

SEPTEMBER 21, 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, C. Harold Mumma, Chad Rooney and Michael Cermak (Niccole Rolls via videoconference, however the connection was lost several minutes into the meeting)

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)

**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 for discussion on litigation, code enforcement issues and personnel matters.

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

**PERSONNEL COMMITTEE:** Councilman Cermak noted that a wage rate increase for William Sublett went into effect on 09/02 (as he received Act 120 certification). No action was required.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Rooney noted that the Property Committee met on 09/15 and discussed the following –

- Official Map – Kevin Grubbs presented maps currently completed as part of the Official Map. The Engineering Department continues to work on the utilities map and historical map – once those are completed, they will be made available for public comment and/or suggestions.
- Demolition of Garage – The Borough Manager is working on costs for demolition of the garage in the alley behind Borough Hall, which may take place in late fall or early winter. Items currently stored in the garage are being relocated.

- Walking Trail – The timeframe for the grant has been extended to 10/31/2017. Discussion was held regarding the use of bicycles on the walking trail -- this will be discussed further with the Recreation Board for recommendations to Council.
- Modifications to Ordinance No. 682 – Members of the public (and Nathan Green, who had presented the need for proposed modifications at a previous Council meeting) made suggestions for changes needed in the current ordinance. Mr. Rooney will meet with the Police Chief prior to the next Property Committee and will forward the Committee's recommendations to the Solicitor for review.
- Security Cameras – Discussed areas of concern within the Borough in response to the Police Chief's request to install several cameras in areas of high criminal activity.
- Community-Based Programs to Support Police Department – Research has been done on community-based programs that would allow for citizens to better support the Police Department's efforts in combatting criminal behavior and drug activity in the Borough. Discussion will be held with the Police Chief regarding the possibility of implementing a program of this nature in the future. Mr. Rooney announced that there is an Opiate Town Hall meeting on 09/28 at 6:00 p.m. at the Otterbein Ministry Center.

The Property Committee's next meeting will be held on 10/20 at 6:00 p.m.

**STREET COMMITTEE:** Mr. Stains noted that he received a text message from Councilwoman Rolls – she was unable to hear the meeting, but asked him to convey that the next Street Committee meeting will be held on 09/28 at 9:00 a.m.

Councilman Fleagle asked the status of repairs to the flashing lights at the Mulberry Street crosswalk. Mr. Grubbs noted that PA PERCS had to take equipment back to their shop for repair. They are waiting for materials on order, anticipate it will be back in-service in the near future.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**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 noted there was no Recreation Board meeting since Council's last meeting. Their next 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 September 8<sup>th</sup>, I attended the ribbon cutting of the new business, Shear Impressions.

On September 8<sup>th</sup>, along with Borough officials, I attended the FCADC banquet.

On September 9<sup>th</sup>, as a member of the PSAB's Conference Committee, I attended a meeting in Hershey to help plan next year's convention.

On September 10<sup>th</sup>, I attended the ribbon cutting for the new Pet Value Store in the Waynesboro Mall.

Also on the 10<sup>th</sup>, along with Councilman Fleagle, I attended the dedication of the collection of pottery given to Renfrew Museum by Mr. and Mrs. Charles Bell.

On September 11<sup>th</sup> as a member of the committee, I attended the 9-11 memorial service at Red Run Park.

On September 14<sup>th</sup>, I attended the Chamber's mixer at the F&M Bank.

On September 15<sup>th</sup>, I was invited and attended to speak to Ms. Sue James' day care kids.

On September 17<sup>th</sup>, I attended and presented a Proclamation to the Acacia Lodge No. 586 for their 125<sup>th</sup> anniversary celebration.

On September 18<sup>th</sup>, I attended and presented a Proclamation to the Waynesboro Community Concert Association in honor of their 80<sup>th</sup> year in the community.

On September 19<sup>th</sup>, I spoke to the cub scouts and leaders of Pack 88.

On September 21<sup>st</sup>, along with Manager Stains, I attended the COG meeting in Chambersburg."

**SOLICITOR'S REPORT:** Subsequent to discussion at the last meeting regarding the Nuisance Ordinance, Solicitor Wisner presented Council members with proposed language regarding potential exemptions/provisions regarding the storage of trash cans at the front of a property. He read and explained the proposed language. Councilman Fleagle made a motion to authorize advertisement of the proposed ordinance for Council's consideration at the next meeting. Councilman Rooney seconded; the motion passed unanimously.

Council also discussed the Tattoo Ordinance at the last meeting. After review of the ordinance enacted in 1995, Mr. Wisner recommended that the ordinance be modified. He clarified that Council's intent is to ensure that items necessary for a cleanly environment are present; and the inspection can then be done by the Code Enforcement Officer (or his designee). Councilman Rooney made a motion to authorize

the Solicitor and staff to develop an updated ordinance. Councilman Oldham seconded; the motion passed unanimously.

**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 Consent Agenda, as follows –

A. Award of Contracts – None.

B. Routine

(1) Approval of Minutes – August 17, 2016 (regular meeting)

(2) Pay Bills – Check Details dated 09/12

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

C. Previously Discussed Items – None.

Councilwoman Oldham seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

**CLOSE-OUT LAND DEVELOPMENT PLANS FROM REVIEW PROCESS (MBT PRODUCT DESIGN & MANUFACTURING):** Kevin Grubbs noted that Mark Taylor, owner of MBT Product Design & Manufacturing, has submitted notification that he will be terminating the proposed land development at 218 W. Fifth Street. Councilman Oldham made a motion to accept Mr. Taylor's plan withdrawal. Councilman Rooney seconded; the motion passed unanimously.

### **NEW BUSINESS**

**RECOMMENDATION OF PAYMENT (2016 COLD IN-PLACE RECYCLING & STREET OVERLAY – FAIRVIEW AVENUE AND S. WELTY ROAD):** Mr. Grubbs reported that the project came in under budget – the contract price was \$523,745, but actual costs were \$494,703.38. He recommended that payment be made, with a retainer of \$10,000 until further notice, as there is a section of concrete that was damaged during the road construction and is in need of replacement. Councilman Cermak made a motion to approve payment to New Enterprise Stone & Lime Company in the amount of \$484,703.38. Councilman Rooney seconded; the motion passed unanimously.

**SALE OF ENGINE TANKER 2:** Mr. Stains noted that the Fire Department placed Tanker 2 out-of-service some time ago and is exploring avenues for its sale. As there are several interested parties, he recommended that Council allow the Fire Department to move forward with the sale of Engine Tanker 2 (at a price of no less than \$30,000). Money from the sale of the apparatus should be placed in an interest-bearing account designated for the Fire Department for a replacement piece of their choosing in the future. (Clarification was made that the volunteers purchase the equipment and turn it over to the Borough for insurance purposes.) Councilman Fleagle made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

**FRANKLIN COUNTY TOURISM GRANT:** Mr. Stains requested Council's permission to approach Franklin County for another round of grant money to complete paving of the walking trail. Work on the trail will begin next month, and most of the grant money will be utilized for the excavation and bridge that must be installed; this new round of funding would be used to finish it to a paved-quality trail. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

**WASTE MANAGEMENT COLLECTION START TIMES:** Mr. Stains noted that Waste Management has requested to begin collections at 5:00 a.m. (instead of 6:00 a.m.) on a permanent basis. They feel that this will alleviate congestion and be safer for children walking and being transported to school. The start time in the ordinance can be amended by resolution, but the ordinance allows for the Borough Manager to temporarily amend the start time for 30 days. He recommended waiving the start time to allow for 5:00 a.m. collections for 30 days, and if there are no major complaints, prepare the appropriate resolution for Council's approval at the next meeting. Council concurred.

**RESOLUTION NO. 2016-21 RE: SEWER RATE INCREASE:** Mr. Stains presented Resolution 2016-21 to approve action recommended by the Waynesboro Borough Authority to increase sewer rates by 15%, effective with the October billing cycle.

WBA Chairman Jon Fleagle was present to explain the need for this increase. He noted that the WBA borrowed money from PENNVEST to do state-mandated upgrades to the Wastewater Treatment Plant. One of the conditions in the loan agreement was that the rates must be sufficient to service the debt and cover operating costs. The plant has been in operation for a year now, and they know what annual costs of operation will be. Accordingly, they are proposing a 15% rate increase in order to comply with the loan agreement. It was noted that Waynesboro's rates are still lower than many other municipalities in the area. Councilman Fleagle made a motion to approve Resolution 2016-21, as presented. Councilman Oldham seconded; the motion passed unanimously.

#### **RESOLUTION 2016-21**

WHEREAS, the Borough Council of the Borough of Waynesboro has adopted a Sewer Use Ordinance, and

Complete copy on file at Borough Hall.

**FOR INFORMATION ONLY**

**2017 MINIMUM MUNICIPAL OBLIGATION TO EMPLOYEE PENSION PLANS:** As a requirement of Act 205, Manager Stains presented information to Council regarding the Borough's Minimum Municipal Obligations, as follows:

|                               |                     |
|-------------------------------|---------------------|
| Non-Uniformed Employees' Plan | \$ 70,496.95        |
| Police Pension Plan           | <u>\$125,266.51</u> |
| TOTAL:                        | \$195,763.46        |

**INVITATION TO GREATER WAYNESBORO CHAMBER OF COMMERCE'S 96<sup>TH</sup> ANNUAL BANQUET (OCTOBER 13, 2016):** Council members were invited to attend the Chamber of Commerce's annual banquet. Those interested in attending were asked to RSVP to Melinda Knott.

**HOMECOMING PARADE:** For information, it was noted that Mayor Starliper approved the Waynesboro Area Senior High School Student Council's request to hold their annual Homecoming Parade on 10/14, beginning at 5:30 p.m., on E. Second Street from the Summitview parking lot west to the school's entrance behind D-wing.

**PRESS QUESTIONS:**

Jennifer Fitch, Herald Mail

Question: At which meeting in October will the Nuisance Ordinance be considered?

- President Mumma noted it will be considered at the October 5<sup>th</sup> meeting (it was clarified that the budget meeting will begin at 7:00 p.m., but Council will meet in regular session at 7:30 p.m. to take action on the Nuisance Ordinance and return to the budget meeting thereafter).

Question: Where is Council in the process regarding downtown security cameras?

- Councilman Rooney noted they are only at the beginning of that process. At this point in time, it is just being discussed.

Question: Do you have any idea how many you might want?

- Councilman Rooney stated, not at this time. This would be determined after recommendation by the Police Chief.

Question: You mentioned areas of concern ... are there any specific areas you are looking to target?

- Police Chief Sourbier noted he is looking to target areas where they have the most unwitnessed or underreported criminal activity ... and that remains to be studied and determined.

Question: Has anyone talked to Chambersburg about how their program is working?

- Chief Sourbier noted that he has received positive feedback from them.

Question: Are you looking to have live monitors or ones that record/store images?

- Chief Sourbier noted that this is an initial conversation and he cannot state what technology will be available.

Dustin Haluska, Record Herald

Question: When will the new sewer rates be effective?

- Jon Fleagle responded that the rates will not be fully effective until January, because of the billing cycles (which he explained).

**COUNCIL AND STAFF COMMENTS:** As these jobs are sometimes very “thankless”, Councilman Rooney noted that several art galleries in Waynesboro will be honoring individuals on 09/27 from the Waynesboro Fire Department, Volunteer Department, Waynesboro Ambulance Squad, Medic 2, Waynesboro Police Department, Washington Township Police Department and the staff at Waynesboro Hospital’s Emergency Department.

Bill Kohler, Mainstreet Waynesboro, Inc., reminded the public of Market Day on 10/01. Approximately \$6,000 in façade grant money has been distributed to several businesses downtown, and applications are being still being accepted through the program. The Borough’s maintenance department, in conjunction with D. L. George, will be working on the storm sewer work, etc. at the parklet. Updated drawings for the parklet will be available to Council and the public at the next meeting.

Mayor Starliper reported that the Fire Police will be assisting with Circle 8H Auctions on 09/24 and 10/01.

Council adjourned to executive session at 8:17 p.m. They reconvened to regular session at 8:49 p.m. and adjourned the meeting.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary