

MARCH 1, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:30 p.m. 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 Wisner, Borough Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Utilities
Jim Sourbier, Police Chief

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: None.

EXECUTIVE SESSION: President Mumma noted that Council will hold an executive session at the end of the meeting.

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

PERSONNEL COMMITTEE: Councilman Cermak made a motion to approve a step increase for Tom Brennan to salary level 14D, effective 03/22/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Chris Eyler to salary level 9E, effective 03/03/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Jason Stains to salary level 23B, effective 02/01/2017. Councilman Rooney seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney reported that the Property Committee will begin meeting on a quarterly basis, with the next meeting being scheduled for 04/20 at 6:00 p.m. They will continue working on modifications required to the current Weapons Ordinance and report back in the near future.

STREET COMMITTEE: Councilwoman Rolls noted that the Street Committee met on 02/22 and held discussion regarding several items to be considered by Council.

Councilwoman Rolls made a motion a motion to place a stop sign (for westbound traffic) in the alley behind 138 N. Potomac Street, as recommended by the Police Department. Councilman Rooney seconded; the motion passed unanimously.

Councilwoman Rolls made a motion to establish a “no parking” area on the north side of King Street from Crown Court to approximately Wayne Avenue. Councilman Rooney seconded; the motion passed unanimously.

Ms. Rolls noted that the Street Committee was approached regarding a street light at the location of 309 Green Street that had been installed on a West Penn Power pole and was being paid for by the previous owner. The property has been sold, and the new property owner would like the Borough to pay for this light. Following discussion regarding many other instances such as this, additional research will be conducted prior to a recommendation to Council.

Due to confusion in the current signage for a “no parking” area at 19-21 S. Church Street, Councilwoman Rolls made a motion to changing the existing “No Parking Here to Corner” signs to “No Parking Between Signs”. Councilman Cermak seconded; the motion passed unanimously.

The Street Committee’s next meeting will be held on 03/22 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: Councilman Fleagle reported that he attended the Emergency Services Alliance meeting on 02/06. They are attempting to get a study on the fire and emergency service volunteer crisis, and will (most likely) be requesting monetary support from the various municipalities at budget time.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle noted that the Downtown Revitalization Committee met on 02/06 and discussed the following –

- A meeting was held with concerned parties regarding issues with the New Hope Shelter, which should be resolved.
- Bob Correll has received two (2) competitive bids for the Mulberry Street archway, and he is hoping to have the project completed in early summer. Lighting may also be considered.
- ZO/SALDO revisions were discussed.
- Issues with Alley #1 North are being reviewed/resolved by the Street Committee

FINANCE COMMITTEE: No report.

RECREATION BOARD: Councilman Rooney noted that he was unable to attend the last Recreation Board meeting, but reported that they discussed the Rotary Club sponsoring “Movies in the Park” again this summer (dates/times TBA). They are also working on themes for the “Theme Thursday” events at Northside Pool, as well as fundraising ideas. Little Libraries have been built and will be installed by the maintenance department at various parks in the Borough.

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

“On February 9th, I attended the Chamber’s mixer at the Waynesboro Country Club.

On February 14th, I was one of the judges for the Rotary’s 4-Way Speech Contest. The three individuals participating were all very good.

On February 18th, I attended the Lions Club Breakfast and the Chamber’s Expo. I would hope that all of you attended this community event.

On February 22nd, as a board member of the Waynesboro Beneficial Fund Association, I attended their board meeting.

On February 23rd, along with Manager Stains, I attended the ribbon cutting for the new sign business, Ely’s, on W. Main Street.

On February 24th, I attended the Waynesboro Day Care Center’s 4th Anniversary Open House.

On February 28th, along with Manager Stains and Council, I attended the Cumberland-Franklin County Boroughs Association meeting in Waynesboro.”

Mayor Starliper noted that the Fire Police assisted at WASHS Music Department’s Indoor Guard and Procession Show on 02/25. They will also be assisting with the following upcoming events:

- Brothers of the Brush Easter Egg Hunt at Renfrew Park on 04/15
- YMCA’s Triathlon
- Memorial Day Parade on 05/29 (to be considered for approval at the next Council meeting)

SOLICITOR’S REPORT: No report.

DIRECTOR OF UTILITIES’ REPORT: Leiter Pryor noted that the Waynesboro Borough Authority met on 02/21. One of the topics for discussion at that meeting was

the possible refinancing of the PENNVEST sewer loan. They have contracted with PFM of Harrisburg to serve as a consultant for this matter; and PFM has since formulated and mailed RFP's to 30+ banks. The WBA will make a decision later this month regarding the refinancing; and, depending on the quoted interest rates, may request a Borough guarantee note in order to save additional funds.

JUNIOR COUNCILPERSONS' REPORT: Arianna Taylor reported that she and Sophie Van Gilder met recently with Principal Pappas to discuss complaints and concerns regarding the road coming out of the High School parking lot (onto Myrtle Avenue). They were advised that this is the Borough's jurisdiction, so they asked for possible solutions to the unsafe conditions which exist. Councilwoman Rolls responded that the Street Committee is considering various options and will let them know when a decision has been reached. In the meantime, she asked them to encourage their friends/students to drive reasonably in that area.

MANAGER'S REPORT: Mr. Stains reported the following –

- Summit Health has made a donation of \$5,000 toward the walking trail.
- GRC will install new playground equipment (donated by the Rotary Club) at the Rotary Park in early spring.
- Locker rooms at Northside Pool are being renovated prior to the upcoming season. The dated lockers have been removed, partitions in the men's room will be removed/replaced, and various cosmetic upgrades (including painting) will be done.
- Walking Trail – Kevin Grubbs is in the process of obtaining prices for the bridge between the first and second phases of the Brimington Development, and the maintenance crew will begin work on the trail again as soon as weather permits and they have completed the water line work on Clayton Avenue.
- Paperwork has been completed/submitted regarding appointment of the Borough's new Emergency Management Coordinator.
- He will attend a Benecon Health Care Conference in Lancaster the following week.

Councilman Fleagle noted that the Rotary Club has additional funding (from a \$5,000 grant) may have additional funding for Phase II of the Rotary Park, and he will meet with Kevin Grubbs to discuss their plans.

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:

Nathan Green, 600 Park Street – Mr. Green noted that he has attended several Council meetings since July in hopes of them considering a change in the current Weapons Ordinance to include all types of bows/arrows. Manager Stains noted it was mentioned

previously that once work on the Zoning Ordinance and Subdivision/Land Development Ordinances is completed, the Property Committee's next priority is the Weapons Ordinance.

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

A. Award Bids

- Random Curb and Sidewalk – J & M Concrete Construction
- Stone – New Enterprise Stone & Lime Co., Inc.
- Sodium Hypochlorite – Aqua Chemical Supply, Inc.
- Paving Materials – Craig Paving, Inc.
- 6" Ductile Iron Pipe - L/B Water Service, Inc. (reject all bids for 4", 8", 10" and 12" Ductile Iron Pipe)

B. Approval of Minutes as Presented – February 1, 2017 (regular meeting)

C. Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of January, 2017

D. Pay Bills – Check Detail dated 02/01, 02/07, 02/13, 02/17 and 02/24

Councilman Oldham seconded; the motion passed unanimously.

UNFINISHED BUSINESS

PLANNING COMMISSION REVIEW COMMENTS ON ZONING AND SUBDIVISION/LAND DEVELOPMENT (SALDO) ORDINANCES: Kevin Grubbs noted that the Planning Commission reviewed proposed changes to the Zoning and Subdivision/Land Development Ordinances at their meeting on 02/14, and recommended the following changes –

- Page 27 and 28: Article IV – Nonconforming Uses and Structures, Section 11 – Existing Nonconforming Uses and Structures

The Planning Commission stated that by requiring property owners to register nonconforming uses and structures no later than 120 days after the effective date of the adoption of the new ordinance would be very difficult to enforce. Additionally, failure to make application to register would then disqualify that structure or use as a nonconforming use. The Planning Commission further stated that the large majority of properties in the Borough have some sort of nonconformity, whether it is a structure or a use. Therefore, the Planning Commission recommended removal of the registration requirement for Subsection B, Items a, b, c and d.

After much discussion, Solicitor Wisner recommended that this requirement remain as written.

- Page 113: Section 62 – Keeping of Animals, Subsection A

The Planning Commission recommended replacing the word “chicken” with “fowl” in Subsection A, since provisions have been made for the keeping of chickens on page 114; and including a definition for “fowl”.

- Page 113 and 114: Section 62 – Keeping of Animals, Subsection B, Item 1

The Planning Commission recommended adding wording in the first sentence to read “in any combination”. As an example, 2 dogs + 2 cats = 4 animals -- This way it won't be misinterpreted that someone is permitted to have 4 animals of each type listed in Subsection A.

- Page 125 and 126: Article X – Off-Street Parking and Loading, Section 66 – General Regulations, Subsections D and M

The Planning Commission recommended revising the wording that reads “acceptable to the Borough Solicitor” to “acceptable to Borough Council”, as Borough Council is the governing body and should have the final decision.

- Page 139: Section 2 – The Maximum Sign Area for Building Frontage Shall Be:

The Planning Commission recommended that two (2) of the abbreviations (ft = feet and lf = linear feet) are not used in the equation to determine total maximum sign area and should be removed.

After much discussion, Mr. Grubbs noted the Planning Commission had no revisions and recommended proceeding with the approval/adoption process for the Subdivision/Land Development (SALDO) Ordinance. He stated that final copies of the ordinances will be prepared for submission/review by the Franklin County Planning Commission, and a public hearing should be scheduled/advertised for Council's second meeting in April. Councilman Fleagle made a motion to approve the recommended changes, as presented. Councilman Oldham seconded; the motion passed unanimously.

President Mumma noted that a public hearing regarding the matter will be held on 04/19 at 6:30 p.m. The Council meeting that evening will follow immediately after the hearing.

NEW BUSINESS

EMPLOYEE HANDBOOK: Mr. Stains noted it is time for the two-year review/update to the Employee Handbook. The Social Media Policy was adopted since the last revision, and several “housekeeping” changes were made. Council members received a copy of

the proposed revisions previously and the Solicitor has provided additional legal language changes as well. Council agreed that the matter should be tabled to provide adequate time for review of the additional changes recommended, and this item will be placed on Council's agenda for the 03/15 meeting.

ACCEPT RESIGNATION FROM SHADE TREE COMMISSION: Mr. Stains noted that Carol Bailey's term on the Shade Tree Commission is due to expire on 03/04, however (due to health concerns), she does not wish to be reappointed. Councilman Rooney made a motion to accept Ms. Bailey's resignation from the Shade Tree Commission. Councilman Cermak seconded; the motion passed unanimously.

CENTURY LINK PROJECT (MAIN STREET): Kevin Grubbs reported that he attended a meeting on 02/17 with representatives working with Century Link to install an underground conduit from Greencastle to Blue Ridge Summit. They plan to install conduit on the south side of Main Street (in the shoulder/parking area), and he provided information to them regarding the depth of utilities in the area. The work will begin sometime after 03/06, and they plan mostly to work from 6:00 p.m. to 6:00 a.m. No parking will be permitted 24 hours/day while the work is being done. A Certificate of Insurance, as well as a bond for \$1,000,000, will be provided.

REQUEST FOR ROAD RACE APPROVAL (WAYNESBORO RUNNING, INC.) ON MAY 20, 2017: Mr. Stains presented a request from Waynesboro Running, Inc. to hold their 10K on 05/20 from 8:00 a.m. to 12:00 p.m. Bob Correll was present and described the proposed route. Mayor Starliper noted that discussions will be held regarding traffic control.

RESOLUTION #2017-01 (BORROWING TERMS – USDA): Mr. Stains noted they are nearing completion of the USDA grant/loan for police vehicles, and a resolution is required to authorize the Borough's debt for \$54,900. Terms of the borrowing were outlined as described in Resolution #2017-01. Councilman Cermak made a motion to approve the resolution, as presented. Councilman Rooney seconded; the motion passed unanimously.

RESOLUTION #2017-01

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING A SMALL BORROWING FOR CAPITAL PURPOSES UNDER SECTION 8109 OF THE LOCAL GOVERNMENT UNIT DEBT ACT FOR THE PURCHASE OF TWO 2017 UTILITY POLICE INTERCEPTOR VEHICLES AND AUTHORIZING AND DIRECTING APPROPRIATE OFFICERS OF THE BOROUGH TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SMALL BORROWING.

Complete copy on file at Borough Hall.

RESOLUTION #2017-02 (USDA): Mr. Stains presented Resolution #2017-02, in conjunction with the previous resolution, authorizing acceptance of a grant in the

amount of \$25,600 for the police vehicles. Councilman Rooney made a motion to approve Resolution #2017-02, as presented. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION #2017-02

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WAYNESBORO AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS PURCHASE TWO (2) 2017 FORD AWD UTILITY POLICE INTERCEPTORS FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

Complete copy on file at Borough Hall.

RESOLUTION #2017-03 (BUILDING PERMIT FEES FOR BLIGHT REMEDIATION):

Mr. Stains noted that this proposed resolution will encourage the Pennsylvania State Legislature to enact an amendment imposing a fee of \$15 on construction or building permits issued under the authority of the Pennsylvania Construction Code Act to remediate blight in Pennsylvania communities. This resolution will be forwarded to the PSAB in hopes that they will begin lobbying for the effort on the state level. Councilman Rooney made a motion to approve Resolution #2017-03, as presented. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION #2017-03

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, IN SUPPORT OF THE IMPLEMENTATION OF A FIFTEEN DOLLAR FEE ON CONSTRUCTION OR BUILDING PERMITS ISSUED UNDER THE AUTHORITY OF THE PENNSYLVANIA CONSTRUCTION CODE ACT TO REMEDIATE BLIGHT IN PENNSYLVANIA COMMUNITIES

Complete copy on file at Borough Hall.

FIRE POLICE VEHICLE: Information was presented to Council regarding the potential purchase of a new Fire Police vehicle. It was noted that they are looking for something “more substantial” than the van they are currently utilizing to transport their equipment. The 2006 Ford Horton Ambulance is being offered for sale by the MMP&W in Mercersburg. The Fire Police would put up \$5,000 and are asking the Borough to match that amount. The current van would be sold, with the proceeds to be provided to the Borough toward insurance and maintenance costs. In addition, the Borough’s mechanic should have the opportunity to view the vehicle prior to final purchase. Councilman Cermak made a motion for approval, contingent upon the Fire Police

paying half of the purchase cost. Councilman Rooney seconded, the motion passed unanimously.

FOR INFORMATION ONLY

FISCAL, OPERATIONAL AND MISSION MANAGEMENT ANALYSIS: Mr. Stains noted that all required paperwork has been forwarded to DCED for the Peer Consultant Program. Jeffrey Stonehill of Chambersburg will be doing the analysis, which is anticipated to take place within the next several months. Borough Council will receive a full report.

UPDATE ON BOARD OF HEALTH: Solicitor Wisner noted that the Borough of Chambersburg has requested additional information from Waynesboro. Following their review, they will make a determination on Waynesboro joining their Board of Health.

COUNCIL AND STAFF COMMENTS: Councilman Rooney noted he would like to allow Arianna Taylor and Sophie Van Gilder the opportunity to serve as Junior Councilpersons again for the next school year. There were no objections.

Councilman Cermak noted he is glad to see the Zoning Ordinance moving forward, and is hopeful that it will be passed soon.

Police Chief Sourbier thanked the Borough's maintenance staff for their efforts and assistance in beginning to reorganize some of their work space in the Police Department. In addition, he stated it is his understanding that there will be a list of certified candidates forthcoming in the near future.

Bill Kohler (Mainstreet Waynesboro, Inc.) reported that the Chocolate Extravaganza will be held on 03/11 at the American Legion, and GRC will begin construction of the parklet within the next several weeks. He noted there is no update on the adjoining building, as they are waiting on state grants for its renovation.

Mayor Starliper reported that the American Legion is sponsoring a "Save a Vet, Save a Pet" event on 04/08. Tickets are \$30 per couple.

Council adjourned to executive session at 9:15 p.m. for the purpose of discussing code enforcement, litigation and personnel issues. They reconvened at 10:18 p.m. and adjourned the meeting at 10:19 p.m. on a Rolls/Cermak motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary