

MAY 18, 2022
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. (at the conclusion of two public hearings) with the following in attendance:

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

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Utilities
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.

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: None.

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

ADDITIONAL AGENDA ITEMS: Manager Stains requested that the following two (2) items be added to the agenda for Council's consideration at this meeting –

- 1) Renfrew Grist Mill (to be added because information dated 05/17 was just received regarding the project)
- 2) Consider Calvary Assembly of God's Request for Conditional Use (to be added because a public hearing regarding the matter was held prior to this meeting)

Councilman J. Fleagle made a motion to add the aforementioned items to the agenda for this meeting. Councilman Cermak seconded; the motion passed unanimously.

PERSONNEL COMMITTEE: Councilman Royer noted that several items are on the Consent Agenda for Council's action this evening.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman J. Fleagle noted that the Street Committee met on 05/05. There are several items on the agenda that need Council's approval later in the meeting. The Committee also discussed the following –

- Request to Install Crosswalk on E. Second Street – The Waynesboro Area School District has requested that a crosswalk be installed on E. Second Street at the entrance to the Middle School. The Engineering Department will review the matter and discussion will be held at the next Street Committee meeting. A recommendation will then be presented to Council for action at their next meeting.
- Suggestion regarding Electronic Message Sign – Since *The Record Herald* newspaper office is no longer located in Waynesboro (which makes it increasingly difficult to provide the public with various notifications), a suggestion was made to install an electronic message sign at a location in the Borough to advise residents to check the Borough's website or FaceBook page for certain information. Use of the CodeRed alert system is normally used in cases of emergency, however this could be used for non-emergency type items. The matter was referred to the Property Committee and Economic Development Committee for further discussion.

The next Street Committee meeting will be held on 06/02 at 9:00 a.m.

ECONOMIC DEVELOPMENT COMMITTEE: Councilman P. Fleagle noted that the Economic Development Committee met on 05/03 and presented the following report –

- New Businesses/21 E. Main/137-139 W. Main Updates – Bill Kohler noted that 21 E. Main Street project went out to bid on May 2. Estimates for this Phase 1B were \$2,000,000. 137-139 W. Main granted exemptions in land area, dwelling and parking requirements.
- Infrastructure – W. Main and Prices Church Road/SWOT Analysis – Discussion of possible changes required to intersection of W. Main and Prices Church Road if Washington Township plans for a bypass utilizing this route goes forward. J. Stains will coordinate with Washington Township officials in the planning process. General discussion ensued on infrastructure requirements for developable areas of Borough.
- Walnut Street Lighting Plan – Still waiting for a waiver in grant to allow use of funds to include this lighting.
- Economic Development 101 for Elected Officials (Video) – Concluded video series on Economic Development.

The next meeting will be held on 06/07.

FINANCE COMMITTEE: No report.

RECREATION BOARD: Councilman Royer noted that the Recreation Board met on 04/27 and there are several items on Council's agenda for action as a result of that meeting. They also received a request for additional pickleball courts and will discuss the matter further.

RENFREW MUSEUM AND PARK REPORT: Becky LaBarre, Executive Director & CEO, provided Council with a written report dated May 13th. (Complete copy is on file at Borough Hall.)

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

- On April 21st, I attended the Waynesboro Chamber banquet.
- On April 26th, along with Borough officials, I attended the Cumberland Franklin County Boroughs' Association meeting.
- I have attended Franklin County Commissioners' meetings.
- On April 28th, I attended the mixer at the Waynesboro Theatre.
- On May 1st, I officiated the wedding of Morgan Dougherty and Jeremy Stever.
- On May 7th, I attended the Pennsylvania State Mayors' Association meeting by Zoom.
- On May 12th, I did a military video at the Library.
- On May 18th, I attended the Waynesboro Beneficial Fund Association meeting.

SOLICITOR'S REPORT: No report.

DIRECTOR OF UTILITIES REPORT: No report.

BOROUGH MANAGER'S REPORT: Mr. Stains reported the following –

- Mainstreet Waynesboro, Inc. will be installing flower pots along Main Street later this week.
- The RFP for a new HVAC system at Borough Hall will be released in the very near future.
- Staff is working on an RFP for a new gas furnace at the S. Potomac Street Fire Station.
- An RFP is also being prepared for repair/rebuild of the brick planters in front of Borough Hall.
- The Borough received recognition as a Tree City USA for the ninth year.

Mr. Stains also commended the Police Department on their pending Accreditation status. He added this involved much work on the Chief's part, as well as the entire Department.

RENFREW GRIST MILL PROJECT: Mr. Stains noted that Renfrew has requested the Borough's assistance in purchasing materials for their grist mill project (with the costs to be reimbursed back to the Borough by Renfrew). Mr. Grubbs presented cost estimates for the materials required for water, sewer, electric and communication utilities, for a

total estimated cost of approximately \$79,627.83. Councilman Cermak made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

CONSIDER CONDITIONAL USE REQUEST BY CALVARY ASSEMBLY OF GOD:

Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously. Solicitor Wisner explained requirements for a written decision and a 30-day appeal period. He noted that Pastor Newsome is aware of those requirements and will wait until 30 days has passed to begin work on the sign.

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:

Tom McCloud, 527 Green Street – Mr. McCloud, Chairman of the Borough's Shade Tree Commission, asked about the red markings on trees on the north side of W. Third Street below Price Avenue. Kevin Grubbs noted that the Borough did not mark them and he is unsure who did. Discussion followed regarding the matter and it was noted that the trees appear to be on the property owners' side of the sidewalk. Mr. McCloud clarified that if a property owner wants something done with trees in the right-of-way, they have to make a request to the Shade Tree Commission. It was noted that this does not apply to the power company and Mr. Stains was requested to contact West Penn Power to ask if they had marked the trees for a particular reason.

Mr. McCloud added that the Shade Tree Commission has tasked member Brandon Boldyga to update the current Shade Tree Ordinance, as this was last done in November of 1991.

Mr. McCloud also asked the status of replacement trees on Main Street. Mr. Grubbs noted that the trees were removed as part of the street light project, so remaining funds from that grant will be put toward replacement of the trees and the Borough will attempt to find funding for any additional necessary costs.

Mr. McCloud noted that Eichholz Flowers has requested that the tree in front of their building be removed. The Shade Tree Commission is in agreement with the tree being removed and replaced. Kevin Grubbs noted that the existing tree damaged the sidewalk and the Borough will take care of that repair.

Joshua Rouzer, 11118 Country Club Road – Regarding conversation held earlier about an electronic message sign, Mr. Rouzer suggested the Borough consider WhatsApp Group, which is a telephone messaging system. Mr. Stains requested additional information and will look into the matter.

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

- A. Accept Reports
 - (1) Police Chief – April, 2022
 - (2) Fire Chief – April, 2022
 - (3) Ambulance Chief – April, 2022
 - (4) Code Enforcement/Zoning Officer – April, 2022
- B. Pay Bills – Check Detail(s) dated 04/26 and 05/10
- C. Acknowledge and Approve Personnel Matters – Recommended by the Personnel Committee

Councilman Cermak seconded; the motion passed unanimously.

UNFINISHED BUSINESS

RETROACTIVELY APPROVE THE FRANCHISE AGREEMENT AND INTERNET ACCESS AGREEMENT BETWEEN THE BOROUGH OF WAYNESBORO AND SHENANDOAH CABLE TELEVISION, LLC (“SHENTEL”): Mr. Stains noted that Council previously approved the Internet Access Agreement, but will also need to retroactively approve the Franchise Agreement. Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING THE ZONING MAP BY CHANGING THE ZONING DESIGNATION OF VARIOUS PARCELS WITHIN THE BOROUGH OF WAYNESBORO FROM THEIR CURRENT ZONING DESIGNATION TO GENERAL COMMERCIAL (GC) AND AMENDING VARIOUS PROVISIONS OF CHAPTER 250, ENTITLED “SUBDIVISION AND LAND DEVELOPMENT” AND CHAPTER 295 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF WAYNESBORO TO PROVIDE FOR GREATER CONSISTENCY AND CLARITY IN CODE REQUIREMENTS: Mr. Stains noted that Council held a public hearing prior to this meeting and the proposed ordinance has been duly advertised for consideration. Councilman P. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

(COMPLETE COPY ON FILE AT BOROUGH HALL.)

NEW BUSINESS

APPROVE REQUEST BY BROTHERS OF THE BRUSH FOR 4TH OF JULY PARADE, TO INCLUDE THE CLOSURE OF MAIN STREET FROM FAIRVIEW AVENUE TO ENTERPRISE AVENUE (JULY 4, 2022 FROM 9:30 A.M. TO 11:00 A.M.): Mr. Stains noted that the Street Committee has recommended approval of this event. Councilman J. Fleagle noted their only concern was flaggers, and the organization is working on getting additional flaggers certified to assist. Councilman J. Fleagle made a motion for

approval, contingent upon them having a sufficient number of certified flaggers for traffic control. Councilman Royer seconded; the motion passed unanimously.

APPROVE REQUEST FOR NO PARKING ZONE ON CLEVELAND AVENUE: Mr. Grubbs noted that vehicles have been parking too close to the intersection of W. Second Street, making it very difficult to turn onto Cleveland Avenue. The Street Committee has reviewed and recommended to approve “No Parking Here to Corner” beginning on the south curb line of E. Second Street and extending 40’ south along the west side of Cleveland Avenue. Councilman J. Fleagle made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

APPROVE REQUEST FOR NO PARKING ZONE AT THE INTERSECTION OF S. BROAD AND WALNUT STREETS: Mr. Grubbs noted that he received a request from the property owner at 250 S. Broad Street ... vehicles park too close to his driveway entrance, which comes off Walnut Street. The Street Committee has reviewed and recommended approval for “No Parking Here to Corner” beginning on the south side of the driveway entrance at 250 S. Broad Street and extending 58’ to the north curb line of S. Broad Street along the east side of Walnut Street. Councilman J. Fleagle made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

APPROVE REQUEST TO REMOVE ACCESSIBLE PARKING SPACE AT 153 E. SECOND STREET: As this accessible parking space is no longer needed, Councilman Royer made a motion to approve removal. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2022-07 EXPRESSING COMMITMENT TO THE NORTHSIDE POOL RENOVATION PROJECT AND AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION REQUESTING FUNDS FROM THE COMMONWEALTH FINANCING AUTHORITY GREENWAYS, TRAILS AND RECREATION PROGRAM TO SUPPORT THE PROJECT: Mr. Stains noted that the Borough is looking at ways to fund issues at Northside Pool and they have been successful with this grant program in the past for Memorial Park. The grant application is for \$250,000 and there is a 15% match. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

(COMPLETE COPY ON FILE AT BOROUGH HALL.)

RESOLUTION NO. 2022-08 REQUESTING THE PENNSYLVANIA STATE ASSOCIATION OF BOROUGHES TO ADD TO THEIR LEGISLATIVE PRIORITIES THE REMOVAL OF THE ADVERTISING IN A NEWSPAPER OF GENERAL CIRCULATION REQUIREMENT FROM THE PENNSYLVANIA BOROUGH CODE: Mr. Stains noted that this resolution is passed annually, as it has become increasingly difficult and expensive to advertise in a “newspaper of general circulation” since *The Record Herald* was sold. During COVID, the Governor granted leeway in advertising and public notification requirements and everything functioned well. Since COVID, however, we now have to revert back to the “old” system. This resolution will ask the

Pennsylvania State Association of Boroughs to lobby to change the Borough Code in this respect. Councilman J. Fleagle made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

(COMPLETE COPY ON FILE AT BOROUGH HALL.)

AUTHORIZE CIVIL SERVICE EXAMINATIONS FOR POLICE OFFICER ON A CONTINUAL BASIS UNTIL ALL VACANT POSITIONS ARE FILLED:

Mr. Stains noted that the Borough continues to struggle to get applicants to pass the required competitive exams. There are currently two (2) officers slated to go to the Police Academy and three (3) additional open positions. The Police Chief is requesting that the Civil Service Commission be authorized to test on a continual basis until all vacant positions are filled. Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

AMEND CIVIL SERVICE COMMISSION RULES AND REGULATIONS FOR FIRE SERVICE TO CHANGE JOB TITLE FROM FIRE APPARATUS DRIVER TO FIREFIGHTER/EMT AND REQUIRE DUTY-FIT TESTING AT RESULTS FITNESS:

Mr. Stains noted that staff is recommending changing the job title from Fire Apparatus Driver to Firefighter/EMT to be reflective of their actual job duties. Additionally, they are recommending the duty-fit testing (Chambersburg utilizes this establishment before sending their recruits to the Fire Academy) to ensure the recruits are at a level to make them successful at the Academy. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

AUTHORIZE CIVIL SERVICE EXAMINATIONS FOR FIREFIGHTER/EMT, CONTINGENT UPON APPROVAL BY THE CIVIL SERVICE COMMISSION AND BOROUGH COUNCIL OF CHANGES TO THE CIVIL SERVICE COMMISSION RULES AND REGULATIONS:

Mr. Stains noted there are currently three (3) vacant positions and the Fire Chief is requesting that Borough Council authorize the Civil Service Commission to test for Firefighter/EMT. He stated that the next class at the Fire Academy begins in August. Councilman Cermak made a motion for approval, subject to final approval of changes proposed to the Civil Service Commission Rules and Regulations. Councilman Royer seconded; the motion passed unanimously.

AUTHORIZE ADVERTISEMENT OF CHANGES TO ORDINANCE NO. 1146 (WHICH AMENDED ORDINANCE NO. 1117) REGARDING CREATION OF A FIRE DEPARTMENT IN THE BOROUGH OF WAYNESBORO AND ESTABLISHED RULES AND REGULATIONS FOR SAID FIRE DEPARTMENT:

With the most recent changes to the Collective Bargaining Agreement, resignation of the Deputy Fire Chief and a meeting held with the Property Committee, Mr. Stains presented changes to Chapter 19 of the Borough Code (as proposed by the Fire Chief) to bring it in line with current practices and language. Mr. Stains reviewed the proposed changes and asked for Council's authorization to proceed with advertising the proposed ordinance. Councilman Cermak made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

APPROVE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH OF WAYNESBORO AND THE WAYNESBORO PROFESSIONAL FIREFIGHTERS ASSOCIATION: Mr. Stains noted that there have been several Memorandums of Understanding since the last Collective Bargaining Agreement went into effect. The Borough has been working with the career staff for several months to prepare this document which incorporates all those changes previously made. He feels this agreement, which will take effect immediately thru December 31, 2025, will be beneficial to both parties. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

APPROVE EVENTS AT MEMORIAL PARK FOR BLAST OF WAYNESBORO INC. (MAY 7, 14, 21, 28 AND JUNE 4, 11, 18, 25, 2022): Mr. Stains presented a request from BLAST of Waynesboro, Inc. (a 501c3 organization for special needs children) to hold several events at Memorial Park on Saturdays beginning on 05/07. The Recreation Board is recommending approval. Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

APPROVE SOCCER SHOTS' SUMMER SEASON AT ROTARY PARK (1ST OR 2ND WEEK OF JUNE, FROM 4:45 P.M. TO 6:45 P.M.): Mr. Stains noted that the Recreation Board is recommending approval for this annual request. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

APPROVE ACHIEVING TRUE SELF EVENT AT NORTHSIDE POOL (JULY 9, 2022): Mr. Stains noted that the Recreation Board is recommending approval for this request. The organization will work with the Pool Manager and the event will be held when the pool is closed. Councilman Royer made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

Councilman Royer noted that representatives of this organization have also been attending Recreation Board meetings and working with Scott Crum (the Borough's Certified Playground Inspector) on inclusive playground accessibility.

FOR INFORMATION ONLY

MUNICIPAL NOTIFICATION OF LANDIS SOLUTIONS' SUBMISSION OF AN APPLICATION FOR RENEWAL OF THE STATE ONLY OPERATING PERMIT TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S (DEP) AIR QUALITY PROGRAM: Council acknowledged receipt of this required notification.

COUNCIL AND STAFF COMMENTS

Mr. Stains thanked the career firefighters for working through the negotiating process with he and the Fire Chief (with little need for legal intervention). Councilman Royer and

President Mumma echoed those comments, and thanked Fire Chief Devers for his assistance in the discussions.

Police Chief Sourbier noted that issues at the Park Tavern which were mentioned at the last meeting have been concluded, and appropriate action will be taken by the Liquor Control Board. He also noted that the Police Department has received word that they have been recommended for Accreditation, and a formal announcement regarding that honor will be made in the near future.

Kevin Grubbs advised that bidding for three (3) street reconstruction projects will be advertised on 06/08 and 06/15, with bid opening scheduled for 07/13 and Council's action on 07/20.

Mayor Starliper noted that donations are being accepted in the Police Department for medical supplies, etc. for the people of Ukraine. Anything donated will be appreciated.

Having no further business to discuss, the meeting adjourned at 8:14 p.m. on a P. Fleagle/Cermak motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary