

SEPTEMBER 30, 2015  
WAYNESBORO, PA 17268  
SPECIAL MEETING

Council President C. Harold Mumma called the special meeting of the Waynesboro Borough Council to order at 5:30 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, Delmos Oldham, C. Harold Mumma, Michael Cermak and Hans Bader (arrived late); Darrel Potts was absent

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager  
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)

Others – Bill Chittester, PA Municipal Code Alliance, Inc.  
Earl Baer, Commonwealth Code Inspection Service, Inc.  
Peter Schilling, Commonwealth Code Inspection Service, Inc.

Bill Chittester, PA Municipal Code Alliance, Inc. – Mr. Chittester noted that his company is based in Chambersburg, and provided copies of a fee schedule and a list of local municipalities they contract with (they currently have contracts with 98 municipalities throughout PA). Their office is open Monday thru Friday from 8:00 a.m. to 4:00 p.m., and is staffed with four (4) full-time office clerks and a full staff of certified inspectors in Franklin County. Their website includes various required applications and forms. When questioned if they do food inspections, Mr. Chittester replied that they do health inspections as well as zoning enforcement, property maintenance, etc. They are currently conducting health inspections for the Borough of Chambersburg. If they enter into a contract with Waynesboro, Mr. Chittester noted he would have to look at the permit activity when determining hours/locations for a potential office in Waynesboro.

Earl Baer, Commonwealth Code Inspection Service – Mr. Baer noted that his office is located at 1102 Sheller Avenue, Chambersburg. They are open from 8:00 a.m. to 4:00 p.m. daily and are fully staffed. They have four (4) inspectors who work and live in Franklin County. Mr. Baer added that he lives in Quincy Township and keeps office hours at the Washington Township Municipal Office from 11:00 a.m. to 1:00 p.m. on Tuesdays and Thursdays (when residents from other municipalities may conduct their business). Mr. Baer noted that his initial submission included pertinent information such as office hours, place of business, phone numbers, staff, etc. – additional copies can be provided for Council's information. Mr. Baer reported that they currently serve various municipalities in Franklin County – he mentioned Washington Township, Antrim Township, Greencastle, Montgomery Township, Guilford Township and Fannett Township, but noted he is sure he forgot a few (he will provide that additional information to Council). They also serve over 200 municipalities state-wide. When

asked about health inspections, Mr. Baer noted they do not currently conduct health inspections.

Mr. Chittester commented that he brought along a copy of their standard contractual agreement, and provided it to the Solicitor upon Council's direction. Mr. Wisner noted that he also has a copy of the original submission from Commonwealth Code Inspection Service (which included their agreement). He interjected that one of the reasons this meeting was requested was to determine what services Council would like to be included in any agreement.

Research will be conducted regarding the possibility of an outside firm doing health inspections (vs. the current inspection process by the Department of Agriculture) and the necessary procedure for doing so.

Mr. Stains asked representatives of each entity to provide information on the timeframe involved in obtaining a permit, assuming that the land development plan is completed and a land use permit is issued by the Borough. Mr. Baer (CCIS) noted that if the permit application is complete and they have a "decent" set of plans, typically a provisional permit is issued while the permit is going through planning (which takes about 1-1½ weeks). The provisional permit allows them to begin construction, which is done at their own risk. Mr. Chittester (PMCA) noted that their process is similar, but they don't issue provisional permits. Once an application is submitted for a minor residential project, it would take just several days for a permit. Permits for commercial projects, however, would depend on the complexity of the job.

President Mumma asked about "leave time" for different phases of inspections for a project that has already been issued an initial permit. Mr. Chittester (PMCA) noted that they normally request 24 hours; and he mentioned that a checklist of all required inspections is provided with every permit issued. Mr. Baer (CCIS) noted they generally request 24 hours; but he takes quite a few calls in the morning for inspections the same day.

Dustin Haluska (The Record Herald) noted that it seems both organizations have a good bit of work on their plates already ... and asked if they would need to hire additional staff to accommodate Waynesboro if they take on the extra workload? Mr. Chittester (PMCA) noted it would depend on the permit activity; but if it was necessary, they would do that. Mr. Baer (CCIS) noted he doesn't foresee that being a problem.

Mr. Baer then asked what additional services Council is looking for. President Mumma commented he feels that health inspections should be pursued. Councilman Cermak replied that the Borough currently contracts with an inspection company to do building permits/inspections only; and the Department of Agriculture does the Borough's health inspections, but Council is not entirely satisfied with their service. Rental inspections have been discussed, but Council does not wish to pursue that program. A Zoning-Code Enforcement Officer is currently on-staff to handle property maintenance issues, however he is quite overwhelmed. He believes, based on his understanding of discussions held regarding this matter, that Council is only interested in building permits

at this time but doesn't want to "close the door" on other services that could be provided in the future.

As Darwyn Benedict is in the real estate business, Mayor Starliper asked if he wanted to provide any input. Mr. Benedict noted that he had asked (at Council's last meeting) if there was a problem with the current inspection group and received a "no" response from all Council members present. For that reason, he doesn't think anything else is needed. He also mentioned that "these guys" have been put into a "political vendetta" situation and they have no idea about what is going on. He stated that this whole situation is a "challengeable offense" for the validity of the Councilman who made the motion; and he doesn't think what is going on this evening is fair to these gentlemen.

Mayor Starliper asked what time limit would be included in either entity's contract. Both parties noted they are "flexible on that". Councilman Cermak added that the current contract is for thirty (30) days' notice by either party.

Councilman Cermak asked, if one or both of these companies enter into a contract and Accredited Services goes out of business, how would they handle any jobs they have in progress? Mr. Baer noted that would depend on how many inspection agencies there are ... and if there are several, Council would have to decide how they would like to split the work. If CCIS were the remaining agency, Mr. Baer noted they would do an initial (forensic) inspection to determine what has already been done. More often than not, they would accept the inspection reports from the previous agency and proceed from that point. Mr. Chittester noted that PMCA would basically do the same, and would do whatever inspections are necessary to ensure the job is finished.

Councilman Bader commented to Darwyn Benedict that he does not "have a bone in this fight", and that numerous constituents have noted they are in favor of this.

Dustin Haluska asked Council their goal in this process – is this being opened up for possibly multiple agencies or just one more? President Mumma stated that the last motion approved by Council was that they would open it up to all licensed people who have offices in Franklin County. Mr. Haluska asked who will choose which inspection agencies ultimately do which jobs? President Mumma noted that the consumer will make that choice, because he/she is paying the fee.

Solicitor Wisner recommended that discussion at the next meeting include results of the Health Department inspection inquiry, as he feels (based on past conversations) that Council is not satisfied with their response time and would be interested in pursuing that service. He requested clarification from Council be given at that time on the slate of services they would like to pursue with regard to these code inspection agencies.

The meeting adjourned at 6:02 p.m.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary