

DECEMBER 21, 2016
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled 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, Chad Rooney and Michael Cermak

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder (alternate)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Denny Benshoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Jim Gehr, SusqueCanna Pharma, was present to discuss their hopes of establishing a Medical Marijuana Growing/Processing Operation in the Zullinger Industrial Park. He described the background and experience of each of the partners involved in the venture, and explained the positive effects of medical marijuana on the 17 approved ailments in PA. He noted that their product will not be smoked, but will be processed into tinctures, oils and ointments.

Mr. Gehr noted that they have entered into a sales agreement for a lot in the Zullinger Industrial Park, and are in the process of applying for a growing/processing license (which is due by 03/20). He explained their plans for security at the site, including a parameter fence, hi-tech surveillance equipment and an active monitoring process through Fidora Security. License approvals will be announced in June of 2017; and if they are successful, they would begin construction at that time. They are currently working with R. Lee Royer on a Land Development Plan, and anticipate the facility's footprint to be approximately 45,000 s.f. They expect to be a leader in this industry in PA, with hopes of expanding to a 225,000 s.f. greenhouse at some time in the future.

Mr. Gehr also noted that their business would bring approximately 50 jobs to the area (not only in cultivation, but also marketing, sales and distribution). They also intend to give 7% of their profits to research, charities and the community.

He noted that the facility does not utilize chemicals and emits no odor. In addition, 30% of their water usage is from captured and re-used water. They would like to drill a well for bathroom and kitchen facilities (domestic use only) and will discharge no process water into the sanitary sewer system.

It was noted that Council will be discussing their request for a letter of support later in the meeting.

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

PERSONNEL COMMITTEE: Councilman Rooney noted that he received a favorable performance evaluation for S. Leiter Pryor -- no action was required.

Councilman Rooney made a motion to reappoint Sarah Stains to the Recreation Board; said term to expire on 12/31/2021. Councilman Cermak seconded; the motion passed unanimously.

Councilman Rooney made a motion to reappoint Sandra Cermak to the Zoning Hearing Board; said term to expire on 01/01/22. Councilwoman Rolls seconded; the motion passed unanimously.

Councilman Rooney made a motion to reappoint William Pflager to the Waynesboro Borough Authority; said term to expire on 01/01/2022. Councilwoman Rolls seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. The next Property Committee meeting will be held on 01/19 at 6:00 p.m.

STREET COMMITTEE: No report. The next Street Committee meeting will be held on 01/28 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: Councilman Fleagle read correspondence from the Franklin County Department of Emergency Services outlining their recent decision regarding fail times (which he had mentioned at a previous meeting was being discussed by the Emergency Services Alliance). "Through months of deliberation among committees and Emergency Services Alliance meetings, the decision was made to adjust fail time for all fire department-related units to a standard five (5) minute fail time. The adjustment will now mirror the fail time for all emergency medical services (EMS) units at the same five-minute fail time. Emergency Services appreciates the input and cooperation among everyone involved with the decision. Therefore, at 0001 January 1, 2017, the fail time standard of five (5) minutes for fire-related apparatus will be in effect."

DOWNTOWN REVITALIZATION COMMITTEE: No report. The next Downtown Revitalization Committee meeting will be held on 01/03 at 10:00 a.m.

FINANCE COMMITTEE: President Mumma noted that Council members have received the financial statements for 11/30/2016. Several questions have been addressed with Manager Stains with regard to the recycling grant and the PENNVEST closeout (which is to be submitted by the end of 2016).

RECREATION BOARD: No report. The next Recreation Board meeting will be held on 01/25 at 6:30 p.m.

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

“On December 12th, along with Manager Stains and Councilman Mumma, I attended the meeting along with local government and public officials in reference to medical marijuana support business in the Township.

On December 13th, I attended the Fire Police meeting. At this time, the Fire Police and Fire Department need to meet.

On December 16th, I was an invited guest at the Mowrey Elementary School third grade classes (5) to speak about local government. They had some very interesting questions ... one I knew would be asked and that was, can I call off school.

On December 20th, I attended an outing “Burgers with Bill”. Of course, the Bill was Congressman Bill Shuster.”

SOLICITOR'S REPORT: No report. Solicitor Wisner requested an executive session at the end of this meeting to discuss various issues.

MANAGER'S REPORT: Mr. Stains reported on the following –

- Received a \$150,000 grant thru DCNR's C2P2 program for Memorial Park, which brings the total to \$355,000 for restoration work. In addition, a \$2,500 private donation has also been received toward the project.
- Garage demolition (behind Borough Hall) began this week and will continue.
- Mr. Stains has been appearing weekly on the radio to discuss projects and events in Waynesboro; and he will be appearing on Harrisburg's ABC 27 and WHAG in the near future to discuss the upcoming Memorial Park project.
- A bid in the amount of \$40.00 (from John Baumgardner) has been accepted for a paint trailer which is no longer used by the Maintenance Department.

JUNIOR COUNCILPERSONS' REPORT: Adrianna Taylor reported that she and Sophie Van Gilder are continuing to pursue a substance abuse program at WASHS, which was discussed at a previous 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: None.

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

- A. Approval of Minutes – November 16, 2016 (regular meeting) and November 30, 2016 (special meeting)
- B. Pay Bills – Check Details dated 10/31, 11/07 and 11/14
- C. Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of November, 2016

Councilman Rooney seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER ADOPTION OF PROPOSED ORDINANCE RE: SUSQUEHANNA MUNICIPAL TRUST: Mr. Stains advised that the proposed ordinance to join the Susquehanna Municipal Trust for workmen's compensation insurance has been advertised for Council's consideration at this meeting. Councilwoman Rolls made a motion to adopt the ordinance, as presented. Councilman Oldham seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, TO JOIN WITH OTHER POLITICAL SUBDIVISIONS AS A MEMBER OF THE SUSQUEHANNA MUNICIPAL TRUST, TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE PURPOSE OF JOINING THE TRUST AND TO PARTICIPATE AS A MEMBER OF THE TRUST

Complete copy on file at Borough Hall.

ADOPT 2017 BUDGET: Mr. Stains noted that the proposed tentative budget (and subsequent revised tentative budget) has been on public display the required amount of time, and is before Council for their consideration at this time. Councilman Cermak made a motion to adopt the revised tentative 2017 budget, as presented. Councilman Oldham seconded; the motion passed unanimously.

CONSIDER ADOPTION OF PROPOSED 2017 TAX ORDINANCE: Mr. Stains added that the proposed 2017 Tax Ordinance has also been on public display. The ordinance sets tax rates in the Borough as follows: 18.18 mills for general Borough purposes, 2.0 mills for street lights and 5.0 mills for street improvements. Councilman Cermak made a motion to adopt the proposed ordinance, as presented. Councilman Oldham seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, COMMONWEALTH OF PENNSYLVANIA, fixing the tax rate for the fiscal year 2017

Complete copy on file at Borough Hall.

CONSIDER ADOPTION OF PROPOSED TATTOO ORDINANCE: Mr. Stains reported that the proposed Tattoo Ordinance has been duly advertised, with no comments received from the public. He noted that this version updates various safety procedures for tattoo establishments. Councilman Cermak made a motion for adoption of the ordinance, as presented. Councilman Rooney seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE REPEALING ORDINANCE NO. 960 OF THE BOROUGH OF WAYNESBORO, AS AMENDED, IN ITS ENTIRETY AND ENACTING A NEW ORDINANCE REGARDING TATTOO ESTABLISHMENTS WITHIN THE BOROUGH AND PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF

Complete copy on file at Borough Hall.

UPDATE ON STATUS OF ZONING ORDINANCE AND SUBDIVISION/LAND DEVELOPMENT ORDINANCE (SALDO): Solicitor Wiser noted that Council held a public hearing at their previous meeting in December, with comments being received on the proposed Zoning Ordinance and Subdivision/Land Development Ordinance. Council has the opportunity to act on the ordinance, but is limited (by the Municipalities Planning Code) to a window of 90 days after the public hearing for that action. If action isn't taken within that 90-day time frame, another public hearing must be held with action being taken after that. Council's direction is being sought as to when/if they would like to schedule a date for action on these ordinances. Both ordinances would need to be advertised with a date on which Council is planning to take action. The final date (based on the 90-day limit) would be 03/07.

Mayor Starliper asked if these amendments will be a future benefit to the community. Mr. Wiser noted he feels the updates are a benefit to the community, as the original Zoning Ordinance was adopted many years ago and amended many times over the years. This makes it very difficult and confusing to maneuver. The update will bring clarity to the current zoning regulatory scheme and brings some modern concepts to the land use in the Borough.

Councilwoman Rolls asked if comments received at the public meetings and hearing were considered in the amendments. Mr. Grubbs responded that all the comments were considered and many were reflected in these updates.

Councilman Cermak commented that Council should review the proposed ordinances in-depth, as there are many changes being made to the original version. For that reason, President Mumma suggested that Council hold work sessions on the second and fourth Wednesdays in January at 6:00 p.m. for the purpose of reviewing the proposed documents. He requested that the public refrain from commenting during these meetings, but added that written comments should be presented to the Borough Manager after the meetings for consideration.

APPROVE FINAL PAYMENT TO NEW ENTERPRISE STONE & LIME CO., INC.:

Kevin Grubbs presented a Payment Request and Recommendation of Payment of the \$10,000 retainage withheld from New Enterprise Stone & Lime Company for the cold in-place recycling projects on Fairview Avenue and Welty Road. He noted there were a few issues (damaged curb) which have now been resolved, and he recommended the final payment be made. Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

NEW BUSINESS

LETTER OF SUPPORT FOR SUSQUECANNA PHARMA: Having heard the presentation by Susquecanna Pharma earlier in the meeting, Councilman Cermak made a motion authorizing a letter of support to be drafted and sent. Councilwoman Rolls seconded; the motion passed unanimously.

RESOLUTION NO. 2016-26 (2017 FEE SCHEDULE): Mr. Stains presented proposed Resolution No. 2016-26, which provides for the 2017 Fee Schedule recommended by department heads. Following discussion on the proposed changes from the 2016 Fee Schedule, Councilman Cermak made a motion for approval. Councilman Rooney seconded; the motion passed unanimously.

APPROVE 2017 SALARY SCHEDULE AND ROSTER: Mr. Stains presented the proposed 2017 Salary Schedule and Roster for the Borough's non-uniformed employees. Councilwoman Rolls made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

AUTHORIZE COMPARABLE MUNICIPAL SALARY STUDY AND BUDGET STREAMLINING PROCESS THROUGH DCED PEER CONSULTANT PROGRAM:

Mr. Stains requested Council's authorization to write a letter to DCED to take advantage of their Peer Consultant Program. He explained that a representative would review the Borough's job classifications and wages (at no charge) for comparison with those of surrounding communities to ensure we are in-line, and review the current budget process to determine if there are ways it could be streamlined moving forward. Councilman Oldham made a motion to authorize the Borough Manager to pursue the study as described. Councilwoman Rolls seconded; the motion passed unanimously.

ACKNOWLEDGE 2017 REGULAR MEETING SCHEDULE: Mr. Stains presented the proposed advertisement for 2017 regular meetings for the Borough's various boards and committees. Councilwoman Rolls made a motion to authorize advertisement of the

meeting schedule, as presented. Councilman Cermak seconded; the motion passed unanimously.

REQUEST FROM WAYNESBORO AREA YMCA TO HOLD 3RD ANNUAL TRIATHLON (JUNE 10, 2017): Mr. Stains presented a request from the YMCA to hold its third annual triathlon on June 10, 2017. The event will follow the same route through the Borough as in past years. Mr. Stains noted that YMCA representatives will meet with the Mayor and appropriate staff to discuss traffic control after January 1st, and he recommended that approval be granted pending that meeting. Councilwoman Rolls made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

FOR INFORMATION ONLY

CHRISTMAS TREE PICK-UP (JANUARY 11, 2017): Mr. Stains reported that Waste Management will collect Christmas trees at curbside on 01/11 for the entire Borough. A press release has been prepared regarding tree collection, as well as the 2017 Recycling Schedule.

Mr. Stains added that he is also working with Waste Management to prepare new informational material regarding trash and recycling issues for public information. It was clarified that additional recycling cans may be purchased at Borough Hall, but recyclable items can also be placed out (on recycling weeks) in a clear plastic bag.

PRESS QUESTIONS: None.

COUNCIL AND STAFF COMMENTS: In addition to many holiday wishes amongst Council and staff, the following comments were also made.

Councilman Cermak noted his appreciation for the public's attendance and encouraged Borough residents to attend the meetings for review of proposed amendments to the Zoning Ordinance and Subdivision/Land Development Ordinance (SALDO).

Denny Benshoff reported that curbside leaf collection has ended.

Kevin Grubbs noted that Herb Sandifer (Waynesboro Construction) contacted him regarding the possible abandonment of a 16' alley between his and the Kayhoe property located at W. Fifth Street and Hamilton Avenue. The alley has never been opened, but the public right-of-way is identified in the lease; and they would like to claim the rights to this alley (between both properties). Mr. Grubbs added that this alley is currently on the Borough's list for abandonment at some time in the future. He explained the process for alley abandonment, for which the property owner would be required to pay a \$2,000 fee. Borough Council would need to establish a public hearing date, the hearing will be advertised once with 30 days' notice and once within 7 days of the hearing, notification will need to be sent to the adjacent property owners, the area must be posted, the Solicitor will draft an ordinance for the abandonment, and the proposed ordinance will need to be advertised as well. He noted that the earliest possible public hearing date

would be 02/15 at 7:15 p.m. Councilman Rooney made a motion to establish the 02/15 public hearing date as recommended. Councilman Oldham seconded; the motion for advertisement passed unanimously.

Bill Kohler (Mainstreet Waynesboro, Inc.) reported that the “scarf bombing” event went well, and everything was removed from the trees by the next day -- they hope the items found their way into the hands of those in need. Mr. Kohler noted that the dog waste stations have arrived and will be installed in the near future. In addition, the Christmas tree and holiday decorations will be removed on 01/03. He thanked the Borough staff for their assistance with this work.

Councilman Oldham questioned if reimbursement money has been received yet for the Fairview Avenue and Welty Road projects. Mr. Stains stated it has not.

Councilwoman Rolls announced that spring is coming and it is now 145 days away from the second annual Spring Cleaning event in Waynesboro. She plans to apply for a grant for supplies, and is hoping for another successful turnout.

Having no further business to discuss, Council adjourned at 9:00 p.m. to an executive session for the purpose of discussing code enforcement litigation, personnel and real estate matters. It was noted there may be voting on two (2) of the items discussed following their return to regular session. They reconvened to regular session at 9:33 p.m.

Councilman Fleagle made a motion to authorize 105 Excavating to move forward with the demolition of 116 Hamilton Avenue. Councilman Oldham seconded; the motion passed unanimously.

Councilman Fleagle made a motion to send correspondence to the property owner(s) at 312 N. Broad Street informing them they are in violation of the Solid Waste Management Act and to outline the prohibition of waste they are currently placing curbside. Councilman Oldham seconded; the motion passed unanimously.

Councilman Oldham then made a motion to adjourn the meeting at 9:35 p.m. Councilwoman Rolls seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary