

DECEMBER 18, 2019  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 6:30 p.m. with the following in attendance:

Borough Council Members – Jarred Knott, Patrick Fleagle, Niccole Rolls, C. Harold Mumma, Dade Royer and Michael Cermak

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager  
Sam Wiser (Salzmann Hughes), Borough Solicitor  
Kevin Grubbs, Head of Engineering Services  
Chad Rooney, Administrative Services Coordinator  
Matthew Schmidt, Zoning-Code Enforcement Officer  
S. Leiter Pryor, Director of Utilities  
Shawn Adolini, Fire Chief  
Jody Sanders, Deputy Fire Chief  
John Beck, Jr., Assistant Fire Chief  
James Sourbier, Police Chief  
Casey Rock, Ambulance Squad Chief

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

**PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS:** Chad Rooney introduced Isaac Moats (Troop 31), who outlined his proposed Eagle Scout project to construct picnic benches for the recently-constructed Ed Miller Memorial Walking Trail. The project has been approved at the troop level and he is in the process of seeking Mason-Dixon Council approval. Following all approvals, he will then seek potential sponsors for the construction of 4-5 tables. He explained that the benches will be constructed of pressure treated wood using a design/specifications he obtained online. Chad Rooney noted that two (2) residents have been working over the past 6-8 weeks to clear brush from an area for one of the benches, and have even planted grass. In addition, individuals have donated \$400 to the Borough of Waynesboro, which will be donated toward supplies for this project.

**EXECUTIVE SESSION:** President Mumma noted that Council would hold an executive session at the end of the meeting to discuss litigation, personnel, real estate and code enforcement issues. One (1) item will require voting afterward.

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

**PERSONNEL COMMITTEE:** Councilman Royer noted that he received favorable performance evaluations for Marshal Stover and Chad Rooney; no action was required.

Councilman Royer made a motion to appoint James Marvin as an alternate member of the Civil Service Commission. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve a step increase for S. Leiter Pryor to salary level 22D, effective 01/02/2020. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to approve the job description for Office Manager, as presented by the Borough Manager. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to appoint Melinda Knott as Office Manager, at salary level 19A, effective 01/01/2020. Councilman Cermak seconded; the motion passed 5-0 (Councilman Jarred Knott abstained).

Councilman Royer made a motion to acknowledge a favorable performance evaluation for Matthew Schmidt and remove him from probationary status. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to appoint Mike Bock as a part-time Relief Driver and part-time Firefighter. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to appoint Aaron Baginski as a part-time Relief Driver. Councilman Cermak seconded; the motion passed unanimously.

Councilman Royer made a motion to accept the resignation of Douglas Tengler from the Library Board, effective 12/06/2019. Councilman Cermak seconded; the motion passed unanimously.

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

**STREET COMMITTEE:** No report. One (1) item will be discussed later in the meeting.

**ECONOMIC DEVELOPMENT COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report. One (1) item will be discussed later in the meeting.

**RECREATION BOARD:** No report. The next Recreation Board meeting will be held on 01/22 at 6:30 p.m. in Borough Hall's second floor conference room.

**RENFREW MUSEUM AND PARK REPORT:** No report.

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

- On November 21<sup>st</sup>, I attended the ribbon cutting for the Tri-State Event Planning & Amazon Store.
- On November 22<sup>nd</sup>, I had the pleasure of meeting with a Boy Scout (Kallie Kauffman) in reference to a civic project.
- Also on the 22<sup>nd</sup>, I participated in the Tree Lighting Ceremony and the next day participated in the Holiday Parade.
- On December 5<sup>th</sup>, I attended the Chamber's mixer at Renfrew.
- On December 10<sup>th</sup>, I attended the Franklin County Commissioners' meeting.
- Also on the 10<sup>th</sup>, I attended the Fire Police meeting.
- On December 11<sup>th</sup>, I attended the Board of Directors' meeting for the Chamber.
- On December 12<sup>th</sup>, along with Chief Sourbier, I attended the retirement celebration for Chief Barry Keller.
- On December 17<sup>th</sup>, I attended the Waynesboro Area School District's Board meeting.

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

**DIRECTOR OF UTILITIES' REPORT:** Mr. Pryor reported that the WBA closed on their PENNVEST loan for the Water Treatment Plant Upgrade Project. Contractors will begin work next week.

**MANAGER'S REPORT:** The Borough Manager thanked all staff members for their efforts today, as there were two (2) major water leaks on Mentzer Gap Road and North Street. Employees from the Engineering, Administration, Water and Maintenance Departments worked together on these emergencies.

**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. Award Contract – 2019 CDBG Street Cold In-Place Recycling Project (RECON Construction Services, Inc.)
- B. Approve Minutes as Presented – September 18, 2019 (special meeting), October 30, 2019 (public hearing re: Inter-Municipal Transfer of PA Restaurant Liquor License #R-32343 for Martin's Food Stores at 708 E. Main Street) and October 30, 2019 (public hearing re: Appeal of Wellspan/Summit Health from Zoning Ordinance No. 1158, Appeal No. 547, for an Electronic Message Center on E. Main Street)

C. Accept Reports of the Police Chief, Fire Chief, Ambulance Chief and Code Enforcement/Zoning Officer for the month of November, 2019

D. Pay Bills – Check Detail(s) dated 11/26, 12/02 and 12/11

Councilwoman Rolls seconded; the motion passed unanimously.

**UNFINISHED BUSINESS:** None.

### **NEW BUSINESS**

**UGI GAS COMPANY PROPOSED REGULATOR STATION:** Kevin Grubbs noted that the UGI Gas Company is requesting use of an unimproved portion of Ringgold Street, just north of E. Eighth Street, for a gas regulator station. Sean Buerger, Right-of-Way Specialist with UGI, was present to answer any questions. (He had also attended the Street Committee meeting the previous week to discuss the matter).

Mr. Grubbs noted that the Street Committee has recommended Council's approval, with the following conditions:

- 1) Since there is currently an existing 8" sanitary sewer line adjacent to the proposed 20' x 35' area needed to construct the regulator station, that a 20' utility right-of-way be required to access the sanitary sewer line in the event of future upgrades and repairs. The proposed size of the regulator station would have to be adjusted so that it doesn't encroach within the right-of-way.
- 2) Consider compensation from UGI Utilities, Inc. for the use of the street right-of-way.
- 3) Required detailed plans of the proposed project, including exact dimensions, to be reviewed and approved by the Borough of Waynesboro Engineering Department.
- 4) Agreement between the Borough of Waynesboro and UGI Utilities, Inc. to be completed by the Borough Solicitor.

Councilwoman Rolls made a motion for approval, contingent on the conditions delineated by Mr. Grubbs. Councilman Knott seconded; the motion passed unanimously.

**ADOPTION OF 2020 FINAL BUDGET:** Mr. Stains gave a presentation on the 2020 proposed budget, which was approved by Borough Council on 11/20/2019 and placed on public display beginning on 12/04. This budget includes no tax increase. Councilman Knott made a motion to approve the 2020 final budget as presented. Councilwoman Rolls seconded; the motion passed unanimously.

**RESOLUTION NO. 2019-23 (SETTING 2020 TAX RATES):** Mr. Stains advised that new legislation was passed (Act 51 of 2019) which allows Borough Council to adopt tax rates

by resolution if there is no tax change from the previous year. (Prior to that Act, they were required to advertise the tax rates each year). He presented Resolution No. 2019-23 to set the 2020 tax rates. Councilman Cermak made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2019-23

A RESOLUTION OF THE BOROUGH OF WAYNESBORO,  
FRANKLIN COUNTY, PENNSYLVANIA, SETTING THE TAX RATES FOR  
THE YEAR 2020.

Complete copy on file at Borough Hall.

**APPROVE RESOLUTION NO. 2019-24 (SETTING THE MISCELLANEOUS COMPENSATION FOR BOROUGH PART-TIME, SEASONAL AND CONTRACT EMPLOYEES, AND OTHER MISCELLANEOUS EXPENSES):** Mr. Stains presented proposed Resolution No. 2019-24 regarding rate structures and reimbursements, etc. for various employees, which are included in the budget that Council just passed. Councilwoman Rolls made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2019-24

RESOLUTION OF THE BOROUGH OF WAYNESBORO  
SETTING THE MISCELLANEOUS COMPENSATION FOR BOROUGH PART-TIME,  
SEASONAL, AND CONTRACT EMPLOYEES, AND OTHER MISCELLANEOUS  
EXPENSES, TO BE EFFECTIVE JANUARY 1, 2020

Complete copy on file at Borough Hall.

**APPROVE TALENT FORMS FOR APPLICATION TO VARIOUS BOARDS AND COMMISSIONS:** Mr. Stains presented a "Talent Bank Form" to be utilized to keep record of individuals interested in serving on boards and commissions for the Borough. This form will be advertised online for individuals' completion and return to the Borough Secretary. The completed forms will be kept on file until an appropriate board vacancy arises, and then will be forwarded to the Personnel Committee for consideration. Councilman Knott made a motion for approval. Councilwoman Rolls seconded; the motion passed unanimously.

**PAYMENT REQUEST FOR THE S. PRICE AVENUE STREET PROJECT:** Kevin Grubbs noted that he received a payment request from RECON Construction for the S. Price Avenue street project, in the total amount of \$182,625.57. Retainage in the amount of 10% (\$18,262.00) will be held to ensure there are no deficiencies with the street over the winter months, and he recommended approval of a payment in the amount of \$164,363.57. Councilwoman Rolls made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

**AUTHORIZE ADVERTISEMENT OF STORMWATER UTILITY ORDINANCE:** Solicitor Wisner provided Council members with a revised draft Stormwater Utility Ordinance for review. The proposed advertisement for consideration of the ordinance explains the intent of the ordinance and provides definitions ... and most importantly, outlines stormwater management services as follows –

- Operation, maintenance, repair, enhancement and replacement of existing public stormwater management systems and facilities
- Planning, development, design and construction of additional stormwater management and facilities to meet current and anticipated needs
- Regulation of the use of stormwater management services or of stormwater management systems and facilities
- Education of the public as to stormwater management
- Development plan review to require compliance with Borough Standards
- Inspection for water quantity and water quality to require compliance with generally accepted standards
- Monitoring for water quantity and water quality to determine compliance with generally accepted standards, state water quality standards and stormwater management programs

He noted that proposed stormwater fees have been included in the 2020 budget, and those fees must be maintained in a separate account and can only be used for the above-mentioned items.

Councilwoman Rolls made a motion to authorize advertisement of the proposed ordinance for Council's consideration at their next meeting. Councilman Royer seconded; the motion passed unanimously.

**AUTHORIZE ADVERTISEMENT OF ORDINANCE AMENDING ZONING ORDINANCE:** Solicitor Wisner noted that, from time to time, issues are recognized with the Zoning Ordinance; and at this time, a recommendation is being made for a change regarding Planned Town Center Developments. The amendment will need to be advertised and provided to the Waynesboro Planning Commission (and Franklin County Planning Commission) for discussion and comment. In addition, public hearings will be required before Council takes action on the proposed amendment.

Councilman Royer made a motion to authorize advertisement of the proposed ordinance amendment, as recommended by the Solicitor. Councilwoman Rolls seconded; the motion passed unanimously.

**APPROVE BANNER, RIBBON AND DECORATIONS POLICY:** As there is currently no policy and/or guidelines regarding the display of banners, ribbons and decorations on signs, parking meters and/or trees in the downtown, Mr. Stains presented a proposed document providing definitions, instructions and information regarding the approval

process for use by 501(c)3 organizations. Councilwoman Rolls made a motion for approval. Councilman Knott seconded.

Mayor Starliper noted that the policy, as written, allows the banners/ribbons to remain for a maximum of one (1) calendar month ... and Council previously voted to allow veterans' banners to remain for a longer period of time. Mr. Stains noted approval for the veterans' banners was granted by resolution, and this policy would not overrule that resolution. However, to alleviate any problems, it was recommended that the policy be changed to include "or such other times as permitted by Borough Council". Councilwoman Rolls then amended her motion to approve the recommended modification. Councilman Knott seconded; the motion passed unanimously.

**DISCUSS "RULES OF COUNCIL" DOCUMENT (DRAFT):** Mr. Stains distributed a draft document entitled "Rules of Council", which was recommended by the PA State Association of Boroughs as a procedural guide for Council members. This is intended as an educational piece and outlines requirements in the Borough Code (which are already followed by Borough Council). Councilman Royer noted that Renfrew Museum & Park should be added to Committee Reports and following that recommendation, Councilwoman Rolls made a motion for approval of the proposed document. Councilman Royer seconded; the motion passed unanimously.

#### **FOR INFORMATION ONLY**

**NOTIFICATION FROM PA LIQUOR CONTROL BOARD OF APPLICATION FOR TRANSFER OF LIQUOR LICENSE (TURKEY HILL MINIT MARKET #291):** Mr. Stains advised that notification has been received from the PA Liquor Control Board regarding a liquor license transfer to Turkey Hill Minit Market on W. Main Street.

**NOTICE OF 2020 MEETINGS:** Council members were provided with a list of 2020 Borough meetings, which will be advertised in *The Record Herald*. Mr. Stains noted that Council's reorganizational meeting will be held on 01/06 at 6:30 p.m. A special meeting will also be held on 01/15, but then they will continue with their past practice of one (1) regular meeting per month.

**2020 HOLIDAY SCHEDULE:** Mr. Stains provided Council members with a list of Borough holidays for 2020.

**CHRISTMAS TREE COLLECTION:** Mr. Stains noted that Waste Management will collect Christmas trees at curbside in the Borough during the week of 01/20 to 01/24, on residents' normal trash collection day.

**PRESS QUESTIONS:** None.

**COUNCIL AND STAFF COMMENTS:** Jason Stains thanked Councilwoman Rolls for four (4) years of service on Borough Council, noting that she has done much for the Street

Committee and projects in the community. Council members also thanked Ms. Rolls for her service.

Police Chief Sourbier noted he is pleased to see the RRFB crosswalk lights being installed at areas of concern, and he thanked Councilwoman Rolls and Kevin Grubbs for their efforts in this regard.

Chief Sourbier reported on several programs provided to the public by the officers in his department – CSI/Junior Detective Program, Coffee w/Cops and Cocoa w/Kids at the Library. He added that the officers attended these programs on their own time, and they should be commended for engaging with the public in this way.

Council President Mumma reported that several residents have expressed their appreciation for the RRFB crosswalk light recently installed at the intersection of King/Grant Streets.

Councilman Fleagle reported that a meeting will be held the following evening for the Historical Society.

Councilwoman Rolls noted that she was honored and privileged to serve this community as a member of Borough Council.

Mayor Starliper noted that Christmas trees will be recycled at the Re/Max Office, 410 N. Grant Street, on January 1<sup>st</sup> between 10:00 a.m. and 2:00 p.m. He also reported that the Waynesboro Fire Police will assist with the following upcoming events: 12/07 – Santa Express at Red Run Park, 12/15-12/22 – Otterbein Church Christmas Program and 02/29 – Indoor Color Guard Show at the High School. He also noted that 2020 wall calendars are available in his office.

Council then adjourned to executive session at 7:44 p.m. They reconvened at 9:40 p.m.

Councilwoman Rolls made a motion to ratify the Memorandum of Understanding with Luminest. Councilman Fleagle seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 9:42 p.m. on a Rolls/Fleagle motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary