

DECEMBER 21, 2022  
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, Jon Fleagle, C. Harold Mumma, Dade Royer and Michael Cermak

Mayor Richard Starliper

Junior Councilperson – Devin Wynkoop

Borough Staff – Jason Stains, Borough Manager  
Kevin Grubbs, Head of Engineering Services  
Sam Wisner, Borough Solicitor (Salzmann Hughes)  
S. Leiter Pryor, Director of Utilities  
Matt Schmidt, Zoning-Code Enforcement Officer  
Chris Devers, Fire Chief  
Jim Sourbier, Police Chief

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

**EXECUTIVE SESSION:** President Mumma noted that an executive session was held prior to this meeting regarding personnel matters. Another executive session may be necessary as well after the meeting.

**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:**

Patrick Burns, 404 W. Eighth Street – Mr. Burns noted his concern regarding the condition of many of the sidewalks on W. Eighth Street, in particular with icy/snowy conditions in the upcoming months. Kevin Grubbs stated that he has no problem with issuing repair notices, but would like for it to be done at Council's direction. President Mumma advised that the matter will be discussed at the Street Committee meeting.

**STAFF COMMENTS AND WRITTEN REPORTS**

**MAYOR:** Mayor Starliper requested that Chief Sourbier introduce the Police Department's newest police officers, John Anderson and Devin Eick. Both have graduated from the Police Academy and reported for duty on 12/19.

The Mayor's Report was as follows –

- On November 18<sup>th</sup> and 19<sup>th</sup>, I participated in Mainstreet's Tree Lighting and parade. Many thanks to Mr. Kohler and his staff.
- On December 7<sup>th</sup>, I attended the Franklin County Commissioners' meeting.
- On December 8<sup>th</sup>, I attended the ribbon cutting at the Old Builders Supply building.
- On December 14<sup>th</sup>, I swore-in our two (2) new police officers.
- Also, during the month of November, I had two (2) weddings in the Borough and one (1) in Greencastle.

**RENFREW MUSEUM AND PARK:** Becky LaBarre, Executive Director and CEO, provided Council with a written report. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**BOROUGH SOLICITOR:** No report.

**DIRECTOR OF UTILITIES:** Mr. Pryor provided the following written report –

- Water Treatment Plant Upgrade – The general and electrical contractors have completed the outstanding punch list items and are awaiting factory representatives to complete start-up and training on the emergency shutdown for the chlorine system. There is still an issue with the telephone system that we are working through. The alternate masonry contractor is progressing on the crack/leak repair as weather permits, and some of the active leaks have been stopped.

The plant recently underwent a Filter Plant Performance Evaluation by DEP. Our plant received a satisfactory rating. DEP did comment during the exit meeting that our plant staff do an excellent job and we were just shy of a commendable rating. The deficiencies noted during the inspection have been addressed.

- Sewer Plant Update – Work continues on the NPDES permit renewal. Plant staff are currently compiling the annual operational data to be included in the permit submission. The new employees are working towards completing their course work for the certification exam. Andrew McAllister has completed his Sacramento classes, received a stellar performance evaluation, and is now eligible to be promoted to a Technician level.
- Franklin County IMPACT Grant Award – The Waynesboro Borough Authority has been awarded a grant in the amount of \$157,000 toward the purchase of a

Jet/Vac sewer flusher truck. This grant requires a 50% match. The Authority took action during their meeting on December 13, 2022 to approve the proposed 50% Sewer, 30% Water and 20% Storm Sewer allocation for the remaining balance owed toward the purchase of the truck.

- Merry Christmas – Please have a safe and enjoyable holiday season!

**BOROUGH MANAGER:** No report.

**OFFICE MANAGER:** No report.

**FIRE CHIEF:** A written report was included in Council's meeting packets.

**POLICE CHIEF:** A written report was included in Council's meeting packets.

**AMBULANCE SQUAD CHIEF:** A written report was included in Council's meeting packets.

**CODE ENFORCEMENT/ZONING OFFICER:** A written report was included in Council's meeting packets.

**HEAD OF ENGINEERING SERVICES:** No report. Several items are on the agenda for discussion later in the meeting.

**APPROVAL OF ROUTINE ITEMS:** Councilman P. Fleagle made a motion to approve the following routine items –

- A. Approve Minutes as Presented – November 16, 2022 (regular meeting) and November 30, 2022 (special meeting)

Councilman Knott seconded; the motion passed unanimously.

## **COMMITTEE REPORTS AND VOTING ON ITEMS FROM COMMITTEE REPORTS**

### **A. Personnel Committee**

#### **(1) Acknowledge and Approve Personnel Matters as Presented**

- Acknowledge favorable performance evaluation for Michael Benshoff, Maintenance Foreman
- Acknowledge favorable performance evaluation for S. Leiter Pryor, Director of Utilities
- Acknowledge favorable performance evaluation for Stacie Noll, Water Plant Operator
- Approve the removal of Christopher Devers, Fire Chief, from probationary status - passed unanimously on a Royer/Cermak motion

- Approve a salary level increase to 13E for Kimberly Green, WPD Administrative Assistant, effective 11/19/2022 – passed unanimously on a Royer/Cermak motion
- Approve the advancement of Andrew McAllister to Wastewater Treatment Plant Technician, salary level 8E, effective 12/22/2022 – passed unanimously on a Royer/Cermak motion
- Approve a step increase to 18C for Matthew Schmidt, Zoning/Code Enforcement Officer, effective 10/01/2022 (retroactive pay will apply) – passed unanimously on a Royer/Cermak motion
- Affirm the hiring of Jonathon Horniak as Driver/Operator-Laborer, at a salary level of 6E - passed unanimously on a Royer/Cermak motion
- Affirm the hiring of Blayne Gardenhour as Driver/Operator-Laborer, at a salary level of 6E - passed unanimously on a Royer/Cermak motion

**B. Property and Public Safety Committee** – Councilman Cermak noted that the emergency services building is moving forward; and they continue to meet and discuss the project.

**C. Street Committee** - Councilman J. Fleagle noted that the Street Committee met on 12/01. No action is needed from Council as a result of that meeting. He added that a lengthy discussion was held regarding the recent Christmas parade.

**D. Economic Development Committee** – Councilman P. Fleagle provided the following report on their meeting held on 12/06:

- Rental Registration – Jason Stains reported via email that the current program still has about 600 hours to complete. The Borough is looking to hire a part-time staff member to assist with rentals and code enforcement in 2023. Work to date has been assisted by intern Lauren Wetzel. Matt Schmidt will collect stats on rental types for the committee to calculate various methods to charge for the rental registrations, allowing the committee to ascertain if a change needs to be made to the current fee structure.
- Open Container Review – Jason Stains reported via email that he met with Bill Kohler and the owners of Rough Edges Brewery. Open containers will not be advertised for the Sip and Stroll event to occur in a few weeks. Alcohol will only be permitted in the event cup and on sidewalks between Potomac and Walnut Streets and on sidewalks between Main and Third Streets on Walnut Street. Mainstreet will place signs designating such areas. Bill Kohler will advise the committee of the outcome of the event to further discuss the Open Container policy.
- New Businesses/21 East Main/137-139 West Main Updates – Jason Stains advised in an email that there was nothing new to report on the 137-139 West Main Street property. The owner of the property has purchased the Waynesboro Builders Supply property on West Third Street and is hoping to

use the renovation of the second floor of that building as new apartments for a model of what they hope to build on West Main Street.

Bill Kohler noted that Mainstreet was in receipt of a \$100,000 County COVID Relief grant and is still studying what specific monies can be used to renovate 21 East Main Street.

Kohler also advised a new business is opening on Center Square to be called "Raven's Roost".

- Main Street Lighting – Jason Stains noted in his email report that due to PENNDOT concrete pour date cutoffs, lights will probably not be placed until spring. Engineering is working on the light heads between Franklin Street and Fairview Avenue.
- Walnut Street Lighting Plan – Kevin Grubbs provided drawings on the proposed placement of new street lights on the Walnut Street corridor north of Third Street. The committee reviewed options for sidewalk placement and trees on the properties between Second and Third Streets. Kevin Grubbs will outline the suggestions to the various property owners to formulate a realistic redevelopment plan to improve the look of the entire block. Grubbs will report back at the February committee meeting on the results of those discussions.

The committee stressed the need for the Chamber of Commerce and Mainstreet Waynesboro organizations to connect the two separate commercial areas (Main Street and Walnut Street). The use of Walnut Street for the October Market Days will be studied with possible implementation in 2023.

- Memorial Park – Concrete slab for the stage is in place. Wooden stage covering needs to be completed. Discussion of possible use of the park as a music concert venue was discussed.
- Joint Comprehensive Plan – Committee noted that the last Joint Comprehensive Plan was done in 2009. Dan DeDona advised he will be in contact with Washington Township officials to ascertain their interest in pursuing the plan jointly again. DeDona will also present a request to Mainstreet Waynesboro 2035 for any planning ideas that can be accomplished jointly with Washington Township, including connecting walking trails.

## **E. Finance Committee**

- (1) **Pay Bills** – Councilman Knott made a motion to approve the payment of Check Details dated 11/16, 11/30, 12/07 and 12/15. Councilman Cermak seconded; the motion passed unanimously.

**F. Recreation Board** – Councilman Royer noted that the Recreation Board’s next meeting will be held on January 25<sup>th</sup> at 6:30 p.m. at Borough Hall.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS**

**ADOPTION OF 2023 FINAL BUDGET:** Mr. Stains noted that Council adopted the tentative 2023 budget on 11/30. It has been on public display exceeding the minimum 10 days required by state law, and he has received no feedback from the public. The only tax increase is in the general tax, which will increase by 1.5 mills to a total of 23.68 mills.

Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously. Mr. Fleagle commented that the \$500,000 coming out of reserve funds will be difficult to replace. He strongly recommended that money be saved wherever possible.

**CONSIDER ADOPTION OF PROPOSED 2023 TAX ORDINANCE:** Mr. Stains reported that the proposed 2023 Tax Ordinance has been duly advertised for Council’s consideration at this meeting. Councilman P. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**CONSIDER ADOPTION OF PROPOSED ORDINANCE RE: AMENDING THE CODE OF THE BOROUGH OF WAYNESBORO TO ESTABLISH A PROCEDURE FOR WAIVING PENALTIES ASSESSED AGAINST A TAXPAYER DUE TO FAILURE TO RECEIVE NOTICE AS REQUIRED BY ACT 57 OF 2022:** Mr. Stains noted that this proposed ordinance was advertised for Council’s consideration at this meeting. Councilman Knott made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF PROPOSED RESOLUTION NO. 2022-20 (2023 SCHEDULE OF FEES):** Councilman Knott made a motion for approval. Councilman Royer seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF PROPOSED RESOLUTION NO. 2022-21 ADOPTING REFUSE/RECYCLING COLLECTION FEES:** Mr. Stains noted that refuse fees will be increased to \$62.43/quarter/unit, effective January 1, 2023. He added that the annual electronic recycling event will be held on the second Saturday in September of 2023, pending Waste Management’s availability. Councilman Cermak made a motion for approval. Councilman Knott seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF PROPOSED RESOLUTION NO. 2022-22 ADOPTING STORMWATER FEES:** Councilman J. Fleagle made a motion for approval. Councilman Cermak seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF PROPOSED RESOLUTION NO. 2022-23 (SETTING MISCELLANEOUS COMPENSATION FOR BOROUGH PART-TIME, SEASONAL AND CONTRACT EMPLOYEES, AND OTHER MISCELLANEOUS EXPENSES, TO BE EFFECTIVE JANUARY 1, 2023):** Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF PROPOSED RESOLUTION NO. 2022-24 WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN:** Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**CONSIDER APPROVAL TO PROVIDE MATCHING FUNDS (FROM THE STORM SEWER FUND) IN THE AMOUNT OF \$33,036.40 FOR PURCHASE OF A JET-VAC TRUCK:** Mr. Stains noted that this was mentioned in the Director of Utilities' report earlier in the meeting. The Waynesboro Borough Authority has agreed to provide monies from the Water and Sewer Funds totaling 80% of the matching funds required by the grant award. The Borough is requested to provide the remaining 20% (\$33,036.40) from the Storm Sewer Fund for this purchase.

Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

**APPROVAL OF WAYNESBORO SEWER PLANT DEED LOT NO. 1 AND 2:** Solicitor Wisner explained that this Quit Claim Deed will "clean up" the title for the property at the golf course/wastewater treatment plant and allow for the continued use of the property for the wastewater treatment facility and any future expansion (if necessary). Councilman Cermak made a motion to approve the transfer of the current footprint and additional space for expansion (Lots No. 1 and 2) to the Waynesboro Borough Authority. Councilman Royer seconded; the motion passed unanimously.

**CONSIDER TIME EXTENSION REQUEST FOR SUBDIVISION PLAN (JOE DANIELS/VISIONARY CRAFTERS, OLD MILL ROAD):** Kevin Grubbs presented a time extension request for the Joe Daniels/Visionary Crafters' Subdivision Plan for Lot 15 on Old Mill Road. This time extension is for an additional 110 days to 03/15/2023. Councilman Knott made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

**APPROVAL OF SEWER PLANNING MODULE FOR COLD SPRING ESTATES:** Leiter Pryor noted that the Waynesboro Borough Authority reviewed the utility plan for the last phase of Cold Spring Estates at their meeting on 12/13/2022. This sewer planning module is for five (5) EDU's, for which they have adequate capacity to serve. Councilman Cermak made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

**REQUEST BY WAYNESBORO VOLUNTEER FIRE DEPARTMENT (WVFD)  
PRESIDENT MICHAEL BOCK TO BE ADDED TO THE BOROUGH COUNCIL**

**AGENDA:** Terry Reiber, 1<sup>st</sup> Vice President for the WVFC corporation, noted that Mr. Bock was unable to attend this evening's meeting. On behalf of the WVFD, he presented (both verbally and in writing) the following –

“We asked to talk to Mayor and Council about our letter dated December 7, 2022. The letter expresses our concern about the lack of leadership from the Fire Chiefs office for the Volunteers. There are NO programs in the Department for recruitment, retention and training for the Volunteer Firefighters. Two Chief Officers positions are not filled in the Department. (Recently, Assistant Chief Beck resigned.) The Chief does not recognize our line officers.

Waynesboro Volunteers have raised monies and purchased in their name fire apparatus such as a Ladder Truck, Engine 2-1 and Rescue Engine. (Titled in the Corporation name.) Along with the Relief Association, the Volunteers have purchased and maintain small equipment in the Fire Department. Estimate for monies raised and spent are \$3.2 million dollars. The Ladder Truck is not on the Fire Boxes and has not been used on the last several structural fires. (Cost of Ladder Truck is \$1 million dollars).

The Volunteers feel the Borough of Waynesboro does not wish to assist any more. We feel you have turned your backs on the Volunteers. We have been the sweat, blood and tears of the fire department for 143 years. We have no one standing with us, in front leading the way nor behind us to have our backs. There is NO Trust, No Leadership for us. WE NEED AND WANT ANSWERS.”

Mr. Reiber added that the WVFD has been in existence since the two (2) fire companies merged approximately 10 years ago, and there was never a Memorandum of Understanding or agreement in place between the Fire Chief's office, the Borough of Waynesboro and the corporation. Kathy Shaffer, WVFD Board member, noted they feel it would also be helpful to establish the ownership of various gear and equipment which is currently used and housed at the fire station(s).

Discussion also followed regarding the payment of utility costs for the Virginia Avenue fire station. Mr. Stains stated that early in the discussions regarding an MOU, the Borough had advised that they could no longer continue to pay for utilities while still paying for insurance, fuel, etc.

After further discussion on the matter, President Mumma requested that the Borough Manager attempt to arrange another meeting with WVFD President Bock as soon as possible.

**FOR INFORMATION ONLY**

**UPDATE ON BUILDING CODE OFFICIALS DISCUSSION:** Mr. Stains noted that the Property Committee has been working on this since Council's last meeting and felt it would be best to interview the companies involved, as there are a lot of questions to be answered before a decision is made. The committee will report back following these meetings.

**NOTICE OF 2023 MEETINGS:** Mr. Stains noted that the Notice of 2023 Meetings will be advertised in *The Record Herald* and posted on the Borough's website.

**2023 HOLIDAY SCHEDULE:** The 2023 Holiday Schedule for Borough employees was provided to Council for their information.

**CHRISTMAS TREE COLLECTION:** Mr. Stains noted that Christmas trees will be collected at curbside in the Borough during the week of January 16-20 on residents' normal trash collection day.

**CIVIL SERVICE EXAMINATION FOR POLICE PATROLPERSON:** Mr. Stains advised that the Waynesboro Civil Service Commission has conducted the examination for Police Patrolperson. They reported that there were only two (2) applicants and neither of the applicants successfully completed all three (3) portions of the examination.

**PRESS QUESTIONS:** None.

**COUNCIL COMMENTS:** President Mumma noted that an executive session will be held at the end of this meeting to discuss personnel issues and litigation.

Councilman Royer welcomed the two (2) new police officers and thanked representatives of the Volunteer Fire Department for their attendance this evening.

Many wishes for a Merry Christmas and Happy New Year were exchanged.

Council adjourned to executive session at 7:31 p.m. They reconvened at 8:30 p.m. and took no further action. They adjourned on a Cermak/Knott motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary