

OCTOBER 18, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regular meeting of the Waynesboro Borough Council to order at 7:00 p.m. with the following in attendance:

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

Mayor Richard Starliper

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder

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

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 and personnel matters.

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

PERSONNEL COMMITTEE: Councilman Rooney acknowledged the receipt of performance evaluations for Mike Ely, Jamie Shindlecker and Kerry Smith; no action was required.

Councilman Rooney made a motion to approve a step increase for John Baumgardner to salary level 10E, effective 11/07/2017. Councilwoman Rolls seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Rooney noted that the Property Committee will meet the following evening (10/19) at 6:00 p.m. in Borough Hall's second floor conference room.

STREET COMMITTEE: No report. Councilwoman Rolls noted that the Street Committee will also meet the following evening (10/19) at 6:30 p.m. in Borough Hall's second floor Council Chambers.

INTERGOVERNMENTAL COMMITTEE: Councilman Fleagle noted that Council members received copies of the Franklin County Emergency Service Alliance meeting minutes. He highlighted their concern about losing the 400 MHZ band to private entities, which will have a devastating financial effect on the County's radio system. There is also a concern regarding the loss of radio coverage on emergency calls, and he suggested that Councilman Rooney check to determine if this will be a problem in the Waynesboro area. Mention was also made regarding the need for a study of Franklin County emergency services; and Mr. Fleagle suggested obtaining a copy of the recently-conducted Adams County study (since they are a neighboring County), as the results would most likely be similar.

DOWNTOWN REVITALIZATION COMMITTEE: No report. Councilman Fleagle noted his appreciation to Harry and Louise Morningstar for leading the downtown flower project, as well as all the volunteers for their efforts.

Bill Kohler, Mainstreet Waynesboro, was requested to give an update on the proposed lighting project on the Mulberry Street walkway. Mr. Kohler noted they feel that lighting the walkway for pedestrians traveling to/from the Rotary parking lot would improve safety in the downtown. They have obtained price estimates from an electrician, and Mainstreet Waynesboro would like to proceed with installing lights in the alleyway. He displayed a picture of the concept, utilizing approximately 100 lights (all LED, high-efficiency); and noting that the lights would be illuminated from dusk to dawn. They propose tapping into the existing meter for the outside lights already installed there. They propose that Mainstreet Waynesboro would maintain and repair the bulbs, and the Borough would pay the electric costs estimated at \$150/year.

Mr. Kohler noted they are hoping to promote the lights at the upcoming Tree Lighting Ceremony and Holiday Parade, and President Mumma indicated that Council would vote on the matter at their 11/01 meeting.

FINANCE COMMITTEE: President Mumma noted that Council will hold a budget meeting immediately following this Council meeting.

RECREATION BOARD: Councilman Rooney noted there are no Recreation Board meetings currently scheduled for the remaining of 2017, however the Recreation Board is looking to hold a special meeting in November to discuss park rules and the pool budget. He also reported that he met with members of the Rotary Club on 09/29 to discuss future plans for the Rotary Park (possibilities include walking path additions, volleyball/pickleball courts, additional playground equipment and a bandshell). Additional information will be forthcoming.

MAYOR'S REPORT: Mayor Starliper welcomed Alexis McCarney, who was in attendance for her ninth grade Civics class.

The Mayor's Report was as follows –

- On October 5th, I attended the Chamber's mixer at The Record Herald.
- On October 7th, along with Chief Sourbier and other local individuals, I judged the Scarecrow Contest and the Chili Contest. Many thanks to Mainstreet for this event.
- Also on the 7th, I had the privilege of once again riding in on a wagon of "beer" kegs and tapping the first keg for Octoberfest for Renfrew. Thanks to Renfrew for this great event.
- On October 10th, I had the privilege of uniting in marriage Emily Sanders and Joshua Warne. We wish the Warnes the very best.
- Also on the 10th, as a member of the Waynesboro Beneficial Fund Association, I attended the Rotary meeting as the WBFA was the program.
- On October 12th, along with Councilmen Rooney and Cermak, I attended the Greater Waynesboro Chamber of Commerce Annual Banquet.
- On October 13th, I attended the ribbon cutting for the new owners of the Nu-Way Cleaners. Mayor Starliper commented that Washington Township representatives outnumbered Borough representatives at this event "4-1", and he strongly urged Council members to attend upcoming events such as this in the future.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: Mr. Pryor reported that the application for the NPDES permit for the Wastewater Treatment Plant is finally through the review process at DEP, and he anticipates receiving a draft permit in the near future. In addition, the Borough Authority has received a final copy of the Water Treatment Plant Upgrade Study. After an in-depth review, they will make recommendations on upgrades to be pursued at the Water Plant.

JUNIOR COUNCILPERSONS' REPORT: No report.

MANAGER'S REPORT: The Manager's Report was as follows –

- I attended the 2017 PSAB Fall Leadership Conference in Pocono Manor last weekend. I took part in lectures on Ethics, Crosswalks and ADA, Redistricting in PA, Leadership, Preparing for the Reorganization of Council in 2018 and a Legislative Update. This is part of my professional development through the Certified Borough Official Program offered by PSAB.
- I will be attending the International City Managers' Conference October 20-25th, along with 3500 managers from around the world. I am scheduled for the Small Communities track and will be in classes focusing on Community Redevelopment, Counteracting Social Media, Maximizing Resources in Small

Communities, Main Streets in Small Towns and Crisis Leadership, as well as classes for managers with less than five (5) years of experience. All of the classes are taught by recognized experts in the field and provide hands-on training models. Classes run from 8:00 a.m. until 8:00 p.m. Attendance at these conferences will provide me with additional professional development and the opportunity to become an ICMA credentialed manager. This is the highest recognized credentialing that managers may receive and there are only a few in Pennsylvania with the credentialing.

- Jeffrey Stonehill and I are meeting every Friday regarding the Fiscal, Operational and Mission Management Analysis. We do not expect his report until 2018.
- We have sent required paperwork to Keystone Ford to take delivery of our new police vehicles and expect to do so soon.

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. Approval of Minutes as Presented (October 4, 2017 Public Hearing and Regular Meeting)
- B. Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of September, 2017
- C. Pay Bills – Check Detail dated 10/06

Councilman Oldham seconded; the motion passed unanimously.

UNFINISHED BUSINESS

AUTHORIZE ADVERTISEMENT OF PROPOSED MANDATORY SEWER CONNECTION ORDINANCE: Mr. Stains noted that, at Council's last meeting, the staff was authorized to advertise this proposed ordinance on the Borough's website for public comment ... very few comments have been received. He explained that the ordinance will require anyone not currently connected to public sewer and within 200' of an existing sewer line to connect at their cost. Mr. Stains added that PENNVEST offers a Homeowners' Septic Program and will lend up to \$25,000 at 1.75% for 25 years. It was noted there are approximately six (6) properties in the Borough at this time that would be required to connect.

Councilman Fleagle made a motion to authorize advertisement of the ordinance for consideration at Council's next meeting. Councilman Rooney seconded.

Darwyn Benedict, 410 N. Grant Street – Mr. Benedict questioned how many of the six (6) properties mentioned have septic/sewer systems that are failing. Mr. Stains responded that one (1) is potentially failing, however he doesn't know the condition of the others. Mr. Benedict asked if the current ordinances that this will replace deal with failing systems. Solicitor Coccorese stated he would have to research the matter. Mr. Benedict questioned the feasibility of putting another ordinance into effect if only one (1) potential person is not abiding. He mentioned the financial burden this requirement will place on the others whose systems are currently working, and suggested adding a clause to Section 2 for mandatory connection to the public sewer if the property owner can't prove that their current system is working sufficiently.

Tom McKenzie, 121 Myrtle Avenue – Mr. McKenzie noted that he currently has a septic system on his property, and he could not get a definite answer if his property was one of the six (6) listed, but noted the sewer line is "up the street, probably within 200'". He stated that he would probably have to install a lifter pump or pumping station in front of his house to pump to the existing line; and further explained that when his house was built, they were permitted to have septic systems on their property. Mr. McKenzie noted that his septic system is pumped out every three (3) years. He agreed with Mr. Benedict's comment that it is unfair to put the burden on others because of one that is a problem. He noted the \$5,000 hook-up fee would be a large burden on individuals who were permitted to have septic systems for many years.

Solicitor Coccorese advised Council of a minor amendment to the proposed ordinance – Section 4A should read "All Persons owning any Occupied Building now erected upon Property Accessible to the Sewer System shall, at their own expense, connect such Occupied Building with the Sewer System within 60 days of the effective date of this ordinance."

Councilwoman Rolls requested copies of the ordinances repealed by this ordinance for further review.

A vote was called on the motion for advertisement of the proposed ordinance (with the amendment mentioned by Steve Coccorese) for consideration. The motion passed unanimously.

MEMORIAL PARK PLANS: Mr. Stains noted that he reviewed proposed plans for Memorial Park upgrades at the end of Council's last meeting. He asked for direction from Council regarding their desire to move forward, add/remove features, etc. so that he may advise the architect of their intentions. Councilman Rooney made a motion to move forward with the plans as presented. Councilwoman Rolls seconded; the motion passed unanimously.

NEW BUSINESS

UPDATE ON PROPOSED HOLIDAY PLANS AND DOWNTOWN PROJECTS: Bill Kohler, Main Street Waynesboro, provided Council members with correspondence regarding upcoming holiday plans, as follows –

- Placing the Christmas tree in Center Square (at 8 W. Main Street) on 11/13. They are requesting assistance with traffic control from the Fire Police and Police Department.
- Borough crews to install wreaths on the light poles on 11/13 or 11/14.
- Tree Lighting Ceremony on 11/17 (request to close Main Street from Potomac to Walnut Streets from 5-8 p.m.)
- Holiday Parade on 11/18 at 2:00 p.m. (request to close Main Street from Fairview Avenue to Enterprise Avenue)
- NEW ITEM: Borough Blast with family activities, planned for 12/31 from 5:00-7:30 p.m., at the Main Street Park (request to close Main Street from Church to Walnut Streets, and for Fire Police to assist with traffic control at the beginning of the event.)

Councilwoman Rolls noted her concern regarding the closure of Main Street numerous times in November and December. Discussion ensued regarding the possibility of utilizing the parking lot behind the Main Street Park for the Borough Blast. Mr. Kohler was requested to attend the Street Committee meeting on 10/19 to discuss the matter further, and recommendations will be presented for Council's consideration at their next meeting.

Councilwoman Rolls made a motion to approve the first three (3) events, as presented. Councilman Fleagle seconded; the motion passed unanimously.

AUTHORIZE ADVERTISEMENT OF HANDICAPPED CURB RAMP PROJECT: Kevin Grubbs reported that approvals have been received from DCED in order to proceed with bidding for the installation of 40 handicap curb ramps. The proposed Bid Request will run in *The Record Herald* on 10/24 and 10/31; bids will be due on 11/21 at 3:00 p.m. and opened at 4:00 p.m.; however, the work won't begin until 04/02/2018. Councilwoman Rolls made a motion for approval of the advertisement for bids. Councilman Oldham seconded; the motion passed unanimously.

RELEASE OF FINANCIAL SURETY FOR MARSH RUN, LLC: Kevin Grubbs presented a request from Craig McCleaf (Marsh Run, LLC) for release of the financial surety (\$110,000) deposited for on-site improvements required as part of his Land Development Plan for the six (6) unit apartment complex on S. Church Street. All improvements are in place and have been inspected/approved. Councilman Oldham made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION NO. 2017-15 RECERTIFYING PROCEDURAL DOCUMENTS FOR USE IN THE ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK

GRANT (CDBG) PROGRAM: Mr. Stains presented proposed Resolution No. 2017-15 recertifying various documents for use in the CDBG program. He noted this is an annual requirement, and all documents are on file at Borough Hall. Councilwoman Rolls made a motion for approval of Resolution No. 2017-15. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2017-15

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, RECERTIFYING PROCEDURAL DOCUMENTS FOR USE IN THE ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Complete copy on file at Borough Hall.

RESOLUTION NO. 2017-16 AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2017: Mr. Stains noted that Council held a public hearing at their last meeting, and this proposed resolution will authorize submittal of the 2017 CDBG application utilizing funds as follows –

\$110,560 for Handicap Barrier Removal
\$ 24,269 for Administrative Costs
\$134,829 Total

Councilman Rooney made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION NO. 2017-16

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2017

Complete copy on file at Borough Hall.

RESOLUTION NO. 2017-17 (FAIR HOUSING RESOLUTION): Mr. Stains presented proposed Resolution No. 2017-17, which is passed each year recognizing that the Borough of Waynesboro is interested in promoting fair housing opportunities. Councilwoman Rolls made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2017-17

FAIR HOUSING RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA

Complete copy on file at Borough Hall.

RESOLUTION NO. 2017-18 MODIFYING THE FISCAL YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: Mr. Stains presented proposed Resolution No. 2017-18, canceling the use of \$112,301 of FY2016 funds for curb ramp installation and demolition activities and reallocating those funds to undertake handicap accessibility improvements at the Borough building and the police department annex. Councilwoman Rolls made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2017-18

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, MODIFYING THE FISCAL
YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Complete copy on file at Borough Hall.

RESOLUTION NO. 2017-19 RE: BLIGHT CONDITIONS AT 703 RINGGOLD STREET: Mr. Stains presented proposed Resolution No. 2017-19 regarding blight conditions at 703 Ringgold Street. Councilwoman Rolls made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2017-19

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, ACKNOWLEDGING THAT
THE RESIDENTIAL STRUCTURE AT 703 RINGGOLD STREET IS A PUBLIC
NUISANCE AND DANGEROUS STRUCTURE WHICH THREATENS THE GENERAL
HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND AUTHORIZING THE
CODE ENFORCEMENT OFFICER AND SOLICITOR TO TAKE ANY ACTIONS
NECESSARY TO BRING THE PROPERTY INTO COMPLIANCE WITH APPLICABLE
ORDINANCES AND CODES INCLUDING LEGAL ACTION IF NECESSARY

Complete copy on file at Borough Hall.

FOR INFORMATION ONLY

INVITATION TO DEDICATION CEREMONY FOR MAIN STREET PARK (OCTOBER 27, 2017 AT 4:00 P.M.): Council members acknowledged receipt of the invitation.

ANTIETAM HUMANE SOCIETY CONTRACT REQUEST: Mr. Stains provided Council with a memo and additional information regarding his recommendations on the Antietam

Humane Society's contract request. The matter will be on Council's agenda for 11/01 for further discussion.

PRESS QUESTIONS:

Dustin Haluska, Record Herald

Question – Mr. Haluska asked if the PENNVEST sewer loan terms could be repeated.

- Mr. Stains responded “up to \$25,000 at 1.75% for up to 20 years”.

COUNCIL AND STAFF COMMENTS: Mr. Stains provided information on proposed channel changes from Comcast.

Kevin Grubbs announced that the Planning Commission will hold a special meeting on 10/23 regarding a proposed Curative Amendment from Hardcore Custom Archery, 230 S. Potomac Street, requesting that indoor archery ranges be permitted in GC districts. He noted there is no provision in the current Zoning Ordinance addressing indoor archery ranges. In addition, Borough Council will hold a public hearing on 11/01 at 6:30 p.m. to review the Curative Amendment and recommendations from the Planning Commission regarding the matter.

Mr. Grubbs also gave a reminder of the public hearing on 11/01 at 7:00 p.m. regarding proposed amendments to the Zoning Ordinance. The amendments will then be considered by Council at their regular meeting after the hearing.

Councilman Oldham thanked the public for their attendance.

Mayor Starliper read correspondence from a constituent regarding Officers Stansfield and Huntington and their professional assistance provided during a welfare check on an individual. He congratulated them on a job well done.

Mayor Starliper asked if any signs will be posted to regulate skateboarding, etc. at the newly-opened Main Street Park. Bill Kohler noted that is currently being discussed with the Board of Directors, and he anticipates that signs will be posted within the next several weeks.

Having no further business to discuss, Council adjourned to an executive session at 8:10 p.m. to discuss personnel and litigation matters. Following the executive session, Council convened their budget meeting.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary