

JULY 21, 2021
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 6:36 p.m. (following the public hearing) with the following in attendance:

Borough Council Members – Jarred Knott, Patrick Fleagle, Jon Fleagle, 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
Matt Schmidt, Zoning/Code Enforcement Officer
Chris Devers, Fire Chief
Jody Sanders, Deputy Fire Chief
John Beck, Assistant Fire Chief

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Taylor Rote and Craig Witmer of SEK CPAs & Advisors gave a presentation on the 2020 audit recently conducted.

EXECUTIVE SESSION: It was noted that Council will meet in executive session following this meeting for the purpose of discussing real estate and litigation. There may potentially be voting afterward.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman J. Fleagle reported that the Street Committee met on 07/01. The following items were discussed and are being presented for Council's action --

- Intersection Upgrades

1. **Cleveland Avenue & Fairview Avenue** – A request was received from McCleaf Bus Lines to install a stop sign on Cleveland Avenue at the intersection of Fairview Avenue, however that was not warranted by the traffic study completed. The Engineering Department is recommending the following:
 - a. Install street markings on Cleveland Avenue using the intersection symbol with SLOW; and
 - b. Install one 91) advanced warning sign ahead of the intersection to warn motorists that will read “Intersection Ahead 25 MPH”.
2. **E. Second Street & Clayton Avenue** - The Street Committee and Borough Council were not in favor of making this intersection a 3-way intersection, as suggested by the LTAP Study. The Engineering Department is recommending the following:
 - a. Install street markings on both lands of Clayton Avenue using the intersection symbols with SLOW in conjunction with the PED XING markings; and
 - b. Install two (2) advanced warning signs ahead of the intersection to warn motorists that will read “Intersection Ahead 25 MPH”.

Councilman J. Fleagle made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

Councilman J. Fleagle noted the next Street Committee meeting is scheduled for 08/05 at 9:00 a.m. Discussion regarding storm sewers will be held at that meeting, as there have been numerous issues lately.

ECONOMIC DEVELOPMENT COMMITTEE: No report. Councilman P. Fleagle noted that the next Economic Development Committee meeting is scheduled for 08/03 at 10:00 a.m.

FINANCE COMMITTEE: No report.

RECREATION BOARD: Mr. Stains reported the following –

- Parents/patrons have voiced their appreciation for the new policy regarding swimsuit attire at Northside Pool.
- The Memorial Park Dedication Ceremony is being planned for 09/10.
- Annual Dog Swim will be held on 09/11, as well as a .05K race as a fundraising event for future renovations at Northside Pool.

- Reminder that National Night Out will be held on 08/03 at Memorial Park.

RENFREW MUSEUM AND PARK REPORT: No report.

MAYOR'S REPORT: Mayor Starliper reported as follows –

- I was a judge for the Car & Truck Show on 06/19.
- I performed a wedding on 06/19.
- Attended the ribbon-cutting for the Pregnancy Ministry opening.
- Attended by Zoom the PSMA Executive Board meeting.
- On 06/28, I had lunch with Chris Cap, Executive Director of PSAB.
- Attended the Franklin County Commissioners' meeting.
- Attended the 50th Anniversary Conference of the PSMA in Pittsburgh from 07/15 to 07/18. The presenters were very good and they included information on the economic outlook, domestic terrorism, and legal developments including Act 65 and Act 50. Also, Author Tom McMilian, who wrote a book on Flight 93.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES' REPORT: No report.

BOROUGH MANAGER'S REPORT: Jason Stains reported on the following –

- We have received requests from two (2) parties so far to rent the Toll Gate House and I will be meeting with those parties later this week.
- Act 65 of 2021: Requirement to Publish Agenda in Advance of Public Meetings reinforces practices that we already have in place in terms of:
 - Placing the agenda on our website 24 hours in advance of a meeting.
 - Posting the agenda in our office.
 - Providing agendas for the public.

However, agencies may take official action on matters relating to real or potential emergencies involving a clear and present danger to life or property. Agencies may take official action if the matter was de minimis in nature, does not involve the expenditure of funds or entering into a contract or agreement, and notice was not possible. However, an agency may add a matter of agency business to the agenda through a majority vote of those present and voting during a meeting. Once added, an agency may take action on an item. The amended agenda shall be posted on the agency's website and posted in their principal office no later than the first business day following the meeting. This act takes effect on August 30, 2021.

- The U.S. Treasury has released updated guidance regarding the American Rescue Plan Act (ARPA) Funds. Non-profits receiving funds will need to comply with sub-recipient reporting requirements. We will need to issue a sub-recipient agreement to any non-profits we provide funding to. I have signed an agreement with SEK CPAs & Advisors related to these funds. They will answer questions at a rate of \$225/hour. In addition, our consulting firm for Community Development

Block Grant Funds, Urban Design Ventures, will not be assisting clients with ARPA fund reporting. Our grant writing consultants, GMS Funding Solutions, will complete the reporting on our behalf, but outside of our agreement with them. GMS Funding Solutions will be providing me with a rate sheet for ARPA reporting.

- I recommend that we update our Transient Vendor Permitting Ordinance. Besides some of the discussion we have had in Street Committee regarding the licenses, we should include language from the recent passage of Act 34 of 2021. There is now a general prohibition of requiring minors to obtain a business license. In addition, a municipality cannot require a business license for:
 - A business that is operated by one or more persons less than 18 years old.
 - Receives no more than \$5,000 in proceeds per year, unless the business was created for a charitable purpose.
 - Operated no more than 84 days in a calendar year.
 - Located a sufficient distance from a licensed commercial entity so that the minor's business is not a direct economic competitor.
- Conference call with DCNR regarding feasibility study for Northside Pool – they will not accept the report prepared several years ago by Counsilman-Hunsaker, so a new study will be required. The Borough's Pool Committee would like to discuss the matter further and will bring a recommendation back to Council at their next meeting.
- Council has committed \$30,000 to the New Hope Shelter from ARPA funds, and he requested they also commit \$30,000 to the Waynesboro Visiting Nurse.

Manager Stains thanked Shawn Adolini for his years of service as a volunteer Fire Chief; and he introduced Chris Devers, who was hired by Council as the Borough's new full-time Fire Chief. He added that Mr. Devers brings a great deal of experience to the position.

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. Award Bid for Line Painting – Alpha Space Control Company, Inc.
- B. Approve Minutes – February 17, 2021 (regular meeting), March 1, 2021 (public hearing) and March 1, 2021 (special meeting)
- C. Accept Reports --

- (1) Police Chief – June, 2021
- (2) Fire Chief – May and June, 2021
- (3) Ambulance Chief – June, 2021
- (4) Code Enforcement/Zoning Officer – June, 2021

D. Pay Bills – Check Detail(s) dated 06/16, 06/28, 07/07 and 07/12

E. Acknowledge and Approve Personnel Matters – Recommended by the Personnel Committee

Councilman Knott seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER PROPOSED ORDINANCE AMENDING CHAPTER 238, ARTICLE III OF THE CODE OF THE BOROUGH OF WAYNESBORO, REGARDING STORMWATER MANAGEMENT REQUIREMENTS: Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 238, ARTICLE III OF THE CODE OF THE BOROUGH OF WAYNESBORO, REGARDING STORMWATER MANAGEMENT REQUIREMENTS

Complete copy on file at Borough Hall.

NEW BUSINESS

CONSIDER REQUEST FROM YMCA WAYNESBORO WAVES SWIM TEAM TO USE NORTHSIDE POOL FOR ROOKIE CAMP FOR A WEEK IN AUGUST: Mr. Stains noted that this is an annual request. This year's event will be held 08/16 to 08/19 from 9:30 a.m. to 10:30 a.m. Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

CONSIDER REQUEST FROM WAYNESBORO THEATRE FOR DRIVE-IN MOVIE NIGHT ON SEPTEMBER 18, 2021: Councilman J. Fleagle noted that this event was held last year in September and there were no issues. The Street Committee has reviewed and approved the request for the event to be held on 09/18. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

CONSIDER REQUEST FROM MAINSTREET WAYNESBORO, INC. FOR MARKET DAY ON OCTOBER 2, 2021 FROM 9:00 A.M. TO 4:00 P.M.: Councilman J. Fleagle noted that this is an annual event. The Street Committee has reviewed and approved

the request for the event scheduled for 10/02. Councilman J. Fleagle made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

APPROVE RESOLUTION NO. 2021-16 FORMALLY EXPRESSING SUPPORT FOR THE WAYNESBORO STREET RECONSTRUCTION PROJECT, AUTHORIZING THE PREPARATION AND SUBMISSION OF A MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION REQUESTING FUNDS FROM THE COMMONWEALTH FINANCING AUTHORITY, AND DESIGNATING OFFICIALS TO EXECUTE ALL ASSOCIATED APPLICATION AND GRANT DOCUMENTS (REVISED REQUEST FOR \$380,000.00):

Mr. Stains explained that a similar resolution was adopted previously, however a new cost analysis was completed and a revised grant application was prepared for the amount of \$380,000. This resolution will approve that change. Councilman J. Fleagle made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

RESOLUTION NO. 2021-16

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, FORMALLY EXPRESSING SUPPORT FOR THE WAYNESBORO STREET RECONSTRUCTION PROJECT, AUTHORIZING THE PREPARATION AND SUBMISSION OF A MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION REQUESTING FUNDS FROM THE COMMONWEALTH FINANCING AUTHORITY, AND DESIGNATING OFFICIALS TO EXECUTE ALL ASSOCIATED APPLICATION AND GRANT DOCUMENTS (REVISED REQUEST FOR \$380,000)

Complete copy on file at Borough Hall.

KATIE COX SUBDIVISION PLAN: Mr. Grubbs noted that this is a revised subdivision plan for property located at 200 Fairview Avenue to be divided into two (2) lots. The Waynesboro Planning Commission recommended approval, based on the completion of the following revisions: (1) change the Approval Blocks from Township Planning and Township Supervisors to Borough Planning and Borough Council; and (2) revise the locations of the 8" sanitary sewer line and the 12" force main. These requirements have been met. Councilman P. Fleagle made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilmen and the Mayor thanked Shawn Adolini, Jody Sanders and John Beck for their service as Chief Officers for the Fire Department and welcomed Chris Devers as the new Fire Chief.

OFFICIAL REGISTER – FIRE APPARATUS DRIVER: Manager Stains presented Council with an Official Register of eligible candidates for the position of Fire Apparatus Driver, as certified by the Civil Service Commission on 07/21/2021. Councilman Cermak made a motion to acknowledge receipt. Councilman Royer seconded; the motion passed unanimously.

Council then moved to executive session at 8:12 p.m. They reconvened to regular session at 8:45 p.m. and adjourned the meeting on a P. Fleagle/Knott motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary