for 1 years' service)