

SEPTEMBER 15, 2021  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 6:30 p.m. 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 Wisner, Salzmann Hughes (Borough Solicitor)  
Matt Schmidt, Zoning/Code Enforcement Officer  
Jim Sourbier, Police Chief  
Chris Devers, Fire Chief

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

**EXECUTIVE SESSION:** President Mumma noted that Council will meet in executive session following this meeting for the purpose of discussing litigation, personnel and real estate issues. In addition, an executive session was also held on 09/13 at 5:00 p.m. regarding personnel issues.

**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 09/02. The following items were discussed and are being presented for Council's action –

- Special Event Requests – Mainstreet Waynesboro, Inc. – on agenda under “New Business”
- Winter Storm Response Plan – reviewed and hope to have a recommendation for approval at the October meeting.
- Draft Transient License Ordinance – reviewed and Manager Stains will ask Council to add this item to the agenda for this evening's meeting.

- Third Street Paving – Several issues occurred since completion of the W. Third Street paving project ... the contractor will be returning to repair the work later this week.
- Center Square Street Light Project – One (1) bid was received from GRC, which was slightly over \$55,000. Funding for this project will come from the DCED grant and there will probably be some money left ... if there is enough left, the Street Committee will propose to put LED lights on Main Street from Franklin Street to Fairview Avenue.
- Alley Paving Projects – Several alleys will be repaved this year, the largest of which will be Gay Street from Walnut Street to Church Street
- Stormwater Issues – The consulting engineers are working on a model for the area served by the storm sewer at Fifth Street and Hamilton Avenue in order to determine what needs to be done there to fix the recurring problem with stormwater.

**ECONOMIC DEVELOPMENT COMMITTEE:** No report.

**FINANCE COMMITTEE:** Councilman Knott noted that the Finance Committee met prior to this meeting to review the current budget and upcoming needs.

**RECREATION BOARD:** Councilman Royer reported the following –

- The Recreation Board met on 08/25.
- The Memorial Park Rededication Ceremony took place on 09/10.
- The .05K Race and Dog Swim were held on 09/11 at Northside Pool. Approximately \$1,000 was raised for the Dog Park and an additional \$300 for the Pool Reserve Fund.
- Several items were discussed for possible inclusion in the 2022 budget including a stage at Memorial Park behind the existing bathrooms, frisbee golf at Northside Dog Park, bike park at the former Borough dumpsite and additional chess tables at Memorial Park.
- “Walk with a Doc” will be held on 09/19 at 12:00 p.m., beginning at Memorial Park to Otterbein Park and back.

The next Recreation Board meeting will be held on 09/22.

**RENFREW MUSEUM AND PARK REPORT:** Becky LaBarre, Executive Director at Renfrew Museum and Park, presented a summary of her report dated September 15<sup>th</sup>. The complete report follows –

- Below is a report of the organizational activities of Renfrew Museum and Park for the month of August, 2021:

### **General Operations**

The board of directors of Renfrew Committee, Inc. (RCI) held its most recent business meeting on Monday, July 19, 2021. Attached is RCI's Balance Sheet as of August 31, 2021. We have also included the Fall 2021 issue of Renfrew's quarterly newsletter *der Wetterhahn* for your reference. (Both are on file at Borough Hall.)

## Facilities

**Buildings & Grounds:** Renfrew's staff and volunteers are still hard at work refreshing landscaping and flowerbeds around the Royer Farmstead. Visitors will note that many areas have been freshly mulched. We are grateful for donations from Monn's Lumber and McLaughlin's Energy Services that help us keep Renfrew looking its best.

**Mill Project:** RCI and the Mill Committee is pleased to report that our Land Development Plan has been granted conditional approval by the Washington Township Board of Supervisors. Our team of design professionals is currently transitioning to preparing building permit drawings for submission within the next several months.

**Re-zoning Application:** RCI has submitted its official request to Washington Township for reclassification of the Renfrew parcel from the "A" Agricultural District to the newly-created "H" Historic District. We anticipate notification from the Township regarding the advertising of public meetings and hearings in the next several weeks. Waynesboro citizens may review the uses permitted by right and special exception in the Township's Historic District by visiting: <https://ecode360.com/36635257?highlight=historic&searchId=4946838537985352#36635257>

## Programs and Events

**Historic Site Spotlight Series:** Renfrew Museum and Park has been pleased to present its new Historic Site Spotlight series during the 2021 season. This bi-monthly program features fellow historic sites with similarities to Renfrew. Drawing on shared themes from architecture and preservation to artifact collections, ethnic and agricultural heritage, community engagement and more, we'll explore the vast landscape of the exciting things happening in our region and across the country together – virtually. In a time of great difficulty and challenge for local museums, Renfrew is committed to partnering with peer institutions in the field to increase awareness, interest, outreach, and support. Travel with us on this virtual adventure and discover new historic sites that you're sure to love!

Cost is \$5.00 per person with free admission for Friends of Renfrew members. Guests can choose to attend online via Zoom (*link and recording will be emailed*) or in-person for a livestream watch party in the Visitors Center (*Limit 20; masking*)

*and appropriate distancing required*). Registration information can be found at <http://www.renfrewmuseum.org/presentations-and-workshops/> or guests may RSVP by phone to (717) 762-4723.

Our final Historic Site Spotlight of the season will be **Garfield Farm & Tavern Museum, Campton Hills, IL; Tuesday, October 19, 2021 at 7:00 pm**: “Go west, young man” and explore Garfield Farm and Tavern Museum in Campton Hills, IL with Renfrew this fall – virtually! Join Executive Director, Jerome “Jerry” Johnson, and Assistant Site Manager, Joseph Coleman, for a fascinating look at Garfield Farm Museum, a 366-acre farmstead with preserved wetlands, savanna and prairie land located 40 miles west of Chicago. Cost is \$5 per person and free to Friends of Renfrew members. Guests may attend online via Zoom (*link will be emailed*) or a live in-person watch party at Renfrew (*limit 30 guests*). Please indicate preference when registering. More information can be found at <http://www.renfrewmuseum.org/presentations-and-workshops/>

**Sixth Annual Oktoberfest, Saturday, September 18, 2021 from 12:00 pm to 7:00 pm**: Come enjoy a fun-filled day at Renfrew’s Sixth Annual Oktoberfest! This seasonal favorite is held at our beautiful historic farmstead to take full advantage of the scenic autumnal views in a unique period setting. As always, this traditional signature event will have a distinctive Renfrew feel as we honor the German roots of the Royer family that worked this land.

It's fun for everyone with a one-of-a-kind family-friendly celebration of history and the harvest! Your admission includes entry into the festival featuring live traditional music, first floor tours of the 1812 Royer House, historic trade demonstrations, retail and food vendors, silent and oral auctions, family fun area, farmstead activities, and so much more! Relax in our fenced, tented Biergarten and sample local craft beer offerings. With so much to do, you’re bound to have a great time! Show your support for Renfrew’s German heritage as we celebrate Oktoberfest together. General admission is \$10 for adults/\$5 for children ages 7-18; kids ages 6 and under are free. Biergarten tokens are \$5 each (*limit 4 per guest, ages 21+ only, must present valid photo ID, purchased on-site only*). View full event schedule and pre-purchase admission at: <http://www.renfrewmuseum.org/oktoberfest/>

**Midcentury Christmas:** Reservations are now being taken for our virtual program Midcentury Christmas presented by Dr. Leslie Goddard, Ph.D. on Tuesday, November 23, 2021 at 7:00 pm. Kick off the holiday season with Renfrew as we remember back to the era of our last private residents, Edgar and Emma Nicodemus!

Christmas in America from the 1940s through the 1960s meant aluminum trees, department store Santas, and cartoon specials on TV. Every kid in the suburbs had to have an Easy-Bake Oven, a G.I. Joe, or a Slinky. The coolest houses had rotating color wheels for their trees.

Historian Leslie Goddard explores this optimistic era in a new illustrated lecture, using photographs, advertisements, greeting cards, and catalogs to explain why this era was such a turning point for how we celebrate the holidays. Cost is \$5 per person and free to Friends of Renfrew members. Guests may attend online via Zoom (*link will be emailed*) or a live in-person watch party at Renfrew (*limit 30 guests*). Please indicate preference when registering. More information can be found at <http://www.renfrewmuseum.org/presentations-and-workshops/>

**Christmas on the Farm:** Save the dates for Renfrew's annual holiday favorite, Christmas on the Farm, to be held **Friday, December 3, 2021 from 3:00 pm to 8:00 pm, and Saturday, December 4, 2021 from 12:00 pm to 8:00 pm.** Rediscover the simple joys of Christmas past at Renfrew Museum and Park this holiday season! "Walk Back in Time" through over 200 years of celebration at our annual *Christmas on the Farm* event. Follow the soft glow of flickering lanterns and the fiery blaze of torches to the beautifully decorated Museum House where you'll encounter how treasured traditions evolved over the centuries.

Explore some of our historic outbuildings where period-attired interpreters will share even more holiday cheer! Enjoy a cozy warming circle while you wait to take a horse-drawn wagon ride down Fahnestock Lane or enjoy a goodie or warm beverage from one of our vendors. Step out of the chill into the festive atmosphere inside our Visitors Center where even more family fun awaits. Peruse our gallery, then browse Renfrew's Museum shop and *Christkindmarkt* for that special gift. Your ticket also includes live music, crafts, and more! We invite you to join us at Renfrew this December for an unforgettable holiday experience and make memories that will last a lifetime at Christmas on the Farm. Cost is \$10 per person/\$5 for children ages 3-12; free admission for kids ages 2 and under; free admission for Friends of Renfrew members. More information can be found at <http://www.renfrewmuseum.org/christmas-on-the-farm/>

**MAYOR'S REPORT:** Mayor Starliper reported as follows –

- On August 19, I attended the Council of Governments meeting.
- On August 24, along with other Borough officials, I attended the Alma's Beneficial House opening.
- On August 26, I attended the Franklin County Mayors' meeting.
- On August 29, I presented an Eagle Scout award to the first female in the Mason Dixon Council. The award was presented at Camp Sinoquipe.
- On September 4, I was present for the PA State Mayors' Association meeting.
- On September 4, I was present for the unveiling of the mural on the former Western Auto building.

- On September 10, along with Borough officials, I attended the rededication of Memorial Park. Many thanks to Mya Graves and Manager Stains for the program.
- On September 11, I attended the 9-11-01 ceremony at Red Run Park.
- On September 14, I attended the Fire Police meeting.

**SOLICITOR'S REPORT:** Solicitor Wisner noted that, earlier this year, the legislature passed Act 50, which was largely an effort of the telecommunications providers to formalize some of the requirements of an FCC order that was issued about two (2) years. The order was aimed at expediting the deployment of small cell (5G) wireless facilities, and those facilities are similar to the facilities the Borough discussed a number of years ago with Verizon (to place these facilities on some of the municipal infrastructure). Since we entered into that lease, the FCC has issued a new order that provides a timeframe within which a municipality has to review a request presented, as well as a safe harbor fee that can be charged by the municipality (which is much less than the fee negotiated with Verizon). Act 50 was passed and says that if a municipality desires to regulate the installation of small cell facilities on municipal infrastructure, you are required to adopt an ordinance (but that ordinance cannot prohibit or preclude a small cell facility from being placed on any municipal utility pole, which includes any Borough-owned traffic signal pole, traffic control pole, or any light pole).

Accordingly, it is in the Borough's best interest to adopt an ordinance that outlines some standards by which these facilities would have to be placed. Mr. Wisner will provide a model ordinance to the Street Committee for review and recommendation to Council for approval at the October meeting.

**DIRECTOR OF UTILITIES' REPORT:** S. Leiter Pryor reported on the following --

- Water Treatment Plant Upgrade – Filter #3 rehabilitation has been completed and put back online. The filter is performing well, with the exception of some minor valve issues. Rehabilitation of Filter #2 is scheduled to begin on September 16, 2021. Work continues on “punch list” items for the electrical and general contract. The masonry contractors arrived back on-site and are continuing with the building rear wall repairs.
- Sewer Treatment Plant Update – The Sewer Treatment Plant experienced some problems during the major rainfall event on September 1. The receiving stream level was so high that it impeded the discharge of the plant effluent. This resulted in the final clarifier tanks overflowing for approximately four (4) hours. DEP was notified as required by our NPDES permit, and a non-compliance report was submitted through the EDMR reporting system. To date, there has been no further inquiry into this matter. It should be noted that our plant staff did an excellent job handling the high water emergency, and no equipment was damaged during this event!

**BOROUGH MANAGER'S REPORT:** Jason Stains noted the following –

- We were notified Tuesday that our application to the U.S. Department of Agricultural Rural Communities Grant and Loan for police radios was approved. The grant is in the amount of \$56,800 and the loan is for \$105,000. We have up to 15 years to repay on the loan at 2.25% interest.
- We are finalizing the MMO projections for 2022 and they will be presented to you at the first budget meeting on September 30.
- While Borough Council has authorized earmarks of \$30,000 for the New Hope Shelter and Community Nursing Programs with ARPA funds, I will be presenting you with several options for the remaining funds at our October Borough Council meeting.
- In July, I recommended that we update our Transient Vendor Permitting Ordinance due to the passage of Act 34 of 2021. We have an amendment created that is before you and I would ask that Borough Council make a motion to add it to our agenda this evening. If you add it to the agenda, you would be discussing whether you want to move forward with advertising the ordinance amendment. It has been updated to account for the following:
  - A business that is operated by one or more persons less than 18 years.
  - 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.

Councilman Cermak made a motion to add "Authorize Advertisement of Proposed Ordinance Repealing and Amending Parts of Chapter 195 of the Code of the Borough of Waynesboro to Ensure Compliance with Act 34 of 2021" to the agenda for Council's discussion at this meeting. Councilman J. Fleagle seconded; the motion passed unanimously.

Manager Stains noted that two (2) proposals were received for the Pool Feasibility Study, and a recommendation will be made at the 09/30 budget meeting on how to proceed.

Mr. Stains reminded Council and the public that the electronic recycling event is on Saturday (09/18) from 8:00 a.m. until 12:00 p.m. Each Borough resident may bring four (4) electronic items to the Maintenance Center for recycling. Waste Management will be on-site to oversee the collection.

Mr. Stains noted that the Waynesboro Fire Department and Waynesboro Volunteer Fire Department will be wearing pink t-shirts as part of their uniforms from October 1 to October 31 for Breast Cancer Awareness.

In addition, Mr. Stains reported that the Borough's life insurance, short-term and long-term disability carrier is being changed from SunLife to Benecon (American United), which will save approximately 12% on the annual premium.

**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:** Lee Royer was present and requested (following the Planning Commission meeting held on 09/13) that Council hold a public hearing to allow a lot to front on an alley. Mr. Stains noted that Kevin Grubbs has recommended that a public hearing be held for this purpose on 10/20 at 6:30 p.m.

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

- A. Award Contract for Center Square Street Lighting Project
- B. Accept Reports --
  - (1) Police Chief – August, 2021
  - (2) Fire Chief – August, 2021
  - (3) Ambulance Chief – August, 2021
  - (4) Code Enforcement/Zoning Officer – August, 2021
- C. Pay Bills – Check Detail(s) dated 08/24 and 09/14
- D. Acknowledge and Approve Personnel Matters – Recommended by the Personnel Committee
- E. Approve COVID Time-Off Policy for Non-Uniformed Employees
- F. Approve Request from Soccer Shots for Use of a Section of Rotary Park for Fall Season

Councilman Royer seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

**AUTHORIZE ADVERTISEMENT OF PROPOSED ORDINANCE REPEALING AND AMENDING PARTS OF CHAPTER 195 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO ENSURE COMPLIANCE WITH ACT 34 OF 2021:** Councilman P. Fleagle made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

### **NEW BUSINESS**

**AUTHORIZE STAFF AND SOLICITOR TO WORK WITH ACTUARY TO CHANGE DEATH BENEFITS FOR EMPLOYEE PENSION PLANS:** Mr. Stains noted that the



Finance Committee has discussed and recommended this change. He explained that there are two (2) different retirement plans for municipal employees ... one is a pension plan and the other is a 401(a) plan. Employees hired after November 1, 2019 are enrolled in the 401(a) plan, which allows them to be vested immediately and provides for a survivor's benefit. The pension plan, however, does not provide a death benefit for beneficiaries. Accordingly, he would like to work with the actuary and solicitor to prepare an ordinance for adding a death benefit for employees vested (after 10 years of service) in the pension plan, which would be similar to the 401(a) plan. Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

**REQUEST FROM MAINSTREET WAYNESBORO, INC. FOR CHRISTMAS TREE LIGHTING (NOVEMBER 19, 2021, 5:30 P.M. TO 7:30 P.M.) AND CHRISTMAS PARADE (NOVEMBER 20, 2021, BEGINNING AT 2:00 P.M.):** Councilman Cermak made a motion for approval of these requests from Mainstreet Waynesboro, Inc., as presented. Councilman P. Fleagle seconded; the motion passed unanimously.

#### **FOR INFORMATION ONLY**

**ACKNOWLEDGE ST. ANDREW THE APOSTLE CATHOLIC CHURCH'S PARTICIPATION IN THE ANNUAL NATIONAL LIFE CHAIN IN CENTER SQUARE (OCTOBER 3, 2021, 2:00 P.M. TO 3:00 P.M.):** Council acknowledged receipt of this notification.

**MINIMUM MUNICIPAL OBLIGATION (MMO) REPORT:** Mr. Stains noted that he will present his MMO report to Council at their 09/30 budget meeting.

**2022 BUDGET MEETING SCHEDULE:** Mr. Stains presented Council with a proposed meeting schedule for the upcoming 2022 budget deliberations, beginning on 09/30 at 6:00 p.m.

**COUNCIL AND STAFF COMMENTS:** Police Chief Sourbier discussed drug overdoses and drug overdose deaths which have become a prevalent issue in the community.

Mayor Starliper reminded Council members that the CFCBA dinner meeting will be held on 09/28 in Shippensburg.

Mayor Starliper also commended officers who participated in the DUI Task Force checkpoint(s) held recently. This was a joint effort between Waynesboro, Greencastle, the Franklin County Sheriff's Office and the PA State Police.

Mayor Starliper noted that he has received several calls regarding changing Trick-or-Treat back to the fourth Thursday of October, as 10/31 falls this year on a Sunday. It was Council's consensus to make no change. Trick-or-Treat will be held on 10/31 from 6:00 p.m. to 8:00 p.m.

Council then moved to executive session at 7:24 p.m. They reconvened to regular session at 8:12 p.m. and adjourned the meeting with no further action.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary