

FEBRUARY 15, 2023
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

Junior Councilperson – Devin Wynkoop

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Borough Solicitor (Salzmann Hughes)
S. Leiter Pryor, Director of Utilities
Chris Devers, Fire Chief (via Zoom)
Bryan Chappell, Jr., Police Corporal

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: None.

EXECUTIVE SESSION: President Mumma noted that an executive session will be held at the end of this meeting to discuss code enforcement and contract negotiations. No voting will take place 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: Kris Martin, 11695 Terra Cotta Drive, was present to discuss difficulties experienced with communication between the Fire Department leadership, the Fire Chief and volunteers ... examples given were regarding the proposed emergency services building and the mold issue at Station 1.

Ms. Martin also noted that she was in attendance at Council's 12/21 meeting when Borough Council directed the Borough Manager to schedule a meeting with the volunteers as soon as possible to discuss the proposed MOU, and in particular, utilities at Station 2. A meeting has still not been held and the utilities were shut off as of 01/31.

With regard to a proposed grant application for fire apparatus, Ms. Martin asked which vehicle Council is looking to replace. Mr. Stains noted they will be replacing Engine 2-2.

STAFF COMMENTS AND WRITTEN REPORTS

MAYOR: The Mayor's Report was as follows –

- On January 25th, I attended the Franklin County Commissioners' meeting.
- On January 26th, I attended the mixer for the Wee Book Shop.
- On February 10th, I attended the Chamber mixer at the Postmasters Coffee and Bakery.
- On February 14th, I attended the Fire Police meeting.

RENFREW MUSEUM AND PARK: No report.

BOROUGH SOLICITOR: No report.

DIRECTOR OF UTILITIES: Mr. Pryor provided the following written report –

- Water Treatment Plant Upgrade – Gannett Fleming is in the process of issuing substantial completion certificates for the general and electrical contracts. There is still an issue with the telephone system that needs to be resolved. The manufacturer and the general contractor, with input from Gannett Fleming, are working on a solution.

I have been working with DEP on finalizing payment for the FEMA High Hazard Dam Grant. The WBA SAM renewal has been completed for 2023.

- Sewer Plant Update – Work continues on the NPDES permit renewal. All plant data, operational data and required supplemental lab analyses have been provided to Gannett Fleming for submission to DEP. The permit application will be submitted in early March of 2023. Borough Council has received the required public notification for the permit renewal.

The 2022 Chapter 94 Wasteload Management Report has been completed and submitted to DEP. Both the hydraulic and organic loadings for the plant are well under the designed capacities.

- Franklin County IMPACT Grant Award – The WBA executed the funding agreement and all requested documentation has been submitted to the County Commissioners' Office. The flusher truck delivery date has been pushed to the beginning of April due to a delay in manufacturing.
- Water Meter Replacement Program – 500 new water meters arrived at the maintenance center the first week of January, along with the new meter reading equipment. Approximately 50 meters have already been installed to date.

BOROUGH MANAGER: Mr. Stains provided the following report –

- We are working on several additional Right-to-Know Requests.
- Emergency Services Building – The committee met with the architect, WellSpan representatives and solicitors for both parties on February 7th. The entire design of the project is changing course based on the discussion and will focus on a smaller site footprint at the location on Main Street. We are still on track for a grant submission before the end of March.
- Our financial records for 2022 were officially closed at the end of January. We have uploaded the information to the auditor’s secure data portal to begin the financial audit.
- The most recent correspondence with the Waynesboro Volunteer Fire Department related to the Memorandum of Understanding discussions occurred on the following dates:
 - January 24, 2023 – I received an email from President Michael Bock. He indicated that their board felt that we were not working “ASAP” as Council had wanted, and that they were available on February 7, 2023 or February 9, 2023.
 - January 25, 2023 – I emailed President Michael Bock. I indicated to him that those dates did not suit the Borough team, and the dates I had sent him on January 17, 2023 were the only dates the Borough team was available.
 - January 26, 2023 – I received an email from President Michael Bock. He stated that the February dates would not work, as he and Vice-President Terry Reiber would be out-of-town. He stated that the earliest availability for the WVFD would be after March 15th.
 - February 3, 2023 – I emailed President Michael Bock. I provided dates of March 20-23, 2023, March 28 and March 29 as dates that the Borough team could meet. Since that correspondence, I have not received any indication of when the WVFD would like to meet to continue MOU discussions.
- Last week I attended the Pennsylvania Association of Municipal Managers training. Classes focused on:
 - Surviving the Profession from Rookie to Retirement
 - Human Resource Considerations Post-COVID 19
 - How to Identify and Recover from Burnout

- Diversity, Equity and Inclusion Training
- I am requesting an executive session at the conclusion of the meeting for code enforcement and contractual issues. There will be no voting on these topics at the conclusion of executive session.

Mr. Stains added that he also provided Council with a 2023 Project Status List, as well as a list of routine items that the Maintenance Department works on each year, for information and review.

Mr. Stains noted that the next Council meeting will be held on the second Wednesday (March 8th) at 6:30 p.m. This meeting change was advertised at the beginning of the year.

OFFICE MANAGER: No report.

FIRE CHIEF: Chief Devers noted that Council was provided with a 2022 year-end report and a January, 2023 report in their packets.

POLICE CHIEF: A written report was included in Council's meeting packets.

AMBULANCE SQUAD CHIEF: A written report was included in Council's meeting packets.

CODE ENFORCEMENT/ZONING OFFICER: A written report was included in Council's meeting packets.

HEAD OF ENGINEERING SERVICES: No report.

APPROVAL OF ROUTINE ITEMS: Councilman P. Fleagle made a motion to approve the following routine items –

- A. Approve Minutes as Presented – January 18, 2023 (regular meeting)

Councilman Knott seconded; the motion passed unanimously.

COMMITTEE REPORTS AND VOTING ON ITEMS FROM COMMITTEE REPORTS

A. Personnel Committee

(1) Acknowledge and Approve Personnel Matters as Presented

- Acknowledge a favorable performance evaluation for Donald Kaiser, Custodian/Clerk (Maintenance Department) – no motion required

- Approve the advancement of Kathleen Glancey to Water Plant Technician, salary level 8E, effective 01/12/2023 (retroactive pay will apply) – passed unanimously on a Royer/Knott motion
- Approve additional step increase for Caitlyn Hartman, PD Records Clerk, to salary level 8B, effective 01/30/2023 (retroactive pay will apply) – passed unanimously on a Royer/Cermak motion
- Approve step increase for Jason Stains, Borough Manager, to salary level 24D, effective 02/01/2023 (retroactive pay will apply) – passed unanimously on a Royer/Cermak motion

B. Property and Public Safety Committee – Councilman Cermak noted that the committee continues to talk with WellSpan about the emergency services building. They hope to pursue grant funding for the project by the end of this quarter.

C. Street Committee - Councilman J. Fleagle noted that the Street Committee met on 02/02. One (1) item requires Council's action.

(1) Authorize Borough Staff to Prepare and Solicit Bids for the Paving and Reconstruction of Hamilton Avenue between Eighth Street and Sixth Street – Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

Councilman J. Fleagle noted that the Maintenance Department and contracted electrician have installed the street crossing light on E. Main Street near the YMCA. The light is scheduled for inspection on Friday; and following a successful inspection, West Penn Power will install the electric meter and turn on the power. In addition, programming will need to be completed in conjunction with the school schedule. The light should probably be fully operational within a week or two.

Councilman J. Fleagle noted there was also discussion on the Walnut Street lighting. The Street Committee is proposing to hold a meeting with the Economic Development Committee and property owners in the area to ensure they are aware of what is going on and to give them an opportunity to provide input.

Mr. Fleagle reported that the stormwater project on C.V. Avenue continues. They are hoping to get Council's approval to purchase materials for the project at the March meeting.

Mr. Fleagle also noted that the committee received very little input regarding the parade route they proposed. The Police Chief is currently reviewing the route as well. Further discussion on the matter will be held at the Street Committee's next meeting.

The next Street Committee meeting will be held on 03/02 at 9:00 a.m.

D. Economic Development Committee – Councilman P. Fleagle provided the following report on their meeting held on 02/07:

Walnut Street Lighting/Redevelopment Plan – Copies of the tentative lighting specs and light placement were distributed. Kevin Grubbs will convene a joint meeting of the Street Committee and Economic Development Committee with property owners on both sides of the Walnut Street corridor to outline our light plans and to attempt a coordinated redevelopment plan for the area.

LERTA Ordinance Expiring – Copies of the current LERTA Ordinance and the map overlay showing affected areas was distributed. Section 6 of the current ordinance delineates that the ordinance will terminate ten (10) years from enactment (May 1, 2013). Chairman P. Fleagle asked staff and members to review the current ordinance and map areas to see if any changes are in order.

Franklin County Housing Rehab Program (DCED – Whole Homes Repair Program) – P. Fleagle noted that Franklin County has applied for over a million dollars in home repairs funding through DCED. David Mackley, staff contact for the Franklin County Redevelopment Authority, joined the meeting (via telephone) and explained the program as far as has been outlined. Several county non-profits are looking at administering the program, but details are unclear as to eligibility and administration. Mackley will update the committee as details become available.

Main Street Lighting – Kevin Grubbs outlined the completed work of updating the Main Street corridor. Nine (9) intersection lights, similar to the pilot project lights at Grant and W. Main Streets, remain to be done and lighting and metering to units from Franklin Street to Fairview Avenue. Work should be commenced in the spring. Grubbs noted the Walnut Street lighting project is a different program.

New Businesses/21 E. Main/137-139 W. Main Updates – Nothing new to report on the 137/139 W. Main Street property. Bill Kohler noted that the plans for 21 E. Main Street have been scaled back due to excessive bids on the project.

The next Economic Development Committee meeting will be held on March 7, 2023 at 10:00 a.m.

E. Finance Committee

(1) Pay Bills – Councilman Knott made a motion to approve the payment of Check Details dated 01/26. Councilman Royer seconded; the motion passed unanimously.

F. Recreation Board – Councilman Royer noted that the following items were recommended for approval by the Recreation Board.

(1) Approve Request from Waynesboro Area Girls Softball, Inc. (WAGS) for Use of Memorial Park Ball Fields – Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

(2) Approve Request from Antietam Humane Society for “Pawlooza” at Memorial Park on May 21, 2023 from 8:00 a.m. to 5:00 p.m. – Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

UNFINISHED BUSINESS

APPROVE RETURN OF GRANT FUNDS AND INTEREST EARNED TO DCNR FOR THE NORTHSIDE PARK FEASIBILITY STUDY: Mr. Stains noted that the Borough entered into a contract for the Northside Park Feasibility Study with Wallover Architects for \$50,070. DCNR disbursed \$22,500, a 90% payment of the \$25,000 grant. Because the contract had been modified and was then valued at \$36,840, the DCNR grant became \$18,420, which resulted in an overpayment of \$4,080. This amount, plus interest, will need to be returned to DCNR. Councilman Cermak made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

NEW BUSINESS

APPROVE RESOLUTION NO. 2023-03 EXPRESSING DESIRE TO ACQUIRE A NEW FIRE APPARATUS AND TWO NEW POLICE VEHICLES AND AUTHORIZING THE PREPARATION AND SUBMISSION OF AN ASSOCIATED GRANT AND LOAN FUNDING REQUEST FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE’S COMMUNITY FACILITIES DIRECT LOAN AND GRANT PROGRAM, AS THE APPLICANT: Mr. Stains noted that the Borough has worked with USDA in the past for the purchase of police radios and vehicles through their grant/loan program. In this application, the Borough will be requesting a USDA grant and loan of up to \$1,428,580 to acquire a new fire apparatus and two new police vehicles. He added that the local DCNR representative is in favor of the project and will recommend it for approval.

Councilman Cermak made a motion for approval of Resolution No. 2023-03. Councilman Royer seconded; the motion passed unanimously. (COMPLETE COPY ON FILE AT BOROUGH HALL.)

CONSIDER PROPOSAL TO ADD A FOURTH CLASS (FIREFIGHTERS) TO THE SHORT-TERM DISABILITY POLICY WITH AMERICAN UNITED LIFE INSURANCE COMPANY: Mr. Stains noted that when the Borough’s policy for employees’ life insurance, accidental death and dismemberment, short-term and long-term disability was changed to the American United Life Insurance Company, an error was made which resulted in the Firefighters/EMTs not being included in the short-term disability

coverage. He added that this coverage is required by their Collective Bargaining Agreement.

A proposal has been obtained to add a fourth class (Firefighters) to the short-term disability coverage, which will cost an additional \$1,140/year. Mr. Stains noted that this is substantially less than the cost of paying out-of-pocket for their lost wages (even at 70%). Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

CONSIDER REQUEST TO HANG BLACK “OVERDOSE AWARENESS” BALLOONS ON PARKING METERS IN CENTER SQUARE ON MARCH 6, 2023: Mr. Stains noted that this request was approved last year. Councilman Cermak made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

CONSIDER REQUESTS FROM MAINSTREET WAYNESBORO AND THE CONNECTION TO HANG BANNERS THROUGHOUT DOWNTOWN WAYNESBORO FROM MID-MARCH TO MID-MAY; AND TO HANG FLOWER BASKETS AND HOMETOWN HEROES BANNERS IN MID-MAY: Mr. Stains presented the following requests from Mainstreet Waynesboro –

- To hang 40 banners (with positive slogans) from mid-March until flower baskets and Hometown Heroes banners are hung in mid-May
- To hang flower baskets in mid-May and the Hometown Heroes banners at the same time

Councilman Knott made a motion for approval. Councilman Royer seconded; the motion passed unanimously.

FOR INFORMATION ONLY

NOTICE OF APPEAL PERIOD FOR DEP’S DETERMINATION THAT THE PROPOSED FIVE-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION OF COLD SPRING ESTATES IS EXEMPT FROM THE REQUIREMENT TO REVISE THE OFFICIAL PLAN FOR NEW LAND DEVELOPMENT: Kevin Grubbs noted that this is the final step in approval of the five-lot subdivision at Cold Spring Estates by DEP, and it was reviewed by the Waynesboro Planning Commission at their meeting on 02/13. Following the required 30-day appeal period, the appropriate paperwork will be forwarded to DEP. No action is required by Council.

NOTICE OF THE WAYNESBORO BOROUGH AUTHORITY’S APPLICATION FOR RENEWAL OF THEIR EXISTING NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT NO. PA 0020621 TO PA DEP: Leiter Pryor noted that the WBA is renewing their NPDES permit for the Wastewater Treatment Plant, and this municipal notification is a requirement of the renewal.

PRESS QUESTIONS: None.

COUNCIL COMMENTS: Councilman P. Fleagle requested clarification on several projects –

- What is the status of the Northside Pool refurbishment project? Mr. Stains provided an update and noted that the pool will be operating as usual this summer.
- When will the high school walking trail be constructed? Mr. Stains noted that the Engineering and Maintenance Departments met with a representative of the School District to discuss the project. They plan to begin after school ends in the spring, and the project will be completed before school begins again in the fall.
- How much money is needed to complete the Memorial Park stage? Mr. Stains noted he would estimate that approximately \$10,000 is still needed.

Councilman J. Fleagle asked about the status of the HVAC system design for Borough Hall. Mr. Stains noted that blueprints for the building were provided to L.S. Grim, but there is nothing further to report. He added, however, that there was a recent power failure/surge in the area which resulted in the loss of three (3) circulator motors in the building. Martz has been able to replace one, however it is taking time to obtain the necessary parts for repair.

Having no further business to discuss, Council took a brief recess and then entered into executive session. They reconvened to regular session at 8:30 p.m. and took no further action. Councilman P. Fleagle made a motion to adjourn. Councilman Knott seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary