

SEPTEMBER 16, 2020  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting (telemeeting via the Zoom computer platform) of the Waynesboro Borough Council to order at 6:30 p.m. with the following in attendance:

Borough Council Members -- Jarred Knott, Patrick Fleagle, Jon Fleagle, C. Harold Mumma, Dade Royer and Michael Cermak

Mayor Richard Starliper

Junior Councilperson – Allison Sawicki

Borough Staff – Jason Stains, Borough Manager  
Sam Wiser, Borough Solicitor

Public in Attendance – Amos Miller

Solicitor Wiser reviewed the Telemeeting Rules of Decorum for those individuals wishing to participate in the meeting.

**EXECUTIVE SESSION:** President Mumma announced that an executive session will be held following this meeting to discuss personnel, property and litigation matters.

**PUBLIC COMMENTS – NON-AGENDA ITEMS:** None.

**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.

**CONSENT AGENDA:** Councilman Royer made a motion to approve the Consent Agenda, as follows:

- A. Award Contract for Crack Sealing on Streets
- B. Approve Minutes as Presented – August 19, 2020 (public hearing) and August 19, 2020 (regular meeting)
- C. Accept Reports:
  - Police Chief – August, 2020
  - Ambulance Chief – August, 2020
  - Fire Chief – July and August, 2020
  - Code Enforcement/Zoning Officer - August, 2020

- D. Pay Bills – Check Detail(s) dated 08/18, 08/25, 09/02, 09/09 and 09/14
- E. Acknowledge and Approve Personnel Matters – Recommended by the Personnel Committee
- F. Extend 2019 Tattoo Inspection License to 2020 Due to COVID-19
- G. Resolution No. 2020-16 (Establishing Guidelines for Council, Board, Commission and Committee Member Interaction with Borough Management and Staff)
- H. Approve the Installation of Cameras in Memorial Park by Cermak Technologies, Inc.
- I. Approve the Paving of Ringgold Street Extended

Councilman Knott seconded; the motion passed 5-1 (Councilman J. Fleagle opposed).

### **UNFINISHED BUSINESS**

**CONSIDER ADOPTION OF ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 109 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO AUTHORIZE THE FIRE CHIEF TO INSTITUTE BURN BANS DURING PERIODS OF DROUGHT OR DAYS IDENTIFIED BY THE NATIONAL WEATHER SERVICE AS RED FLAG WARNING OR FIRE WEATHER WARNING DAYS:** Manager Stains noted that this proposed ordinance was discussed at Council’s last meeting and was advertised for consideration at this time. Councilman Royer made a motion for approval. The motion died for lack of a second.

**APPROVE STREET LIGHTING PROJECT BETWEEN BROAD AND FRANKLIN STREETS:** Councilman J. Fleagle noted that several “test” street lights were installed downtown for review and evaluation, and the Borough’s Engineering Department took light readings to compare the old and new lights. (Council was provided a copy of their findings). There was quite an improvement in the amount of light put out by the new lights and many favorable comments were voiced. Accordingly, it is the Street Committee and staff’s recommendation to:

- 1) Purchase new acorn lights (identical to test lights) and replace all the existing acorn lights between Broad and Franklin Streets;
- 2) Add additional lights in Center Square (there should be at least two lights in each quadrant);
- 3) Remove trees in Center Square and between those intersections as needed (working with the Shade Tree Commission).

Mr. Fleagle stated that approximately 45 new lights will be needed in this phase of the project. These are LED lights and will be metered (the Borough currently pays a flat fee for the street lights).

He explained that Phase 2 of the project will be lighting the intersections and crosswalks in the downtown area, especially between Franklin and Broad Streets. Funds for these lights will come from the current DCED grant of \$300,000, however it is estimated that the costs will be less than \$200,000 (including installation).

The current timeline for the lights is 6-8 weeks and some underground wiring will be required. The Engineering Department is currently working on drawings and the staff is attempting to locate an electrical group on COSTARS or through the Keystone Purchasing Network (as bidding would then not be required).

Councilman P. Fleagle thanked Councilman J. Fleagle for his initiative on this project, and commented favorably on the potential savings.

Councilman J. Fleagle made a motion to approve the Street Lighting Project between Broad and Franklin Streets as described. Councilman Knott seconded; the motion passed unanimously.

## **NEW BUSINESS**

**APPROVE REQUEST FROM RENFREW COMMITTEE, INC. TO USE PROFESSIONAL SERVICES OF GMS FUNDING SOLUTIONS TO SEEK FUNDING FOR EXECUTION OF THE GRISTMILL PROJECT AT RENFREW MUSEUM AND PARK:** Mr. Stains presented a request from Renfrew's Executive Director Becky LaBarre to use the professional services of GMS Funding Solutions to seek funding for their proposed Gristmill project. He noted that this has been done in the past for Mainstreet Waynesboro, Inc. and the Waynesboro Fire Department; and there would be no additional cost incurred, as this would be done through the Borough's current contract with GMS. Councilman P. Fleagle made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

**APPROVE REQUESTS FROM MAINSTREET WAYNESBORO, INC. FOR MARKET DAY EVENT (OCTOBER 3, 2020):** Mr. Stains presented the following requests from Mainstreet Waynesboro, Inc. for their upcoming Market Day event on October 3, 2020:

- 1) To use borrowed barricades to block off the parking spaces on the north side of the Square to place food trucks that will face the sidewalk. The spaces will be blocked off from 7:00 a.m. to approximately 4:30 p.m.
- 2) To allow vendors and downtown businesses to set up on sidewalks to sell their wares, but only in areas where the sidewalks are wide enough to allow at least six (6) feet of pedestrian right-of-way.

Also, Mainstreet Waynesboro will be providing certified flaggers to help pedestrians cross Main Street at the crosswalks at various locations downtown. Signs reminding patrons to wear masks and maintain social distancing will be posted throughout the downtown and on social media.

After discussion, Councilman Knott made a motion for approval, with the contingency that the food trucks are to be parked parallel with Main Street. Councilman P. Fleagle seconded; the motion passed unanimously.

**APPROVE REQUEST FROM MAINSTREET WAYNESBORO, INC. FOR IMPROVEMENT TO THE FRONT ENTRANCE OF 21 E. MAIN STREET:** Mr. Stains presented a request from Mainstreet Waynesboro, Inc. to begin façade improvement to 21 E. Main Street with demolition of the existing front doorstep that does not comply with current building codes. They plan to construct a new code-compliant concrete landing with steps which will extend five (5) feet out from the building in the Borough-owned sidewalk. They note that the remaining width of the sidewalk is 11' 9" to the sidewalk, and the 5' projection is equal to the ramp in front of the Tax Office building at 15 E. Main Street. It was also noted that a ramp will be added on the side of the building to ensure handicapped compliance. Councilman Knott made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

**APPROVE REQUESTS FROM MAINSTREET WAYNESBORO, INC. IN ACCORDANCE WITH WAYNESBORO'S BANNER, CEREMONIAL RIBBON AND DECORATIONS POLICY:** Mr. Stains presented requests from Mainstreet Waynesboro, Inc. for the following:

- 1) To allow Mainstreet Waynesboro and its volunteers to hang 117 veterans banners on Borough-owned street poles on Main Street from Clayton Avenue to Fairview Avenue during the week of September 22. The banners will hang until November 16, when they will be removed when crews install Christmas wreaths on the poles.
- 2) To allow Mainstreet Waynesboro and its volunteers to install approximately 20 additional brackets on select poles throughout the downtown during the week of September 22. The brackets were purchased by Mainstreet Waynesboro and will be permanent additions to the poles. The brackets and the hardware are black to match the color of the poles.
- 3) To allow Mainstreet Waynesboro staff and its volunteers to install approximately 15-20 scarecrows on light poles during the week of September 28. They will be removed on Monday, October 12.

Councilman P. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

**DISCUSSION TO CONSIDER REPEALING AMUSEMENT TAX:** Mr. Stains noted that the current amusement tax requires the Code Enforcement Officer to physically count

the number of active pool tables, jukeboxes, dart boards, pinball machines, etc. in Borough establishments; and those establishments are then charged a fee based on the number of operational equipment. He added that this tax provides (at most) \$500/year in revenue, but involves a considerable amount of manpower hours. Based on these reasons, it is the staff's recommendation to repeal the amusement tax going forward. Councilman P. Fleagle made a motion to authorize the preparation of an ordinance repealing the amusement tax. Councilman Cermak seconded; the motion passed unanimously.

**APPROVE THE RULES AND CONDITIONS FOR THE ISSUANCE AND USE OF ACCESSIBLE PARKING SPACES:** Mr. Stains noted that the Street Committee has been discussing this matter for several months, as a new state law now allows for individuals with different accessibility needs to have a defined reserved parking space. In the past, however, a "generic" parking space was installed and any individual(s) who possessed a state-issued placard could park there. Individuals may still request a "generic" handicapped parking space for \$120, but may reserve one that corresponds to their own placard number for \$160 (the additional cost is for the numbered plate which corresponds with their placard). In addition, every two (2) years, individuals who have reserved accessible spaces will need to reapply to maintain their space. Councilman P. Fleagle made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

**AUTHORIZE THE ADVERTISEMENT OF PROPOSED ORDINANCE AMENDING PART I, ARTICLE III OF CHAPTER 280 OF THE CODE OF THE BOROUGH OF WAYNESBORO, RELATING TO RESERVATION OF CERTAIN ACCESSIBLE PARKING SPACES:** In accordance with the previous item, an ordinance is required to amend the Borough's parking regulations with regard to the reservation of accessible parking spaces. Councilman J. Fleagle made a motion to authorize advertisement of the proposed ordinance, subject to removal of the wording regarding fees to be established "by resolution" in Section IV. Councilman P. Fleagle seconded; the motion passed unanimously.

**APPROVE FARMING LEASE BETWEEN THE BOROUGH OF WAYNESBORO AND WILLIAM MARTIN:** Mr. Stains noted that the Property Committee has reviewed and is recommending approval of the proposed Farming Lease with William Martin for 48 acres at the former golf course property. He added that Mr. Martin is aware of potential ramifications of the solar farm proposal which will be discussed later in this meeting. Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

**APPROVE CONTRACT BETWEEN THE BOROUGH OF WAYNESBORO AND INNERGEX FOR SOLAR FARM RIGHTS AT THE FORMER GOLF COURSE PROPERTY:** Mr. Stains explained that discussions have been held regarding a solar farm proposal at the Borough's former golf course property. Innergex has entered into agreements with numerous farms in this vicinity and the Borough would be the "last piece of the puzzle".

Discussion was held regarding details of the proposed contract. Councilman J. Fleagle expressed concern regarding several items, particularly regarding the emission of RFI's and EMI's which could potentially disrupt operations of the wastewater treatment plant. He stated that, until those items are addressed, he can't vote in favor of the contract.

President Mumma stated that a Land Development Plan would have to be presented to the Planning Commission for review; and various concerns regarding water, wastewater and stormwater would be addressed at that time.

Solicitor Wisner agreed to provide Council with a "plain language" summary of the conditions of the contract for review at their next meeting.

**APPROVE AND AUTHORIZE STAFF TO SUBMIT A LIMITED PUBLIC ACCESS EASEMENT AGREEMENT WITH OTTERBEIN MINISTRIES FOR A WALKING TRAIL CONNECTOR BETWEEN OTTERBEIN PARK AND RENFREW PARK:** Mr. Stains presented a proposed agreement with Otterbein Ministries to connect the walking trail through Renfrew to Otterbein's walking trail system. He noted that funding for this project will come from the Franklin County Tourism grant. Councilman J. Fleagle made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

#### **FOR INFORMATION ONLY**

**ACKNOWLEDGE RECEIPT OF 2021 MINIMUM MUNICIPAL OBLIGATION FOR THE BOROUGH'S PENSION PLANS:** As required on an annual basis, Mr. Stains provided Council with information regarding the upcoming year's Minimum Municipal Obligation for the Borough's pension plans ... those calculations are \$171,951.37 for Non-Uniformed Employees and \$260,653.63 for Police, for a total of \$432,605.00. These funds are paid to the Borough by the state and are then are deposited into the respective pension plans.

**COUNCIL AND STAFF COMMENTS:** Mr. Stains acknowledged the attendance of Allison Sawicki, the Borough's new Junior Councilperson, and welcomed her to her first Council meeting.

Mayor Starliper reported that Gary Snowberger was removed from the Fire Police roster on 09/08/2020. He questioned if the Borough is still adding fluoride to the water and Councilman J. Fleagle replied in the affirmative. Mr. Starliper also mentioned that lights were installed recently in the alley behind the Beck & Benedict building without Council's approval -- Bill Kohler noted that he has advised business owners of the process that must be followed for approval by the Borough, and the lights will be removed.

Bill Kohler thanked Council for their support for Mainstreet Waynesboro's scheduled events. He reported that they anticipate meeting their goal for the upcoming drive-in movie at the Rotary parking lot on 09/19 ... 40 tickets have been sold and 50-75 walk-

ins are expected as well. In addition, he noted he will be sharing good news regarding the theater in the next several days.

Councilman P. Fleagle commented that the walking trail projects are a major asset, and it is great that the Borough has made a continued commitment to them. Councilman Royer agreed that the continuous paved path from Memorial Park through Renfrew Park and back will also be a “plus”.

Having no further business to discuss, Council adjourned to executive session at 7:46 p.m. to discuss personnel, property and litigation matters. They reconvened at 8:02 p.m.

Councilman Royer made a motion to authorize the nomination of Doug Parks (who currently holds a Borough seat) to fill the remaining term of Bob Benchoff’s seat (a trustee seat), contingent upon approval from the trustee. Councilman Cermak seconded; the motion passed unanimously.

Councilman Knott made a motion for adjournment at 8:05 p.m. Councilman P. Fleagle seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary