

MAY 15, 2019
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 6:30 p.m. with the following in attendance:

Borough Council Members – Jarred Knott, Patrick Fleagle, Niccole Rolls, C. Harold Mumma, Dade Royer and Michael Cermak

Junior Councilpersons – Jacob Gearhart and Mya Graves (alternate)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Zachary Rice, Borough Solicitor
Kevin Grubbs, Head of Engineering Services
Chad Rooney, Administrative Services Coordinator
Matt Schmidt, Zoning/Code Enforcement Officer
S. Leiter Pryor, Director of Utilities
Jim Sourbier, Police Chief
Jody Sanders, Deputy Fire Chief

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

EXECUTIVE SESSION: Council President Mumma noted that Council held a brief executive session prior to this meeting to discuss proposed litigation and personnel items. They intend to hold another executive session following this meeting to discuss personnel and public safety matters, and they anticipate no voting on topics discussed afterward.

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Mayor Starliper presented Mya Graves with a Proclamation in recognition of her service as a Junior Councilperson. Letters of appreciation and recognition were also presented to her from the Franklin County Commissioners, State Representative Paul Schemel, Governor Tom Wolf and the PA State Association of Boroughs.

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

PERSONNEL COMMITTEE: Councilman Royer made a motion to approve a step increase for Robert Doverspike to salary step 2 of Contract, effective 04/06/2019. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve a step increase for Kevin Grubbs to salary level 19D, effective 06/03/2019. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve a step increase for Jody Sanders to salary level 13E, effective 06/17/2019. Councilman Knott seconded; the motion passed unanimously.

Councilman Royer made a motion to approve a step increase for Stacy Stine to salary level 8B, effective 05/20/2019. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve the reclassification of Jamie Shindledecker to Maintenance Foreman I, at salary level 11D. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve the hiring of Zachary Crider and Jesse Julias as Summer Maintenance Workers at the Water/Sewer Treatment Plants, both at the hourly rate of \$8.50. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to accept the resignation of Tyler Myers as a FT Fire Apparatus Driver and appoint him as a PT Relief Driver. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve the updated 2019 Northside Pool staff list, as presented. Councilman Cermak seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Royer reported that the Property Committee is exploring a potential partnership with Valley Community Housing Corporation with regard to several blighted properties in the Borough. Bonnie Zehler, their Executive Director, will be present at the next Council meeting to give a presentation.

STREET COMMITTEE: No report.

ECONOMIC DEVELOPMENT COMMITTEE: Councilman Fleagle reported on the Economic Development Committee meeting held on 05/07, in which they discussed –

- Status of Multi-Family Inspection Ordinance – signed contracts are in for the inspection agencies, and Councilman Royer eluded to Valley Community Housing's efforts to put blighted properties back on the tax roll.
- 21 E. Main Street Developments – Bill Kohler gave an update on upcoming events including the classical movie series, Food Truck Friday, cooperative efforts for a new brew pub downtown, and the completion of an "available downtown property" brochure.

- Street Light Upgrade (status from Street Committee) – no contractors were in attendance at the mandatory pre-bid meeting, and an addendum was prepared to waive the mandatory requirement. Efforts are being made to pursue the bids more aggressively and several contractors have shown some interest.
- Sidewalk/Tree Maintenance Update – per Chad Rooney, seven (7) problem trees will be targeted for removal immediately. Replacement trees will now be container trees. Tree trimming will be delayed until fall and will be monitored closely.
- Strategic Initiatives/Other Business – suggestions for enticing entrepreneurs were relayed from Fil-Tec's Ted Schoeck. The Borough's LERTA program was discussed and Manager Stains will broach the subject at an upcoming meeting with school district representatives.

The next meeting is scheduled for June 4, 2019 at 10:00 a.m.

FINANCE COMMITTEE: Councilman Knott reported that the Finance Committee met prior to this meeting and reviewed the proposals submitted for interim financing for park and pool projects. They are recommending award of the contract to Adams County National Bank, with a five-year fixed rate and the ability to renegotiate for the remaining of the 15 years.

In conjunction with this recommendation, Mr. Stains noted that Council will need to authorize the creation of an ordinance related to the Local Government Unit Debt Act. He noted that this item is on the Consent Agenda.

RECREATION BOARD: Councilman Royer reported that the Recreation Board met on 04/24 and discussed the following –

- Request from Class of 1979 – They are renting Northside Pool for a splash hop on 06/28 and would like permission to have a bonfire outside the pool's fence area near the volleyball courts. Joe Kline would be constructing the fire pit for the bonfire. There would be no alcohol at the splash hop, but they would like Council to consider a "BYOB" at the bonfire. Several concerns were noted regarding the construction/location/removal of the fire pit, an 11:00 p.m. curfew for individuals to be out of the park, liability insurance and the alcohol waiver. Council agreed to table the matter until their June meeting.
- Condition of Mt. Airy Park – This park is heavily used, but has no equipment. After speaking with some of the children playing there, it was determined that a basketball court (full court) and swing set would be appreciated. A representative group from Hawbaker Avenue will be present at the next Recreation Board meeting, and funding sources will be pursued.

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

- On April 18th, I attended the mixer at the Alexander Hamilton Library.
- On April 24th, I attended the breakfast hosted by Mainstreet of Waynesboro.

- On April 25th, I attended the breakfast for Franklin County Mayors. Good discussion was had on a number of items.
- Also on the 25th, a ribbon-cutting for the 1884 Market House.
- On April 27th, I attended and presented a proclamation in honor of Arbor Day and Earth Day at Renfrew.
- On May 4th, I had the privilege of uniting in marriage Bessie Woodring and (Officer) Steve Sanders. We wish the Sanders' the very best.
- On May 7th, I attended the military dinner for nine (9) seniors going into the armed forces.
- On May 8th, I attended the 64th annual Horizon Goodwill awards banquet.
- On May 9th, I met with Representative Schemel and his intern Adison Gladfelter for a Q & A session.
- On May 10th, along with Chief Sourbier and Councilmen Mumma and Royer, I attended the Drug Task Force Breakfast.
- On May 10th, I attended and presented a proclamation in honor of Child Care Providers in the Waynesboro Area School District.
- On May 14th, the Chief and I had the honor of having current and retired officers for breakfast in honor of National Police Week.
- On May 15th, I attended the Council of Governments meeting.
- Also on the 15th, I attended the Waynesboro Beneficial Fund Association board meeting.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: The Director of Utilities' Report was as follows –

- Water Treatment Plant Upgrade – The project has been advertised for bid and there is a pre-bid meeting scheduled for tomorrow morning at 10:00 a.m. The bid opening is June 11th at 2:00 p.m. The PENNVEST application has been submitted and will be considered during the July 17th board meeting.
- Billing and Accounting Software – The data conversion and testing has been completed. I will be finalizing the online payment options with Municipay on Friday. On-site training is scheduled for next Monday; and, barring any major snags, we will be going live with the new software the first week in June.

MANAGER'S REPORT: The Manager's Report was as follows –

- Mr. Stains reported that crews are working heavily at Memorial Park. The foundation for the restrooms is in, blacktop has been placed on the tennis courts (this will need to cure for 30 days before a playing surface is placed on top) and work has begun on additional paths into the park. The flooring at Northside Pool has been completed. Information was posted on social media regarding the properties slated for public auction and the need for the remaining wood at the S. Franklin Street Park to be removed.

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: John Flannery (who is running for County Commissioner) introduced himself to Council members and the public, and he urged them to remember to vote on Election Day.

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

A. Award Contracts

- (1) Memorial Tree Markers at Memorial Park – Bowersox Memorials
- (2) Interim Financing for Capital Improvements to Northside Pool and Memorial Park – Adams County National Bank
- (3) Five-Year Financial Plan under DCED’s Early Intervention Program – Pennsylvania Economy League
- (4) Line Painting – Alpha Space Control Company, Inc.
- (5) Random Curb and Sidewalk (Rebid) – J & M Concrete Construction, LLC

B. Accept Reports of the Police Chief, Fire Chief and Code Enforcement/Zoning Officer for the month of April, 2019; and Fire Chief for the month of March, 2019

C. Pay Bills – Check Detail(s) dated 04/29, 05/06 and 05/14

Councilwoman Rolls seconded; the motion passed unanimously.

UNFINISHED BUSINESS

REVISED LAND DEVELOPMENT PLAN (ERIC CHANEY): Kevin Grubbs presented Council members with revised Land Development Plans for Eric Chaney’s proposed apartment building located at 147 N. Church Street. The original plan was approved by Borough Council some time ago; and since that approval, he has downsized the project from four (4) units to three (3) units. The plans have been updated, including the water line (for fire suppression). The developer’s agreement and stormwater management agreement are still being drafted, and the property owner will be required to submit financial surety for the project. Mr. Grubbs noted that the plans meet all the appropriate requirements. Councilman Fleagle made a motion to approve the revised plans for a three-unit apartment building for Eric Chaney. Councilwoman Rolls seconded; the motion passed unanimously.

FLOODPLAIN STUDY (DAN LONG): Mr. Grubbs noted that Borough Council approved the Land Development Plan for Dan Long for Wild West Car Sales on W. Main Street on 11/14/18. He will be demolishing an existing building and constructing a new building; and it was recommended that he submit a floodplain analysis report. That

report has been completed, submitted and reviewed by the Borough's consultant. His review noted that there was a very slight rise in the floodplain elevation of 3/8", which he considered to be de minimis; and another area at the center of the building to be constructed was actually decreased by 3/8". Councilman Cermak made a motion for approval/acceptance of the analysis report with the revisions noted, thereby permitting construction to proceed on the site. Councilman Knott seconded; the motion passed unanimously.

NEW BUSINESS

RESOLUTION NO. 2019-06 (REVISED FEE SCHEDULE): It was noted that the only change to the existing Fee Schedule was the addition to Item #14 for a Conditional Use fee of \$375.00. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

RESOLUTION NO. 2019-06

WHEREAS, the Borough of Waynesboro, from time to time, may adopt new fees and/or change fees charged for Borough services, and

WHEREAS, many of the enabling Ordinances permit the adoption of fees by Resolution,

NOW, THEREFORE BE IT RESOLVED, that the following fee schedule is hereby established and/or modified:

Complete copy on file at Borough Hall.

RESOLUTION NO. 2019-07 (IN SUPPORT OF RESTORE PENNSYLVANIA): Mr. Stains noted that DCED has requested Council's support of "Restore Pennsylvania", which is a \$4.5 billion infrastructure improvement plan over the next four (4) years for significant high-end projects throughout the Commonwealth, funding for individuals who suffer severe weather-related losses, money to assist communities in preparing for flooding and severe weather, addressing blight by providing resources to local communities, expanding efforts for the removal of lead and other contaminants, and funding for local road and bridge upgrades. Councilman Royer made a motion for approval of the Resolution, as presented. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2019-07

RESOLUTION IN SUPPORT OF RESTORE PENNSYLVANIA,
A \$4.5 BILLION INFRASTRUCTURE IMPROVEMENT PLAN

Complete copy on file at Borough Hall.

RESOLUTION NO. 2019-08 (AUTHORIING THE SALE OF BOROUGH-OWNED PROPERTY LOCATED AT 242-244 W. SECOND STREET, 246 W. SECOND STREET, 137 W. MAIN STREET, 139 W. MAIN STREET AND 471 W. FOURTH STREET BY PUBLIC AUCTION):

Mr. Stains noted that through the Borough's recent code enforcement efforts, they have acquired properties located at 242-244 W. Second Street, 246 W. Second Street, 137 W. Main Street, 139 W. Main Street and 471 W. Fourth Street. This resolution will authorize these properties to be sold at public auction at a date TBD by the auctioneer, with proceeds to be returned to the Borough for placement in a separate fund for blight remediation. Minimum bids have been established for the properties, which the auctioneer feels are feasible.

Mr. Stains noted that the Borough is permitted to negotiate with 501(c) 3 organizations for the sale of these properties. As mentioned earlier in the meeting by Councilman Royer, Valley Community Housing Corporation is interested in acquiring four (4) properties to construct single-family homes that would be fully taxable. Their presentation will be given at the June Council meeting.

Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

RESOLUTION NO. 2019-08

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE BOROUGH OF WAYNESBORO AND LOCATED AT 242-244 WEST SECOND STREET, WAYNESBORO, PENNSYLVANIA; 246 WEST SECOND STREET, WAYNESBORO, PENNSYLVANIA; 137 WEST MAIN STREET, WAYNESBORO, PENNSYLVANIA; 139 WEST MAIN STREET, WAYNESBORO, PENNSYLVANIA; AND 471 WEST FOURTH STREET, WAYNESBORO, PENNSYLVANIA BY PUBLIC AUCTION.

Complete copy on file at Borough Hall.

PROFESSIONAL SERVICES AGREEMENT WITH GATEWAY GALLERY, INC. (PUBLIC AUCTION OF ABOVE-REFERENCED PROPERTIES):

In conjunction with the previous resolution, Mr. Stains presented a proposed Professional Services Agreement with Gateway Gallery, Inc. as auctioneer for these properties, for a sum of \$2,000 for each property. Councilman Royer made a motion for approval of the PSA with Gateway Gallery, Inc. Councilman Fleagle seconded; the motion passed unanimously.

MEMORANDUM OF UNDERSTANDING WITH FRANKLIN COUNTY EMERGENCY SERVICES:

Mr. Stains presented a proposed Memorandum of Understanding with Franklin County Emergency Services regarding billing for the response of certified hazardous material response teams or supporting paid or volunteer emergency service organizations as a result of the release of hazardous materials. Councilman Cermak

made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

REVISED BYLAWS OF RENFREW COMMITTEE, INC.: Mr. Stains noted that Council is required to approve any changes to the bylaws of Renfrew Committee, Inc., and he provided a copy of proposed revisions. Proposed changes include updated or outdated wording and duplication of similar procedures, as well as several procedural changes as follows: (1) Bi-monthly meetings as opposed to three or four times per year; (2) Use of electronic means or telephone to attend board meetings; (3) Using email to vote; (4) Redefining the duties and responsibilities of REC as a group of committees designed to assist RCI, and not be responsible for managing the operations of the organization; (5) Giving more responsibility to the Executive Director to manage committees; (6) Defining the role of the Executive Director; and (7) Updated language on indemnification. Councilman Cermak made a motion for approval. Councilman Knott seconded; the motion passed 5-0 (Councilman Royer abstained).

CHANGE ORDER NO. 2 TO CONTRACT 1 (MEMORIAL PARK REHABILITATION PROJECT): Mr. Stains presented proposed Change Order No. 2 to Contract 1 for the Memorial Park Rehabilitation Project, which increases costs based on engineering designs for the restroom facility, in the total amount of \$4,282.88. Councilman Knott made a motion for approval. Councilman Fleagle seconded; the motion passed unanimously.

UPDATE EMPLOYEE HANDBOOK: Mr. Stains noted that the Borough Employee Handbook is updated every two (2) years, and the only revisions made are incorporating all policies passed since the last revision in March, 2019. Specifically, they are: (1) reference to “Mass Mutual” with regard to the Borough’s 457(b) Deferred Compensation Plan on page 48; (2) the “Use of Electronic Devices and Information Systems and Equipment Policy” beginning on page 49; and (3) the “Cellular Phone Use Policy” beginning on page 56. Councilwoman Rolls made a motion for approval. Councilman Fleagle seconded; the motion passed unanimously.

AUTHORIZE ADVERTISEMENT OF PROPOSED ZONING ORDINANCE AMENDMENT: Mr. Stains presented a draft advertisement for proposed amendments to the Zoning Ordinance. Solicitor Rice reviewed the proposed modifications which include an updated Zoning Map, definitions for “Agricultural Use” and “Essential Services”, additional “uses by right” in the Institutional District, and removal of “private schools” from permitted uses as a special exception in the Institutional District. Councilman Cermak made a motion to authorize advertisement of the proposed amendment, as presented. Councilwoman Rolls seconded; the motion passed unanimously.

FOR INFORMATION ONLY: Mr. Stains advised that, at the Franklin County MPO meeting earlier this day, they were provided information that the Governor and PENNDOT are looking for 450 Pennsylvanians to install devices in their vehicles to

track their mileage. The purpose for this is that they are losing revenue on gas tax and are looking for ways to fill the gap.

PRESS QUESTIONS: None.

COUNCIL AND STAFF COMMENTS: Councilman Royer noted that the newly-hired Executive Director at Renfrew, Becky LaBarre, will start work on Monday (05/20).

Councilman Cermak reminded the public in attendance to remember to vote.

Councilman Knott reported that the Beer, Wine and Cider Fest sponsored by Mainstreet Waynesboro, Inc. will be held on 05/18 from 12:00 to 4:00 p.m. at the Main Street Park.

Mayor Starliper reported that the Waynesboro Fire Police will be assisting at the Mont Alto Tractor Pull events held on 05/11 and 08/03, at Greencastle's Memorial Day Parade on 05/27, at Waynesboro's Memorial Day Parade on 05/27, and at the God Bless America Motorcycle Run on 06/02. Mr. Starliper reiterated his concern voiced in the past regarding agenda items received with late notice.

President Mumma also reminded residents to vote on Election Day.

Having no further business to discuss, the meeting adjourned at 7:59 p.m.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary