

OCTOBER 4, 2017  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regular meeting of the Waynesboro Borough Council to order at 7:23 p.m. with the following in attendance:

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

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)  
Mike Benshoff, Maintenance Foreman  
S. Leiter Pryor, Director of Borough Utilities  
Jody Sanders, Deputy Fire Chief  
Jim Sourbier, Police Chief

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

**EXECUTIVE SESSION:** President Mumma noted that Council will hold an executive session at the end of the meeting to discuss litigation, code enforcement and personnel matters. He added that they also held an executive session on 09/20 (as advertised) in lieu of the regular Council meeting.

**PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS:** Mayor Starliper presented Proclamations to Olivia Scott, David and Dale Zanelli, junior members of the Waynesboro Fire Department, for their attendance at the week-long Franklin County Junior Fire Academy at the Franklin County Public Safety Training Center.

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

**PERSONNEL COMMITTEE:** Councilman Cermak acknowledged receipt of a performance evaluation for Dan Sheffler. No action was required.

Councilman Cermak made a motion to approve the promotion of Bryan Chappell, Jr. to the position of Corporal, effective immediately. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Gary Smith to salary level 11C, effective 10/10/2017. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to reappoint Richard Rose to the Waynesboro Planning Commission. Said term will expire on 10/20/2021. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to reappoint Jon Fleagle to the Waynesboro Planning Commission. Councilman Oldham 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:** Councilwoman Rolls reported that the Street Committee met on 09/28. Pursuant to a request from Martz Plumbing, 216 W. Fifth Street, she made a motion to install a “No Parking” area along the south side of W. Fifth Street beginning 118’ from the eastern curb line of Hamilton Avenue and continuing 50’ to the east. Martz Plumbing has agreed to pay for the two (2) signs and installation costs. Councilman Cermak seconded; the motion passed unanimously.

Upcoming Street Committee meetings will be held on 10/19 and 11/16 at 6:30 p.m. (a change in the schedule due to holidays).

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** President Mumma noted that the first budget meeting was held with department heads on 09/27. Meetings will also be held following this Council meeting, as well as the meeting on 10/18.

**RECREATION BOARD:** Councilman Rooney reported that the Recreation Board met on 09/27 and discussed the following –

- Enhancements to Memorial Park, which will be reviewed by the Borough Manager later in this meeting.
- Proposal to install two (2) gaga ball pits, recommended for approval by Borough Council.

Councilman Rooney made a motion to allow Hannah Sanders to place two (2) gaga ball pits at a location to be determined by the Borough Manager; and for the Borough to provide the labor/equipment necessary to level and install the pits once they are constructed by Ms. Sanders and her team. Councilman Cermak seconded; the motion passed unanimously.

**MAYOR'S REPORT:** Mayor Starliper welcomed Jessica Gahen, who was in attendance to provide a report for her Civics class.

The Mayor's Report was as follows –

- On September 21<sup>st</sup>, I attended the Greencastle's Chamber of Commerce Annual Banquet.
- On September 26<sup>th</sup>, along with Manager Stains and Councilmen Mumma and Rooney, I attended the Cumberland-Franklin County Boroughs Association (CFCBA) meeting in Chambersburg.
- On September 29<sup>th</sup>, along with Borough staff, I attended the opening ceremony for the soon-to-be-named Ed Miller Memorial Trail. Many thanks go out to the Borough staff and community members for their work.
- On September 30<sup>th</sup>, I had the privilege of leading the concert guests in the Pledge of Allegiance and introducing Gillian Austin in singing the National Anthem for the Waynesboro Community Concert Association's opening concert.

**SOLICITOR'S REPORT:** No report.

**DIRECTOR OF UTILITIES' REPORT:** No report, however Mr. Pryor noted he had the pleasure of working in the field today with a geologist from Gannett Fleming. They were able to dig several test pits, as part of the preliminary investigations for the auxiliary spillway mentioned in his last report. Much work needs to be done in order to determine if that is a feasible option, and some of the holes dug seemed to be favorable. He will keep Council posted on their progress.

**MANAGER'S REPORT:** No report. Mr. Stains noted he will update Council on the Memorial Park project later in the meeting.

**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:**

Steve Monn, 126 W. Main Street – On behalf of the Arts Alliance of Greater Waynesboro, Mr. Monn invited Council members to attend their five (5) year anniversary celebration on 10/20 from 5:30 to 8:00 p.m. at their Music Makers location at 46 W. Main Street.

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

- A. Approval of Minutes as Presented (September 6, 2017 Regular Meeting and September 22, 2017 Special Meeting)

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

C. Pay Bills – Check Details dated 09/08, 09/15, 09/22 and 09/29

Councilman Oldham seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

**UPDATE TRAFFIC AND PARKING REGULATIONS ORDINANCE:** Kevin Grubbs noted that, every 90 days Council must approve an update to the Traffic and Parking Regulations, which will currently expire on 10/18. Councilman Cermak made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously

### **NEW BUSINESS**

**CONDITIONAL USE APPLICATION (ALEXANDER HAMILTON MEMORIAL FREE LIBRARY) FOR BOOK SALE SIGN:** Dan Sheffler noted that the Library applied for a conditional use to install a book sale sign mounted to a 36” deluxe scroll bracket in the rear of their building. Under the present Zoning Ordinance, this request would need Council’s approval, however amendments are being proposed (Item 8F on the agenda) which would preclude this requirement. Council agreed to table this matter until a decision is made on the proposed amendments referenced by Mr. Sheffler.

**REQUEST TO SERVE ALCOHOL AT GOURMET DINNER IN ROYER HOUSE (RENFREW MUSEUM AND PARK):** Mr. Stains presented a request from Renfrew Museum and Park regarding their fundraiser event on 10/07 at the American Legion. During the event, they plan to auction off a gourmet dinner for eight, prepared by a chef, and served in the Royer House. They would like to serve wine or beer to the guests as part of the dining experience, and are requesting Council’s waiver of the no-alcohol rule for that date only. Councilman Oldham made a motion to approve the request. Councilman Rooney seconded; the motion passed unanimously.

**RESOLUTION NO. 2017-13 AUTHORIZING EXECUTION OF AN AGREEMENT WITH PENNDOT FOR ACCEPTANCE OF TA SET ASIDE FUNDS:** Kevin Grubbs presented proposed Resolution No. 2017-13 authorizing execution of a reimbursement agreement with PENNDOT as part of the Rapid Flashing Beacon grant award in the amount of approximately \$187,000 (with a 20% match). The agreement will accept the grant and establish responsibility for installation and maintenance of the lights at eight (8) locations in the Borough. Councilman Cermak made a motion to approve Resolution No. 2017-13. Councilman Rooney seconded; the motion passed unanimously.

RESOLUTION NO. 2017-13

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF TA SET ASIDE FUNDS

Complete copy on file at Borough Hall.

**RESOLUTION NO. 2017-14 DEDICATING THE “ED MILLER MEMORIAL TRAIL”:**

Mr. Stains presented proposed Resolution No. 2017-14 which would rename the Waynesboro Community Walking Trail as the “Ed Miller Memorial Trail”. Ed Miller, a long-time Superintendent of Buildings and Grounds at Renfrew Park, passed away earlier this year but left a legacy for the community through his contributions at Renfrew Museum and Park. Councilman Rooney made a motion to approve Resolution No. 2017-14. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION NO. 2017-14

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, RENAMING THE WAYNESBORO COMMUNITY WALKING TRAIL AS THE ED MILLER MEMORIAL TRAIL.

Complete copy on file at Borough Hall.

**WESTWIND GARDENS LETTER OF SUPPORT REQUEST:** Mr. Stains noted that the Valley Community Housing Corporation is requesting a letter of support from Council for the PHFA application to finance their proposed housing development known as Westwind Gardens, located behind Fairview Avenue between W. Second Street and Westview Avenue. Councilman Cermak made a motion to approve the preparation of a letter of support, provided that the project meets all applicable ordinances of the Borough of Waynesboro and any ultimate land development plan approved by Council. Councilman Rooney seconded.

Councilman Oldham questioned the need for additional public housing in Waynesboro, and the burden this places on property owners who currently pay taxes. It was noted that residents in these rental units will be eligible to purchase them (after 15 years) and would then be contributing toward the tax base. Discussion continued regarding various components of the proposed development, and Solicitor Wisner reminded Council that they are simply being asked at this time if they support the concept.

A vote was called on the motion to provide a letter of support, which passed 4-1 (Councilman Oldham opposed).

**VARIOUS PROPOSED AMENDMENTS TO ZONING ORDINANCE:** Kevin Grubbs noted that, at their meeting on 09/06, Borough Council requested that certain

amendments be returned to the Planning Commission for their review/recommendation. The Planning Commission's recommendations have been prepared in ordinance format (included in Council's meeting packet) and those were explained briefly.

It was clarified that if these amendments are approved, the conditional use issue for the Library would be cured and they could withdraw their conditional use request, as their sign would be permitted by right (upon adoption of the ordinance). This would also be the case regarding the fence issue at 126 Clayton Avenue (owned by Christopher Devers, who was present to request that Council move forward as soon as possible). Stephen Monn, Planning Commission Chairman, noted these were not intentional errors and he urged Council to proceed expeditiously with the action needed to correct the resultant issues.

Councilman Cermak made a motion to advertise the required public hearing regarding these proposed amendments for 11/01 at 7:00 p.m., and the proposed ordinance for Council's consideration at their meeting to follow the public hearing on 11/01. Councilman Rooney seconded; the motion passed unanimously.

**REQUEST FOR 90-DAY TIME EXTENSION FOR PLAN REVIEW (GREATFUL STATE, LLC):** Kevin Grubbs presented a 90-day time extension request for the Greatful State, LLC Subdivision Plan at the Gold's Gym building on Walnut/Third Streets. Councilwoman Rolls made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

**PROPOSED ORDINANCE RE: MANDATORY CONNECTION TO SANITARY SEWER:** Mr. Stains noted there are still properties within the Borough that are not connected to the public sewer system, and he presented Council with a proposed ordinance requiring mandatory connection as follows –

- All persons owning any occupied building now erected upon property accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 60 days from the date of this article.
- All persons owning any property accessible to the sewer system, upon which a building is hereafter erected, shall, at the time of erection of such building and at their own expense, connect the same with the sewer system.
- All persons owning any occupied building upon property which hereafter becomes accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 60 days after notice to do so from the Borough.

Council agreed that the definition for "Property Accessible to the Sewer System" should refer to "real estate which adjoins, abuts on or is adjacent to any street in which the sewer system is located, or where any portion of the real estate is within two hundred (200) feet of any portion of the sewer system.

The proposed ordinance will be advertised on the Borough's website for the next two (2) weeks prior to Council's authorization for its publication in *The Record Herald* for final consideration.

### **FOR INFORMATION ONLY**

**BUDGET MEETING SCHEDULE:** Council members were provided with an updated budget meeting schedule; and subsequent to the public hearings scheduled this evening for 11/01, the Council meeting will be advertised to begin immediately after the public hearings.

**INVITATION TO 105<sup>TH</sup> ANNUAL FALL CONVENTION OF THE FRANKLIN COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS (OCTOBER 25, 2017 AT 6:30 P.M.):**  
Council members were instructed to RSVP to Melinda Knott if they plan to attend.

**MEMORIAL PARK ENHANCEMENT DESIGNS:** Mr. Stains provided and reviewed proposed design plans for enhancements at Memorial Park (recommended for approval by the Recreation Board). These will be placed on the agenda for a vote at Council's next meeting. They expect to bid the project in December, receiving bids in February, awarding the bids in late February or March, and breaking ground on the project in April.

**PRESS QUESTIONS:** None.

**COUNCIL AND STAFF COMMENTS:** Councilman Rooney commended the junior firefighters for their involvement in the community. He thanked individuals/organizations and Borough staff for their efforts to complete the Community Walking Trail, and noted he looks forward to its future expansion. He offered the Memorial Park enhancement designs for anyone interested in viewing them after the meeting.

Councilman Cermak also thanked the junior firefighters for their service.

Chief Sourbier noted his appreciation to Council for the promotion of Corporal Chappell, which will assist greatly with their scheduling. He stated that, some time ago, he had presented Council with suggestions regarding ordinances from various municipalities regarding drug houses, houses of ill-repute, and other nuisance neighborhood issues. He advised Council that he feels strongly that these should be considered, and President Mumma noted they will be discussed in-depth in the near future.

Bill Kohler, Executive Director of Mainstreet Waynesboro Inc., reminded those present of the upcoming Market Day festivities on 10/07. He also provided them with a "Save the Date" announcement for opening of the Main Street Park on 10/27 at 4:00 p.m.

Councilman Oldham reported that he attended the Tax Board meeting on 09/28, adding that a new Director will be forthcoming. He thanked members of the public for their attendance.

Councilwoman Rolls noted that, as she approaches the half-way mark of her term, someone asked her what she had hoped to accomplish as a Councilperson. As she looked around the Council Chambers, she sees individuals who are in attendance at every meeting and are very dedicated to what they do in the Borough. In short, her answer to the inquiry was to have community members understand what it takes to run a local government ... and that is no small task. In the daily lives of people who live in the Borough, the decisions made by Council affect them in many ways much more than decisions made by the state and/or federal government. She thanked the individuals who come to every meeting and those who attended this meeting; and encouraged them to invite their friends and neighbors to attend and become involved also. She also invited individuals to contact their Council members (via telephone, email or social media) to voice their opinions on any matters at hand.

Mayor Starliper again thanked Olivia, Dale and David for their contributions to the Waynesboro Fire Department now and in the future; as well as Jessica for attending this meeting for her Civics class.

Mr. Starliper advised that the Fire Police will be assisting at the following upcoming events:

- Harbaugh Church – 09/24
- Greencastle Halloween Parade – 10/27
- Spectrum Gymnastics' 5K Fundraiser – 11/04
- Greencastle Christmas Parade – 11/18

President Mumma echoed comments in appreciation of the junior firefighters, employees and volunteers who have assisted in the parklet project and everything done for the betterment of the community.

Having no further business to discuss, the Council adjourned to an executive session at 8:41 p.m.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary