

JANUARY 20, 2016  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

Borough 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  
Shawn Adolini, Fire Chief  
Jody Sanders, Deputy Fire Chief  
John Beck, Jr., Assistant Fire Chief

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

**PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS:**

**PROCLAMATIONS TO FIRE DEPARTMENT VOLUNTEERS:** Mayor Starliper presented Adam Koontz and Bobby Wagner with Proclamations for their heroism during a house fire on 11/03 in Quincy Township.

**PRESENTATION RE: BOARD OF HEALTH:** Following Council's authorization at the last Council meeting, Manager Jason Stains noted that he and Councilmen Mumma & Cermak attended a meeting with representatives of the Borough of Chambersburg regarding their established Board of Health and the possibility of Waynesboro entering into an intergovernmental agreement for health inspection services.

After reading about the Borough's plan to pursue this possibility, concern was voiced by several restaurant owners. Mr. Stains stated that the Borough is not trying to "downplay" the role played by the local inspector for the Department of Agriculture in the community, but noted the Borough is just exploring this option. In addition to the benefit of providing restaurant inspections, many issues regarding code enforcement would be handled in this program. Educational opportunities would also be available for food handlers at churches, restaurants and mobile vendors; as well as information for the

general public regarding pandemics and epidemics. Mr. Stains continued by giving examples of inspection schedules and fees for various services, adding that Waynesboro would have to formally request proposals and adopt fees to be charged.

Stephen Monn, 126 W. Main Street – Mr. Monn suggested subcontracting with Chambersburg to provide the services required for code enforcement issues, but continuing with the Department of Agriculture’s inspection/licensing program for the restaurants. He feels it would be a shame to put additional imposition on the restaurants if the Borough is mainly looking for assistance in alleviating substandard and dangerous building code issues.

Sheree Green, Christine’s Café, 81 W. Main Street – Ms. Green commented on a “misquote” in the newspaper from the last Council meeting regarding the frequency of restaurant inspections, and noted issue with the potential increased fees for these services. She added there has been no issue with restaurants in the Borough for the last 10 years, so why make a change in restaurant inspection procedures when the issue seems to be with residential code enforcement?

Laura Watkins, Tranquiltea, 117 W. Main Street – Ms. Watkins also referred to information reported in the newspaper regarding the frequency of restaurant inspections, noting that Mr. Stains clearly indicated this evening that the restaurants are regularly inspected according to state law. She reiterated the question regarding the need for changes to the restaurant’s inspection program, when the problem lies in the residential sector. Referring again to the newspaper article regarding past discussion on this matter, Ms. Watkins stated that the restaurants’ reputations have been tarnished.

Ms. Green added that she had contacted Council and the Mayor and requested a retraction, because “what they read is what they believe”. Councilwoman Rolls commented that there was communication with *The Herald Mail* telling them that the article’s title was sensationalized and asking them to fix it (and it was fixed online). Ms. Rolls added that this is not a reactionary move to a “dirty restaurant” ... this is to increase the efficiency of inspections within the Borough (by providing a local inspector) for restaurants, churches, hospitals, schools, street vendors; as well as providing a health inspector for times when one is needed to work with the Borough’s ordinances.

Dustin Haluska, reporter from *The Record Herald* – Mr. Haluska clarified that no restaurants were named in his article, and noted he is not printing a retraction because he did not misreport. He gave clarification on the point made in his article that was not mentioned this evening, that being that “this is in its infancy and we don’t know how this will proceed”. He noted his mission was basically to cite the exploratory phase Council is in ... he was not on a mission to say there were dirty restaurants or kitchens in the Borough.

Following additional discussion, it was suggested that Ms. Green and Ms. Watkins serve on the committee reviewing the possibility of re-establishing a Board of Health in

Waynesboro and/or entering into an intergovernmental agreement with the Borough of Chambersburg regarding this matter. They both agreed to do so.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** No report. Councilman Cermak noted he will present several items for voting later in the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** No report. Councilwoman Rolls noted that the Street Committee's first meeting of the year will be held on Wednesday, 01/27, at 9:00 a.m.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Fleagle reported that the Downtown Revitalization Committee met on 01/05. Items discussed at the meeting were as follows –

- Update on Main Street Plaza by Scott Hershberger, including discussion regarding a cooperative private/public agreement and in-kind assistance with stormwater control installation
- Update on Zoning Ordinance revision by Jason Stains, including a statement that the downtown area was not critically affected
- Copies of the Downtown Master Plan were distributed for review
- Downtown lighting was listed as a high-priority item for consideration; and the Downtown Revitalization Committee requested to work with the Street Committee regarding that item
- Update on the brick crosswalks in Center Square by Jason Stains, noting that alternative options are being investigated
- Bob Correll is considering the installation of a decorative wrought-iron archway and lighting for the walkway at S. Mulberry and Main Streets. A formal plan will be presented in the future for approval.
- The Downtown Revitalization Committee requested an update on the architectural survey being conducted for the historical district grant ... this is expected to be completed by June
- General discussion was also held regarding enforcement of the Property Maintenance Code and issues throughout the community with substandard housing. As this committee focuses mainly on problems on Main Street, they may wish to take another preliminary look at a Rental Inspection Ordinance.

**FINANCE COMMITTEE:** No report.

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

“On January 13<sup>th</sup>, along with Chief Sourbier, Engineer Grubbs and Fire Police Burns, I met with Ashley Gardner of the YMCA in reference to their

2<sup>nd</sup> Annual Triathlon on May 29<sup>th</sup>. Everything will be taken care of and I would recommend that Council approve the event.

On January 19<sup>th</sup>, along with Engineer Grubbs and Code Officer Sheffler, I met with two individuals from Habitat for Humanity in reference to their project in Waynesboro this spring. They will keep us informed of the project.

On January 20<sup>th</sup>, Manager Stains and I attended the COG meeting in Chambersburg.

Also on the 20<sup>th</sup>, I attended the Chamber's mixer at Buchanan Collision Center."

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

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Cermak made a motion to accept the resignation of Dakota Welsh (Maintenance Department), effective 01/08/2016. Councilman Oldham seconded; the motion passed unanimously.

Councilman Cermak made a motion to reappoint Timothy Misner to the Library Board (term to expire on 02/01/2019). Councilman Fleagle seconded; the motion passed unanimously.

Councilman Cermak made a motion to accept the following nominations for Renfrew Committee, Inc. –

Representing M & T Bank: George Buckey, Douglas Burkholder and Greg White  
Representing Borough of Waynesboro: Allison Kohler, David Hykes, A. J. Benchoff and Connie Huet

Councilman Oldham seconded; the motion passed unanimously.

**EXECUTIVE SESSION:** Council members adjourned to executive session at 8:25 p.m. for the purpose of discussing various personnel issues, pending enforcement and litigation matters, and some real estate matters. They reconvened to regular session at 9:12 p.m.

**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:** The Consent Agenda was presented, as follows –

Award of Contracts: None.

Routine:

- (1) Approval of Minutes – January 4, 2016 (re-organization meeting) – approved on a Rolls/Rooney motion which passed unanimously.
- (2) Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of December, 2015 – approved on a Fleagle/Rolls motion which passed unanimously.

Previously Discussed Items: None.

## **UNFINISHED BUSINESS**

**NOTICE OF 2016 REGULAR MEETINGS:** Council members were provided with a copy of the “Notice of 2016 Regular Meetings” which was advertised in *The Record Herald*. Councilman Fleagle made a motion to acknowledge the meetings as scheduled in the advertisement. Councilwoman Rolls seconded; the motion passed unanimously.

**YMCA TRIATHLON:** Mayor Starliper reported that a meeting was held with the appropriate individuals to discuss the YMCA’s upcoming triathlon to be held on 05/29. No problems were noted and Mr. Starliper recommended approval of the event. Councilman Cermak made a motion to approve the event, as requested. Councilman Rooney seconded; the motion passed unanimously.

## **NEW BUSINESS**

**LADDER TRUCK PRESENTATION:** Assistant Fire Chief John Beck gave a presentation on behalf of the chief officers regarding Tower 2. He outlined the positive and negative aspects of the vehicle, and described their concerns including aerial reach, operator’s station at the pump panel, aerial operator visibility in tight quarters, limited scene lighting, quint concept, limited compartment space, large tail swing, and the aerial ladder itself is difficult to ascend and descend.

Mr. Beck also discussed solutions to Tower 2 and indicated that a local department may be interested in purchasing Tower 2. The chief officers are asking for Council’s permission to begin the process of preparing specifications and bidding for a new vehicle. They are looking to Council for support in the form of financial backing; and continued maintenance, fuel and insurance costs to be provided. Items requested of the Volunteer Fire Department with regard to this endeavor were also reviewed. In summary, Tower 2 would be sold, the necessary new tools would be purchased, and the remaining balance will be pledged toward the new vehicle purchase. The vehicle would be titled jointly (i.e. Borough of Waynesboro and Waynesboro Volunteer Fire Department).

Discussion ensued regarding the proposed cost of a new vehicle, which is estimated at \$850,000; and potential sale of Tower 2 would net @ \$375,000. The timeline for

building the vehicle is approximately one (1) year, and training of all personnel is also estimated at one (1) year.

Mr. Beck noted that this same presentation will be given at the volunteers' company meeting the following week, and they (chief officers) are hoping this will open dialogue for the two parties to work together. President Mumma recommended that the Property Committee be included in any discussions regarding this matter.

**FRANKLIN COUNTY COUNCIL OF GOVERNMENT (COG) REPRESENTATIVE AND**

**ALTERNATE:** Mr. Stains noted that Council will need to designate a representative and alternate representative to the Franklin County Council of Government (COG). Councilman Rooney made a motion to appoint Jason Stains as representative and Richard Starliper as alternate. Councilwoman Rolls seconded; the motion passed unanimously.

**PROPOSED BYLAW CHANGES AND APPOINTMENTS TO RENFREW COMMITTEE, INC.:**

Mr. Stains presented correspondence from Renfrew Committee, Inc. regarding proposed changes to their bylaws. These changes will give more definition and direction for their committees, and Dade Royer (Renfrew's Executive Director) was present to answer any questions. Councilwoman Rolls made a motion to approve the proposed bylaw changes, as presented. Councilman Cermak seconded; the motion passed unanimously.

Mr. Royer also thanked Council for the Borough's recent assistance with their sewer line project.

**OFFICIAL MAP:** Solicitor Wisner noted that Council has, from time to time, informally discussed the concept of an official map. He explained that an official map is a planning tool authorized by the PA Municipalities Planning Code. It can contain existing and proposed streets and public grounds; any type of widening, improvements or closures to be made to those streets (immediately or in the future); existing and proposed public parks, playgrounds and open space reservations or any improvements to be made to those; pedestrian ways and easements; railroad and transit right-of-ways and easements; flood control basins, floodways/floodplains and stormwater management areas and drainage easements, and intended improvements thereto; and sports facility easements and other properties held by public bodies.

Mr. Wisner noted the benefit of an official map is to provide a comprehensive look at what you have and what you intend to do in the future. In addition, it allows a municipality to essentially reserve properties or easement areas that have to be addressed when a new subdivision plan is presented.

The process for enacting an official map is similar to amending or adopting a Zoning Ordinance. The governing body comes up with the proposed map, a recommendation is made to the Planning Commission for review, the Planning Commission makes recommendations to Council regarding any amendments or additions, the Franklin

County Planning Commission reviews and comments, as well as the adjacent municipalities. A public hearing before Council is then held, with adoption to follow. It was clarified that this project can be handled in-house, as a lot of the information and resources are already in place.

Darwyn Benedict, 47 W. Main Street - Mr. Benedict suggested that the committee should also include a representative(s) of the people this would affect (such as a developer and/or real estate agent). Mr. Mumma noted that Mr. Benedict should also be a member of the review committee.

Councilman Fleagle made a motion for the Property Committee, Kevin Grubbs, Jason Stains, President Mumma and Darwyn Benedict to meet and begin developing a concept of what should be included on an official map for the Borough of Waynesboro. Councilman Rooney seconded; the motion passed unanimously.

**GMS FUNDING SOLUTIONS:** Amy Kaufman, GMS Funding Solutions, was present. She noted their firm was retained by the Borough in June of 2014 to pursue competitive grant funding for a variety of initiatives they were looking to fund. They were successful in obtaining a grant for improvements to Welty Road and Fairview Avenue in the amount of \$500,000, and a grant for the construction of a community walking trail from E. Fourth Street in the Borough to the historic Renfrew Park in the amount of \$94,644. As the Borough now has a variety of other initiatives they are need of funds for, GMS is offering a proposal for their services to pursue and obtain funding sources that align with these initiatives. In addition, after hearing the presentation from the Fire Department regarding the replacement of Tower 2, Ms. Kaufman verbally added an offer to attempt to find funding to help with this effort as well.

Comments were voiced by the Mayor and several councilmen regarding GMS's successful assistance in the past, and discussion followed regarding any budget line item to accommodate these fees. Mr. Stains noted that a recent change in agents for workmen's compensation insurance would provide \$27,000, but a source for the difference would need to be investigated. President Mumma noted that this item will be on the agenda for discussion/action at the next meeting.

**AUTHORIZE CIVIL SERVICE EXAMINATIONS FOR PATROLMAN, CORPORAL AND SERGEANT:** Councilwoman Rolls made a motion to authorize concurrent civil service examinations for the positions of Patrolperson, Corporal and Sergeant in anticipation of retirement of the current staff. Councilman Cermak seconded; the motion passed unanimously.

#### **FOR INFORMATION ONLY**

**JOINT MEETING WITH WASHINGTON TOWNSHIP SUPERVISORS (FEBRUARY 11, 2016 AT 6:00 P.M., PARLOR HOUSE RESTAURANT):** Mr. Stains noted that the Washington Township Supervisors are interested in holding a joint meeting with Council

members on 02/11 at 6:00 p.m. at the Parlor House. Council members were requested to provide him with any items for the agenda.

**2016 MAINSTREET WAYNESBORO EVENTS:** Scott Hershberger presented a list of proposed 2016 events, three (3) of which will require street closures: Market Day on 10/01, Tree Lighting Ceremony on 11/18 and Holiday Parade on 11/19. Councilman Fleagle made a motion to approve Mainstreet Waynesboro's 2016 events, as included in their January 12<sup>th</sup> correspondence. Councilman Rooney seconded; the motion passed unanimously.

**DONATION TO ROTARY PARK:** Mr. Stains shared a picture of a 230 lb. English mastiff named Sig, who walks daily at Rotary Park. His owners have purchased and donated a dog waste disposal system for use at Rotary Park. They have also committed to re-supply bags as the supply runs low. A letter of appreciation will be forwarded to the donors.

**STREET LIGHTS:** Mr. Stains noted that, through social media, the public is urging Council to take action and look into replacement of the street lights downtown. He reiterated that the Street Committee will begin that project at their meeting scheduled for 01/27 at 9:00 a.m. A representative from First Energy will be in attendance at that meeting, as well as a lighting contractor from Camp Hill. Additional updates will be given as the project proceeds.

**ELECTRONIC RECYCLING:** Mr. Stains noted that discussion was held at the Franklin County COG meeting held earlier this day regarding electronic recycling. As televisions are no longer permitted to be placed in landfills, the Franklin County COG is discussing this amongst the municipalities in an effort to come up with a feasible plan. Senator Alloway and Representative Schemel's offices are also pursuing the matter at the state level. Further information will be provided as it is disseminated.

**SEVERE WEATHER FORECAST:** Due to the severe weather being forecast for the upcoming weekend, Mr. Stains reported that the Borough's maintenance, water and sewer departments have met to review plans and are prepared for the predicted precipitation.

Discussion ensued regarding specific responsibilities on Main Street with regard to the snow. Mr. Stains noted that PENNDOT is responsible for plowing Main Street; and the Borough can request that they plow-back to the curb (however they may not agree to it). In addition, in the past when there was severe weather, local contractors have assisted with removing snow. Mayor Starliper noted that he will notify the Police Department and local media when a snow emergency has been declared. Denny Benshoff asked, in order to open the parking spaces, does Council want him to plow the snow onto the sidewalks? Although people will complain, Council agreed that parking needs to be maintained downtown. Councilman Oldham added that it would be nice if businesses would not only clean their sidewalks, but a pathway between the meters so that people can get to the sidewalk from their parking space in the street. Dan Sheffler reminded

the public that snow must be cleared from sidewalks/walkways 24 hours after the storm stops.

**PRESS QUESTIONS:**

Coria Bowen, Herald Mail

Question: Will more specifics (i.e. pricing, etc.) be provided regarding LED lights at the Street Committee meeting? .

- Mr. Stains noted that price information has not yet been received from First Energy. A price of \$24,000, however, was received for replacement of all 79 of the decorative lights on Main Street. The biggest complaint voiced at this point in time is that the light can't be seen on the street, so they need to first determine what will resolve that issue (i.e. reflectors, different head, the new cobra-style LED lights, etc.) He added that this will be their initial discussion with First Energy, and it will most likely be a long time until anything definitive takes place.

**COUNCIL AND STAFF COMMENTS:** Councilman Rooney thanked the public for their attendance, comments and participation at this meeting.

Councilman Cermak offered congratulatory comments to the firefighters who were recognized earlier in the meeting.

Dan Sheffler reiterated that snow must be shoveled from sidewalks 24 hours after the storm ceases. In addition, he suggested that Council ask the Washington Township Supervisors (at their upcoming joint meeting) to reconsider taking electronics from Borough residents.

Scott Hershberger thanked Council for approval of their upcoming events. Their "Night at the Races" event will take place on 02/06 and the "Chocolate Extravaganza" will be held on 03/05. Vendors are being contacted for the upcoming Brewmaster Beer Festival in May and Market Day in October. In addition, Monday (01/25) is the deadline for artwork submissions for the banner designing contest.

Councilman Oldham requested that Mainstreet Waynesboro encourage business owners on Main Street to shovel a walkway to their business entrances from the parking spaces.

Councilman Fleagle reported that the former Vision 2015 (now Vision 2035) will meet on 01/26 at 7:30 a.m. at the Chamber of Commerce Office. He asked for Council's support and attendance.

Councilwoman Rolls reminded the public, as it is cold and flu season, to cover their mouth when coughing and wash their hands.

Mayor Starliper suggested that the Fire Department contact Senator Alloway, Representative Schemel and Congressman Shuster's offices to pursue any available grants for purchase of a new ladder truck.

President Mumma echoed previous comments and reminded everyone to stay warm and be careful when shoveling.

Having no further business to discuss, Council then adjourned to executive session at 10:35 p.m. on a Rooney/Oldham motion which passed unanimously. President Mumma noted that no action would be taken after the executive session.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary