

MAY 3, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regular 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 and Chad Rooney (Michael Cermak was absent)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Denny Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Utilities
Jim Sourbier, Police Chief

Junior Councilperson – Sophie Van Gilder

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

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

PERSONNEL COMMITTEE: Councilman Rooney made a motion to approve a step increase for Stacy Stine to salary level 6B, effective 05/20/2017. Councilwoman Rolls seconded; the motion passed unanimously.

Councilman Rooney made a motion to approve the hiring of Jonathon Horniak as a Summer Maintenance Worker with the Maintenance Department, at the rate of \$7.25/hour. Councilwoman Rolls seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney noted that the meeting last month was canceled and rescheduled for 05/18 at 6:00 p.m.

STREET COMMITTEE: Councilwoman Rolls reported that the following items were discussed at the 04/26 meeting --

- Request for handicapped parking space in Center Square – A request was received for a handicapped parking space in the southeast quadrant of Center

Square. As there are already handicapped parking spaces designated in the southwest and northeast segments, there should also be one installed in the northwest segment so they are located in all four (4) quadrants of the Square. Councilwoman Rolls made a motion to add handicapped parking spaces in the southeast and northwest segments of the Square. Councilman Rooney seconded; the motion passed unanimously.

- Request for handicapped parking space at 244 Ringgold Street – Councilwoman Rolls made a motion to approve the request for a handicapped parking space at 244 Ringgold Street. Councilman Oldham seconded; the motion passed unanimously.
- Request for “No Parking” area on S. Church Street – At the request of the Police Department, Councilwoman Rolls made a motion to install two (2) “No Parking Between Signs” beginning 109’ from the north curb line of Gay Street and extending 57’ to the north along the east side of S. Church Street. Councilman Rooney seconded; the motion passed unanimously.
- Request for “Stop Ahead” signs on State Hill Road – After discussion regarding safety concerns at the intersection of Clayton Avenue and State Hill Road, Councilwoman Rolls made a motion to replace the existing “Stop Ahead” sign on State Hill Road with a more visible one. Councilman Rooney seconded; the motion passed unanimously.
- Request for “No Parking” area on E. Third Street – The School District is requesting the installation of “No Parking” signs on each side of the driveway for the administrative offices parking lot along E. Third Street. Discussion followed regarding the cost of the signs. Councilwoman Rolls stated that a meeting is planned later this month with School District representatives regarding traffic and parking issues, and this matter can also be discussed at that time.

INTERGOVERNMENTAL COMMITTEE: Councilman Fleagle noted that the WaynesboroFest Committee met on 04/24, and plans are progressing for the 2018 celebration.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle noted that the Downtown Revitalization Committee met on 05/02 and discussed the following –

- Amy Stein of the Arts Alliance gave information about their Arts Program.
- An update on the Health Board issue was requested. Manager Stains noted that the Borough will need to formally adopt an agreement with PA Municipal Code Alliance before Chambersburg will make a determination regarding joining their Health Board.
- Priorities of the Committee with regard to the street light study were discussed with the Borough Manager.
- Prospective replacements for BB&T and use of the building were discussed.

- Concerns were noted regarding repairs needed since the fiber optic construction work through town. It was noted that PENNDOT is aware of the Borough's issues and will approve all street repairs (which are to be completed in 4-5 weeks).

FINANCE COMMITTEE: No report.

RECREATION BOARD: Councilman Rooney reported that the Recreation Board met on 04/26 and discussed the following –

- Official Map – will meet with Kevin Grubbs and report back
- An update on the walking trail and Northside Pool maintenance upgrades was provided. Staffing was approved at Council's last meeting. Sponsors have been obtained for six (6) Theme Thursday events, and F&M will sponsor Opening Weekend. Residents of Emmitsburg, MD and Chambersburg, PA will be given Waynesboro Resident Rates for 2017, as their municipal pools are currently under construction.
- Rotary Park playground equipment completed
- Crystal Payne (Civitan Club) discussed a proposal for handicapped-accessible playground equipment at one of the Borough's parks. Information will be forthcoming.
- Field use request from Redneck Outlaws' Softball League was deferred to the Waynesboro Youth League.

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

"On April 20th, I attended the Greencastle Chamber of Commerce's breakfast with Janet Pollard of the FCVB speaking.

On April 21st, I participated in the groundbreaking of the Mainstreet Plaza.

Also on the 21st, I spoke to three (3) Advanced Civics classes at the Waynesboro Area Senior High School. This is the fourth year of doing this.

On April 22nd, Manager Stains and I attended the Cancer Auction and helped them with their project.

On April 25th, along with Manager Stains and Councilman Mumma, I attended the Cumberland Franklin County Boroughs Association meeting in Shippensburg.

On April 26th, along with Manager Stains, I attended the annual Mainstreet Board meeting.

On April 28th, I attended the Chamber's breakfast. The new Superintendent, Dr. Tod Kline, was the speaker.

On April 29th, I participated in Renfrew's Arbor Day in a tree planting in honor of Ed Miller.

Also on the 29th, I presented certificates to three (3) Eagle Scouts at the Church of the Latter Day Saints. Congratulations to these young men."

Mayor Stalriper welcomed guest Daniel Toney.

SOLICITOR'S REPORT: Solicitor Wisner noted that, at the end of their last meeting, Council authorized action on 137 W. Main Street. He has prepared and filed the appropriate complaint, and an RFP for bids to remove the blighted property will be forthcoming. He commended Manager Stains for his work on blighted properties in Waynesboro and throughout the State.

DIRECTOR OF UTILITIES' REPORT: Leiter Pryor reported that closing documents for the Sewer Debt have been executed. He noted that, as discussed with the Borough's Utilities Committee, the current NPDES permit at the Sewer Treatment Plant is in Borough's name (not the Waynesboro Borough Authority).; and as the WBA owns title to the land, he requested Council's permission to transfer the NPDES permit from the Borough to the WBA. Solicitor Wisner agreed that all the permits should be consistent. Councilman Fleagle made a motion for approval. Councilman Oldham seconded; the motion passed unanimously

JUNIOR COUNCILPERSONS' REPORT: No report.

MANAGER'S REPORT: Manager Stains' report was as follows --

- Completed a Right-to-Know Request for Robert Bromwell of Diversified Technology of Bloomsburg, PA, requesting any information related to a software contract for Water/Sewer Utility Billing. The Borough currently uses a program named Caselle and we have purchased it through Dallas Data in Berks County, PA. We currently do not have a contract with Dallas Data.
- Completed a Right-to-Know Request for Olga Didyk of Federal Signal located in Oak Brook, IL, requesting information regarding –
 - a. How many street sweepers currently in our fleet, which there is one.
 - b. How many sewer cleaning vacuum trucks in our fleet – we currently do not own one.
 - c. Manufacturer of each truck
 - d. Age of the truck – we operate a 2015 Elgin Pelican Street Sweeper
- On April 24th, I was invited by Senator Argall to attend the Statewide Blight Task Force meeting at the State Capitol in Harrisburg. I was invited to discuss our Blight Remediation Resolution to the bi-partisan, bi-cameral board and had very favorable feedback on fighting blight and the concept of blight remediation. The

largest concern that we heard was regarding a new fee to fight blight. The committee also recommended reaching out to the Realtors Association to discuss blighted properties and fees to fight blight across the Commonwealth. This afternoon I was contacted by Senator Argall's office and asked to discuss this blight remediation concept with our County Commissioners, as he is unaware of any blight concepts that they may be working on within the County. We are also hopeful that the State Association of Boroughs will approve our blight resolution as a legislative item next week.

- I continue to work with Chuck Strodoski from YSM on the Memorial Park Project. A rough sketch has been created and will be taken to the Recreation Board and Memorial Park Board for feedback. I am anticipating that we will go to the bid stage in June.
- Council President Mumma and I were able to meet Libre the Boston Terrier who was saved from an Amish dog breeder and the subject for Libre's Law at the State Capitol during Humane Lobby Day. We were also able to briefly discuss animal issues with Brian Bonsteel, Pittsburgh District Leader for the Humane Society of the United States. He stated that where he lives in Pittsburgh, they are limited to five (5) dogs at their residence. Subsequently, we have gotten involved with a property maintenance issue since our vote on the Zoning Ordinance where eight (8) dogs have caused issues in a house. We will discuss this further in executive session this evening.
- We have received information that in Senate Bill 651 that we have received authorization for up to \$2.5 million in RACP grants for site preparation, acquisition, infrastructure, demolition, renovation, expansion and/or construction of a downtown revitalization project. In addition, we have received \$750,000 in RACP grants for the acquisition, infrastructure, rehabilitation, construction and other related costs for streetscape improvements. This money is available to the Borough for the next ten years.
- Weapons Ordinance draft received from Solicitor will be presented at Property and Public Safety Committee meeting.
- Light at 309 Green Street
- I held a conference call with Phil Murphy and Robert Kong from Waste Management last week. We are continuing to discuss an Electronics Recycling event for Borough residents later this summer or early fall. We have looked at aerial photos of the Borough and we are considering holding the event on Ninth Street in front of the Maintenance Center between Clayton Avenue and State Hill Road. Waste Management will bring four (4) tractor trailers in for the event. I will speak to the Fire Police to assist with this event for traffic flow.
- Work is progressing at Northside Pool and we are on target for opening weekend May 27th. The locker rooms have been repainted, new bathroom stalls added to replace the stalls that were at end of life and additional stalls for changing have been added in both locker rooms. An additional room was added for the lifeguards to alleviate the congestion in the guard shack. An additional storage room has been added as well. Next week, Maintenance will finish work on the floors and begin building the pavilion.

- There was a question regarding the motion for the street light study at our last meeting and a copy of the excerpt from the upcoming minutes is in front of you this evening.
- I am asking that Borough Council consider our Summer Schedule at tonight's meeting.
- The Drug Task Force Breakfast has been rescheduled to Wednesday, May 24th, at 8:30 a.m. at Whitetail Resort as previously planned. This now conflicts with our Street Committee meeting.
- I would like to introduce Jeffrey Stonehill. He will be conducting our Fiscal, Operational and Mission Management Analysis.

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:

Floyd Myers, 226 N. Broad Street – Mr. Myers noted he feels the potential \$15 fee on building permits to control blighted properties is unfair, as he feels people who own blighted properties should be held accountable.

Mr. Stains explained that the Pennsylvania State Association of Boroughs is looking at establishing legislation to bring money back to boroughs. The Borough is trying to be more aggressive with properties through code enforcement actions, but many owners do not have funds to maintain their properties adequately. Discussion followed regarding the Borough filing a Declaration of Taking after numerous violations, however Solicitor Wiser explained that the Borough cannot take a property without providing justification and it can't be purchased using tax money. The issue is to get assistance from the State, which is the purpose of the proposed \$15 fee.

Darwyn Benedict, 410 N. Grant Street – Mr. Benedict introduced Sarah Carter, who has cleaned up many blighted properties for banks.

Sarah Carter, 10583 Wayne Highway – Ms. Carter explained the process of clearboarding, which is practically bullet-proof, and makes abandoned homes more aesthetically acceptable. She displayed samples of the technique, noting that many banks will reimburse for this service.

Nathan Green, 600 Park Street – Mr. Green presented a statement (attached to these minutes as Addendum #1) regarding his request for Council to consider an addition/modification to the Firearms Ordinance to include weapons such as long bows, recurve bows, compound bows, cross bows and air-powered bows that shoot a bolt (a form of arrow). Mr. Stains noted that a draft of the proposed modifications was presented for review and discussion at the Property Committee's last meeting.

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

- A. Award Contract
 - Engineering Services (CDBG Program) – Barton & Loguidice
- B. Pay Bills – Check Detail dated 04/24 and 04/28

Councilwoman Rolls seconded; the motion passed unanimously.

UNFINISHED BUSINESS

ADOPTION OF SUBDIVISION/LAND DEVELOPMENT ORDINANCE: It was noted that discussion was held at the Council meeting on 04/19 regarding adoption of the proposed Subdivision/Land Development Ordinance, and the matter was tabled until this meeting. The main topic of concern was the recreational fee, which was not mentioned anywhere in the previous SALDO. Mr. Stains explained that Council could pass the ordinance by either removing the recreation fee language or pass it with a recreation fee of \$0. Solicitor Wisner clarified, however, that the fee would have to be set at \$0 until a recreation plan is created to describe how the fee will be calculated.

Councilwoman Rolls asked, if the language regarding a fee is eliminated, what is the driving factor to make Council discuss it later? After discussion, Councilman Fleagle made a motion to adopt the SALDO with the stipulation that "reserved for future recreation fee language" be inserted. Councilwoman Rolls seconded; the motion passed unanimously.

APPROVE RESOLUTION NO. 2017-05 RE: MODIFICATIONS TO THE FY 2016 CDBG PROGRAM: Mr. Stains noted that a public hearing regarding proposed modifications to the FY 2016 CDBG program was held on 04/19, however no public comments were voiced. The Borough is proposing to use \$23,500 of 2016 CDBG funds for Handicapped Barrier Removal and the Demolition of 137 W. Main Street. Councilwoman Rolls made a motion to adopt Resolution No. 2017-05, as presented. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2017-05

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO
MODIFYING THE FISCAL YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM

Complete copy on file at Borough Hall.

NEW BUSINESS

MEMORANDUM OF UNDERSTANDING WITH FRANKLIN COUNTY

CONSERVATION DISTRICT: Mr. Stains noted that the Franklin County Conservation District has presented the Borough with an updated Memorandum of Understanding. The Solicitor and Manager have reviewed the document and have no concerns, as many of the items included are current practice. As the MOU will hold our governing body to certain deadlines for review of erosion and sedimentation plans, Solicitor Wisner noted that any time-constraint issues can be dealt with by approving the particular plan conditioned upon additional review by the Franklin County Conservation District. Councilman Fleagle made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

AWARD CONTRACT FOR BOROUGH HALL GAS FURNACE: Mr. Stains noted that a new gas furnace for Borough Hall has been discussed during the last two (2) budget cycles, however the bids received were well above the budget figures. He was directed by Council to put \$12,000 from the 2016 budget in reserve for the project. Bids have been solicited and received, and Mr. Stains recommended awarding the contract to Miller Mechanical based on their proposal of \$26,274. Councilman Fleagle made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

PRESS QUESTIONS:

Jennifer Fitch, Herald Mail

Question: When will work on the gas furnace begin?

- Jason Stains noted it may be in late summer.

COUNCIL AND STAFF COMMENTS: Dade Royer, Executive Director at Renfrew Museum, reported that the Brothers of the Brush' annual Egg Hunt was held on 04/15, Opening Day was held on 04/22 and Earth Day was held on 04/29 (a tree was planted in honor of Ed Miller).

Jake Gouge, a WASHS senior, was present to explain plans for the 5th Annual Indian Dash to be held at Renfrew on 05/13. All money raised is donated to various veteran organizations including Save-a-Pet-Save-a-Vet.

Councilman Oldham thanked the public for their attendance.

President Mumma noted that Council's next meeting (originally scheduled for 05/17) will be canceled. He also opened discussion regarding the Summer Schedule for meetings in June, July and August. Councilman Oldham made a motion to hold Council meetings on the first Wednesday only during the months of June, July and August (if an urgent item occurs, the Council president will call a special meeting). Councilwoman Rolls seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned to executive session at 9:00 p.m. It was noted that no action will be taken following the executive session, and the meeting adjourned immediately thereafter.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary

I would like council to consider an addition to the Firearms Ordinance to include weapons such as long bows, recurve bows, compound bows, cross bows and air powered bows that shoot a bolt (a form of arrow) to fall under the provisions that I have suggested. These bow and arrow combinations are not toys, but hunting weapons that kill.

Most properties in Waynesboro don't have the shooting space to protect neighbors from an errant arrow that can travel through or by-pass a target, ending up in a neighbors yard.

I would suggest that in order to safely shoot a bow in the boro, a property owner or renter should have a target stop set back from any neighboring property line or street or alley of 75 yds to 100yds. Also, a permanent backstop should be in place and inspected by the police dept. or someone from the game commission to insure added safety. Also, children under fifteen years of age will have adult supervision of some one over eighteen years of age.

One arrow landing in a neighbors yard is one too many.

Now is the time to write a code to create a safe shooting range that protects neighboring property owners from the possibility of being struck by that errant arrow.

The penalty for non-compliance should be a fine set by boro council and increase in amount on each occurrence.