

DECEMBER 6, 2017  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regular meeting of the Waynesboro Borough Council to order at 6:37 p.m. (the meeting was advertised to begin immediately following the public hearing held at 6:30 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 Councilperson – 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  
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)  
Jim Sourbier, Police Chief  
Shawn Adolini, Fire Chief

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

**EXECUTIVE SESSION:** President Mumma announced that Council had held an executive session at 6:00 p.m. this evening (prior to the public hearing).

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

**PERSONNEL COMMITTEE:** Councilman Cermak acknowledged receipt of favorable performance evaluations for Robert Luchs and Craig Myers. No action was required.

Councilman Cermak acknowledged receipt of a favorable evaluation for Marshal Stover and made a motion to remove him from probationary status. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the transfer of Robert Luchs from the Maintenance Department to the Water Treatment Plant as a Water Treatment Plant Trainee at his current salary level of 5A. 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 01/04/2018 at 6:00 p.m.

**STREET COMMITTEE:** Councilwoman Rolls noted that the Street Committee received a request from the Waynesboro High School “Class of 1966” to erect an illuminated sign honoring John Michael Snively. The sign would read: “Mike Snively Way” and would be located near *The Record Herald* newspaper office at the intersection of Walnut and Gay Streets (Mike Snively was a long-time employee of 56 years, and the newspaper fully supports the request). The Class of 1966 will pay for the sign, but requested the Borough’s assistance to install it. Councilwoman Rolls made a motion to approve the request. Councilman Oldham seconded; the motion passed unanimously.

Councilwoman Rolls noted that a request was received from the Homeowners Association in the Cold Spring Estates Development to install 25 mph speed limit signs on Golden Spring Drive. The HOA will pay for the signs and the installation. Councilwoman Rolls made a motion to approve the installation of 25 mph signs on Golden Spring Drive between W. Third Street and Fir Spring Drive. Councilman Oldham seconded; the motion passed unanimously.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Fleagle noted that the Franklin County Emergency Services Alliance will meet on 12/09 and he will report back at Council’s next meeting. In addition, the Waynesboro Bicentennial Committee met recently and provided a tentative schedule of activities for the first six (6) months of 2018. He has forwarded them to Council members, etc. to determine if there are any conflicts with other events.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Fleagle noted that the Downtown Revitalization Committee met on 12/05 and discussion was held regarding the following --

- Update on Upcoming Activities – Bill Kohler (Mainstreet Waynesboro, Inc.) will provide an update to Council.
- Update on Arts Alliance – Amy Stein, Executive Director, has taken other employment and they will be seeking her replacement. Councilman Fleagle urged Council’s continued support of the Arts Alliance.
- Street Light Upgrade – This activity is currently in a holding pattern with regard to the \$300,000 grant.
- Main Street Closing Policy – Borough staff is working on this policy.
- Rental Unit Inspection Program – They are requesting duplication of Chambersburg’s Rental Inspection Ordinance and a draft copy for discussion sometime in January. He noted he would welcome any ideas and/or comments.
- Outdoor Restrooms at Borough Hall – The outdoor restrooms at Borough Hall are currently closed and are being used now for storage. He asked for recommendations on what would be required in order to make a decision on whether or not to re-open them for public use.

Bill Kohler (Mainstreet Waynesboro, Inc.) thanked everyone who helped recently with the holiday events. He noted that the pop-up shops in downtown businesses were a success, 300+ children have visited Santa downtown, the lights in the Mulberry Avenue walkway will be installed later this week (14' off the ground), and events for the "Borough Blast" on New Year's Eve will be announced this week.

The next Downtown Revitalization Committee meeting will be held on 01/02 at 10:00 a.m.

**FINANCE COMMITTEE:** President Mumma noted he is hopeful that Council will approve the proposed 2018 Tentative Budget later in this meeting.

**RECREATION BOARD:** No report. Councilman Rooney noted that proposed Park Rules and Regulations have been distributed to Council for review/approval later in the meeting.

The next Recreation Board meeting will be held on 01/24 at 6:30 p.m.

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

- On November 17<sup>th</sup>, I attended the ribbon cutting at the Rolando Woods Park and Monterey Pass Museum.
- On November 18<sup>th</sup>, I attended and participated in the Tree Lighting Ceremony in Center Square. Mainstreet Waynesboro, Inc. had a good presentation. Thank you.
- On November 29<sup>th</sup>, I attended the Franklin County Commissioners' meeting.
- On November 30<sup>th</sup>, I attended the Chamber's mixer at Renfrew.
- On December 2<sup>nd</sup>, I attended the grand opening of the 997 Café in Quincy.

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

**DIRECTOR OF UTILITIES' REPORT:** Mr. Pryor was unable to attend this meeting, but provided Council with a written report, as follows –

- Water Treatment Plant Upgrade – The WBA continues to refine the scope of the upgrade project and will be progressing into preliminary design in early 2018. After the recent plant tour at the Tamaqua facility, the WBA indicated that they would like to tour a non-Gannett Fleming designed facility to compare the plant's instrumentation and control systems, as well as the treatment process equipment. I have reached out to the City of Hagerstown to arrange a tour of their filtration plant, as they recently completed a plant upgrade and Gannett Fleming was not involved in this project.
- NPDES Permit – Sewer Plant – I have been contacted by DEP (verbally) regarding the favorable results of the WET Testing submitted last month. DEP concurred that the results were acceptable and indicated that the draft NPDES permit will be issued within the next several weeks.

- Biosolids Land Application General Permit – The Notice of Intent to land-apply biosolids has been submitted to DEP along with the General Permit application. This current permit expires in April of 2018. The last hauling event of the year is scheduled to begin on December 11, 2017, weather permitting.
- 2018 Water and Sewer Budgets – The WBA will be finalizing the 2018 water and sewer budgets during their regular meeting on December 19<sup>th</sup>. It is anticipated that a water rate increase will be implemented to continue to build cash reserves for the upcoming Water Treatment Plant upgrade and the Antietam Dam project.

**JUNIOR COUNCILPERSONS' REPORT:** Sophie Van Gilder noted that she and Arianna Taylor are currently working on two (2) projects – one will be presented to the Recreation Board shortly and one to Council at a later date.

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

**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 amended Consent Agenda, as follows –

- A. Notice of Intent to Award Contract – CDBG Handicap Curb Ramps (Pro's Concrete)
- B. Approval of Minutes as Presented – November 15, 2017 (Regular Meeting)
- C. Pay Bills – Check Detail dated 11/20, 11/27 and 12/04

Councilwoman Rolls seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

**CONSIDER ORDINANCE RE: PROPOSED AMENDMENTS TO ZONING ORDINANCE NO. 1158:** Kevin Grubbs noted that the proposed amendment to the Zoning Ordinance (Ordinance No. 1158) has been advertised for Council's consideration at this time. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

### **ORDINANCE NO.**

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY,  
PENNSYLVANIA, AMENDING THE ZONING ORDINANCE  
OF THE BOROUGH OF WAYNESBORO

Complete copy on file at Borough Hall.

**AUTHORIZE ADVERTISEMENT OF PROPOSED AMENDMENT TO ZONING ORDINANCE NO. 1158 TO ALLOW FOR INDOOR ARCHERY RANGES AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL (GC) DISTRICT:**

Kevin Grubbs noted that Council approved the Curative Amendment and preparation/execution of the Findings of Fact, Conclusions of Law and Decision regarding indoor archery ranges at their last meeting. Council's approval is requested to advertise the proposed ordinance for consideration at their 01/02 meeting. Councilman Cermak made a motion to authorize advertisement of the proposed ordinance, as presented. Councilwoman Rolls seconded; the motion passed unanimously.

**APPROVE PARK RULES AND REGULATIONS:** Mr. Stains reminded Council that a draft of the Park Rules and Regulations had been presented to them for consideration several months ago. It was discussed but returned back to the Recreation Board for further review. He noted that they are recommending prohibiting skateboards and dogs in Memorial Park only in this draft, and Councilman Rooney made a motion for approval. Councilman Oldham seconded.

Discussion followed –

- Mayor Starliper questioned Rule #18 regarding firearms. As you cannot prohibit individuals' second amendment rights, it was suggested that this be amended to prohibit trapping only. Councilman Rooney amended his motion. Councilwoman Rolls seconded the amendment.
- Councilwoman Rolls asked why skateboarding and dogs are being prohibited only in Memorial Park. Councilman Rooney noted the Recreation Board felt that, as there are more organized activities in Memorial Park, dogs may be disruptive; and there may be a temptation among skateboarders to do tricks on the wall around the memorial area. Councilwoman Rolls noted the same concern regarding bicycles, etc., and asked about her previous suggestion to require that any "wheeled" devices must remain on the ground. Mr. Stains noted that was discussed by the Recreation Board, but they felt it was best to simply prohibit skateboards from Memorial Park. They also suggested that individuals could utilize the Ed Miller Walking Trail as an alternate option.
- Councilman Fleagle asked what, if any, punishments/penalties are in place for violations of these Rules and Regulations. Solicitor Wisner noted he was able to locate an ordinance which establishes authority, but Council may wish to consider an amendment to allow for penalties for violations. The matter was referred to the Property Committee for further consideration.

A vote was called, and the motion for approval of the amended Park Rules and Regulations passed 5-1 (Councilwoman Rolls opposed).

**\*\*ORDINANCE NO. 1161 RE: MANDATORY CONNECTION OF BUILDINGS TO THE PUBLIC SEWER SYSTEM: ORDINANCE NO. 1161 WAS ADOPTED BY BOROUGH COUNCIL AT THEIR REGULAR MEETING ON NOVEMBER 15, 2017, HOWEVER THE MAYOR DECLINED TO SIGN THE ORDINANCE. NO WRITTEN OBJECTIONS WERE PRESENTED BY THE MAYOR AND THE ORDINANCE THEREBY BECAME EFFECTIVE ON THIS DATE (PER BOROUGH CODE §3301.3) WITH NO FURTHER ACTION REQUIRED.**

## **NEW BUSINESS**

**ADOPTION OF 2018 TENTATIVE BUDGET:** Mr. Stains noted that Council was presented with two (2) options for the 2018 Tentative Budget. He added that there had been a question regarding a proposed increase to the Associations, Dues and Conventions line item in 2018; and he explained that this had been combined with the line item for Education, Training and Publications. He will provide additional information to Council later this week regarding the specific associations and dues amounts included, and stated he feels these funds are put to good use for educational purposes for those who attend in an attempt to make the organization more professional. Mr. Stains also noted that the proposed surplus amount of \$57,228 in the budget will be transferred to the Capital Reserve Fund for capital purchases in the future. He gave highlights of the proposed budget, and added there is no planned tax increase for 2018.

Councilman Rooney made a motion to adopt the 2018 Tentative Budget (Option B). Councilwoman Rolls seconded; the motion passed unanimously.

Mr. Stains noted the tentative budget will be placed on public display beginning the following day, and Council will take action to finalize the 2018 budget at its meeting on 12/20. President Mumma explained that, after Council's reorganization in January, any member of Council may re-open the budget; and Council would then have thirty (30) days to approve an amended budget.

**AUTHORIZE ADVERTISEMENT OF PROPOSED TAX ORDINANCE:** Councilman Fleagle made a motion to authorize advertisement of the proposed 2018 Tax Ordinance for consideration at Council's meeting on 12/20. Councilman Oldham seconded; the motion passed unanimously.

**APPROVAL OF NORTHSIDE POOL MEMBERSHIP AND DAILY ADMISSION FEES:** Mr. Stains presented a proposed 2018 Northside Pool Membership and Daily Admission Fee Schedule, which includes a 10% increase in membership fees, as well as a small increase in the daily admission fees and a reduction in the membership fees for senior citizens. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

**RESOLUTION NO. 2017-23 RE: PROHIBITING THE ESTABLISHMENT OF A CATEGORY 4 CASINO:** Mr. Stains noted that PA Legislative Act 42 of 2017 authorizes any municipality to prohibit or opt-out of having a Category 4 casino located

within its municipality by enacting a resolution between 10/31/2017 and 12/31/2017, and he presented proposed Resolution No. 2017-23 to do so. Councilman Rooney made a motion for approval. Councilman Fleagle seconded; the motion passed unanimously.

RESOLUTION NO. 2017-23

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA,  
PROHIBITING THE LOCATION OF A CATEGORY 4 LICENSED  
FACILITY WITHIN THE BOROUGH OF WAYNESBORO

Complete copy on file at Borough Hall.

**RESOLUTION NO. 2017-24 RE: YOUNG LUNGS AT PLAY INITIATIVE:** Mr. Stains noted that Council adopted a resolution in support of the Young Lungs at Play Initiative several years ago for all of the Borough's parks, but a revision is required in order to include the newly-created Ed Miller Walking Trail. Promotional signs will be provided by the County at no charge. Councilman Cermak made a motion for approval. Councilwoman Rolls seconded. Mr. Stains noted there are no penalties in place for violations ... this is mainly to encourage a healthy lifestyle; and he added that it has been effective at the Library and Northside Pool. Wayne Bartholow, a member of the Recreation Board, commented that Renfrew Park and the YMCA also participate in the program. A vote was called and the motion passed unanimously.

RESOLUTION NO. 2017-24

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN  
COUNTY, PENNSYLVANIA, AUTHORIZING THE BOROUGH OF  
WAYNESBORO, IN ACCORDANCE WITH THE PENNSYLVANIA  
DEPARTMENT OF HEALTH, YOUNG LUNGS AT PLAY INITIATIVE,  
DESIGNED TO PROTECT THE HEALTH, WELFARE AND SAFETY OF OUR  
PARK PATRONS

Complete copy on file at Borough Hall.

**CONSIDER PURCHASE OF NEW POLICE VEHICLE:** Mr. Stains noted that \$41,000 had been allocated in the 2017 budget for the purchase of police vehicles, however two (2) new Ford Interceptor SUV's were purchased through the USDA's grant/loan program (with annual payments of \$11,500 being budgeted for the next five years), and Chief Sourbier would like Council's consideration to replace the last Dodge Charger in the fleet with a police-rated Quad-Cab Truck. Councilwoman Rolls made a motion to consider purchasing a new vehicle for the Police Department (thereby permitting \$41,000 allocated in the 2017 budget for such purchase to be considered in 2018). Councilman Rooney seconded. Discussion ensued regarding the need for an additional vehicle, as well as the choice of a truck; and Councilman Fleagle requested that a list be provided of the Police Department's current vehicles and their future vehicle needs.

A vote was called and the motion passed 5-1 (Councilman Oldman opposed).

**APPOINTMENTS TO RENFREW COMMITTEE, INC.:** This item was withdrawn at the request of Renfrew Committee, Inc.

**FOR INFORMATION ONLY**

**MUNICIPAL LAND USE LETTER FOR NPDES PERMIT (RESIDENTIAL CONSTRUCTION ON W. FOURTH STREET):** Kevin Grubbs advised that he received a Notice of Intent from the developer for Flat Iron Commons at W. Fourth Street and Ridge Avenue for 24 apartment units and four (4) separate buildings on a currently empty lot. As they will have stormwater discharge, they must apply for an NPDES permit and obtain a Municipal Land Use letter to be submitted with their permit application to DEP. He explained that there is no commitment from the Borough for this development at this point in time.

**2018 LEGAL SERVICE FEE SCHEDULE FOR ZONING HEARING BOARD:** Mr. Stains noted that he received information from the Zoning Hearing Board's Solicitor regarding his fee schedule for legal services in 2018. No action is required by Council.

**PRESS QUESTIONS:** None.

**COUNCIL AND STAFF COMMENTS:** Councilman Rooney voiced his appreciation to the public for their attendance. Councilman Cermak agreed.

Fire Chief Adolini commended career staff and volunteers who went "above and beyond" their duties recently at a house fire in Washington Township.

Bill Kohler (Mainstreet Waynesboro, Inc.) thanked Chief Sourbier for the Police Department's assistance in bringing Santa to town.

Councilman Oldham reminded the Street Committee of the lighting request at the end of W. Eighth Street. Councilwoman Rolls stated that it will be discussed at their next meeting to be held on 12/28 at 6:30 p.m.

Councilman Fleagle asked for an update on the Eagle Scout project for the walking bridge at Renfrew Park. Mr. Grubbs responded that he spoke with the scout's father, and they plan to begin the work when the weather breaks in the spring. Mr. Fleagle will get contact information from Mr. Grubbs, as the Rotary Club would like to coordinate some donations for the project.

Mayor Starliper informed the public about information he received from the Penn-State Extension Service regarding the spotted lanternfly, which is doing major damage to wooded areas in 13 counties. It is his understanding that there is no known spray for the insect at this point in time.



Having no further business to discuss, the meeting adjourned at 7:40 p.m. on a Rolls/Oldham motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary