

NOVEMBER 1, 2017
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regular meeting of the Waynesboro Borough Council to order at 7:05 p.m. (immediately following the public hearing at 6:30 p.m.) with the following in attendance:

Council Members – Delmos Oldham, Patrick Fleagle, Niccole Rolls, C. Harold Mumma, Chad Rooney and Michael Cermak

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 Wiser, Borough Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Borough Utilities
Jim Sourbier, Police Chief

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

EXECUTIVE SESSION: President Mumma noted that Council held an executive session at 6:45 p.m. (prior to this meeting) to discuss personnel, code enforcement and litigation issues.

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

PERSONNEL COMMITTEE: Councilman Cermak made a motion to approve a step increase for Gordon Cruickshanks to salary level 19E, effective 11/25/2017. Councilman Rooney seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Rooney noted that the Property Committee met on 10/19 and discussed the process of updating ordinances and several that need attention. Discussion will be held at some point in the future to determine Council's willingness to pursue these updates. At the next meeting, several ordinances will also be reviewed at the request of Police Chief Sourbier.

The next Property Committee meeting is tentatively scheduled for 01/04 at 6:00 p.m. Mr. Rooney noted that the meetings for 2018 will be held on the first Thursday of the first month of each quarter (01/04, 04/05, 07/05 and 10/04).

STREET COMMITTEE: Councilwoman Rolls reported that the Street Committee discussed the request from Mainstreet Waynesboro to close a portion of Main Street for their “Borough Blast” on New Year’s Eve. They are declining the closing of Main Street, but suggested utilizing the Trinity parking lot, positioning a crossing guard at Church Street, and closing Alley #1 North from Church Street to the stop sign to the rear of the Library. This would permit individuals to park at Trinity and walk to the Main Street Park to enjoy the festivities there. Bill Kohler (Mainstreet Waynesboro, Inc.) noted that is acceptable. Councilwoman Rolls then made a motion to approve the closing of Alley #1 North from Church Street to the stop sign at the rear of the Library for Mainstreet Waynesboro’s “Borough Blast” on New Year’s Eve from approximately 4:00-8:30 p.m. Councilman Fleagle seconded; the motion passed unanimously.

Regarding future requests for street closures and various events, Councilwoman Rolls noted that Kevin Grubbs, Jason Stains and Chief Sourbier will be updating the Events Checklist that is provided to groups planning these types of events. In addition, the Recreation Board will be asked to look at some pre-designated paths for races/runs, which might be helpful in precluding the closing of streets. Additional information will be forthcoming.

Discussion was also held regarding requests to extend the Tractor Trailer Only parking on S. Enterprise Avenue. It was noted that Tractor Trailer Only parking is also available on E. Ninth Street, but it is under-utilized. The Street Committee is not in favor of extending the area on S. Enterprise Avenue, but will encourage the E. Ninth Street parking to be used more. In an attempt to make it more functional, they are considering the possibility of allowing permit holders to utilize parking across the street for their personal vehicles.

The next Street Committee meeting will be held on 11/16 at 6:30 p.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Fleagle noted that the Downtown Revitalization Committee meeting originally scheduled for 11/07 has been rescheduled to 11/14 (due to Election Day).

FINANCE COMMITTEE: President Mumma noted that Council will hold a budget meeting immediately following this Council meeting. He added that it “looks good” for no tax increase in the 2018 budget.

RECREATION BOARD: Councilman Rooney noted that the last Recreation Board meeting was held in September and was already reported on. Since that meeting, however, it has become evident that another meeting is needed before the end of the year. Accordingly, a special meeting has been scheduled for 11/08 at 5:30 p.m.

Mr. Rooney noted there are a few items that will need to be brought to Council, including final recommendations for Park Rules and Regulations, selecting a

Chairperson for the Recreation Board, discussing existing and expected vacancies on the Board, proposed 5K and 10K routes, as well as Rotary Park enhancements.

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

- On October 21st, along with Chief Sourbier, ABATE of PA Motorcycle Club (Monterey Pass Chapter) presented Chief Sourbier a check for Police Department needs. We thank them very much.
- On October 25th, I attended the CTA meeting, which is the County Tourism Ambassador Program for Franklin County. This is to increase tourism thru front-line hospitality employees and volunteers.
- On October 26th, I attended the Legislative Breakfast. Due to budget meetings, only two (2) Senators were able to be there.
- On October 26th, I attended the preview of McDonalds' new building.
- On October 27th, I attended the Franklin County Head Start annual meeting. Head Start has a great presence in the community.
- Later in the day, I attended and participated in the dedication of the new Main Street Park. Many thanks to Mainstreet and their board.
- On October 30th, I attended the ribbon cutting for the new office of BB&T.
- On October 31st, I attended the Franklin County Commissioners' meeting.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: Mr. Pryor reported that he accompanied several staff members from the Water Treatment Plant and WBA Chairman Jon Fleagle on 10/26 to tour the Tamaqua Water Treatment Plant. It is a newly-upgraded facility, and they wanted to review their instrumentation, computer and SCADA systems in an attempt to incorporate some of the equipment in the design work for Waynesboro's upcoming Water Plant upgrades. Preliminary design work will be forthcoming during the first quarter of 2018.

Mr. Pryor also advised that WETT testing at the Wastewater Treatment Plant is underway, and he anticipates good results by the end of the month. That information will be submitted to DEP, and an NPDES Draft Permit should be received shortly thereafter. He also noted that the Notice of Intent was submitted for renewal of the General Permit for biosolids land application, which is due to expire in 04/2018.

In response to questions regarding the Antietam Dam upgrades, Mr. Pryor noted that test holes were dug recently (most of which were favorable), and it seems to be the consensus to pursue the preliminary design on a rock-cut spillway. That project will also be proceeding the beginning of 2018.

JUNIOR COUNCILPERSONS' REPORT: Councilman Rooney reported that he met recently with both Junior Councilpersons to discuss several upcoming projects – one of which will be presented to the Recreation Board and Council in the near future, and a long-term project which they will begin (but will be continued by their replacements

during the next school year). He added that applications will be accepted in the near future from students interested in the Junior Councilperson Program.

MANAGER'S REPORT: Mr. Stains gave a summary report, however the entire Manager's Report was presented for the record as follows –

- I attended the International City Managers Conference October 20-25th and took part in the Small Communities track.
 - a. The New Urban Crisis – Focused on building more inclusive municipalities capable of ensuring growth and prosperity for all. He focused on establishing housing of all economic levels, fighting blight, and the need for various levels of transportation.
 - b. Another Way of Living: The Story of Reston, Virginia – The class focused on the development of Reston, Virginia in the 1960's that valued community, nature, diversity and social equity. Robert Simon, who built Reston, set out to build a walkable community that integrated citizens across racial, economic, and religious divides.
 - c. The Modern Rumor Mill: Counteracting Social Media – Focus was on transparency for the public. Due to our 24-hour news era, citizens consume information online (whether it is accurate or not), leading misinformation to spread quickly. In general, PDF documents and spreadsheets are difficult to consume. We focused on making clear, concise information available to the public on official social media pages and websites.
 - d. Maximizing Resources in Small Communities – The class focused on building resources throughout the community through shared services agreements, public-private partnerships, community volunteers and other resources. The case study focused on Thomasville, Georgia and their work with abandoned industrial properties and their work with volunteer realtors and other professionals to redevelop industrial properties in their community.
 - e. Body Worn Cameras and Public Safety – This class focused on the San Antonio Police Department and their testing for body worn cameras for their department. The department currently stores videos related to felonies for 50 years and regular contacts with the public for 60 days. They have had to purchase a cloud-based system and have their own IT staff to work on storage and retrieval as well as the functionality of the cameras. Their biggest recommendation was to receive a policy on body worn cameras from your District Attorney before creating a policy and carrying cameras. However, they do feel that body worn cameras are an effective tool in policing, and I was later able to watch a demonstration of their cameras.
 - f. From Sleepy to Chic: Making Main Street Cool – The class focused on Berlin, Maryland and their redevelopment of the downtown to be voted as America's Coolest Small Town in 2014. This recognition and redevelopment took 30 years to complete. To redevelop, they focused on holding events, placing utilities underground, Victorian street lights,

Façade Improvement programs, and also created an Economic Development Department. Berlin also focused on making their town walkable and green. We were taught to start small and experiment. Berlin currently has 49 events from May to December in their downtown. Through their experimentation, home sales have increased, they have expanded commercial areas, retail sales are up 30% and they have a vibrant downtown. I will be gathering their handouts for the Downtown Revitalization Committee.

- g. Crisis Leadership – This class focused on throwing out the “management handbook” when a crisis arises and focusing on policies and developing procedure ahead of a crisis. It also focused on the fact that you cannot plan for every type of event and you have to create procedure as you go. There was discussion that at times, you have to just focus on your job and update elected leaders when the opportunity arises as you need to focus on the situation. Cases focused on a Police Officer shooting and killing a senior citizen during a Citizen’s Police Academy program and a major ice storm that left a city without power for a week and ice that was so thick that a milling machine had to be used to remove the ice. The class also discussed Post Traumatic Stress Disorder that can impact first responders, government employees and citizens when dealing with a crisis.
- In the November State Association of Borough’s Magazine, there is an article that touches on House Bill 798 authored by Representative Tina Davis from Bucks County. Her Bill would give oversight of Municipal Water and Wastewater Systems under the Public Utilities Commission. The PUC would set rates and not the local government. PSAB is opposed to this legislation and I believe that Borough Council should consider sending a letter to Representative Schemel asking him to oppose this Bill and allow municipalities to continue to set their own rates. In the same magazine, House Bill 1620 authorized by Representative Nick Miccarelli of Delaware County would strip municipalities of zoning authority related to wireless antennas. The Bill would prohibit municipalities from requiring standard legal protections from companies with wireless facilities in public rights-of-way. One section of the Bill would only allow zoning rights for towers taller than 50 feet and would limit the assessment of fees that a municipality could impose for use of facilities placed in or on a municipal right-of-way. PSAB is asking that each municipality adopt a resolution opposing this legislation. If it is Council’s wish, we will place a resolution on the agenda for November 15th.
- I am continuing to work on the budget and am optimistic that we will be able to wrap up the budget in the next few weeks.

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:

Chris Devers, 126 Clayton Avenue – Mr. Devers noted that, since May of this year, he has been going through the process of trying to erect a four (4) foot fence at his property. He understands there was an administrative error, but he noted his frustration in the lengthy process (and the matter is still not resolved). President Mumma noted that a public hearing will be held on 12/06, and Council could act on the proposed amendments at their meeting following that hearing. Mr. Devers stated, however, that the work completed thus far may be compromised because of the upcoming winter season.

Solicitor Wiser explained that the amendment requested by Mr. Devers was bundled together with another amendment regarding the Sign Ordinance (in an attempt to cut costs). Unfortunately, the Planning Commission has recommended changes to the Sign Ordinance amendments and this requires that the proposed ordinance be re-advertised. The advertisement must be published once a week for two successive weeks before a public hearing can be held, which pushes the matter now to the first meeting in December.

Mr. Devers asked if Council would be willing to write a letter to the Zoning Hearing Board regarding their intent to approve the amendment, however Solicitor Wiser stated that Council cannot make a decision on the ordinance until after a public hearing is held.

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

- A. Acceptance of Proposal for Snow Plowing (D. L. George & Sons)
- B. Approval of Minutes as Presented (October 18, 2017 Regular Meeting)
- C. Pay Bills – Check Details dated 10/16, 10/23 and 10/30

Councilwoman Rolls seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CURATIVE AMENDMENT RE: INDOOR ARCHERY RANGES (HARDCORE CUSTOM ARCHERY, LLC): Kevin Grubbs noted that, based on the information provided to Council during the public hearing and recommendations from the Waynesboro Planning Commission, the proposed Curative Amendment for Indoor Archery Ranges as a use by right in GC districts under Conditional Uses is before Council for their consideration. Solicitor Wiser noted that any verbal decision is subject to a written decision being issued, which could be prepared by the 12/06 Council meeting. The written decision will address whether or not there is a defect with the current Zoning Ordinance in not including an indoor archery use as a permitted or conditional use within any zoning district in the Borough.

Councilman Cermak made a motion to authorize the Borough Solicitor to prepare the written decision and advertise the ordinance as recommended by the Waynesboro

Planning Commission. Councilwoman Rolls seconded; the motion passed unanimously.

CONSIDER ORDINANCE RE: PROPOSED AMENDMENTS TO ZONING ORDINANCE NO. 1158: Mr. Grubbs reiterated that the proposed ordinance will be advertised on 11/20 and 11/27, a public hearing scheduled for 12/06 at 6:30 p.m., and the proposed ordinance placed on Council's 12/06 agenda for consideration.

President Mumma asked about the possibility of allowing Mr. Devers to cap his wall in order to preclude any weather damage. Solicitor Wiser suggested that Mr. Devers speak with Dan Sheffler and Accredited Services after this meeting.

DISCUSSION RE: ANTIETAM HUMANE SOCIETY CONTRACT REQUEST: Manager Stains noted that Council members received copies of previous contracts with the Antietam Humane Society, a proposed contract for the future, and a copy of a contract utilized by the Cumberland Valley Animal Shelter. Andrea Haugh, Director of the Humane Society, was present to answer any questions. President Mumma recommended that Ms. Haugh attend the budget meeting on 11/08 to discuss the matter further.

DISCUSSION RE: MULBERRY AVENUE WALKWAY LIGHTS: Mr. Stains noted that Mainstreet Waynesboro's proposal regarding lighting the Mulberry Avenue walkway was discussed at Council's last meeting. A copy of the agreement regarding the existing lights was provided to Council, and Bill Kohler again displayed a rendering of the proposed string lights. It is Mainstreet's idea that these lights will improve the aesthetics and safety of the downtown area; and they are hopeful that they will be completed in time for the Tree Lighting Ceremony on 11/17.

Councilman Fleagle made a motion for approval of the lighting project (Mainstreet Waynesboro would be responsible for the installation and upkeep of the lights, and the Borough will be responsible for the electric costs), contingent on the stipulation that Mainstreet Waynesboro acquire all required inspections/permits and permission from the property owner(s). Councilman Rooney seconded; the motion passed unanimously.

NEW BUSINESS: None.

FOR INFORMATION ONLY: None.

PRESS QUESTIONS:

Jennifer Fitch, Herald Mail

Question – What is the reason for not closing Main Street for the New Year's Eve event?

- Councilwoman Rolls responded that the Street Committee's discussion included the fact that the parklet was built to accommodate public

gatherings and closing the street for a first-year event may not be necessary (based on the number of attendees); concern was also noted regarding the bounce-house and firepit(s) being placed on Main Street.

COUNCIL AND STAFF COMMENTS: Mr. Stains noted that he provided Council with an email comment from Bill Pflager regarding the proposed Sewer Connection Ordinance. The matter will be on the agenda for the 11/15 Council meeting.

Councilman Cermak thanked the public for their attendance. He stated he felt that a lot was accomplished this evening by resolving some ongoing concerns.

Bill Kohler (Mainstreet Waynesboro, Inc.) thanked Council members for their attendance at the Main Street Park dedication ceremony, as well as the Mayor for his comments.

Police Chief Sourbier commented on the contribution from ABATE (mentioned previously by the Mayor). He stated that the funds will be utilized to purchase tactical lights on the handguns for every officer in the Department, which equates in excess of \$260.00/officer. This is equipment that they could not have otherwise afforded, and he noted his appreciation.

Dade Royer (Renfrew Museum) reported that Team Rubicon (a group of volunteers) assisted recently with cutting/clearing trees on the property damaged by the Ash Plague. Their contribution saved Renfrew between \$5,000 to \$10,000.

Councilman Oldham thanked the public for their attendance and comments.

Having no further business to discuss, the meeting adjourned at 7:50 p.m. on a Fleagle/Rolls motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary