

FEBRUARY 17, 2021  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting (telemeeting via the Zoom computer platform) of the Waynesboro Borough Council to order at 6:30 p.m. with the following in attendance:

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

Junior Councilpersons – William Young and Allison Sawicki

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager  
Chad Rooney, Administrative Services Coordinator  
Kevin Grubbs, Head of Engineering Services  
Sam Wiser, Borough Solicitor  
Matt Schmidt, Code Enforcement/Zoning Officer  
Shawn Adolini, Fire Chief

Public in Attendance –  
George Leissler  
Tyler Myers  
Cole Bumbaugh  
R. Lee Royer

Solicitor Wiser reviewed the Telemeeting Rules of Decorum for those individuals wishing to participate in the meeting.

**EXECUTIVE SESSION:** President Mumma noted that an executive session will be held at the end of the meeting regarding real estate, litigation and personnel matters. There may be voting afterward.

**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 P. Fleagle made a motion to approve the Consent Agenda, as follows:

- A. Approve Minutes as Presented – November 18, 2020 (regular meeting), December 9, 2020 (regular meeting) and January 20, 2021 (regular meeting)
- B. Accept Reports:
- (1) Police Chief – January, 2021
  - (2) Ambulance Chief – January, 2021
  - (3) Fire Chief – January, 2021
  - (4) Code Enforcement/Zoning Officer – January, 2021
- C. Pay Bills – Check Detail(s) dated 01/21, 01/27, 02/03, 02/09 and 02/16
- D. Acknowledge and Approve Personnel Matters – Recommended by the Personnel Committee

Councilman Knott seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**UNFINISHED BUSINESS:** None.

### **NEW BUSINESS**

**RECOMMENDATION FROM PROPERTY COMMITTEE TO ALLOW PERMIT PARKING AT THE REAR OF 137 AND 139 W MAIN STREET:** Mr. Stains noted that several neighboring residents (who do not have off-street parking at their properties) have approached him with requests for the Borough to permit parking in the vacant lot located at 137-139 W. Main Street. The Property Committee has discussed the matter and is recommending permit parking with an annual fee of \$40.00. Permittees would sign a brief waiver acknowledging that the Borough will not provide security for their vehicles and holding the Borough harmless from any damage, bodily or property, while their vehicle(s) are parked there. Councilman Cermak made a motion for approval. Councilman Knott seconded.

Discussion followed with the following clarifications being made:

- Permits must be displayed in the vehicle(s) when parking in the lot.
- If the property is sold, permittees would be guaranteed the ability to park there through the end of 2021.
- Permits would be issued to residents of the neighboring properties only.
- The Borough will not be performing any maintenance on the parking area (snow/ice removal, improvements, etc.).

A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**RESOLUTION NO. 2021-05 (WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN FOR CALENDAR YEARS 2018, 2019 AND 2020 (RETROACTIVELY):**

Mr. Stains noted that the Collective Bargaining Agreement with the Waynesboro Police Officers Association permits and requires contributions to the Pension Plan by member employees where it is determined that the Pension Plan's Minimum Municipal Obligation cannot be fully funded by state aid. It has been determined that state aid will fully fund the Minimum Municipal Obligation for the Association for the years 2018, 2019 and 2020; and Resolution No. 2021-05 will retroactively state that members of the Association will not be obligated to contribute for those years. It was noted that this is a "housekeeping" item required by the recent pension plan audit conducted by the PA Auditor General's Office. The next item on the agenda is similar, but for the current 2021 year.

Councilman Knott made a motion for approval. Councilman Royer seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**RESOLUTION NO. 2021-05**

**A RESOLUTION WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN**

Complete copy on file at Borough Hall.

**RESOLUTION NO. 2021-06 (WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN FOR CALENDAR YEAR**

**2021):** Councilman Knott made a motion for approval. Councilman Royer seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**RESOLUTION NO. 2021-06**

**A RESOLUTION WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN**

Complete copy on file at Borough Hall.

**RESOLUTION NO. 2021-07 (AUTHORIZING THE FILING OF AN APPLICATION FOR A REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM GRANT IN THE AMOUNT OF ONE MILLION DOLLARS ON BEHALF OF RENFREW MUSEUM AND PARK FOR A PROJECT KNOWN AS THE GRISTMILL RECONSTRUCTION PROJECT IN WASHINGTON TOWNSHIP, FRANKLIN COUNTY):**

Mr. Stains noted that Council previously authorized GMS to prepare a RACP grant application, in the amount of

\$1,000,000, for the Gristmill Reconstruction Project on behalf of Renfrew Museum and Park. He explained that the Borough will serve as the applicant and grantee, and Renfrew Museum and Park will serve as the sub-grantee. He added that this is the same type of grant utilized for the WellSpan Medical Office Building, which the Borough also assisted with.

Councilman Knott made a motion for approval. Councilman Cermak seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

#### RESOLUTION NO. 2021-07

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING THE FILING OF AN APPLICATION FOR A REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM GRANT IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000.00) ON BEHALF OF RENFREW MUSEUM AND PARK FOR A PROJECT KNOWN AS THE GRISTMILL RECONSTRUCTION PROJECT IN WASHINGTON TOWNSHIP, FRANKLIN COUNTY.

Complete copy on file at Borough Hall.

**LAND DEVELOPMENT PLAN (TERESA K. MORNINGSTAR):** Kevin Grubbs noted that Chuck and Teresa Morningstar are proposing to construct eight (8) garage units on two (2) lots, which will be consolidated into one (1) lot, located at 317 Ridge Avenue. The Waynesboro Planning Commission requested several revisions, and Mr. Grubbs reported that all revisions have been satisfactorily completed and reflected on the plans. Borough staff is recommending approval of the Land Development Plan, contingent upon the execution of a developer's agreement (to include a deposit of a minimum of \$3,000 for administrative, engineering and legal fees), financial surety in the approximate amount of \$303,828.80, and execution of the Operations & Maintenance Agreement for Stormwater (to include financial surety in the amount of \$2,000) for continual maintenance of the stormwater facilities for a period of 10 years.

Councilman Royer made a motion for approval. Councilman P. Fleagle seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**LAND DEVELOPMENT TIME EXTENSIONS (SAM CAMPBELL AND DAN SANDY):** Mr. Grubbs presented two (2) requests for 120-day time extensions for Land Development Plans previously approved with contingencies, as follows –

1. Sam Campbell – five (5) townhouse units on Mt. Airy Avenue
2. Dan Sandy (SANAN Properties) – eight (8) unit apartment building on Dickinson Avenue

Councilman Cermak made a motion for approval. Councilman Knott seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

**ACKNOWLEDGE OFFICIAL REGISTER FROM CIVIL SERVICE COMMISSION:** Mr. Stains noted that Borough Council had authorized the Civil Service Commission to conduct an examination for the position of Fire Apparatus Driver. The examination process has been completed and an Official Register, dated February 9, 2021, was presented for Council's acknowledgement.

Councilman Cermak made a motion for approval. Councilman Knott seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

President Mumma noted that discussion regarding a possible resignation will be held at the executive session following this meeting, and Council may take action afterward.

#### **FOR INFORMATION ONLY**

**ANNUAL REPORT FOR 2020 FROM CIVIL SERVICE COMMISSION:** Council members received the 2020 Annual Report of Activities from the Civil Service Commission.

**NOTIFICATION THAT ADVANCED PELLET TECHNOLOGY, LLC (APT), 20 E. SIXTH STREET, IS SUBMITTING AN INITIAL STATE-ONLY OPERATING PERMIT APPLICATION TO THE PA DEPARTMENT OF ENVIRONMENTAL PROTECTION (PADEP):** Mr. Stains noted that the Borough received notification of a permit application for Advanced Pellet Technology, pursuant to Act 14 for the Clean Air Act through DEP. Any comments are to be submitted within a 30-day period. No comments were noted.

**COUNCIL AND STAFF COMMENTS:** Councilman Knott commended Borough maintenance employees who assisted with snow removal on Main Street, adding that downtown business owners were very appreciative. Councilman Cermak agreed.

Mr. Stains noted that the exhaust system project at the S. Potomac Street Fire Station is moving forward. Air Cleaning Systems, Inc. (a COSTARS contractor) has been on-site and a permit has been obtained from Accredited Services for the \$52,400 contract. He added that this will be a huge safety benefit for the staff and volunteers at the station.

Mr. Stains also noted that the asbestos floor tiles have been removed from the second floor of Borough Hall, and the new tiles will be installed in several weeks.

Having no further business to discuss, Council adjourned to executive session at 7:10 p.m. They reconvened at 8:00 p.m.

Councilman Royer made a motion to extend a conditional offer of employment as a full-time Fire Apparatus Driver to George Leissler, IV, conditioned upon the successful completion of a physical medical examination and background check, and receipt of the resignation of a current Fire Apparatus Driver no later than February 26, 2021. Council reserves the right to withdraw the conditional offer at any time until Mr. Leissler's first day of work, which is projected to be March 2, 2021. Councilman Cermak seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

Councilman Royer made a further motion that a conditional offer of employment as a full-time Fire Apparatus Driver be extended to Trevor Carbaugh, conditioned upon the successful completion of a physical medical examination and background check. Council reserves the right to withdraw the conditional offer at any time until Mr. Carbaugh's first day of work, which is projected to be April 1, 2021. Councilman Cermak seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

Councilman Cermak made a motion to accept, with regret, the resignation of Marshall Stover (pending receipt of his written resignation). Councilman Knott seconded. A roll call vote was as follows: Jarred Knott – yes, Jon Fleagle – yes, Pat Fleagle – yes, Michael Cermak – yes, Dade Royer – yes and C. Harold Mumma – yes. The motion passed unanimously.

On unanimous vote, the meeting then adjourned at 8:15 p.m.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary