

SEPTEMBER 7, 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 – Delmos Oldham, Patrick Fleagle, Niccole Rolls, C. Harold Mumma, Chad Rooney and Michael Cermak

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder (alternate)

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)
Jim Sourbier, Police Chief

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

SWEARING-IN OF JUNIOR COUNCILPERSON(S): Councilman Rooney noted that Council had approved the appointment of Arianna Taylor as Junior Councilperson and Sophie Van Gilder as Alternate Junior Councilperson at their last meeting. Mayor Starliper administered the Oath of Office to both.

PRESENTATION/PROCLAMATION/RECOGNITION: Mayor Starliper presented a Proclamation to Dr. Larry Rogina declaring September 17th as National Optimal Health Day. Dr. Rogina distributed flyers regarding their event planned for that day at the Otterbein Community Recreation Park from 1-5 p.m.

EXECUTIVE SESSION: President Mumma noted that Council will hold an executive session at the end of the meeting. Action may be taken on one (1) item following the executive session.

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

PERSONNEL COMMITTEE: Councilman Cermak noted that a longevity wage rate increase for Bryan Chappell went into effect on 08/25/2016. Favorable performance evaluations were received for Robert Biesecker, Steve Biesecker, Jerry Hartman, Craig Myers, Larry Freeman and Ray Wagaman – no action was required.

Councilman Cermak noted that action was to be taken on a letter of resignation from the Building Board of Appeals which was received from Ira “Bud” Mickley. Unfortunately, Mr. Mickley passed away earlier this day.

Councilman Cermak made a motion to approve the hiring of Robert Luchs as a temporary employee with the Maintenance Department, at a salary of \$13.61/hour. Councilman Rooney seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney noted that the August meeting was canceled due to the lack of new business. The next meeting is scheduled for 09/15 at 6:00 p.m., when they will discuss proposed updates to Ordinance No. 682, security measures for identified areas in the Borough, and the timeline for completion of the Official Map.

STREET COMMITTEE: No report. Councilwoman Rolls noted that the next Street Committee meeting will be held on 09/28 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle reported that the Downtown Revitalization Committee met on 09/06 and discussed the following –

- Update from MSW Downtown Manager – Bill Kohler reported that they are pursuing grants for 21 E. Main Street. The Borough’s Maintenance Department will be doing the storm sewer work in the near future, and K & M Dri-Lay has agreed to replace the brick sidewalk when that work is completed.
- Market Day – Will be held on 10/01.
- Downtown Lighting – Mr. Fleagle asked the status of the damaged light in front of Christine’s Café. Mr. Stains noted it is ordered and will be replaced by West Penn Power. Councilwoman Rolls also noted that she will be meeting with a West Penn Power representative next week to identify areas where additional lighting is needed.
- Health Board Update – There has been no response yet from the Borough of Chambersburg regarding Waynesboro’s proposed requirements.
- Archway for S. Mulberry Street – Kevin Grubbs is working with Bob Correll on permitting, etc. for the proposed archway at S. Mulberry Street, and the project is moving forward.
- Brick Crosswalks and Sidewalks – Brick crosswalks in Center Square will be milled out sometime next year. Maintenance/care of the brick sidewalks was also discussed. Kevin Grubbs noted that the Sidewalk Ordinance was modified to include specific maintenance requirements (and a penalty clause for violations) when the brick sidewalks were installed downtown. This matter will be discussed further at the next Committee meeting.

Councilman Cermak mentioned that one of the items included in the Health Board request to the Borough of Chambersburg was the inspection of tattoo establishments,

however they do not inspect them. He requested that a decision be made on those inspections prior to January 1st when the new licenses are issued. President Mumma requested that the staff discuss the matter and provide recommendations for discussion by Council at the next meeting.

FINANCE COMMITTEE: President Mumma noted that Council's first budget meeting will be held on 09/26 at 6:30 p.m.

RECREATION BOARD: Councilman Rooney reported that the Recreation Board met on 08/24 and discussed the following –

- Walking Trail – Planning/preparation is coming to an end, and clearing of the land will begin in mid to late-September
- Little Libraries – One (1) Little Library has been placed at Northside Pool, and several more will be built by a local Boy Scout to be placed in other Borough parks.

The next Recreation Board meeting will be held on 09/28 at 6:30 p.m. at Memorial Park.

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

“On August 18th, I attended the Greencastle Chamber of Commerce's Breakfast with Mike Ross as the speaker.

On August 25th, I had the privilege of marrying Angel Mercer and Juan Camposs. We wish them the best.

Also on the 25th, I attended the Chamber's mixer at Applebee's.

On September 2nd, I had the privilege of marrying Rita Thomas and Keith Pierce. We wish them the best.

Also on the 2nd, I swore in William Sublett as one of our newest police officers.

As you just heard, I presented a Proclamation in honor of National Optimal Health Day.”

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:

Nathan Green, 600 Park Street – Mr. Green noted that he attended a Council meeting in July to discuss the possibility of an ordinance revision, and thanked Councilman Rooney for placing the item on the Property & Public Safety Committee’s agenda for discussion and recommendation to Council.

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

A. Award of Contracts – None.

B. Routine

(1) Pay Bills – Check Details dated 08/19, 08/26 and 09/06

C. Previously Discussed Items – None.

Councilwoman Fleagle seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER ORDINANCE RE: GRASS AND WEEDS FOR ADOPTION: Manager Stains noted that this proposed revision has been duly advertised and is before Council for their consideration at this time. Councilman Cermak made a motion to adopt the ordinance, as presented. Councilman Rooney seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NO. 1088 RELATING TO GRASS AND WEEDS GREATER THAN TEN INCHES IN HEIGHT, AND ENACTING A NEW ORDINANCE DECLARING GRASS, WEEDS, OR OTHER VEGETATION GREATER THAN TEN (10) INCHES IN HEIGHT TO BE A NUISANCE, PROVIDING FOR ABATEMENT OF NUISANCE AND PROVIDING PENALTIES FOR VIOLATION OF ORDINANCE

Complete copy on file at Borough Hall.

NUISANCE ORDINANCE: Mr. Stains noted that Council was presented with a draft Nuisance Ordinance at their last meeting. At that time, discussion was held regarding trash cans in the public right-of-way. Code Enforcement Officer Dan Sheffler noted there are very few areas in town where there is no access to the rear of the buildings, outside of Main Street; and typically, the problem with trash cans on the sidewalks is not downtown. This ordinance would provide a means for enforcement of this regulation. After discussion, Solicitor Wiser was instructed to modify the draft to include a clause for

exceptions in the case of a hardship. Council will review the proposed revision and authorize advertisement at their next meeting.

NEW BUSINESS

REQUEST FROM RENFREW RE: GOURMET DINNER AT ROYER HOUSE: Mr. Stains presented a request from Renfrew Museum and Park regarding their fundraiser event on 10/01 at the American Legion. During the event, they plan to auction off a gourmet dinner for eight, prepared by a chef, and served in the Royer House in December. They would like to serve wine or beer to the guests as part of the dining experience, and are requesting Council's waiver of the no-alcohol rule for that date only. Councilman Cermak made a motion to approve the request. Councilman Rooney seconded; the motion passed unanimously.

"PARK IN THE PINK" REQUEST FROM BREAST CANCER AWARENESS-CUMBERLAND VALLEY, INC. (OCTOBER 3-14, 2016): Mr. Stains presented the annual request from Breast Cancer Awareness-Cumberland Valley, Inc. to place pink ribbons on the parking meters and trees along Main Street from 10/03 to 10/14. Councilman Oldham made a motion to approve the request. Councilman Rooney seconded; the motion passed unanimously.

"LIGHT THE NIGHT" REQUEST FROM CALVARY ASSEMBLY OF GOD (OCTOBER 27, 2016): Mr. Stains presented correspondence from Calvary Assembly of God regarding their annual "Light the Night" event on the Borough's Trick-or-Treat night (10/27). They are requesting permission to close Snider Avenue, from Potomac Street to the alley adjacent to their property, from 5:00-8:30 p.m. Councilman Oldham made a motion to approve the request. Councilman Rooney seconded; the motion passed unanimously.

RFP FOR HVAC REPLACEMENT AND MAINTENANCE SERVICES: Mr. Stains presented a proposed RFP for Council's review and authorization for advertising to replace the oil burner in Borough Hall. Councilman Cermak made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

TIME EXTENSION REQUEST FOR LAND DEVELOPMENT PLAN REVIEW (MBT PRODUCT & DESIGN) AND UPDATE ON GREEN STREET ABANDONMENT: Mr. Grubbs noted that a time extension request had been received from MBT Product & Design (the plans had been recommended for approval by the Planning Commission and are under Council's review at this time), but Mr. Taylor has since decided to withdraw the project. A formal letter will be forthcoming.

He added that Jack Abbott, current owner of the property, would like to continue with the process for abandonment of that portion of Green Street. The required hearing for the abandonment will be held at some time in the near future (when all the necessary paperwork has been completed). All adjoining property owners will be notified when the hearing is scheduled, and the boundaries will be staked out for public viewing.

ST. ANDREWS CATHOLIC SCHOOL ONE-MILE FUN RUN: Mr. Grubbs noted that the St. Andrews Catholic School plans to hold a one-mile fun run during Market Day (10/01), starting at 8:00 a.m. A meeting was held with all parties involved and the route was modified to avoid streets included in the Main Street detour. CFAR will provide trained volunteers for traffic control, and an additional meeting will be held prior to the event to ensure there are no conflicts. Councilman Oldham made a motion to approve the event. Councilman Rooney seconded; the motion passed unanimously.

FOR INFORMATION ONLY

CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION MEETING (SEPTEMBER 27, 2016): Mr. Stains reminded Council members of the upcoming CFCBA meeting on 09/17. Those planning to attend were asked to confirm with Melinda Knott.

POISON HEMLOCK: Information was provided by the Penn State Extension Office regarding the spread of poison hemlock in many regions of PA, including Franklin County. Copies will be provided to the media for publication.

PROPOSED 2017 BUDGET MEETING SCHEDULE: Mr. Stains reviewed the proposed 2017 budget meeting schedule for Council's approval. Councilman Oldham made a motion to authorize advertisement of the schedule, as presented. Councilman Fleagle seconded; the motion passed unanimously.

PRESS QUESTIONS:

Jennifer Fitch, Herald Mail

Question: Where did you leave things with the Nuisance Ordinance?

- Jason Stains – The solicitor and I will work on a clause to address appeal of the provision for hardships related to removal of trash cans from the public right-of-way. An updated draft will be presented to Council at their next meeting for authorization to advertise it for proposed adoption.

COUNCIL AND STAFF COMMENTS: Mr. Stains noted that Council received a letter from Dr. Diana Lyon-Loftus regarding a tripping hazard adjacent to the Rotary parking lot. The matter will be forwarded to the Street Committee for discussion at their next meeting.

Mr. Stains reminded Council and the public that the Annual Dog Swim at Northside Pool will be held on 09/10 from 1-4 p.m. The cost is \$5.00 for the first dog and human, with a maximum of \$20.00/family. Donations of dog food and supplies will also be accepted for the Antietam Humane Society, who will be in attendance at the event this year. Proceeds from the Dog Swim will go to the Dog Park Fund.

Mr. Stains reported that Smith Elliott Kearns & Company anticipate that the 2015 audit will be completed within the next 1-2 weeks, and they will attend a future meeting to present their audit findings.

Council members have been invited to attend the WBA's annual picnic/meeting at the Water Treatment Plant on 09/20, beginning at 5:00 p.m. RSVP's are to be forwarded to Melinda Knott.

Mr. Stains noted that a "flash sale" for 2017 memberships was held at Northside Pool on Labor Day, which netted in excess of \$6,500.

Councilman Rooney congratulated Junior Councilpersons Arianna Taylor and Sophie Van Gilder for their appointments.

Councilman Cermak thanked the public for their attendance.

Kevin Grubbs noted that Council members will receive information on the Zoning and Subdivision/Land Development Ordinance updates next week. A public hearing regarding the matter will (most likely) be held on 11/16.

Mr. Grubbs reported that he attended a pre-construction meeting last week regarding the Memorial Bridge project. PENNDOT's contractor will begin next week on relocation of the 12" water line, but actual construction of the bridge won't begin until 2017.

Mr. Grubbs advised that he was contacted by Johnson Controls about problems with drainage at one of their buildings, which leads into the storm sewer that runs to their property (where the Borough's 3.5'x3.5' concrete box is located). When their contractor was on site, he discovered severe damage to the Borough's storm sewer. Mr. Grubbs will be attending a meeting to view the extent of the damage and will report back on the necessary repairs.

Arianna Taylor thanked Council for the allowing she and Sophie the opportunity to serve as Junior Councilperson(s) and for being so welcoming. Sophie Van Gilder added that they are looking forward to future projects with the Council.

Chief Sourbier reported that the two (2) recent hires have progressed well in their field training, which will continue for several more months before they are authorized for solo patrol. On 09/28 at 6:00 p.m., a Town Hall meeting will be held at the Otterbein Ministry Center regarding opiate use/abuse in Franklin County.

Renfrew Executive Director Dade Royer reminded Council of the upcoming Bell Pottery dedication to be held on 09/10 at 11:00 a.m. and dedication of the newly-restored lime kiln on 09/23. Oktoberfest, which will be held at the end of Market Day on 10/01, will be held at the American Legion; and the annual PumpkinFest event will be held on 10/15.

Councilman Oldham thanked the public for their attendance and reminded them to honor those lost on 09/11, as well as military personnel serving to allow our rights and freedoms.

Mayor Starliper congratulated Dustin Haluska for serving as a director on the Advocacy Board. He asked for clarification on the posting of yard sale signs on utility poles. Dan Sheffler responded that the State Crimes Code (enforced by the Police Department) deals with signs attached to utility poles, but he removes those posted on street signs and sends the individuals a courtesy letter advising them that this is prohibited.

Council adjourned to executive session at 8:45 p.m. They reconvened and adjourned the meeting at 9:15 p.m. with no action being taken.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary