

JUNE 7, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regular 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)
Jim Sourbier, Police Chief
John Beck, Assistant Fire Chief

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Peter Lagiovane, a representative of Fair Districts PA, made a presentation to Council regarding their efforts in support of legislation to create an independent redistricting commission. He noted that State Representatives Rob Kauffman and Paul Schemel have co-sponsored legislation, and he requested Council's approval of a resolution to support legislative efforts to secure expeditious action to make a constitutional amendment that would, among other reforms, assign the decennial task of both legislative and congressional redistricting to an independent citizens' redistricting commission. Councilman Cermak suggested that the matter be tabled until the July meeting. Mr. Lagiovane noted that he will return at that time for Council's decision.

EXECUTIVE SESSION: Council adjourned to executive session at 8:01 p.m. to discuss personnel issues. They reconvened to regular session at 8:07 p.m.

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

PERSONNEL COMMITTEE: Councilman Cermak acknowledged receipt of a favorable performance evaluation for Doug Mouer. No action was required.

Councilman Cermak made a motion to approve a step increase for Jody Sanders to salary level 13D, effective 08/17/2017. Councilwoman Rolls seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the hiring of April Rhone as Pool Manager, effective immediately. Councilwoman Rolls seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney noted that the Property Committee met on 05/18 with representatives of Medic 2 and the Waynesboro Volunteer Fire Department to receive an update on their activities. Discussion was held regarding the possibility of consolidating departments, agencies and/or services to streamline support to constituents; and a planning meeting will be held on 06/20 with representatives of Washington Township, Quincy Township, Waynesboro Police Department, Washington Township Police Department, Waynesboro Fire Department, Blue Ridge Summit Fire Department, Waynesboro Ambulance Squad and Medic 2.

STREET COMMITTEE: Councilwoman Rolls noted that further discussion was held regarding the “No Parking” areas on both sides of the School District’s parking lot entrance on W. Third Street, and the School District has agreed to pay the cost of the signs. Accordingly, she made a motion to approve the requested installation of “No Parking” signs at 210 Clayton Avenue, with the School District covering the costs related to installation of the signs. Councilman Cermak seconded; the motion passed unanimously.

Councilwoman Rolls made a motion to approve the request for a handicapped parking space at 121 W. Third Street. Councilman Oldham seconded; the motion passed unanimously.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle reported that the Committee met with previous day and discussed the following --

- An update was provided from Bill Kohler regarding downtown activities.
- Status report was requested regarding the street light study – Manager Stains noted that the lighting engineers were on-site last week to obtain necessary measurements and readings. They anticipate a formal report will be available in July.
- Health Board issue is on the Council agenda for this evening.
- Status report was requested regarding the fiber optic construction project – Mr. Stains noted there were some issues at the intersection of Potomac/Main, but the crew is hoping to be completely finished in Waynesboro by the end of this week. They will then be working in conjunction with PENNDOT to ensure that the road is to PENNDOT standards (and that the Borough’s Engineering Department is satisfied) before they leave the area.

- Bill Hobbs, Chambersburg's Maintenance Code Enforcement Officer, was in attendance and discussed how they handle blight. He reviewed their Rental Inspection Program, which is quite simple and doesn't generate a lot of complaints. The Downtown Revitalization Committee will discuss this possibility at a later meeting.
- Request was received from a constituent to pave the Trinity parking lot. This matter can be discussed at budget time.

The next meeting, rescheduled from 07/04 due to the holiday, will be held on 08/01.

FINANCE COMMITTEE: No report.

RECREATION BOARD: Councilman Rooney reported that the Recreation Board met last month with the Memorial Park Board to discuss the plans for upgrades. Recommendations have been provided to the consultants, and they will be finalizing the plans. He commended Wayne Bartholow for his efforts in locating 27 of the 32 memorial stones in place at the memorial area. The Borough Manager also provided them with an update on upgrades at Northside Pool, equipment installation at Rotary Park, and progress on the walking trail.

The next meeting is scheduled for 06/28 at 6:30 p.m.

Mr. Stains advised that recommendations from the Memorial Park Board and Recreation Board were to keep everything within the current footprint at the park, to include an offset of the two (2) tennis courts closest to the Little League field and (hopefully) avoiding any disturbance of the memorial area. They anticipate demolition of the restrooms and tennis courts in the fall, and are hoping that the successful bidder will be able to construct new restrooms over the winter and resurface/rehabilitate the tennis courts in the spring.

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

“On May 7th – 10th, along with Manager Stains, I attended the PSAB's annual conference. Among the many topics discussed were Government Grants, Involving Youth in Local Government, Finding the Right Solicitor/Engineer, Violence in the Community, Red Flags in Workers' Compensation, Combating Blight, Security Breach and Impact of Police Community Conflicts. The speaker for the event was Cal Ripken, Jr.

On May 11th, the Chamber held a mixer at L. T. Rush's.

On May 15th, I attended a dinner at the Waynesboro Area Senior High School for 11 graduating seniors going into the military.

On May 18th, the Chamber's mixer was at the Trident Business on Cleveland Avenue.

On May 19th, along with Chief Sourbier and current and retired members of the police force, we enjoyed breakfast at the Velvet Café in honor National Police Week.

On May 23rd, I attended the Franklin County Commissioners' meeting.

On May 24th, along with Chief Sourbier, Manager Stains and members of Council, I attended the Drug Task Force meeting at Whitetail.

Also on the 24th, I attended the ribbon cutting ceremony for the Itchin2Stitch Business at Third and S. Potomac Street.

On May 26th, I presented leadership awards to two (2) fifth graders and two (2) sixth graders at Mowrey Elementary School.

On May 29th, I participated in the Memorial Day parade and also at the memorial service.

On May 31st, I attended the Waynesboro Beneficial Fund Association meeting and later in the evening, the Make-a-Wish 15th annual meeting.

On June 1st, I attended the Burns Hill Cemetery Board of Directors meeting and also later on, the F & M Bank's after-hours mixer.

On June 2nd, I attended the Chamber's breakfast with the topic being the Cascade Town Center Project.

Also on the 2nd, along with Chief Sourbier, we had a meeting with the School District's new Superintendent, Dr. Kline."

Councilman Cermak requested that President Mumma and/or Mayor Starliper send letters to the 11 seniors who are entering the military in appreciation for their service.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: Leiter Pryor reported that the annual Water Consumer Confidence Report has been posted on the Borough's website, which is a requirement of DEP. A notification will be placed on the utility bills (and has been posted on the Borough's Facebook page) advising customers where they can view and/or download a copy. He stated that the report is a good testament to the operation of the Water Plant, as the staff does a great job and should be applauded for their work.

MANAGER'S REPORT: Manager Stains reported the following --

- Right-to-Know Request received regarding Administrative Assistance Grant Services – unsure what they were asking for, so the request was denied.
- A scene from a movie produced locally was filmed in Council Chambers this past weekend (this was approved by Council several years ago).
- This is the first year the Borough is operating the pool concession stand, and it seems to be doing very well. Since the pool opened on Memorial Day weekend, sales at the concession stand have grossed in excess of \$8,000.
- Contacted by Donald Rhines, whose son is working on an Eagle Scout project. He is hoping to be able to attend the next Council meeting to discuss his plan to create a permanent site for a burn pit near the memorial at Memorial park where ceremonies could be held to properly dispose of flags.

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 and Police Chief for the month of April
- B. Pay Bills – Check Details dated 05/08, 05/12, 05/22 and 05/30
- C. Hire Additional Pool Staff

Councilman Cermak seconded; the motion passed unanimously.

UNFINISHED BUSINESS

OFFICIAL BOROUGH MAPS: Councilman Rooney noted that the Property and Public Safety Committee, in conjunction with the Borough’s Engineering Department, was tasked with developing Official Borough maps last January/February.

Kevin Grubbs explained that an Official Map is a Land Use Management Tool to be adopted by the Borough under ordinance, as provided by the Municipalities Planning Code. He explained the purpose and benefits of adopting an Official Map.

Council members were provided with five (5) Official Maps developed – those being:

- Transportation Map
- Recreational Facilities, Trails & Greenways Map
- Future Land Use and Target Area Map
- U.S. National Register of Historical Places (Borough Hall, Library, Oller House, Armory, Nicodemus Home/Farm)

- Historic Boundaries – Past, Current and Proposed

Mr. Grubbs noted that a 30-day comment period is required for review of the Official Maps by the Waynesboro Planning Commission, the Franklin County Planning Commission and Washington Township. In addition, the Recreation Board, Mainstreet Waynesboro, Downtown Revitalization Committee, Historical Society and Street Committee will be asked to review and comment. Following these reviews, a public hearing is required, and he suggested 08/02 at the earliest. If Council desires to proceed, Solicitor Wiser is prepared to draft the appropriate ordinance.

Councilman Rooney then made a motion to authorize scheduling a public hearing regarding adoption of the Official Maps on 08/02 at 6:30 p.m. President Mumma noted that the Council meeting will convene immediately following the public hearing. Councilman Fleagle seconded; the motion passed unanimously.

CONTRACT WITH PA MUNICIPAL CODE ALLIANCE FOR BOARD OF HEALTH:

Mr. Stains noted that, prior to taking action regarding Waynesboro joining their Board of Health, the Borough of Chambersburg is requesting we enter into an agreement with PA Municipal Code Alliance. Councilman Fleagle made a motion for approval of the contract, as presented. Councilman Rooney seconded; the motion passed unanimously.

CLARIFICATION ON ACTION TAKEN AT 04/19/2017 MEETING RE: STREET LIGHT STUDY:

Mr. Stains noted there was a question regarding the motion and a portion of discussion which needs to be clarified for the minutes. Councilman Cermak noted the intention of his motion was for the Borough to move forward with the study (thereby avoiding more injuries and possibly deaths to any citizens). As Councilwoman Rolls seconded the motion, she agreed.

DISCUSSION OF MUSIC AT BOROUGH EVENTS: Mr. Stains noted this matter was discussed last year; and since the pool just recently opened, direction was requested as to how the music will be handled at the many upcoming events. Councilwoman Rolls stated that a committee was to be established to determine appropriate wording for a policy for future use, as numerous complaints have been received.

Jason Bartholow, DJ for many of the events at the pool, stated he has a problem with establishing a policy on anything that is already covered nationally by the FCC. Music played daily at the pool is from a radio station which is no different than the music he purchases and plays at the events (with bleeps, sexual references, suggestions, suggestive wording, etc.) He stated that if a policy is written, it should be strongly enforcing the FCC's guidelines.

Much discussion followed regarding various means for "rating" music, as well as the concept of censorship at public events and whether or not to continue playing the radio during regular operating hours. Councilwoman Rolls strongly urged that if a song is explicit, it should not be played at public venues. She suggested playing Spotify, as

they play the Top 200 and edit out the songs that artists themselves have designated as explicit.

Councilman Rooney made a motion to allow the current broadcast radio during regular operating hours, and any DJ's that play at events at the pool must follow broadcast standards for what they play. Councilman Fleagle seconded; the motion passed on a vote of 4-1 (Councilwoman Rolls opposed and Councilman Cermak abstained).

NEW BUSINESS

APPOINT REPRESENTATIVES TO EMERGENCY SERVICE AGENCIES MEETING

ON 06/20/2017: Mr. Stains noted that this was mentioned in the Property Committee Report, and Councilman Rooney will attend. He asked if there were any other Council members who would like to participate – Councilmen Cermak and Oldham volunteered.

APPROVE OF UPDATED LIST OF PART-TIME FIREFIGHTERS:

Fire Chief Adolini submitted an updated list of individuals to be placed on the Borough's roster as part-time Firefighters, as follows – Joel Oyler, Jeffrey Rowe, Brian Starliper, Trayer Stoops, Gerald Smith, Brett McFerren, Kris Martin, Tyler Shank, Andrew Miller and Aaron Baginski. Councilman Fleagle made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

REQUEST FROM ROTARY CLUB RE: "MOVIES IN THE PARK":

Mr. Stains noted that he previously emailed information to Council regarding "Movies in the Park". Specific to the 07/11 event at Northside Pool, the Rotary Club would like to rent the pool for a free public swim prior to the movie (which has been done the past several years). Councilman Rooney made a motion for approval. Councilman Cermak seconded; the motion passed 5-0 (Councilman Fleagle abstained).

ADDENDUM "A" TO 2016 MULLIN & LONERGAN ASSOCIATES' CONTRACT FOR

ADDITIONAL TECHNICAL SERVICES RE: 2016 CDBG PROGRAM:

Mr. Stains presented proposed Addendum "A" to the current contract with Mullin & Lonergan Associates for technical services for the 2016 CDBG Program. This addendum will authorize an increase of the total technical assistance portion of the contract cost by \$10,000 for FY 2016. Solicitor Wiser has reviewed the document and Mr. Stains recommended Council's approval. Councilman Oldham made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

FOR INFORMATION ONLY

RECREATION PLAN CONSULTANT FEES:

As discussed previously with the Subdivision/Land Development Ordinance (SALDO), Mr. Stains has requested YSM (who is working on design work at Memorial park) to gather information from other communities regarding recreational fees. They will also provide a price quote for producing a Master Plan for the parks, which may be pursued through a grant program

at some time in the future. He will report back to Council when that information is received.

2017 CDBG SMALL CITIES APPLICATION HEARING: Mr. Stains reminded Council that a public hearing regarding the 2017 CDBG program will be held on 07/05 at 7:15 p.m. The Council meeting will begin immediately following conclusion of the hearing.

PRESS QUESTIONS: None.

COUNCIL AND STAFF COMMENTS: Solicitor Wiser noted that an executive session is needed to discuss personnel and code enforcement issues, as well as potential litigation.

Bill Kohler (Mainstreet Waynesboro) reminded those present that a "Second Saturday" event will be held on 06/10, with family activities and music in Center Square from 5-7 p.m. Also, the Car Show and pop-up shops (and the opening of several new businesses) will be on 06/17.

Councilman Fleagle noted he will be unable to attend the upcoming Franklin County Emergency Services Alliance meeting on 06/10 at 8:00 a.m. Assistant Fire Chief John Beck will request that Jody Sanders (the alternate) attend.

Mr. Fleagle asked for an update on progress at the walking trail. Denny Benschoff commented that they are trying to have it completed by the end of July.

Also, Mr. Fleagle noted that Tom McCloud had requested that the Rotary Club donate several trees for Rotary Park. Since the request, they have been inundated with individuals who would like to donate trees and some of them have also been planted downtown. A dedication of those trees will be held on 06/20 at 12:00 noon at the Rotary pavilion, and he welcomed Council members to attend.

Councilwoman Rolls noted her appreciation for the discussion held at this meeting.

Mayor Starliper presented a request from the Fire Police Captain to add Robert Rowe, Jr. as a member. Councilman Fleagle made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

Mayor Starliper also noted that the Fire Police will be assisting with the South Mountain Fish & Game Club's Gun Bash on 07/15, at a Harbaugh Church program on 07/30, and at the Summit Health Physician Services' drive-thru clinic this fall.

Mr. Starliper reminded Council of the upcoming Main Street Gala at the Leland on 06/22 from 6-8 p.m.

Mr. Starliper asked about the fines for illegal yard sale signs. Dan Sheffler noted that signs posted on utility poles are regulated by the State Crimes Code and enforced by

the Police Department; and notices of violation are issued for signs on Borough street poles, etc. The Mayor reminded the public that posting yard sale signs is not permitted on poles and signs.

Having no further business to discuss, the meeting adjourned to executive session at 9:50 p.m. Council reconvened to regular session and adjourned the meeting at 10:49 p.m.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary