

OCTOBER 19, 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
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 announced that Council met in executive session at 6:30 p.m. this evening to discuss personnel and code enforcement issues.

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS

Amy Kaufman, GMS Funding Solutions – Ms. Kaufman provided an update on grant applications submitted in 2016, grants they expect to see awards for this year, and grants they would like to pursue before the end of the year as follows:

1. Greenway, Trails and Recreation Program (through DCED and Commonwealth Financing Authority) – requested \$250,000 for Memorial Park Rehabilitation – 85% grant/15% match program – expecting a decision on 10/24
2. C2P2 or Community Conservation Partnership Program (through DCNR) – requested \$150,000 to be used in conjunction with previous grant mentioned for Memorial Park Rehabilitation (used for match amount to reduce out-of-pocket costs) – 50/50 match – no firm date on decision
3. Second Franklin County Tourism & Quality of Life Enhancement Program – requested \$61,917 as additional funding for walking trail – will probably have a decision by the end of 2016
4. Community Facilities Program (through USDA) – requested \$82,146 for 2 new police vehicles – grant/loan -- award to be announced in the first part of 2017

TOTAL: \$544,063 pending

GMS would also like to pursue a second PENNDOT Multi-Modal Transportation Program (the first application resulted in \$500,000 to reconstruct Fairview Avenue and Welty Road) for pedestrian facilities (lighting and other safety mechanisms throughout the Borough). This is a 70/30 matching grant and applications are due by 12/16. They are currently working on the scope of work and anticipate returning to Council in November with a resolution authorizing submission of the grant application. Awards for this program are anticipated in June or July of 2017.

Kevin Stouffer, Smith Elliott Kearns & Company – Mr. Stouffer had planned a PowerPoint presentation, however there were technical difficulties and he noted he will email his presentation to Mr. Stains for distribution to Council. He reported that Smith Elliott issued an “un-modified audit opinion” for 2015 (which is the best opinion that can be issued). He reviewed and explained their findings, material weaknesses discovered and information regarding recommendations and internal controls.

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

PERSONNEL COMMITTEE: Councilman Cermak noted that he received favorable performance evaluations for John Baumgardner, Kevin Grubbs and Darryll Wagaman – no action was required.

Councilman Cermak acknowledged receipt of a letter of resignation from Steve Biesecker, effective 10/31/2016; and a notice of retirement from Jerry Hartman, effective 03/01/2017.

Councilman Cermak made a motion to approve a step increase for Mike Ely to salary level 10E, effective on 10/15/2016. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Peggy Martin to salary level 7B, effective on 09/17/2016. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Doug Mouer to salary level 5B, effective on 11/12/2016. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for D'Lynn Scheeler to salary level 8B, effective on 09/17/2016. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to authorize the Police Chief to make a conditional offer of employment for the position of Records Clerk/Receptionist to Krystin Young. Councilman Rooney seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the promotion of Stuart Hannah to Police Corporal, effective with the next pay period (10/30/2016). Councilman Rooney seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Rooney noted that the next Property Committee meeting will be held the following night (10/20) at 6:00 p.m.

STREET COMMITTEE: Councilwoman Rolls made a motion to extend the snow emergency routes on S. Potomac Street from E. Second Street to Cemetery Avenue and on W. Main Street from Fairview Avenue to Tritle Avenue; and to implement a snow emergency route on N. Grant Street from W. Main Street to W. North Street. Councilman Cermak seconded. Mr. Grubbs will provide information to Council regarding costs for the purchase and installation of required signs. After discussion regarding the availability of off-street parking, the motion and second were withdrawn pending additional information.

The next Street Committee meeting will be held on 10/26 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle noted that the Downtown Revitalization Committee met on 10/04 and discussed the following –

- Adler Property – Redevelopment plans (and the joint offer for assistance through the FCADC and the Redevelopment Authority) were discussed.
- 21 E. Main Street – MSW is applying for funding through the Redevelopment Authority for 21 E. Main Street.
- Parklet/Plaza – An update of the plaza project was given. The storm sewer work has been completed and the brick sidewalk has been replaced.
- Events – A Market Day “wrap-up” and outline of the Tree Lighting Ceremony and Holiday Parade plans were given.
- Street Lighting – The damaged light in front of 98 W. Main Street has been replaced.
- Crosswalks – Brick crosswalks in Center Square will not be replaced as stamped brick, and no work will be done on them until after the winter. .
- Vagrancy – Concern was expressed about vagrancy in the 100 block of W. Main Street. Bill Burcker from New Hope Shelter and Police Chief Sourbier will be invited to attend the next meeting to discuss some things that can be done.

Next meeting scheduled for 11/15 at 10:00 a.m.

FINANCE COMMITTEE: President Mumma reported that Council has held several budget meetings so far, and the next meeting is scheduled for 10/26.

RECREATION BOARD: Councilman Rooney noted there will be no Recreation Board meeting in October.

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

“On October 6th, I attended the Chamber's mixer at Representative Paul Schemel's office.

On October 13th, I attended the Chamber's annual banquet at Green Grove Gardens.”

Mr. Starliper noted that the Fire Police will be assisting at Greencastle's parades on 10/28 and 11/29, as well as Mercersburg's parade on 10/31. He thanked the Borough's Maintenance Department for their work on paving the alley beside the Library, and reported that John McFerren (retired police officer) passed away.

SOLICITOR'S REPORT: No report.

MANAGER'S REPORT: Mr. Stains reported the following –

- Council received a thank you note from Pat Mickley (for flowers and condolences sent following Mr. Mickley, a former employee's, passing.
- Two (2) versions of the General Fund budget were provided to Council and will be discussed in detail at the 10/26 budget meeting.
- The alley beside the Library (as mentioned by the Mayor) has been repaved, and he commended the Maintenance Department on the work. Assistance was also received from Washington Township. The project was budgeted at \$27,000, but cost only \$17,000.
- The Maintenance Department is currently working on a water line project on Tritle Avenue.
- Work will hopefully move forward on the garage demolition before the end of the year, and he has been advised that MSW's Christmas decorations have “found a new home”.
- Council received a list of names/addresses of S. Phillips Avenue residents who received a letter regarding trees on that street.
- He and Chief Sourbier met with tow operators regarding the recently-issued Towing Services RFP. None are interested in pursuing the RFP process and would rather stay “status quo” in terms of a call list from the County for accidents. They would also be willing to work together and allow police or administrative staff to call during snow emergencies or other issues when cars need to be towed. They will be required to name the Borough as “additional insured” on their policies.

JUNIOR COUNCILPERSONS' REPORT: Junior Councilperson Van Gilder requested that the Police Chief or a police officer speak at the high school, due to the growing number of drug and alcohol problems in the community. She added that their eighth grade health class was the last time they were educated on drug and alcohol issues, and she feels it is important for high-school students to be reminded about these matters. It was noted that this is an excellent idea and Mayor Starliper was tasked with making arrangements for such a program.

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: Tyler Rooney, 111 S. Broad Street, requested that Council consider making Pen Mar Street one-way (with cars going onto S. Broad Street), as it is too narrow for two cars traveling in opposite directions to pass. The matter was referred to the Street Committee for discussion at their meeting on 10/26.

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

A. Award of Contracts

1. Water Treatment Chemicals

- Liquid Chlorine #2000 cylinder - Univar
- Liquid Chlorine #150 cylinder -Univar
- Sodium Hypochlorite – Brenntag Northeast
- Hydrofluorosilicic Acid – Brenntag Northeast
- Sodium Polyphosphate – Shannon Chemical
- Blended Liquid Phosphate/Silicate – Shannon Chemical
- Caustic Soda (684 lb. Drum) – Brenntag Northeast
- Caustic Soda (220-gallon tote) – Coyne Chemical
- Hydrated Lime – Brenntag Northeast
- Activated Carbon – Brenntag Northeast
- Potassium Permanganate – Shannon Chemical
- Liquid Polymer – Coyne Chemical
- Aluminum Sulfate – USALCO
- Polyaluminum Chloride – Gulbrandsen Technologies
- Magnesium Hydroxide (Bulk) – Univar
- Magnesium Hydroxide (Tote) – Univar
- Methanol – Univar

2. Snow Plowing – D. L. George

B. Routine

- (1) Approval of Minutes – September 7, 2016 (regular meeting), September 21, 2016 (regular meeting) and October 5, 2016 (regular meeting)
- (2) Pay Bills – Check Details dated 09/19 and 09/26

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

Councilman Rooney seconded; the motion passed unanimously.

UNFINISHED BUSINESS

RESOLUTION NO. 2016-23 RE: TRASH COLLECTION TIMES: Mr. Stains noted this was discussed by Council last month. At that time, Waste Management was granted permission to begin curbside collections at 5:00 a.m. (instead of the normal 6:00 a.m.) on a trial basis for 30 days. During that time, no complaints were received. He recommended making the change permanent and presented Resolution No. 2016-23 for approval. He added that he will also discuss the issue of collecting yard waste outside of those hours with Waste Management. Councilman Oldham made a motion to approve Resolution No. 2016-23, as presented. Councilman Fleagle seconded; the motion passed unanimously.

RESOLUTION NO. 2016-23

WHEREAS, Ordinance No. 935 provides for the establishment of a municipal collection and disposal service for all garbage, rubbish, ashes and recyclables accumulated in the Borough and makes regulations for the collection and disposal of all such garbage, household rubbish, ashes and recyclables; and

Complete copy on file at Borough Hall.

NEW BUSINESS

POLICY RE: SALE OF BOROUGH PROPERTY UNDER \$1,000 (RESOLUTION NO. 2016-22): Mr. Stains presented proposed Resolution No. 2016-22 to address the sale of unused Borough property valued at less than \$1,000. This resolution would allow the Borough Manager to determine the value, establish a minimum sale price, solicit and accept offers for purchase, and proceed with selling the property or rejecting the offers. Once the item is sold, the Borough Manager would be required to notify Council of the sale. Councilman Cermak made a motion to approve Resolution No. 2016-22, as presented. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION NO. 2016-22

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY,
PENNSYLVANIA ESTABLISHING A POLICY FOR THE SALE OF BOROUGH
PROPERTY UNDER \$1,000

Complete copy on file at Borough Hall.

PLANNING COMMISSION ITEMS: Kevin Grubbs presented information regarding the following plans reviewed by the Waynesboro Planning Commission at their meeting on 10/10 --

(1) Final Subdivision Plan – Mary B. & Ronnie B. Martin 14, LLC

This subdivision is for the purpose of a 31,336 s.f. lot addition to be conveyed to Henicle's Plumbing located adjacent to the Red Roof 2 property along S. Potomac Street. The Waynesboro Planning Commission recommended to Borough Council a conditional approval of the plans contingent upon the following:

- Submission of a Deed of Consolidation
- Mary B. Martin's signature (Mr. Grubbs noted that he obtained clarification from the Solicitor that this is not required, as this is a limited partnership and the controlling partner's signature was on the Ownership Statement.)

Mr. Grubbs noted that the plan meets all requirements of the Zoning Ordinance and Subdivision/Land Development Ordinance.

Mr. Martin commented that there is no need for a Deed of Consolidation. Solicitor Wisner disagreed, however, noting that there is a need for the Deed of Consolidation as this is a lot addition to the existing lot. Therefore, the lot should be consolidated into one parcel and on public record as such.

Councilman Oldham made a motion for approval and Councilman Rooney seconded. Mr. Wisner asked for clarification on the motion – is the motion made based on the recommendation of the Planning Commission ... with submission of the Deed of Consolidation and without Mary Martin's signature? They concurred and the motion passed unanimously.

(2) Final Subdivision Plan – Henicle's Plumbing, Inc. (Single Lot Addition)

This subdivision is for the purpose of a 9,664 s.f. lot addition to be conveyed to Mary B. & Ronnie Martin 14, LLC located adjacent to the Red Roof 2 property, formerly known as the Benju property. The Waynesboro Planning Commission recommended to Borough Council a conditional approval of the plans contingent upon the following:

- Submit a Deed of Consolidation

Councilman Oldham made a motion for approval based on the Planning Commission's recommendation. Councilman Rooney seconded; the motion passed unanimously.

(3) Final Subdivision Plan – Cold Spring Estates, Phase 7A (Lot 225)

This subdivision is for the purpose of a 1,156 s.f. parcel to be conveyed from Lot #225 to Lot #226 located on Golden Spring Drive. The Waynesboro Planning Commission recommended to Borough Council approval of the plans as they

meet the requirements of the Waynesboro Zoning Ordinance No. 937 and the Subdivision/Land Development Ordinance No. 944. Councilman Oldham made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

(4) Final Subdivision Plan – Cold Spring Estates, Phase 7A (Lots 226-229 & Open Space “R”)

This is a re-subdivision of Open Space “R” including Lots #226, 227 and 228 and a re-subdivision of Lot #229 on Golden Spring Drive. The purpose of the re-subdivision is to have the lots run parallel with the street instead of on an angle as they currently are. The Waynesboro Planning Commission recommended to Borough Council approval of the plans as they meet the requirements of the Waynesboro Zoning Ordinance No. 937 and the Subdivision/Land Development Ordinance No. 944. Councilman Oldham made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

APPOINTMENT OF HIPPA PRIVACY OFFICIAL: Mr. Stains noted that Council appointed the Assistant Borough Manager as the HIPPA Privacy Official in 2013. For recordkeeping purposes, he recommended they appoint the Borough Manager as the HIPPA Privacy Official. Councilman Cermak made a motion as such. Councilman Rooney seconded; the motion passed unanimously.

CONSIDER APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR: Solicitor Wisner confirmed that the Emergency Management Coordinator is appointed by the Governor upon recommendation of the governing body. Qualifications do not include that the individual must be a resident of the Borough. Accordingly, Mr. Stains noted that Council had appointed an individual several months ago who has since decided he is no longer interested. Michael Bock of Twin Hill Drive has submitted a letter of interest for the position. Councilman Cermak made a motion to recommend appointment of Michael Bock as the Borough’s Emergency Management Coordinator. Councilman Oldham seconded; the motion passed unanimously.

AUTHORIZE BOROUGH MANAGER AND BOROUGH SOLICITOR TO PREPARE ORDINANCE TO REPEAL PER CAPITA TAX: Based on conversations held during budget meetings, Mr. Stains noted it is his understanding that Council is interested in repealing the per capita tax. As such, Councilman Fleagle made a motion to authorize the Borough Manager and Solicitor to prepare an appropriate ordinance for Council’s consideration. Councilman Oldham seconded; the motion passed unanimously.

2017 HOLIDAY SCHEDULE: Mr. Stains presented the recommended 2017 Holiday Schedule for Borough employees. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

REQUESTS FROM MAINSTREET WAYNESBORO, INC.: Bill Kohler thanked the Borough’s Maintenance Department for assistance in relocating the storm sewer pipe, and added that D. L. George’s crew is nearing completion of its connection to the storm

sewer at the rear of the Main Street property. He then discussed the following MSW requests --

(1) Public Hearing re: State Grant to Rehabilitate Property at 21 E. Main Street

MSW plans to apply for grants to rehabilitate 21 E. Main Street, and part of that process is to hold a public hearing. He requested Council's permission to hold a hearing in Council Chambers prior to the next Council meeting (11/02) at 7:15 p.m. Council concurred. The public hearing will revolve around funding for rehabilitation of the building at 21 E. Main Street, in which they plan to house a restaurant and new MSW offices.

Mr. Kohler also provided an update on progress of the project. He displayed an architectural drawing of the proposed park and renovated building. They are moving forward with the park with funding from a state grant, recent fundraisers and public commitments.

(2) Request to Purchase/Install Eight (8) Mini Dog Waste Stations for Downtown Area

Mr. Kohler noted that MSW would like to proceed with a program to purchase/install eight (8) mini dog waste stations for the downtown area (from Broad Street to Fairview Avenue). Sponsors will be obtained to pay for the poles and bags. Discussion ensued regarding disposal of the used bags, as well as continued maintenance for the waste stations. These items will need to be addressed, but no objections to the concept were noted.

BOARD REAPPOINTMENT: Councilman Cermak made a motion to reappoint Don Smith to a full term on the Waynesboro Planning Commission; said term to expire on 10/20/2020. Councilman Rooney seconded; the motion passed unanimously.

FOR INFORMATION ONLY

SENSIBLE HALLOWEEN COSTUMES: Manager Stains reminded members of the public to dress safely and appropriately for upcoming Halloween festivities. In light of issues in the news, he has been receiving messages requesting Council to ban clowns (which would be virtually impossible to enforce).

PRESS QUESTIONS: None.

COUNCIL AND STAFF COMMENTS: Councilman Rooney commended the Junior Council members for their suggestion to hold a drug and alcohol educational/informational program at the high school. He reiterated Mr. Stains' comments regarding costumes; and encouraged members of the public to be alert and vigilant in reporting suspicious behavior.

Councilman Cermak thanked Junior Council members Van Gilder and Taylor for a "good job".

Denny Benshoff reported that the Maintenance Department will begin curbside leaf collection next week.

Kevin Grubbs reported that he has supplied Council and Junior Councilpersons with copies of proposed revisions to the Zoning Ordinance (which includes the highlighting of all changes made). He anticipates providing proposed revisions to the Subdivision/Land Development Ordinance also within the next week. Discussion was held regarding plans for Council to hold a public meeting on 11/16, and it was noted it should begin at 6:30 p.m. Mr. Grubbs added that a Legal Notice regarding the public meeting will be placed in *The Record Herald*; and copies of the revisions will be on public display at the Chamber of Commerce, Library, MSW Office and Borough Hall's lobby and website.

President Mumma noted that he went to a recent presentation on drug abuse held at the Otterbein Ministry Center, which was well attended by the public.

Chief Sourbier gave a report about recent drug overdoses in the community, two of which were fatal. He provided information about the number of hours police officers have worked to investigate these incidents and make arrests, as well as clarification on statutory laws regarding immunity in the Commonwealth. He asked for the public's trust and confidence in the Police Department's competence.

Councilman Fleagle reported that he attended the Emergency Services Alliance meeting on 10/01. Concern was noted about radio frequencies being sold off and the resultant requirements in several years for emergency services. Discussion was also held regarding changing replacement times, which will need to be addressed at a later date also. He will keep Council updated.

Mayor Starliper noted that Senate Bill 535, regarding the use of radar by municipal police departments, is going now from the Senate to the House. He will continue to follow the matter and report back on its progress.

Having no further business to discuss, the meeting adjourned at 9:16 p.m. on a Fleagle/Rooney motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary