

SEPTEMBER 6, 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

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder

Borough Staff – Jason Stains, Borough Manager  
Denny Benshoff, Maintenance Superintendent  
Mike Benshoff, Maintenance Foreman  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
Steve Coccoresse, Borough Solicitor (Salzmann Hughes, PC)  
Jody Sanders, Deputy Fire Chief

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

**PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS:** Kevin Stouffer, Smith Elliott Kearns & Company, gave a presentation on the Borough's 2016 audit (a copy is attached to these minutes as Addendum #1).

**EXECUTIVE SESSION:** President Mumma noted that Council will hold an executive session at the end of the agenda items, and they will return for voting on one (1) item afterwards.

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

**PERSONNEL COMMITTEE:** Councilman Cermak made a motion to approve a step increase for Scott Crum to salary level 13E, effective 07/15/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Mike Benshoff to salary level 16D, effective 09/05/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Robert Cole to salary level 7E, effective 09/07/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Ray Wagaman to salary level 10E, effective 09/05/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Darryll Wagaman to salary level 11E, effective 10/02/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to accept the resignation notice from Doug Mouer (Maintenance Department), effective 09/05/2017. Councilman Rooney seconded; the motion passed unanimously.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report. Councilman Rooney noted that the next Property Committee meeting will be held on 10/19 at 6:00 p.m.

**STREET COMMITTEE:** No report. Councilwoman Rolls made a motion to approve the request to remove a handicapped parking space at 96 W. Sixth Street, as it is no longer needed. Councilman Cermak seconded; the motion passed unanimously.

Ms. Rolls noted that the Street Committee meetings will be moving from daytime hours to evening hours. The next meeting will be held on 09/28 at 6:30 p.m.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Fleagle reported that the WaynesboroFest 2018 Committee continues to meet. A list of planned activities was forwarded to Manager Stains to determine if there are any conflicts. Mr. Fleagle welcomed Council members to attend any of the planning meetings and/or to volunteer to help with the events.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Fleagle noted that the Downtown Revitalization Committee met on 09/05. Items discussed were --

- Bill Kohler (Mainstreet Waynesboro, Inc.) gave an update on the parklet: the masonry work looks great, pavers are being installed next week, and they are hoping for completion by the end of this month. In addition, the exterior wall of 21 E. Main Street is out for bid.
- Discussion ensued regarding the downtown lighting project. Manager Stains noted that the grant application has been submitted, and additional information has been requested from the lighting engineers. Suggestions should be coordinated through the Street Committee and then to Council, and a map will be provided for the public showing recommendations and reasons for those in the future. Councilwoman Rolls explained that the purpose of the lighting changes is to increase the visibility of pedestrians on the sidewalks and the redirection of glare to increase visibility for people who are driving. Lighting on the sidewalks will be improved, as well as intersections and crosswalks. Included in the engineers' report will be their recommendations on how far apart the lights need to be placed, how far the lighting will be broadcast, etc. The timeline for the project will be dependent on funding.
- Health Board Update – Manager Stains noted that PA Municipal Code Alliance is now conducting tattoo establishment inspections, and are used on an as-needed

basis for health-related code issues at properties. They are not doing any food inspections.

- Bill Dubbs spoke about Chambersburg's Rental Inspection Program, and the Committee would like to look at this concept again for Waynesboro.
- Review/update of Downtown Master Plan should be done in the next several months.

**FINANCE COMMITTEE:** No report.

**RECREATION BOARD:** Councilman Rooney reported that the Recreation Board met on 08/23 and discussed the following –

- Community Walking Trail – pedestrian bridge being installed, paving on Renfrew side of pedestrian bridge; opening ceremony scheduled for 09/29 at 4:00 p.m.
- Pool – operating with profit, many lessons learned this season; 2018 memberships sold on Labor Day (approximately \$7,000)
- Discussed plans for Memorial Park project and update of Park Rules and Regulations.

The next Recreation Board meeting will be held on 09/27 at 6:30 p.m. at Borough Hall.

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

- On August 5<sup>th</sup>, I attended the Hoover House Open House event.
- On August 15<sup>th</sup>, along with Manager Stains, I attended the Waynesboro Area School District's Opening Day program.
- Also on the 15<sup>th</sup>, I attended the Carroll Valley Council meeting to honor Mayor Ron Harris on the presentation of Mayor of the Year Award from the Pennsylvania State Mayors' Association. There were ten (10) Mayors in attendance.
- On August 20<sup>th</sup>, I had the privilege of uniting in marriage Jerrie Mitchel and Daniel Pryor. We wish them the very best.
- On August 22<sup>nd</sup>, I attended the Franklin County Commissioners' meeting.
- On August 24<sup>th</sup>, I attended the Chamber's mixer at the Romance Boutique.
- On August 30<sup>th</sup>, as a member of the Board of Directors of the Waynesboro Beneficial Fund Association, I attended our meeting.
- On August 31<sup>st</sup>, as a member of the Burns Hill Cemetery, I attended our meeting.

Mayor Starliper expressed his appreciation to all who were at the Prayer Service last Thursday night. He noted, as always, this community pulls together for everyone.

**SOLICITOR'S REPORT:** No report. Solicitor Coccoresse noted, however, that he will have several items to discuss with Council in executive session at the end of the meeting.

**DIRECTOR OF UTILITIES' REPORT:** Jon Fleagle, Chairman of the Waynesboro Borough Authority, was present in Leiter Pryor's absence. He offered to answer any questions regarding items contained in Mr. Pryor's written report, which follows:

- Representatives from Gannett Fleming Engineers and Planners attended the August 15, 2017 WBA meeting to discuss the findings of the Spillway Condition Assessment & Conceptual Rehabilitation Report for the Antietam Dam. The findings from the study indicated that a rock-cut auxiliary spillway with a labyrinth control section (illustration included in written report) would be the most efficient and cost-effective alternative to eliminate the calculated deficiency in the primary spillway flow. The estimated cost (at this time) is approximately \$3,000,000. Project costs will become more refined as various field investigations are performed.
- Gannett Fleming is making some minor revisions to the Water Treatment Plant Evaluation pursuant to recommendations from the WBA. The evaluation identified areas of rehabilitation, upgrades and projected costs. (A summary of the recommended upgrades and associated costs was included in the written report.) Please note that, at this point in time, the numbers are very rough and will be more precise as we move forward with further discussion and evaluation of the various alternatives to the deficiencies identified in the study. As of now, the projected project cost is approaching \$3,000,000.
- Budget 2018 – Began preliminary work on the Borough operating budget and will be evaluating capital item requests with the Operations Manager, Chief Operators, and Maintenance Superintendent. Revenue projections are difficult to calculate this early in the process. The third quarter of the year is the largest revenue generating quarter and is not collected until the fourth quarter, as sales are based upon actual customer usage. The above average rainfall will have some impact on forecasting annual water and sewer revenues. Revenues will need to be monitored closely in the fourth quarter to determine if a rate increase will be required to satisfy the operational, debt service, and reserve fund requirements of both systems.
- Continued working with Material Matters on the biosolids land application permit renewal. The permitting renewal process is much more involved due to the molybdenum problem at the sewer plant. It was determined that we will need to submit a revised enhanced sampling and monitoring plan, along with a tabulation of the MO sample results collected from the various plant treatment processes. The notice of intent and documentation is in draft form and is currently under review for submission to DEP.
- Met with the Police Chief to discuss emergency access to the showers and laundry facilities located at the sewer treatment plant. Chief Sourbier was provided with keys and a security access code to gain entry into the building if needed. In light of the fentanyl crisis, it is imperative that emergency showers be available to first responders that may come in contact with this lethal drug.

**JUNIOR COUNCILPERSONS' REPORT:** No report.

**MANAGER'S REPORT:** Jason Stains reported the following –

- Completed a Right-to-Know Request for Kyle Chatfield related to Police Report WPD2017-2182. This request was denied due to being related to a criminal investigation.
- Completed a Right-to-Know Request for Melanie Socash of All One Health, requesting “The existing contract for an Employee Assistance Program, or the

historical contract if there is no existing Employee Assistance Program.” We have no information on record pertaining to her request.

- Completed a Right-to-Know Request for Nicole Mijares of Openthebooks.com, requesting “an electronic copy of any and all vendor (transfer or property or services) payee payments for the year of 2016. Production shall include the vendor name; vendor address; vendor city; vendor state name; vendor zip code; Check Date/ACH Date; Check Number/ACH Code; Check Amount/ACH Amount; department; agency; type of payment (i.e. contract, grant, etc.) and description of products or services/purpose of payment.” This request was denied, as we do not have records pertaining to the format of her request.
- I continue to work with Chuck Strodoski from YSM on the Memorial Park Project. We are expecting revised park drawings soon and I will circulate them once received.
- Jeffrey Stonehill and I are meeting every Friday regarding the Fiscal, Operational and Mission Management Analysis.
- We received information from Rabbit Transit that they were approved in April as the public transportation provider in Franklin County for individuals over 65 years of age, someone who has a disability and is at least eighteen (18) years of age, someone who has a Medicare card, or someone with medical assistance or an Access card. Council has been provided copies of their information packet this evening.
- We closed on our US Department of Agriculture Rural Development Loan and Grant on September 5, 2017. The two (2) new police vehicles are currently being outfitted and we expect them to go into service this fall.
- Our 2014-2016 Pension Audits have been finished and we are anticipating the closeout letter from the Auditor General’s Office in the next few weeks.
- We submitted a grant application through our workmen’s compensation provider, Susquehanna Municipal Trust, for AED’s for the Water Plant and Wastewater Treatment Plant. We should know by the end of September if funds have been awarded.
- We have completed a grant application to Franklin County on behalf of Renfrew for the next phase of the Community Walking Trail linking to Otterbein Park. We have requested \$99,000 to create a paved trail.
- Hopefully everyone who receives *The Borough’s* Magazine saw that our dog park was featured in an article in the latest edition.
- We have received notification that the Department of Environmental Protection has approved our annual Act 101 Recycling Program Performance Grant in the amount of \$3,742.00. We should receive the funds in the next eight (8) weeks.
- Northside Pool had a great Labor Day with over \$2,000 in admissions and approximately \$6,000 in memberships sold for 2018.

**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:**

Donna Ford, 117 C. V. Avenue – Ms. Ford reminded Council of the flooding issues experienced in her neighborhood approximately 13 months ago. She thanked Kevin

Grubbs for his efforts in the process thus far, but requested that Council place the project in the 2018 budget. President Mumma advised that the Borough is awaiting the decision on a grant application submitted for this purpose, but assured her that the matter has not been forgotten.

Bill Burcher, Director of New Hope Shelter – Mr. Burcher reported that “Esther House”, an eight (8) bed facility for women with addictions, will be opening in Waynesboro soon.

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

- A. Award of Contract – CDBG Engineering Services for Handicapped Accessibility Projects at Borough Hall (Barton & Loguidice)
- B. Approval of Minutes as Presented (August 2, 2017 Public Hearing re: Official Map and August 2, 2017 Regular Meeting)
- C. Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of July, 2017
- D. Pay Bills – Check Details dated 08/07, 08/14, 08/21 and 08/28

Councilwoman Rolls seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

**CONSIDER ORDINANCE RE: FIREARMS AND BOW & ARROW FOR ADOPTION:** Manager Stains noted that the proposed Weapons Ordinance has been duly advertised for Council’s consideration at this meeting. There was no motion on the matter.

### **NEW BUSINESS**

**REQUEST FROM WAYNESBORO AREA SENIOR HIGH SCHOOL STUDENT COUNCIL TO HOLD HOMECOMING PARADE (SEPTEMBER 22, 2017 AT 5:30 P.M.):** Mr. Stains presented the annual request from WASHS Student Council to hold their Homecoming Parade on 09/22 at 5:30 p.m. Councilman Fleagle made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

Mr. Stains noted that discussion was held at the last Street Committee meeting that, going forward, requests for road closures should be presented to the Street Committee before Council. Letters will be sent out to all organizations who historically request road closures regarding the change in processing these requests.

**REQUEST FROM BREAST CANCER AWARENESS-CUMBERLAND VALLEY, INC. RE: PERMISSION TO PLACE PINK RIBBONS ALONG MAIN STREET (OCTOBER 2 THROUGH OCTOBER 13, 2017):** Mr. Stains presented the annual request from Breast Cancer Awareness-Cumberland Valley, Inc. to place pink ribbons along Main Street from 10/02 to 10/13. Councilman Fleagle made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

**RESOLUTION NO. 2017-12 RE: DISPOSAL OF RECORDS:** Mr. Stains presented proposed Resolution No. 2017-12 regarding the disposal of old records from the Maintenance Center garage. Councilman Cermak made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

**RESOLUTION NO. 2017-12**

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AUTHORIZING THE ADMINISTRATIVE STAFF TO DESTROY AND DISPOSE OF ADMINISTRATIVE, LEGAL AND FINANCIAL RECORDS IN ACCORDANCE WITH PENNSYLVANIA LAW REGARDING THE DISPOSAL OF UNCLAIMED PROPERTY

Complete copy on file at Borough Hall.

**REQUEST FROM ALEXANDER HAMILTON MEMORIAL FREE LIBRARY FOR CONDITIONAL USE FEE WAIVER:** Mr. Stains noted that the Library would like to place a 36" sign promoting the "Friends of the Library Book Sale" on the rear of their building. Due to an update regarding signs in the Zoning Ordinance, they must proceed with a conditional use process; and as the building is owned by the Borough, they are requesting that Council waive the \$250 application fee. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed 5-0 (Councilman Fleagle abstained).

**RECREATION BOARD RECOMMENDATIONS FOR UPDATED PARK RULES:** Mr. Stains presented the Recreation Board's recommendations for changes to the current Park Rules and Regulations. The biggest change would allow bicycles, skates and rollerblades in the parks, with the exception of pavilions and memorial areas at Memorial Park and Rotary Park. The prohibition of skateboards will continue. Also, dogs would be permitted in all parks except Memorial Park (additional regulations regarding dogs have been established). Councilman Cermak made a motion for approval. Councilman Rooney seconded.

Councilwoman Rolls questioned the rationale for excluding skateboards. It was clarified that the Recreation Board felt that skateboards could cause more property damage than bicycles, skates and/or rollerblades.

The motion and second for approval were rescinded, and Council agreed that the matter should be returned to the Recreation Board for modification.

**TIME EXTENSION FOR PLAN REVIEW (GREATFUL STATE PARTNERSHIP, LLC):** Kevin Grubbs noted that Greatful State Partnership, LLC submitted a Subdivision Plan for review at the Planning Commission's meeting on 08/14. As additional review is required, they are requesting a 30-day time extension. Councilman Cermak made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

**PROPOSED CHANGE TO ZONING ORDINANCE NO. 1158 RE: PROTRUDING SIGNS:** Dan Sheffler noted that sign regulations in the new Zoning Ordinance (No. 1158) require that protruding signs be permitted only as a conditional use and that there be only one (1)

per premise. This limits many buildings on Main Street to only one (1) sign, and there are many instances where there is more than one (1) business per building.

Planning Commission Chairman Stephen Monn noted that the Planning Commission is aware of this error, adding that was not their intention. They would like to remedy the error by stating "one space with its own entrance as a place of business" to allow storefronts to put small protruding signs in front. Council concurred with the concept.

**LAND DEVELOPMENT PLANS (MCDONALD'S RESTAURANT):** Kevin Grubbs presented Land Development Plans for McDonald's Restaurant, noting their intention to make changes to both the interior and exterior. They are also planning to install a second drive-thru lane and to extend the rear parking lot in order to provide an area for their deliveries. Fill will be placed on top of the stormwater pipe, which should be adequate without causing any damage to the pipe. A Stormwater Operations and Maintenance Agreement will be entered into addressing any damage that would occur in the future. Mr. Grubbs noted that the plans meet all requirements of the Zoning Ordinance and Subdivision/Land Development Ordinance. The Franklin County Planning Commission had no comments, and the Waynesboro Planning Commission recommended approval.

Councilman Fleagle noted that he had posed several questions regarding the project, and requested that the questions/responses be included with these minutes for the record. (See Addendum #2).

Councilman Fleagle made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

#### **FOR INFORMATION ONLY**

**REMINDER OF COUNCIL EXECUTIVE SESSION ON SEPTEMBER 20, 2017 AT 6:00 P.M.:** Council members were reminded of the special executive session scheduled for 09/20 at 6:00 p.m.

**REMINDER OF UPCOMING CFCBA MEETING IN CHAMBERSBURG (SEPTEMBER 26, 2017):** Council members were reminded of the CFCBA meeting in Chambersburg on 09/26. RSVP's should be given to Melinda Knott as soon as possible.

**ACKNOWLEDGEMENT OF SAINT ANDREW THE APOSTLE CATHOLIC CHURCH'S INTENT TO HOLD LIFE CHAIN (OCTOBER 1, 2017):** Mr. Stains presented information regarding the Life Chain to be conducted by St. Andrew's Church on 10/01. There will be one (1) Life Chain from 9:30 to 10:30 a.m. on the sidewalk in front of their church; and another from 2:00 to 3:00 p.m. on the square of downtown Waynesboro. He noted this is an annual event and there have been no problems in the past. Council acknowledged the planned event.

**NOTIFICATION FROM JOHNSON CONTROLS RE: PLAN APPROVAL APPLICATION TO PA DEP'S AIR QUALITY PROGRAM:** The Johnson Controls, Inc. facility located at 100 C.V. Avenue has submitted a Plan Approval application to DEP's Air Quality Program. The application includes the addition of a paint booth to increase efficiency of existing operations. Any comments should be forwarded directly to DEP.



**2018 MINIMUM MUNICIPAL OBLIGATION:** Mr. Stains noted that Act 205 requires he provide Council with an upcoming budget for the Borough's pension plans by 09/30 of each year. Accordingly, he has calculated that the MMO for Non-Uniformed Employees is \$75,819.97 and the MMO for Police is \$135,017.20, for a total MMO of \$210,837.17.

**DATE CHANGE FOR SPECTRUM/RAINBOW GYMNASTICS 5K (FROM NOVEMBER 11 TO NOVEMBER 4, 2017):** Mr. Stains advised that Spectrum/Rainbow Gymnastics has rescheduled their proposed 5K from 11/11 to 11/04. Mr. Grubbs noted that a planning meeting with their representatives has been scheduled for 09/07 at 2:00 p.m.

**PRESS QUESTIONS:**

Jennifer Fitch, Herald Mail

Question – Requested a copy of the 2016 audit.

**COUNCIL AND STAFF COMMENTS:** Manager Stains reminded Council that the WBA's September meeting will be held on 09/19 at 6:00 p.m. at the Water Treatment Plant. Council members are invited to attend a picnic at 5:00 p.m. (prior to the meeting).

In addition, Council is also invited to attend an upcoming Chamber mixer, sponsored by F&M Bank, on 09/13 from 4:30 to 6:30 p.m. RSVP's should be given to Melinda Knott by 09/08.

Councilman Rooney welcomed Arianna Taylor and Sophie Van Gilder back (since the school season has begun again). He noted that applications for the 2018/19 school year will be made available in several months.

President Mumma congratulated the Borough's Maintenance Department on a "job well done" at the walking trail.

Sophie Van Gilder stated that she and Arianna (Taylor) are looking forward to what they can accomplish during this school year.

Bill Kohler, Mainstreet Waynesboro, thanked Council and Kevin Grubbs for the street closure during the "Wizarding" event.

Dr. Tod Kline, Waynesboro Area School District's new Superintendent, noted he would like to become a better partner with the Borough. President Mumma welcomed him anytime.

Councilman Oldham thanked those present for their attendance.

Councilman Fleagle asked if a budget schedule has been prepared yet. Mr. Stains noted that the only definite meeting scheduled is 09/27 when department heads will meet with Council to discuss their requests.

Council then adjourned to an executive session at 9:08 p.m. to discuss personnel and code enforcement issues. They reconvened at 9:23 p.m.

Councilwoman Rolls made a motion to approve the job description presented for Maintenance Superintendent, and to authorize advertisement of the position (as a result of Denny Benshoff's notice of retirement). Councilman Cermak seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 9:25 p.m.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary