

FEBRUARY 17, 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  
Jody Sanders, Deputy Fire Chief

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

**PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS:** Leon Adler, 336 Antietam Drive, Waynesboro, PA was present to discuss the demolition of 137 W. Main Street. He has made an offer on the property and presented Council members with his proposal to remodel the existing church into a first-floor residence with apartments in the rear and a stained glass business in the basement. As the existing house is not salvageable, he asked for assistance from the Borough for the demolition. As the Borough would need to spend money to take action against the property owner in order to demolish the property, Mr. Adler feels his proposal would offer the best outcome for all parties involved. Demolition costs are estimated at \$6,000, and he noted it won't take long for the Borough's investment to be paid back in property taxes. He added that he will need to pursue rezoning of the property, and has hopes of completing the project by September. President Mumma noted that the Solicitor will need to review the matter, as this is a request to use to use taxpayers' money for private enterprise.

**EXECUTIVE SESSION:** President Mumma announced that Council will hold an executive session at the end of this meeting.

**COMMITTEE REPORTS AND VOTING ON ITEMS FROM COMMITTEE REPORTS:**

**PERSONNEL COMMITTEE:** Councilman Cermak noted that Jason Stains' performance evaluation was favorable, however no action is required.

Councilman Cermak made a motion to accept Sgt. Michael Bock's letter of retirement, effective 07/31/2016. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the hiring of Adam Koontz as Driver/Operator-Laborer with the Maintenance Department. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to reappoint Tom McCloud to the Shade Tree Commission; said term to expire on 03/04/2021. Councilman Fleagle seconded; the motion passed unanimously.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Rooney reminded those present of the Property Committee meeting scheduled for 02/18 at 6:00 p.m. Monthly meetings will then be held on the third Thursday of each month.

**STREET COMMITTEE:** Councilwoman Rolls reported that six (6) of the downtown decorative lights have been retrofitted with LED bulbs at the intersections of Main/Walnut and Main/Franklin Streets. She encouraged community members to look at the lights and provide feedback. The next Street Committee meeting will be held on 02/24 at 9:00 a.m.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Fleagle noted that information received from the Franklin County Redevelopment Authority regarding tools for declaring blighted properties will be discussed at the Committee's next meeting scheduled for 03/01 at 10 a.m.

**FINANCE COMMITTEE:** President Mumma noted that Council will receive a January financial statement from Cohick & Associates at the next meeting.

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

“On February 11<sup>th</sup>, along with Manager Stains and all members of Council, I met with the Manager and Assistant Manager and members of the Washington Township Board for an informative evening of mutual items.

On February 13<sup>th</sup>, I was invited and attended the FOE's Open House at their new location on N. Church Street. Wish them the very best.

Also on the 13<sup>th</sup>, I had the pleasure to unite in marriage Carlina Weller and Jamie Burcker. We wish the Burckers the very best.

On a side note, I hope that all of you celebrated Valentine's Day with someone special.”

**SOLICITOR'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:**

Lynn Graham, 10355 Rinehart Drive – Mr. Graham complained about the public schools and the Virginia Avenue Fire Hall not lowering their flags to half-staff in honor of the death of Supreme Court Justice Antonin Scalia, and he asked what Council was going to do about it. Solicitor Wisner explained that Borough Council has no statutory authority over the School District or the Volunteer Fire Company. The fire station mentioned is owned and operated/maintained by the Volunteer Fire Company. The School District has its own board that governs its affairs. Mr. Graham was encouraged to address his concerns to the School Board.

**CONSENT AGENDA:** President Mumma requested that items on the Consent Agenda be addressed separately.

Award of Contracts:

- (1) Random Curb and Sidewalk – no bids received (will be re-bid)
- (2) Stone – award to Valley Quarries - Oldham/Rooney motion passed unanimously
- (3) Sodium Hypochlorite – award to Main Pool & Chemical Co., Inc. – Cermak/Oldham motion passed unanimously
- (4) Paving Materials
  - a. Superpave Wearing Course and Base Course (Asphalt Mix including RAP) – award to Craig Paving, Inc. - Fleagle/Oldham motion passed unanimously
  - b. Cold Patch – award to Valley Quarries, Inc. – Fleagle/Oldham motion passed unanimously
- (5) Ductile Iron Pipe – award to L/B Water Service, Inc. – Cermak/Fleagle motion passed unanimously
- (6) Propane – award to AC&T Co., Inc. – Fleagle/Oldham motion passed unanimously

Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of January, 2016: Fleagle/Rolls motion passed unanimously.

**UNFINISHED BUSINESS**

**GMS FUNDING SOLUTIONS:** Mr. Stains noted that Amy Kaufman of GMS Funding Solutions had presented a proposal for grant writing services several meetings ago, and he was tasked with determining how to fund their services. He reported they (GMS) have since provided an updated proposal: 03/01/2016 to 10/01/2016 - \$3,375/month,

11/01/2016 to 12/31/2016 – no charge, and 01/01/2017 – 12/31/2017 - \$4,000/month. Mr. Stains recommended utilizing savings from the lower cost of workmen's compensation insurance and money received for an unexpected land use permit to fund GMS's services for 2016; and their proposal for 2017 could be discussed during 2017 budget deliberations. Councilman Cermak made a motion to contract with GMS Funding Solutions in accordance with the Borough Manager's recommendation. Councilwoman Rolls seconded.

Amy Kaufman noted that she has met with DCNR to discuss several possible activities for Waynesboro, and will provide a memo for Council's review to see if any of their current initiatives will align with these grant opportunities.

Councilman Oldman brought up the recent snow removal costs (which amounted to approximately \$50,000) and Mr. Stains commented that Liquid Fuels funding is expected to be greater this year than in years past. Councilman Fleagle also noted that the Borough Manager has submitted information on snow removal costs (approximately \$26,000) to Franklin County for possible remuneration from PEMA.

A vote was then called and the motion passed unanimously.

**CONSIDER ORDINANCE AMENDMENT RE: RESIDENCY OF FIRE DEPARTMENT**

**CHIEF OFFICERS:** Mr. Stains noted that this matter was discussed at the January 4<sup>th</sup> reorganization meeting. The proposed ordinance amendment modifying residency requirements for the Fire Department's chief officers to within 15 air miles of Waynesboro's Center Square (which is the same as requirements for the Police Department) has been advertised for Council's consideration at this meeting. Councilman Cermak made a motion to approve the proposed ordinance, as advertised. Councilman Fleagle seconded; the motion passed unanimously.

**ORDINANCE NO.**

AN ORDINANCE AMENDING ORDINANCE NO. 1117 OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA WHICH CREATED A FIRE DEPARTMENT IN THE BOROUGH OF WAYNESBORO AND ESTABLISHED RULES AND REGULATIONS FOR SAID FIRE DEPARTMENT.

Complete copy on file at Borough Hall.

**NEW BUSINESS**

**FRANKLIN COUNTY PUBLIC SAFETY TRAINING CENTER 2016 PER CAPITA**

**REQUEST:** Mr. Stains presented a request from the Franklin County Public Safety Training Center for the Borough's 2016 per capita donation of \$1,585.20, noting that Council approved the per capita donation last year. Police Chief Sourbier, who sits on the Training Center's Board, spoke of its benefits. Councilman Rooney made a motion to approve the 2016 per capita request of \$1,585.20. Councilwoman Rolls seconded;

the motion passed unanimously. Councilman Fleagle recommended that this annual request be included in the 2017 budget.

**REQUEST FROM ST. ANDREW SCHOOL TO HOLD “RACE FOR EDUCATION” AT MEMORIAL PARK ON APRIL 29, 2016:** Mr. Stains presented a request from St. Andrew School for their annual “Race for Education” event to be held on 04/29 from 9:30 a.m. to 1:00 p.m. at Memorial Park. He added there have been no issues with this event in the past. Councilman Oldham made a motion to approve the request. Councilman Rooney seconded; the motion passed unanimously.

**REQUEST TO RELEASE LETTER OF CREDIT AND ESCROW (HOMETOWNE HOMES, LLC):** Kevin Grubbs presented a request from Hometowne Homes for release of their Letter of Credit in the amount of \$43,835.00 (for financial surety of the South End Villas Phase 1 Land Development along Old Mill Road). He noted that they have completed all required improvements in accordance with the developer’s agreement and Land Development Plan submitted. If approved, their escrow fees of \$3,000 (less recording and legal fees) would be returned. Councilman Cermak made a motion to approve the request. Councilman Oldham seconded; the motion passed unanimously.

**REQUEST TO WAIVE FINANCIAL SURETY (WAYNESBORO AREA SCHOOL DISTRICT):** Mr. Grubbs presented a request from the Waynesboro Area School District for a waiver of financial surety regarding the Stormwater Management Operations & Maintenance Agreement for the Middle School Project. The amount of financial surety required is \$7,150, which represents 110% of the estimated cost of \$6,500 based on a 10-year period. He added that the only time Council has approved such a waiver in the past was for a very small area ... and this is a large infiltration area. Solicitor Wiser noted that there is nothing in the ordinance addressing waivers; and he cautioned Council that this could set a precedent for other such waiver requests in the future. There was no motion regarding this matter.

**AUTHORIZE CREATION AND ADVERTISEMENT OF RFP FOR CONSTABLE SERVICES:** Mr. Stains noted that Council created a separate line item for Constable Services under the Police Department’s budget last year, which contains \$2,000. Constable services are used to provide assistance to the Police Department for transporting prisoners when staffing is low.

Solicitor Wiser noted that this was discussed when they were preparing the RFP for towing services, and he recommended that an RFP for constable services also be prepared to formalize procedures on who to call and what will be charged for these services. He added that response time will be included; and if the Police Department is unable to obtain the first proposer, they will then contact the next lowest proposer on the list. Chief Sourbier agreed.

Councilman Rooney made a motion to authorize the creation and advertisement of an RFP for constable services. Councilwoman Rolls seconded; the motion passed 5-0 (Councilman Cermak abstained).

## **FOR INFORMATION ONLY**

**FRANKLIN COUNTY AREA DEVELOPMENT CORPORATION'S ANNUAL STATE OF THE ECONOMY BREAKFAST (MARCH 3, 2016, CLARION HOTEL IN CHAMBERSBURG):** Council members were invited to attend the FCADC's annual breakfast meeting on 03/03 at 7:30 a.m. at the Clarion Hotel in Chambersburg. RSVP's are due by 02/26.

**FRANLIN COUNTY CONSERVATION DISTRICT'S 10<sup>TH</sup> ANNUAL GOLF TOURNAMENT (JUNE 3, 2016, WHITETAIL GOLF RESORT):** Council members also received an invitation to the Conservation District's annual golf tournament to be held on 06/03 at Whitetail Golf Resort in Mercersburg, PA.

**UPDATE ON TREE TRIMMING RFP:** Mr. Stains advised that the RFP for tree trimming services is almost completed. He anticipates presenting it to Council for review by the first meeting in March.

**UPDATE ON BOARD OF HEALTH COMMITTEE:** Mr. Stains noted that a meeting will be scheduled with individuals interested in serving on the Board of Health Committee in the early part of March.

**UPDATE ON MID-BLOCK TRAFFIC STUDY (CROSSWALK AT MULBERRY STREET):** Mr. Stains reported that discussions have been held with Grove Miller Engineering of Harrisburg regarding the traffic study for the mid-block crosswalk at Mulberry Street.

**MEETING WITH SCHOOL DISTRICT OFFICIALS:** Mr. Stains reported that several representatives from the School Board have expressed interest in meeting with a committee of Council in order to open the lines of communication between the entities. President Mumma asked for volunteers; and he appointed Councilmen Cermak, Rooney and Oldham (plus Manager Stains) to meet with them in the near future.

## **PRESS QUESTIONS:**

Dustin Haluska (Record Herald)

Question: I would like to provide information to the public regarding the LED lights. How long will they be at those intersections?

Response: Councilwoman Rolls noted they will be there until the Borough requests they be removed ... but at least one (1) month. She asked for comments from the public by 03/15 (her email is [councilpersonrolls@outlook.com](mailto:councilpersonrolls@outlook.com)).

Question: How many will be at each intersection?

Response: Councilwoman Rolls noted there will be three (3) at Walnut/Main Streets and three (3) at Franklin/Main Streets.

Question: Have you seen a difference from what has been there?

Response: Councilwoman Rolls noted that she (personally) doesn't see a difference; and stated, compared to other LED lights, she was disappointed. She added that they are also looking into various lumens, styles and options. This will be discussed further at the next Street Committee meeting.

**COUNCIL AND STAFF COMMENTS:** Councilman Rooney provided information to Council members regarding PSAB's Junior Council Person Program, which he discussed briefly at the last meeting. He noted that interested youth should reside within the Waynesboro School District; there will be an application/interview process; two (2) individuals will be selected as actual and alternate members; selected youth will be asked to pledge for a one-year term (from August to June); they will be invited to attend Council meetings, committee meetings, other public meetings, and training opportunities as well; they will sit with or close-by Council members; and will actively participate in meetings to provide opinions/input, but will not be permitted to vote or attend executive sessions. Mr. Rooney asked for open mindedness from Council members when working with and considering opinions voiced by the youth members. Councilman Rooney then made a motion for Council to accept the concept of a Junior Council Person Program, and authorize he and the Borough Manager to prepare a draft resolution for Council's consideration at their next meeting. Councilman Cermak seconded; the motion passed unanimously.

Councilman Cermak commented positively on the proposed Junior Council Person Program and upcoming conversations with the School District. He thanked the public for their attendance at the meeting.

Dan Sheffler suggested that students being considered for the Junior Council Person Program include those who are homeschooled also. Councilman Rooney agreed, and noted they will include "residents of the Waynesboro Area School District".

Kevin Grubbs asked for clarification from Council regarding their approval of accent lighting at PENNDOT's Memorial Bridge project. Councilman Cermak stated that Council had approved decorative lighting on the abutments – and conduit will be installed for the capability of future lighting (when it has been decided who will pay for the lights). Secondly, Mr. Grubbs noted there is an existing street light (with one overhead cobra light) on the east side of the bridge in front of the car lot. PENNDOT is requiring that West Penn Power move that light 40' north into the parking lot, because they want it out of the roadway; but with the extension of the 16' arm, the light would be over the westbound lane of traffic. As the Borough will be paying for the light, President Mumma suggested that the Street Committee review the situation and report back. Mr.

Grubbs noted it was West Penn Power's suggestion that the matter be re-visited when the bridge project is completed (in hopes that that light can be placed in a more suitable location if PENNDOT will allow it in the right-of-way).

Scott Hershberger (MSW) reported that three (3) winners have been chosen for the banner contest, and they are currently seeking sponsorships for the banners to be on display for two (2) years from Broad to Grant Streets. Tickets are still available for the upcoming Chocolate Extravaganza event to be held on 03/05, and tickets will be available for sale on 02/22 for the Brewmaster's BeerFest on 05/21.

Councilman Oldham thanked the public for their attendance.

Councilwoman Rolls noted that she met with the WaynesboroFest Committee (along with Councilmen Rooney and Fleagle), and they are seeking members of the public who would like to assist in planning activities for the 2018 celebration. As this is also the Borough's Bicentennial year, they are looking to do something special. Interested individuals were asked to contact Harry Geesaman (717-860-3838). The committee will meet again on 04/18 at 7:00 p.m. in the Chamber of Commerce office.

Councilwoman Rolls thanked MSW for allowing her to attend their meeting the previous week. She noted that she plans to attend the meetings going forward.

Mayor Starliper advised that the that the Waynesboro Fire Police will be assisting with the Waynesboro School District's Cross Country Booster Club's Color Run event on 04/09 at the Municipal Golf Course.

Council adjourned to executive session at 8:46 p.m. They reconvened to regular session and adjourned at 9:28 p.m.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary