

NOVEMBER 18, 2015  
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:

Borough Council Members – Benjamin Greenawalt, Delmos Oldham, Darrel Potts, C. Harold Mumma, Hans Bader 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 Wisner, Borough Solicitor (Salzmann Hughes, PC)  
Jim Sourbier, Police Chief  
Shawn Adolini, Fire Chief

**MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE:** Mayor Starliper asked for a Moment of Silence for the people in France. He then led those present in the Pledge of Allegiance.

**EXECUTIVE SESSION:** President Mumma noted that an executive session will be held at the end of the meeting.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Report to be later in the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** Councilman Oldham noted he will present one (1) item for voting later in the meeting. He noted there was discussion at the Street Committee meeting regarding responsibility for trimming trees in the Borough's right-of-way. Solicitor Wisner stated that if they are street (or shade) trees, the Borough is responsible for the maintenance. If the tree is on private property but overhangs the right-of-way, the Borough has an ordinance that requires the owner to maintain it at a certain height. It was clarified then, that the streets between the sidewalk and curb on S. Phillips and S. Price will be the Borough's responsibility.

Councilman Oldham noted that discussion was also held regarding inadequate lighting on Main Street, and the Street Committee would like to see LED lights installed

downtown for safety reasons. Mr. Stains reported that, pursuant to a seminar he attended in State College regarding the possibility of switching to LED lighting in the existing street light fixtures downtown, DEP is reviewing the Borough's electric bills. Some municipalities who are participating in the program are reportedly saving \$3,000-\$7,000/month. He is awaiting additional information regarding the number of lights to be switched and the upfront costs for upgrading to LED. A handout was provided to Council regarding the current styles being utilized, as well as a list of PA municipalities with test sites for LED lighting (the closest is Shippensburg). There have also been complaints, however, that the wattage recommended by West Penn Power is too bright.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report.

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

“On October 24<sup>th</sup>, I attended an Open House of the PA State Police in Hershey, PA. Also on the 24<sup>th</sup>, I attended the Waynesboro Fire Police Dinner held at the Virginia Avenue Fire Hall. We thank them for their services and their families for their support.

On October 27<sup>th</sup>, I attended the Chamber's mixer at the New Monterey Pass & Pub.

On October 30<sup>th</sup>, I had the privilege of uniting in marriage Tiffany Souders and David Gimsley, Jr. Wish them the very best.

On November 7<sup>th</sup>, I attended the ribbon-cutting for the “New” Applebee's Restaurant. Their ribbon-cutting honored the American Legion Post 15, the American Vet Dog Program and the Ethan Barnhart Scholarship Award. Our thanks for their support of the community. Also on the 7<sup>th</sup>, I attended the Alexander Hamilton Memorial Free Library Fundraiser. This year it was designated as Caps vs. Corks. We thank them for their support in the community.

On November 11<sup>th</sup>, the Waynesboro Fire Department and Blue Ridge Fire Department were involved with Veterans Day at Applebee's.

On November 12<sup>th</sup>, I attended the Chamber's mixer in recognition of the Lunch Place's 25<sup>th</sup> Anniversary.

On November 13<sup>th</sup>, I attended the Chamber's breakfast. Score of Hagerstown presented the program.

On November 14th, I attended the Flag Retirement Ceremony at Memorial Park. The ceremony was an Eagle Scout Project by Scout Cy McCleaf. Over 1300 flags were presented to be retired. Also present were new Council members Chad Rooney and Niccole Rolls. We thank Scout McCleaf for his project.

On November 10<sup>th</sup>, Officer Travis Carbaugh was recognized as a nominee for "Outstanding Service in Law Enforcement in a Community" by the VFW John Radko Award. This nomination will be taken to the VFW District level and, hopefully, the State level. We thank him for his services."

**SOLICITOR'S REPORT:** No report.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Oldham reported, at the Street Committee's meeting on 10/28, discussion was held regarding the metered parking space in front of 47 W. Main Street. He made a motion for its removal in order to comply with PENNDOT's permit for the crosswalk at this location, stating liability issues if a pedestrian were to be hurt in the crosswalk. Councilman Greenawalt seconded. Councilman Cermak asked for clarification on the matter.

Darwyn Benedict (Re/Max), 47 W. Main Street – Mr. Benedict distributed handouts regarding the crosswalk and showing the parking space in question, which was signed by Municipal Official Kevin Grubbs and the District Traffic Engineer of PENNDOT on 01/24/2013. He also included information indicating other crosswalks on Main Street which are much more dangerous places. He noted that, according to PENNDOT, this parking space doesn't exist because there is a bump-out (beyond that space) for visibility. He and his brother did their own study to determine when visibility is lost at each of the seven (7) crosswalks which have parking spaces at the same spot as the crosswalk in question at Mulberry Street. In a 25 mph, there are four (4) other crosswalks which are worse than this crosswalk ... in fact, the parking space at 47 W. Main Street could be removed and visibility is still at 270'. Mr. Benedict noted there has been a vendetta to remove this space since 2011, when an individual was on Council who didn't like the results of not being permitted to build a building in the Rotary parking lot; and it is "discriminatory". Mr. Benedict also noted that he has requested on numerous occasions that the street be marked off with white slashed lines from the handicapped space to the crosswalk on the opposite side of Mulberry so that people don't park there, but nothing has been done.

Councilman Oldham asked "would that parking space mean that much to your business" and Mr. Benedict noted that this was discussed before at the Street Committee meetings. A gentleman has mentioned that he tries to stop in at the Historical Society, but there is never a parking space available. In a downtown business district, parking is provided for two (2) hour time periods in order for people to conduct business. With the theatre re-opening and parking restricted in the Trinity lot on Sundays for church, downtown will likely get more busy and every available parking space will be needed.

Councilman Bader asked Chief Sourbier to give information on how many pedestrian accidents have occurred in that crosswalk. Chief Sourbier noted there have been a few, but he will not guess the exact number in public forum. Mr. Benedict stated there have probably been two (2), and the cars have been coming from “the other direction”.

Stephen Monn, 126 W. Main Street – Mr. Monn suggested that Council find out what PENNDOT says specifically ... “if they say the parking space is in violation of the regulations, then remove it; if they say it is not in violation of their recommendations, then leave it.”

Kevin Grubbs then stated that PENNDOT approved a permit for the crosswalk based on recommendations submitted by the Borough to remove a certain number of parking spaces in 2010. The recommendation at that time was to remove two (2) spaces – one on the northwest and one on the southwest side of the crosswalk – upon approval of the highway occupancy permit to install curb extensions at this crosswalk (utilizing criteria set forth in the Vehicle Code that no parking is permitted closer than 20’ of an intersection). Although this is not an actual intersection, they tried to get at least 20’ clearance – which was obtained at the other three (3) areas. Mr. Grubbs noted that the parking space there now is 13.10’ away from the crosswalk ... and noted they are simply trying to complete what was started in 2010.

Mr. Grubbs added that a grant was awarded to the Borough last year for \$86,000 to install more rapid flashing beacon lights. In order to install them, a bump-out must be installed; and there will be some critical parking spaces that will have to be removed. He added that, under Federal Highway Administration requirements, any crosswalks with rapid flashing beacon lights must have up to 200’ of no parking approaching such crosswalk. As the rapid flashing beacon lights at this crosswalk were part of a grant program, Mr. Benedict asked if the state signed-off on its completion prior to their reimbursement to the Borough. Mr. Grubbs noted that they signed-off, but did not conduct a walk-thru.

Solicitor Wisner advised President Mumma that this is the first time he has heard information regarding a potential for liability with this issue, and he requested an opportunity to review the submitted information to determine whether or not there is potential liability and provide the Borough with adequate advice on the matter.

Councilman Oldham rescinded his previous motion and Councilman Greenawalt rescinded his second. Councilman Oldham then made a motion to table the matter until the next Council meeting in order to receive Solicitor Wisner’s report on his findings from PENNDOT. Councilman Greenawalt seconded.

Mike Benedict, owner of 47-51 W. Main Street – Mr. Benedict asked for Mr. Grubbs to repeat his comment regarding the removal of parking 200’. Mr. Grubbs reiterated that if rapid flashing beacon lights are installed on a state highway, PENNDOT requires that 200’ of parking be removed on both sides approaching the crosswalk. After speaking

with PENNDOT regarding this location, they recommended that the sidewalk be extended out to where pedestrians would be visibly noticeable on the bump-outs. Mr. Benedict noted, however, that when you are standing on that bump-out, you are clear of all parked vehicles and visible. Mr. Grubbs responded that a geometric view is conducted, based on 270' distance and a height of 3.5' (similar to a motorist in a car); and what they can see based on the posted speed limit and grade of the road is taken into consideration. Mr. Benedict claimed that is what he and his brother did in their study, and this is the only crosswalk in Waynesboro that had that much visibility. Mr. Grubbs explained that there are other items to be considered in the equation. Mr. Benedict then commented that if that parking space is removed, there are at least ten (10) other spaces in town that should be removed ... and he will see to it that everything is fair from one crosswalk to the next. President Mumma stopped the discussion at this point, as it was progressing to an argumentative state. He noted this is something that Council will need to discuss following Solicitor Wiser's report.

A vote was called on the motion to table, and the motion passed unanimously.

### **PUBLIC IN ATTENDANCE – AGENDA ITEMS:**

Ronnie Martin, 66 State Hill Road – Mr. Martin questioned if a comment reportedly made by Councilman Cermak at the September 30<sup>th</sup> meeting – that if a second inspection agency was allowed to operate in the Borough of Waynesboro, Accredited Services would go out of business – is included in the minutes before Council to be voted on. Mayor Starliper noted it is.

Stacy Stine, 10850 Wharf Road – Mr. Stine was present to speak on behalf of the Borough's employees (of which the majority were present in the audience) on cutting costs in the proposed 2016 budget. It is his understanding that several councilmen would like for the employees to begin paying for a portion of their health insurance. President Mumma noted that "some of the Council wants it, some of us don't", adding that he wants "us to take care of all the employees' insurance". Councilman Cermak agreed, but noted there are three (3) who want the employees to pay. No other comments were heard.

Mr. Stains explained that Council has before them two (2) drafts of the General Fund – one with employees paying for a portion of their health insurance and one without; and both versions of that budget are balanced. Mr. Stine presented a "petition" from employees from all the departments which outlined their opinions regarding this proposal, and he gave a summary of their reasoning.

Councilman Oldham noted that the only portion of the health insurance they are suggesting be paid by employees would be the increase from last year's cost; and Councilman Cermak suggested that the increase will take up all of the employees' proposed cost-of-living increase for the year. Mr. Stine asked that Council consider a tax increase or reduction in another area where money is wasted instead of taking from the group of men/women working for them.

Discussion followed regarding projected revenues in the budget, as well as projected ObamaCare fees and rebates from the health care consortium to which the Borough belongs.

Mr. Stine spoke of the loyalty, dedication and experience of the Borough's employees ... who do their jobs on a daily basis without complaint. They are here tonight, however, to complain because Council is considering taking away from them. He asked Council members to reconsider what they are doing to the employees.

Monte Scheeler, 520 Hollengreen Drive – Mr. Scheeler noted he works for West Penn Power and asked about the various benefits granted to Borough employees. As many of the benefits he receives from his employer are not given to Borough employees, he feels it is a minimal request on the employees' part to ask that the Borough continue to pay for their health insurance. In support of the Borough employees, Mr. Scheeler asked Council to think about what could happen before they vote on this matter. Councilman Bader commented that this is comparing "apples and oranges" ... but Mr. Scheeler noted he is comparing "workforce to workforce". Mr. Stine agreed that West Penn Power's employees make more ... but the Borough's employees are not asking for more, they are just asking that nothing be taken from them.

Ronnie Martin, 66 State Hill Road – Mr. Martin noted that he said many years ago that the Borough's maintenance department was very underpaid.

Shawn Adolini, Fire Chief (Waynesboro Fire Department) – Chief Adolini noted that Council has "cut out most of everything we requested" in the proposed 2016 budget. His main concern is removal of the part-time firefighter's position which was approved by Council last year (to cover daytime hours when there is no one at the fire station). Mr. Stains noted he was directed during budget deliberations to remove it from the budget. Mr. Adolini advised citizens and business people that manpower is very low during the daytime hours; and if these positions are removed, there is a good chance that a fire engine will show up with a driver only. He asked Council to reconsider the matter.

Trayer Stoops, 224 Walnut Street – Mr. Stoops spoke in support of the part-time firefighter position being included in the budget. He currently works as a part-time firefighter for the Borough of Waynesboro, as he is available in daytime hours throughout the week when many other volunteers are at their full-time jobs. By eliminating this part-time position, he will most likely find another part-time job outside the community and will not be available to run calls when he is off work from his paid employment. He asked Council to consider what the volunteers of the Fire Department contribute to the Borough and reconsider cutting the Fire Department. He stated that just that small amount in the Borough's budget makes a huge difference in the first five (5) minutes of a fire, which can reduce property loss and save lives.

Jim Sourbier, Police Chief (Waynesboro Police Department) – Mr. Sourbier noted that, as Chief, he is not covered by the police contract but “is a cop” before he “is the Chief” and he speaks for them. He noted that the contracted employees (police officers) pay huge deductions already for their insurance and the non-contract employees have that to look forward to. As next year is a contract negotiating year, he is quite certain that non-contract employees will end up with what the contract employees “are stuck with if you don’t stick up for yourselves right now”. He stated it is not fair to give an employee a “\$2.00/hour raise and then tell him he’s got to pay \$4.00 back ... you haven’t given him anything”. Council should think about the hourly rates and what the police officers do for the community every day; and he has seen the same compassion, ethical and work-motivated labor out of everybody he has dealt with on the Borough’s staff. Council needs to keep that in mind or they will lose the good employees with experience who are ready, willing and able to do for this community something that nobody else can or will do.

Harry Morningstar, 205 Clayton Avenue – Mr. Morningstar commented that he has asked on several occasions if anyone in the audience or on Council has a problem with the current code inspection officer, and no complaints have been voiced. As there are enough problems to be dealt with, he asked if Council really wants to force a local business out and have our code inspection officer located in another community. He urged Council to reconsider the matter.

Ronnie Martin, 66 State Hill Road – Mr. Martin stated that he asked for the right of choice for a building inspector at least 7-8 years ago, noting this country was founded on the principle of free enterprise.

Casey Rock, 134 Clayton Avenue – Mr. Rock noted that the cost of a life is irreplaceable. By cutting the part-time firefighter from the Fire Department’s budget, the community and its residents (as well as the surrounding communities) are being put at risk. He asked Council to imagine what they would have to pay for a fully funded, career-staffed Fire Department and/or EMS service. He asked, if there is a fire during the day when volunteers are at their full-time employment, who is to blame when someone dies? He answered that it is not the Fire Chief but the people who cut the budget.

Patricia Crouse, 2735 Leitersburg Road – Ms. Crouse stated her concerns with having two (2) inspection agencies in the Borough of Waynesboro, especially because one has been “put out of two other municipalities for whatever reason”. She also spoke in support of Mike Cermak (as an inspector) and Accredited Services, adding that having a choice of inspectors is not in the best interests of the Borough or its citizens. She feels there would be an increase in code violations if the inspection company is located out-of-town, which could eventually reduce tax monies based on lower assessments, and jeopardize safety to the community.

Craig Myers, 165 E. Walter Avenue, Greencastle – Mr. Myers is a career fire apparatus driver for the Waynesboro Fire Department. He also asked for Council to reconsider

cutting the part-time firefighter position from the budget due to the decline in volunteerism, which has become a “thing of the past”. If an operator responds to a fire alone, his life is being put at risk, and it is illegal. As pointed out by Casey Rock and Trayer Stoops, the Borough is not being asked to fund the entire Fire Department ... they are being asked for \$30,000 for one (1) firefighter for 10 hours/day, which makes a world of difference.

Niccole Rolls, 34 N. Potomac Street – Ms. Rolls noted that some of the volunteers may have “gone the way” of Nicole Ellis, who presented a complaint at Council’s September meeting about derogatory comments made about female volunteers in the Fire Department. She stated that “if we don’t treat our volunteers with respect, how can you expect them to come back and be a volunteer in our community?” Councilman Cermak noted that Ms. Ellis had asked for some kind of corrective action to be taken, and he asked if anything had been done. Ms. Rolls noted she is not aware that anything had been done.

President Mumma directed Stacy Stine to give the employees’ written comments to Borough Secretary Melinda Knott, who will provide copies to Council for review. He noted that Council will be voting this evening on a preliminary budget, and some of the items discussed at this meeting will not be included; but a final budget will be voted on in December, and he invited the public to attend that meeting also. Solicitor Wisner noted that is the procedure, with the exception that if there are any substantial amendments to the budget Council will need to authorize re-advertisement. He added there is not a strict percentage (increase or decrease) in the Borough Code, but he uses the Second Class Township Code as a guide, which specifies “10% in any one major line-item” for the re-advertisement requirement. Mr. Stains recommended that, due to the date of the December meeting, Council make most of their decisions this evening in terms of what will be advertised.

**PUBLIC IN ATTENDANCE -- NON-AGENDA ITEMS:**

Mike Cermak, 135 E. Second Street – Mr. Cermak, wearing a bullet-proof vest, polled Council members and the Manager to determine if anyone was wearing a firearm at this meeting. All replied in the negative, with the exception of Councilman Oldham, who noted he was wearing a firearm (adding that he started carrying a firearm because the Mayor had one). Mr. Cermak commented that much of the discussion held at this meeting was in regard to public safety ... and a public official “is here carrying a gun”.

**CONSENT AGENDA:** The Consent Agenda was approved on a Greenawalt/Bader motion which passed unanimously, as follows –

Award of Contracts:

- (1) Trash/Recyclables Collection – Mr. Stains reported that four (4) companies bid on this contract, the lowest of which was Waste Management. He added that the trash/recyclables collection fee will be increased slightly, as a result.



- (2) Hauling and Land Application of Biosolids – Mr. Stains reported that Martin Custom Farming was the only bidder; their fees are the same as last year.

Routine:

- (1) Approval of Minutes – September 16, 2015 (regular meeting), September 30, 2015 (special meeting) and October 21, 2015 (regular meeting)
- (2) Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of October, 2015
- (3) Pay Bills – Voucher Lists dated 10/26 and 11/11

Previously Discussed Items: None.

## **UNFINISHED BUSINESS**

**DISCUSSION OF THE KILMER GROUP PRESENTATION/PROPOSAL:** Mr. Stains noted that Josh Kilmer (The Kilmer Group) was present at the last budget meeting to discuss the possibility of becoming the Borough's agent for workmen's compensation insurance, beginning January 1, 2016. He was present at this evening to answer any other questions or to see if Council wishes to take action on the matter. Councilman Greenawalt made a motion to accept Mr. Kilmer's proposal. Councilman Oldham seconded; the motion passed unanimously.

**DISCUSSION OF THE BARTON & LOGUIDICE PRESENTATION/PROPOSAL:** Mr. Stains noted that Timothy Williams (Barton & Loguidice) was present at a recent meeting regarding the opportunity to provide engineering consulting services to the Borough. He has asked if Council would like any further information or would like to move forward. President Mumma suggested that a formal proposal be obtained in order for Council to make an informed decision. Council concurred.

**COMMITTEE RECOMMENDATIONS FOR PROPOSED AGREEMENT WITH ALL BUILDING INSPECTION SERVICE AGENCIES WISHING TO DO BUSINESS IN THE BOROUGH OF WAYNESBORO:** President Mumma noted that the appointed committee met and unanimously agreed on recommendations for the proposed agreement (copies of which were included in Council's meeting packets). After Council's vote on the matter at this meeting, the recommendations will be forwarded to the Solicitor for his legal opinion and the proposed agreement will return to Council for a vote at the 12/16 Council meeting.

Mr. Stains noted that, in addition to the committee's recommendation, he is recommending the following be included:

- That all building inspection agencies return 5% of all permit and inspection fees back to the municipality on a quarterly basis – as this will provide an additional revenue source for the Borough

- That the agency will not charge any fees for permits and/or inspections performed at any existing municipal building or swimming pool owned by the Borough of Waynesboro or the Waynesboro Borough Authority (list is attached) – as is the practice of the current building inspection firm in the Borough

President Mumma noted there are three (3) inspection service agencies in Franklin County (licensed by the state), and the committee agreed that the opportunity be given to those three (3) to agree to these stipulations. Mr. Stains added that the committee wanted to ensure that the Borough made the demands, not the agencies. Fees will be set by the agency and no additional fees will be charged to the Borough should they need to attend any legal proceedings relevant to this agreement. A \$1,000,000 bond must also be presented to the Borough.

Mr. Wisser offered clarification and a caveat on recommendation #4 -- the Agency will not charge any fees for permits to any Borough building or Authority building (or pool) other than the portion of the fee that has to be remitted to the state, and the 5% that the Borough would get is not applicable to that. Council concurred.

Councilman Oldham then made a motion to approve the recommendations provided by the committee and discussed by Manager Stains and Solicitor Wisser. Councilman Bader seconded; the motion passed unanimously.

**EXECUTION OF AMENDMENT TO AGREEMENT WITH WAYNESBORO AREA SCHOOL DISTRICT FOR INSTALLATION OF THREE (3) LED STREET LIGHTS ON**

**E. THIRD STREET EXTENDED:** Kevin Grubbs noted that Council recently approved the School District's request to install three (3) street lights on E. Third Street between Myrtle Avenue and the High School parking lot. The Borough Solicitor prepared an amendment to the original Lease, Right-of-Way and Maintenance Agreement for that portion of E. Third Street. The amendment was reviewed by the School District's Solicitor, who offered several modifications. Mr. Wisser reviewed and approved those changes, and Council was provided with a copy of the final revision. Councilman Greenawalt made a motion to approve the proposed amendment, as presented. Councilman Oldham seconded; the motion passed unanimously.

**NEW BUSINESS**

**FRANKLIN COUNTY AREA TAX BUREAU'S PROPOSED 2016 OPERATING BUDGET:**

Council members received copies of the Franklin County Area Tax Bureau's proposed 2016 Operating Budget of \$1,100,000. Every municipality in the County must vote on this. He added that their projected cost of collection for 2016 is 1.89%. Councilman Greenawalt made a motion to approve the proposed budget, as presented. Councilman Oldham seconded; the motion passed unanimously.

**APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO THE FRANKLIN COUNTY AREA TAX BOARD:**

Mr. Stains noted that Council needs to appoint their

representative and alternate to the Franklin County Area Tax Board on an annual basis. He is the current representative and Councilman Oldham is the alternate. Councilman Greenawalt made a motion to appoint the same two (2) to these positions. Councilman Potts seconded; the motion passed unanimously.

**WAYNESBORO MEDICAL OFFICE BUILDING (CONSTRUCTION AND PROFESSIONAL SERVICES ESCROW):** Mr. Grubbs presented a request to release the escrow fund balances which were part of the Waynesboro Medical Office Building project (a construction escrow of \$1,609,525.09 and a professional services escrow of \$49,285.34), as of 10/26/2015. The project has been constructed, inspected and is fully operational in accordance with the land development plan and developer's agreement. Councilman Greenawalt made a motion to approve the request. Councilman Potts seconded; the motion passed unanimously.

**ADOPTION OF TENTATIVE 2016 BUDGET FOR THE BOROUGH OF WAYNESBORO:** Pursuant to comments heard at this meeting and time constraints for adoption of the budget, President Mumma urged Council to add an approximate \$35,000 to cover the part-time firefighter and the amount deducted from the Ambulance Squad's contribution, as well as "Option B" of the budget which doesn't require employees to pay the increase for their health insurance costs. Based on current projections, this will still allow for an approximate \$43,000 surplus.

Councilman Cermak made a motion to approve the tentative 2016 budget with the changes mentioned by President Mumma. Councilman Bader seconded the motion for discussion purposes. Councilman Bader asked if a police officer is included in this option, and Mr. Mumma noted it is.

Mr. Stains explained that two (2) General Fund options are before Council this evening:

- Option A - the employees would pay the difference between 2015 and 2016 insurance costs and their deductible would be increased to the same plan that the uniformed employees currently have, which would bring in \$48,000 to the Borough; adding one (1) police officer would be \$80,000; and adding a trailer to transport barricades (which was missed in the original General Fund calculations) would be \$3,000; which would result in a balanced budget with a surplus of \$125,000.
- Option B – the employees would not pay the difference between 2015 and 2016 insurance costs, so \$48,000 would be deducted; adding one (1) police officer at \$80,000; adding the trailer for \$3,000; adding \$31,000 for the part-time firefighter, and adding \$2,200 to the Ambulance Squad's contribution; would still result in a surplus of approximately \$42,000.

Councilman Oldham commented that taxpayers deserve consideration also, and he mentioned the following items which have been discussed and need done –

- LED lighting downtown - \$50,000
- Repaving of Borough Hall's rear parking
- Garage behind Borough Hall – Mr. Stains noted a price quote has not yet been received
- Alley next to the Library – Mr. Stains noted that is in the Liquid Fuels budget for \$27,000
- Pool needs work
- Streets should be a priority
- Tree trimming
- Tennis courts and restrooms at Memorial Park

President Mumma noted that discussions have also been held regarding community involvement, and he feels that many of the items Mr. Oldham brought up could be completed if the community is asked for help. He noted that safety is the major concern to be considered first; and the most important asset of any municipality is good employees (and they want to keep them).

Councilman Potts asked for clarification on the action to be taken by the motion/second being voted on. President Mumma noted the vote is to pass the tentative 2016 budget in "Option B" where the employees do not have to pay the health insurance increase, \$31,000 is added for the part-time firefighter, and \$2,200 is added to the Ambulance Squad's contribution. A vote was called and the motion passed unanimously.

**ADOPTION OF 2016 HOLIDAY SCHEDULE FOR BOROUGH EMPLOYEES:** Council members received the tentative 2016 Holiday Schedule, containing holidays granted by the Employee Handbook. Councilman Greenawalt made a motion to approve the schedule, as presented. Councilman Bader seconded; the motion passed unanimously.

**REQUEST FROM THE RECORD HERALD TO SELL "BLACK FRIDAY" EDITION ON TWO (2) STREET CORNERS:** Mr. Stains presented a request from The Record Herald to sell "Black Friday" editions on 11/25 between 7:00 a.m. and 8:00 a.m. on the corners of Potomac Street/Main Street and Roadside Avenue/Main Street. Police Chief Sourbier noted he has no objections provided they are off the travel portion of the street and are not obstructing vehicular or pedestrian traffic or creating some type of hazard at the intersection(s). Councilman Bader made a motion to approve the request. Councilman Cermak seconded; the motion passed unanimously. Mr. Cermak introduced Ken Browall, publisher of The Record Herald, in the audience.

**PLANNING COMMISSION ITEMS:** Mr. Grubbs presented the following land development plans for Council's consideration –

- Waynesboro Downtown Park - Planning Commission reviewed and approved the plan on 11/09, contingent upon (1) stormwater report requires a professional engineer's seal/signature, which has been done; and (2) approval from PENNDOT to obtain a highway occupancy permit to install an 18" stormwater pipe to tie-in with the Borough's system in Center Square. The plans meet all

requirements of the Zoning Ordinance, the Subdivision/Land Development Ordinance and the Stormwater Management Ordinance. Councilman Cermak made a motion for approval. Councilman Greenawalt seconded; the motion passed unanimously.

- St. Andrews Church – Planning Commission reviewed and approved the plan on 11/09. The plans meet all requirements of the Zoning Ordinance and Subdivision/Land Development Ordinance. A minor revision regarding stormwater has been submitted to the engineer for review and approval. Councilman Greenawalt made a motion for approval, contingent upon approval of the stormwater management plan. Councilman Bader seconded; the motion passed unanimously.

**VOTING ON PERSONNEL ITEMS:** Councilman Cermak made a motion to approve the hiring of Kristen Russ as a temporary, part-time maintenance worker in the Maintenance Department for several weeks during the winter. Councilman Bader seconded; the motion passed unanimously.

Councilman Cermak made a motion to remove Craig Myers, Fire Apparatus Driver, from probationary status. Councilman Bader seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Darryll Wagaman to salary level 11D. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Gordon Cruickshanks to salary level 19D. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Michael Pryor to salary level 14C. Councilman Greenawalt seconded; the motion passed unanimously.

### **FOR INFORMATION ONLY**

**PA DEPARTMENT OF TRANSPORTATION'S APPROVAL FOR SMALL CELL ANTENNAS:** Mr. Stains reported that, without having to contact our State representative, he received word that PENNDOT approved the addition of small cell antennas on traffic signals in PA. Council members have received information regarding the matter.

### **PRESS QUESTIONS:**

Jennifer Fitch, Herald Mail

Question: What are the total expenditures anticipated for 2016?

- Mr. Stains responded, \$4,900,000.

Question: When do you anticipate passing a final budget?

- President Mumma responded that it has to be passed at the Council meeting on 12/16. Ms. Fitch corrected him by stating that it has to be passed by 12/31. Mr. Stains added that there will not be sufficient time to advertise it if it is not passed on 12/16.

Question: How many employees does the Borough of Waynesboro have?

- Mr. Stains stated, approximately 70 full-time employees.

Question: Is there any appetite on the board for a property tax increase?

- President Mumma noted there is no need to consider that at this time, as they have a balanced budget.

Question: Would the Council list what they feel are the accomplishments of the board in the past six (6) months?

- Councilman Bader stated, working hard to pass a balanced budget without compromising other important matters.
- Councilman Greenawalt noted a major accomplishment was the grant to do Fairview Avenue and Welty Road.
- President Mumma stated, having an accident-free Borough operation for the last six (6) months.

Ms. Fitch noted she was thinking more in terms of votes than action that came out of Council.

Question: Are there any issues resolved in the past six (6) months you would like to highlight?

- Mayor Starliper reiterated Councilman Greenawalt's comment regarding the grant for Fairview Avenue and Welty Road.
- Councilman Greenawalt noted that the town is slowly deteriorating, industry is moving out and we don't have anything like we used to have.

Question: Why do you think that is?

- Mr. Greenawalt noted that bigger outfits are buying them and consolidating them somewhere else.

Question: Do you think the town is better off or worse than it was six (6) months ago?

- Councilman Greenawalt noted that Machine Company has been sold again. Frick Company is also in limbo.
- Mayor Starliper noted, with all the building that has occurred in the last six (6) months (Hospital's Medical Office Building, Martin's Food, Library and the Theatre), that is a very positive outlook of the Borough of Waynesboro and the volunteers who help it happen.
- Councilman Greenawalt added that the Borough got a liquor store again.

Dustin Haluski, Record Herald

Question: Final clarification on "Option B" for the budget?

- Mr. Stains responded that the employees will not pay the increase in insurance costs from 2015 to 2016, will add one (1) police officer to the force, adding back in the part-time firefighter (50 hours/week), adding back to the previously-reduced Ambulance Squad contribution, and buying a trailer to transport barricades.
- Mr. Stains also noted that contributions included in the budget are \$2,500 to Medic 2, \$10,000 to Waynesboro Community & Human Services and \$5,000 to Mainstreet Waynesboro.

**FRANKLIN COUNTY HOUSING AUTHORITY SKETCH PLAN:** Kevin Grubbs noted that representatives for the Franklin County Housing Authority were present to discuss their sketch plan for upgrades to Mt. Vernon Terrace. The sketch plan was also presented to the Planning Commission at their last meeting, at which time they suggested two (2) items –

1. Parking requirements – they do not have to meet parking requirements, because they are only increasing their footprint by 6%.
2. To install sidewalk along W. Eighth Street – this is Council's decision prior to official submission of their land development plans to the Planning Commission for review. As there is no sidewalk on the portion of Eighth Street from Fairview Avenue to the end, they are requesting they not be required to install sidewalk based on a pre-existing condition.

Councilman Cermak made a motion to table the matter until Council has an opportunity to think about it. Councilman Bader seconded.

Mr. Grubbs noted there is no official review time for a sketch plan review. The Planning Commission's next meeting is scheduled for 12/21, and he noted that they would like to submit their plans as soon as possible. Councilman Cermak stated that the matter should have been on the agenda, and he doesn't want to vote on an item that the public has not been made aware of.

Bonnie Zehler, Franklin County Housing Authority Executive Director, noted there was a communication misunderstanding as they thought they were on the agenda and that Council had received this information for consideration. For Council's information, she noted there has never been a sidewalk on Eighth Street; the entrance doors to all of the apartments will be opening out onto Fairview Avenue; and there is a sidewalk the entire length of Fairview Avenue. They will also be adding more interior sidewalks, as well as handicapped accessible sidewalks, so their tenants can walk toward the back of the property where there will be a playground and community center.

Councilman Oldham discussed the need for a secondary exit (other than the front) or fire escape from the apartments.

Councilman Bader asked if people were displaced because of the ongoing renovations. Ms. Zehler noted they were. She explained that this will be an affordable housing complex. Mt. Vernon Terrace has always had rents that are "way below" fair market rents, but the tenants' incomes were never asked/verified. The \$10,000,000 needed to renovate Mt. Vernon Terrace to make it marketable and sustain its future as a housing development requires income to be verified for everyone who lives there; and their income must be at or below 60% of the median income for Franklin County. Anyone whose income is above 60% would be required to relocate. The theory is that, if your income is above that, you are more likely and capable of affording rent in the community. Ms. Zehler added that 17-18 families moved back to Wayne Gardens, which was the intent.

Councilman Cermak made a motion to table the matter. Councilman Bader seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** President Mumma noted that comments will be received and then Council will adjourn to executive session to discuss litigation matters. They will then return for final adjournment.

Councilman Bader stated his hopes for more "civility" among the "new" Council.

Councilman Cermak advised Borough employees who were present at this meeting to also attend the 12/16 meeting, as Council members are very persuaded by the audience. As this is a tentative budget, it can be changed at the next meeting.

Chief Sourbier offered clarification of the Waynesboro Police Department's position with regard to "what is going on in Washington Township". He has discussed the matter with Mayor Starliper and Chief Barry Keller and stated – the Waynesboro Police Department is paid for by the taxpayers of the Borough of Waynesboro, and the Waynesboro Police Department serves the Borough of Waynesboro, and the same is true for Washington Township. But, every time we have ever needed help from them (WTPD), they have never failed to provide it; and every time they have needed help from us (WPD), they have received it also ... and that will continue. The WPD will not substitute for them, but will not allow any police officer to run the risk of injury to himself or others while standing



idly by and doing nothing. If they need our help, they will get it; and if we need help from them, we will receive it ... the same as always. They are our peers and we will not let them down.

Scott Hershberger reported that the town's 30' Christmas tree has been erected in the Square's southwest quadrant – he thanked the Waynesboro Police, Fire Police and Maintenance Department for their assistance. The Tree Lighting Ceremony will be held on 11/20 at 6:30 p.m., the Movie Theatre opens on 11/20, and the Holiday Parade will be on 11/21 at 2:00 p.m. Mr. Hershberger added that bags for free parking, sponsored by The Record Herald, will be placed on the parking meters on Main Street between Broad Street and Cleveland Avenue, the following week. Mr. Hershberger reiterated earlier comments about the positive improvements in town including a new library, new grocery store, new medical office building, new sports stadium at the High School, Wayne Gardens' senior housing complex and now a new theatre – it has been a very good year for development in the Borough.

Councilman Oldham thanked Borough employees for their attendance.

Councilman Potts also thanked the employees for their attendance, adding that the Borough is very blessed with good employees. He asked Council to give the employees a round of applause.

Mayor Starliper drew attention to the “spirit rock” on the High School property along E. Second Street. He noted that students at the school painted the rock in the colors of France to show their sympathy and support.

President Mumma also thanked the employees and public for their attendance, and noted they are welcome anytime (particularly when the final budget is considered on 12/16).

Mr. Stains agreed with comments regarding excellence of the Borough's employees ... they work very hard, go out at all hours, are dedicated and loyal ... and it was nice to see them come, speak their opinions and stand up for what they believe is right.

Mr. Stains noted that a preliminary injunction was received from the Court of Common Pleas against property owners at 21 S. Grant Street. Judge Zook then honored the request to continue the injunction of that property. The Borough's maintenance staff secured the property after it was cleared by the Franklin County Sheriff's Department. The Borough will open the property on 11/19 and 11/23 from 1:00 to 4:30 p.m. for residents to move out their remaining belongings (photo ID will be required). The court order allows for disposal of the contents of the house going forward, if needed. He thanked the Borough's maintenance staff for their work “above and beyond” in clearing the property of perishable items from refrigerators that had no power for several days.

Mr. Stains reported that the Civil Service Commission will be testing nine (9) candidates for the Fire Apparatus Driver list, for which there is currently one (1) opening.

Mr. Stains announced that, at the request of many patrons of Northside Pool, fees will not be raised for memberships or daily admissions for the 2016 season. He added that memberships will go on sale on 12/01 for Christmas.

Council adjourned to executive session at 10:09 p.m. to discuss a litigation issue. President Mumma noted that Council will take action on one (1) item prior to final adjournment of the meeting. Council returned to regular session at 10:35 p.m.

Councilman Oldham made a motion to ratify a remedial action agreement regarding 246 W. Second Street. The agreement contains requirements of the property owner to meet Borough Code regulations. To date, the property owner has provided the agreement, the \$100 amount stipulated in the agreement, and has taken immediate actions that the Borough has requested. There are additional actions he must take, under the agreement, going forward. Councilman Cermak seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 10:37 p.m. on a Bader/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary