

JULY 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:

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

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 Wiser, Borough Solicitor (Salzmann Hughes, PC)

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.

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

PERSONNEL COMMITTEE: No report.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney reported that the following items were discussed at the 06/16 Property Committee meeting –

- Official Map) – No official update was provided, however additional components will be discussed at the 07/21 meeting.
- Walking Trail – An update was provided by the Borough Manager.
- Response to House Fire – Lori Frantz presented concerns regarding fire apparatus' response to a house fire. Deputy Chief Sanders met with her to address her concerns.

STREET COMMITTEE: Councilwoman Rolls noted that the Street Committee has heard complaints regarding speeding on E. Sixth Street. She made a motion to install a double yellow centerline on E. Sixth Street from Clayton Avenue to S. Church Street, at a cost of approximately \$1,600; to install seven (7) 25 mph speed limit signs on E. Sixth Street between Clayton Avenue and S. Church Street, at a cost of approximately \$420; and update pedestrian crosswalk signs, located between S. Broad Street and Walnut

Street, at a cost of approximately \$446. Councilman Cermak seconded; the motion passed unanimously.

The next Street Committee meeting is scheduled for 07/27 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle reported that the Downtown Revitalization Committee met on 07/12 –

- Mike Ross (Franklin County Area Development Corporation) and Dave Mackley (Franklin County Redevelopment Authority) were in attendance to discuss the possible use of funds from those organizations for “rehabbing” some of the commercial/residential properties downtown. Bob Correll was also in attendance to represent property owners and landlords, and discussions will continue.
- Bill Kohler (MSW) was in attendance. He gave an update on progress for the plaza.

The next Downtown Revitalization Committee meeting has been rescheduled from 08/02 to 08/09 at 10:00 a.m.

FINANCE COMMITTEE: Council members received the financial statements for June. It was noted there has been no further discussion on the Verizon mini-cell antennas, and the yearly street sweeper payment was made this week. Additional questions should be forwarded to the Borough Manager.

RECREATION BOARD: Councilman Rooney noted that the Recreation Board met on 06/22 at Northside Pool. Updates on pool operations this season were provided by the Borough Manager and Pool Manager. Discussion was held regarding swimming lessons, maintenance issues, membership initiatives for the remainder of the season, advertisement of the pool amenities and services, and emergency instances that have taken place (none have been major/serious, with the exception of one; and were handled by the staff in a very professional manner). Concerns were also brought forward regarding trees (overhanging limbs) in Memorial Park. The suggestion regarding “porta-potties” was discussed, and the Recreation Board was not in favor (as they are not aesthetically pleasing and there is a great potential for vandalism).

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

“On June 16th, along with Chief Sourbier, I attended the opening of the Hill Top Range at the Armory.

On June 17th, along with Chief Sourbier and members of the Police Department and Council, I attended the retirement luncheon of Sgt. Bock and Corporal Wagaman. We wish them the best.

On June 18th, I had the privilege of renewing the marriage vows for Krista and Jason Bartholow after 10 years of marriage.

On June 29th, I attended an after-hour mixer given by the F&M Bank.

On June 30th, I had the privilege of performing the wedding of Tammy Hedrick and Eric Robinson. We wish them the very best.

Also on the 30th, I attended the Chamber's mixer at the Waynesboro Municipal Golf Course.

On July 1st, I attended the preview event for Tractor Supply Company.

On July 4th, I participated in the Brothers of the Brush's annual July 4th parade. We thank them for their community involvement.

On July 11th, I attended the ribbon cutting for the Greenleaf Christian Counseling Office.

On July 14th, I attended the ribbon cutting for a new business, the Boro Motor Works.

On July 20th, I attended the Council of Governments meeting in Chambersburg."

Mayor Starliper reported on activities of the Fire Police --

- Washington Township Police Department has requested assistance on May 27, May 28, July 1 and July 2.
- The Borough of Mont Alto has asked for traffic assistance on July 30.
- The Buick Car Club of Virginia, requested their assistance in leaving the Keystone Family Restaurant on August 2.
- The Greencastle Police Department requested their assistance on August 7, August 10, August 11 and August 12.
- Their assistance with parking has been requested for a wedding reception on September 3.
- Their assistance with PippinFest was requested on September 24 and 25.

SOLICITOR'S REPORT: No report.

Councilman Fleagle inquired about progress on the health inspection services proposal which currently rests with Chambersburg's Solicitor. Solicitor Wisner noted that he heard from their solicitor (Mr. Fisher) last week. He has reviewed the agreement and will provide a reply after talking internally with Chambersburg's management.

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:

Randy Tuggle, 94 W. Main Street – Mr. Tuggle noted that he rents an apartment in the vicinity of the New Hope Shelter, which seems to have turned into a “halfway house” over the last several months. He has talked with the Police Department regarding his concerns for the safety of people in the community. In addition, his vehicle sustained damage recently in a hit/run incident (which, he was told by an eyewitness, involved an individual from the shelter). President Mumma noted that Council will look into the matter.

Nathan Green, 600 Park Street – Mr. Green described his concerns regarding the use of bows/arrows within the Borough, and asked Council to consider updating the firearms restrictions to include such.

Sheree Green, 91 W. Main Street – Ms. Green asked for an update on the inter-municipal agreement with the Borough of Chambersburg regarding health inspections. Solicitor Wisner reiterated his comments from earlier in the meeting.

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

A. Award of Contracts – None.

B. Routine

(1) Pay Bills – Check Details dated 06/20, 06/24, 07/01 and 07/11

(2) Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of June, 2016

Councilwoman Rolls seconded; the motion passed unanimously.

UNFINISHED BUSINESS

RESOLUTION FOR TAX ANTICIPATION NOTE (RESOLUTION NO. 2016-16): Solicitor Wisner noted, as Council is aware, the Borough is in the process of paving Fairview Avenue and Welty Road, which is funded through a reimbursement grant (which means the money must be spent first and then is reimbursed by the state). F&M Trust has provided a proposal for a Tax Anticipation Note to finance these expenses until they are reimbursed. He described the terms of the short-term note, which cannot be extended past 12/31/2016, which are included in Resolution No. 2016-16. Councilman Cermak made a motion to approve Resolution No. 2016-16, as presented. Councilman Rooney seconded; the motion passed unanimously.

RESOLUTION NO. 2016-16

WHEREAS, the Borough of Waynesboro, Franklin County, Pennsylvania (hereinafter the "Borough"), anticipates current revenues as yet uncollected; and

WHEREAS, the Borough has inadequate general funds for current expenditures in 2016; and

WHEREAS, the Borough desires to approve the issuance of a tax and revenue anticipation note in an amount not to exceed Five Hundred Fifty Thousand Dollars (\$550,000.00), which note is to be designated as Tax Anticipation Note, Series 2016; and

WHEREAS, the Borough has determined that it is necessary to borrow additional funds for the purpose of meeting current expenses by issuing a tax anticipation note to be repaid from said anticipated revenues; and

WHEREAS, Farmers and Merchants Trust Company of Chambersburg (hereinafter the "Lender") has submitted to the Borough a proposal to purchase a tax anticipation note of the Borough and the Borough desires by the adoption of this resolution to accept such proposal and authorize the issuance and sale of its tax and revenue anticipation note;

Complete copy on file at Borough Hall.

PER CAPITA TAX DISCUSSION: Borough Manager Stains reported that the Borough's per capita bills were sent out with the School District's recent mailing. It was his understanding that the Superintendent would be contacting members of Council regarding reimbursement of their costs in the amount of \$2,325.00; and if Council agrees, the School District would forward a bill for such after 01/01/2017. Councilman Fleagle made a motion to authorize the Borough Manager to place \$2,325 in the 2017 budget for these costs, with action on the actual bill to be taken if/when it is received. Councilman Rooney seconded. Mr. Stains noted that he has also contacted Keystone Collections regarding a proposed meeting with municipalities in the Waynesboro Area School District to discuss their proposal to prepare and collect per capita tax bills in the future. A vote was then called and the motion passed unanimously.

OCCUPATION AND PER CAPITA TAX EXONERATION CODES: Council members received a copy of the exoneration codes currently utilized by the School District for the occupation and per capita taxes. Discussion followed and Council concurred that the Tax Collector (Kara Geesaman) should be granted discretionary authority to exonerate per capita taxes based on the reasons listed. Councilman Fleagle made a motion authorizing the Borough Manager to prepare the appropriate resolution incorporating this discussion for Council's approval at their next meeting. Councilman Rooney seconded; the motion passed unanimously.

AUTHORIZATION FOR ADVERTISEMENT OF RFP FOR TOWING SERVICES: Mr. Stains noted that the proposed RFP for towing services has been under discussion/review since last year, and Council members received a copy of the final draft for authorization. Councilman Cermak made a motion to authorize advertisement of the RFP, as submitted. Councilwoman Rolls seconded; the motion passed unanimously.

NEW BUSINESS

REQUEST FROM WAYNESBORO POLICE DEPARTMENT FOR NATIONAL NIGHT OUT (AUGUST 2, 2016, 6:30 TO 8:30 P.M.): Councilman Cermak made a motion to approve the Police Department's request to hold National Night Out at Memorial Park on 08/02, from 6:30-8:30 p.m., in accordance with their correspondence of 07/08. Councilwoman Rolls seconded; the motion passed unanimously.

LETTER OF REQUEST FOR FRYE TIME EXTENSION: Kevin Grubbs presented a request for a 365-day extension of review time for the Robert W. & Margaret N. Frye Land Development from June 30, 2016 to June 29, 2017. Councilman Fleagle made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

DISCUSSION ON PRIVATE ALLEY BEHIND 218 W. FIFTH STREET: Kevin Grubbs noted that, during the land development process for MBT Products Design, discussion was held regarding the alley behind their property between Hamilton Avenue and Park Street. Mr. Grubbs noted that this is a private alley, has no utilities within it, and is shared equally by all adjoining property owners. In order to access full length of the alley for MBT Products Design, they will need to get agreements from each property owner as well as Borough Council's confirmation that this is a private alley and they have no interest in it. Councilman Fleagle made a motion to confirm that the Borough has no ownership interest in the alley in question behind 218 W. Fifth Street. Councilman Cermak seconded; the motion passed unanimously.

Secondly, Mr. Grubbs noted that the Planning Commission will be recommending that sidewalk be installed along Hamilton Avenue with regard to the MBT Products Design land development. He presented a request from MBT Product Design for a waiver of the ordinance requiring sidewalks along Park Street, due to the fact that no residential properties front on that part of Park Street (and is currently mainly grass). Councilman Cermak made a motion as such. Councilman Rooney seconded; the motion passed unanimously.

RUTTER'S FARM STORE WAIVER REQUEST: Kevin Grubbs presented a request from CHR Corporation (Rutter's Farm Store) for a waiver from the requirement to submit a land development plan for their planned construction of a 1,000 s.f. addition to the north side of their building located at 141 S. Potomac Street. David Martin, general counsel for Rutter's, was present to answer any questions. The addition will not create any new impervious surface area that would constitute a Stormwater Management Plan, and there are currently no zoning issues with the proposed project addition. Councilman Fleagle made a motion to waive the requirement for submission of a land

development plan, as requested. Councilwoman Rolls seconded; the motion passed 4-0 (Councilman Cermak abstained).

INGELS' PROPERTY AT WALNUT/S. BROAD STREETS: Kevin Grubbs noted that John Ingels, who is currently constructing a new home at the corner of Walnut and S. Broad Streets, had asked about a waiver for the requirement of sidewalk along S. Broad Street. It was noted that his original plans were to construct sidewalk along the property on Walnut Street, but Mr. Grubbs has not had an opportunity to discuss the matter with him further. Discussion followed regarding safety concerns for pedestrians due to the absence of sidewalk, as well as the feasibility of also installing sidewalk on the portion owned by the Borough from Walnut Street to the Ingels' property. Mr. Ingels will be asked to attend the next Council meeting; and in the meantime, Mr. Grubbs and Mr. Wisner will review the pertinent deeds regarding any use restrictions, etc.

YMCA'S REQUEST FOR ROOKIE CAMP AT NORTHSIDE POOL: Mr. Stains presented a request from the YMCA Swim Team to hold a Rookie Camp from 08/22-08/25 from 5:00-7:30 p.m. (in conjunction with the Borough) at Northside Pool. Any swimmer who can swim the full length of the pool would be welcome to sign up for the free event, which would be a great way for kids to explore competitive swimming. Lifeguards would be provided by the YMCA, as Northside Pool would be open at that time on weekends only. Councilman Rooney made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously. Mr. Stains noted that the YMCA will name the Borough as "additional insured" on their insurance policy for this event.

FOR INFORMATION ONLY

CITIZEN CONCERN RE: ORDINANCE NO. 1077: Charles Barnes, 526 W. Eighth Street, expressed his concerns on the enforcement of Ordinance No. 1077 with regard to tractor trailer parking on Walnut Street (adjacent to Memorial Park) in violation of this ordinance. Mayor Starliper was asked to speak with the Police Chief and to report back to Council regarding the matter.

FRANKLIN COUNTY AREA DEVELOPMENT CORPORATION'S ANNUAL INDUSTRY APPRECIATION DINNER (SEPTEMBER 8, 2016, 6:00 P.M.): Council members interested in attending were asked to contact Melinda Knott by 08/18.

PRESS QUESTIONS:

Corea Bowen, Herald Mail

Question: Requested clarification of the action on E. Sixth Street taken by the Street Committee.

- Councilwoman Rolls noted it was to install a double yellow centerline on E. Sixth Street from Clayton Avenue to S. Church Street, to install seven (7) 25 mph speed limit signs on E. Sixth Street between Clayton Avenue

and S. Church Street, and to update pedestrian crosswalk signs located between S. Broad Street and Walnut Street.

COUNCIL AND STAFF COMMENTS: Councilman Rooney noted that he has met with the two (2) candidates who applied for the Junior Councilperson and alternate positions, both of whom were highly motivated. He will make recommendations at the 08/17 Council meeting and will ask both individuals to be in attendance at the 09/07 for Council's approval and swearing-in by the Mayor.

Denny Benshoff reported that line painting throughout the Borough will begin next week and will take place at night (with the exception of centerlines) when traffic is less heavy.

Kevin Grubbs reported that the recycling part of the Fairview Avenue paving project, from Main to Third Streets, is completed; and the portion between Third and Fifth Streets should be finished this evening. They are prepping the area between Fifth and Sixth Streets for tomorrow, and they anticipate it will be totally "recycled" by Friday of this week. They will begin applying the wearing course next Wednesday, and the entire length from Main to Eighth Streets should be completed in three (3) days. Line painting will be completed afterward. They anticipate moving then to Welty Road, and should have it recycled in two (2) days. Mr. Grubbs stated that the entire process, which is new to Waynesboro, is quite impressive. He noted there are some soft spots, which very often occur with any street project. These will be taken care of at the end of the project(s).

Bill Kohler, Mainstreet Waynesboro Inc., noted that the parklet project is currently in a "holding pattern". They are working with the Borough to get the stormwater pipe connected; and following that, they will bid for hardscape. They feel confident that this work will be completed by late-fall. They are also working on potential grants to rehab the building at 21 E. Main Street and will continue with the façade grant program for downtown properties.

Mayor Starliper noted that President Mumma had requested several months ago that Committee Reports be provided to Council in their meeting packets. He suggested that this be followed for all items to be discussed at upcoming Council meetings.

Council adjourned to executive session at 9:25 p.m. to discuss personnel and code enforcement issues. They reconvened to regular session at 9:42 p.m. and adjourned at 9:43 p.m.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary