

MAY 17, 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
Matt Schmidt, Zoning-Code Enforcement Office
Chris Devers, Fire Chief
Jim Sourbier, Police Chief

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: None.

EXECUTIVE SESSION: Council President Mumma noted that an executive session will be held at the end of the meeting.

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: A resident of Washington Township attempted to address Council at this time, however President Mumma stated that comments are only entertained from residents and/or taxpayers of the Borough of Waynesboro. Solicitor Wisner concurred.

STAFF COMMENTS AND WRITTEN REPORTS

MAYOR: The Mayor's Report was as follows –

- On April 26th, along with other members of Council, I attended the annual meeting of Mainstreet.

- On May 3rd, I attended the Horizon Goodwill awards event.
- On May 6th, I attended the Pennsylvania State Mayors' Association meeting via Zoom.
- On May 7th, along with Chief Sourbier, I participated in the opening at the Waynesboro Community Concert Association event.
- On May 11th, I attended the mixer at Wellspan.
- On May 17th, I attended the Waynesboro Beneficial Fund Board meeting.

RENFREW MUSEUM AND PARK: Becky LaBarre, Executive Director and CEO, was present and provided Council with highlights from her written report dated May 12, 2023, which was included in their meeting packets.

ANTIETAM HUMANE SOCIETY: Kacie Morrell, Executive Director of the Antietam Humane Society, provided April's Animal Report to Council, which was included in their meeting packets.

BOROUGH SOLICITOR: No report.

DIRECTOR OF UTILITIES: Mr. Pryor's written report was included in Council's meeting packets.

BOROUGH MANAGER: The Borough Manager's Report was as follows --

- The stage at Memorial Park is nearing completion and should be ready for Memorial Day.
- We just had a successful Community Development Block Grant Fund audit, and I am pleased to report that there were no findings by the Department of Community and Economic Development.
- The Maintenance Department has a few more items to finish for the opening of Northside Pool. There was some significant deterioration over the winter and Maintenance was able to repair the deficiencies. I received information earlier this week that we must bid our professional design services to create the scope of work due to federal funding being involved in the project. We are working on those documents and hope to release them soon.
- The bids were opened earlier this week for the sale of the utility trailer and sewer jetter, and came in much lower than expected. I recommend that all bids be rejected and that staff place the items on the Municibid website. It is much like Ebay, where the winning bidder must pay all fees and the municipality receives full payment for the items. We may also set a reserve price for the auctions.

- I am requesting an executive session at the conclusion of this meeting for code enforcement, contractual, personnel and litigation items. There will be no voting on these topics at the conclusion of executive session.
- Council's next meeting has been changed from June 21st to June 14th at 6:30 p.m.
- Mr. Stains reminded Council and the public of the Antietam Humane Society's "Pawlooza" event this Sunday (05/21) from 1:00 p.m. to 4:00 p.m. at Memorial Park.
- Manager Stains thanked Devin Wynkoop for his service as a Junior Councilperson. He noted that Devin was very active in attending both Committee and Council meetings as part of his internship with the Waynesboro Area School District. He congratulated Devin on his upcoming graduation and attendance at American University, where he will be majoring in Political Science. Mr. Stains added that another WASHS student has expressed interest in a position as Junior Councilperson during the next school year.
- Mr. Stains noted there has been a request to remove "Award Bids – 2023 Waynesboro Street Construction Project (Hamilton Avenue)" from the Consent Agenda and place it under the Street Committee's Report. Councilman J. Fleagle made that recommendation and Council concurred.

OFFICE MANAGER: No report.

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

MAINTENANCE FOREMAN – REPAIR REPORT: A written report was included in Council's meeting packets.

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

- A. Approve Minutes as Presented – April 19, 2023 (regular meeting)

Councilman J. Fleagle 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 Chase Murray, Driver/Operator-Laborer – no action required.
- Acknowledge a favorable performance evaluation for Kerry Smith, Chief Sewer Plant Operator – no action required.
- Approve a step increase for Jody Sanders, Utility System Repair Technician, to salary level 15E, effective 06/17/2023 – Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Approve a step increase for Stacy Stine, Building & Grounds Maintenance (Sewer Plant) to salary level 9E, effective 05/20/2023 - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Approve a change in salary level for the position of Maintenance Foreman I to salary level 15 - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Approve a salary increase for Jamie Shindledecker, Maintenance Foreman I, to salary level 15E - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Appoint Sarah Stansfield, 57 Brown Street, to a vacant position on the Civil Service Commission; said term to expire on 08/01/2027 - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Appoint Kyle Kissinger, 536 Abigail Avenue, to a vacant position as an alternate on the Civil Service Commission; said term to expire on 05/17/2029 - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Appoint Janeen McChesney, 505 Evangeline Drive, to a vacant position as an alternate on the Civil Service Commission; said term to expire on

05/17/2029 - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

- Approve starting salaries for 2023 Pool positions, per list provided - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.
- Reaffirm Borough Manager's decision to hire 2023 Pool staff, per list provided - Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

B. Property and Public Safety Committee

- (1) Authorize Advertisement of Proposed Ordinance Updating Chapter 19 of the Code of the Borough of Waynesboro regarding the Fire Department -** Councilman Cermak made a motion for approval. Councilman Royer seconded.

Manager Stains noted that the Property Committee has been working on this draft for several months for the purpose of accurately reflecting current operations of the Waynesboro Fire Department. He gave a brief overview of the proposed ordinance and its contents, adding that if Council authorizes advertisement, a summary will be published in *The Record Herald* newspaper and the entire ordinance will be available for public view on the Borough's website.

A vote was then called and the motion passed unanimously.

- C. Street Committee -** Councilman J. Fleagle noted that the Street Committee met on 05/04 and minutes of the meeting were provided to Council. The following items require Council's action.

- (1) Approve the Final Parade Route for the Combined Veterans Council Memorial Day Parade on Monday, May 29, 2023 from 9:00 a.m. to 10:30 a.m. -** Councilman J. Fleagle noted that the parade route will be the same as in previous years (beginning on W. Main Street at the intersection of C.V. Avenue, continuing east to S. Broad Street, and disbanding on Memorial Park Drive), and he made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

- (2) Approve the Brothers of the Brush July 4th Parade on Tuesday, July 4, 2023 from 9:30 a.m. to 11:30 a.m. -** Councilman J. Fleagle noted that the parade route will be similar to previous years, but instead of continuing on Main Street to S. Enterprise Avenue and disbanding at the high school parking lot, it will turn onto Myrtle Avenue and then turn left onto E. Third Street Extended to disband in the high school parking lot. This will alleviate congestion and traffic flow difficulties at the hospital. Mr. Fleagle then made a

motion for approval of the July 4th parade using the revised route. Councilman P. Fleagle seconded; the motion passed unanimously.

(3) Approve Mainstreet Waynesboro, Inc.'s Request for Free Parking during Mainstreet's Market at the Park on Saturdays from 8:00 a.m. to 12:00 p.m. - Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

(4) Award Bids – 2023 Waynesboro Street Construction Project (Hamilton Avenue) - Councilman J. Fleagle reported that three (3) bids were received for the reconstruction of Hamilton Avenue between Sixth and Eighth Streets, the low bidder being Fayetteville Contractors at \$210,238.75. He made a motion to award the bids to Fayetteville Contractors. Councilman Knott seconded.

Kevin Grubbs noted the work will be completed prior to the start of school. It was also noted that UGI needs to lower their gas line in the portion of the street between Sixth and Seventh Streets, as it is only 14" deep. They were told that no street opening permits will be issued to them until this work is done, and they have advised they will begin the work on 06/01.

A vote was then called and the motion for approval passed unanimously.

Councilman J. Fleagle also commented that Mainstreet's recent Spring Market event was very well planned and attended.

In addition, Mr. Fleagle advised that the completed design drawings for the C. V. Avenue Stormwater Project have been received. The Engineering Department is in the process of preparing a price estimate, which he is hoping to present to Council for action at their next meeting.

Mr. Fleagle further advised that the Street Committee will hold a site meeting on 05/24 at 9:00 a.m. with property owners from the section of Walnut Street from Second to Third Streets. Plans will be discussed at that meeting regarding the proposed revitalization project to include upgrading the curbs and sidewalks, installation of street lights and (eventually) the reconstruction of Walnut Street.

At this time, residents of 255 Garfield Street (John Spurlock and Carla Warne) expressed their concern regarding the lack of lighting on Garfield Street where children walk to/from Northside Pool. They requested that an additional street light be installed at this location. Councilman J. Fleagle noted that the Street Committee will discuss this matter at their next meeting.

D. Economic Development Committee – No report. Councilman P. Fleagle noted that the next Economic Development Committee meeting will be held on 06/06 at 10:00 a.m. at Borough Hall.

E. Finance Committee

(1) Pay Bills – Councilman Knott made a motion to approve the payment of Check Details dated 04/18, 0425 and 05/01. Councilman Royer seconded; the motion passed unanimously.

F. Recreation Board – Councilman Royer reported that the Borough will hold its “Movies in the Park” event again this year on the following dates, beginning at dusk: 06/20 – Space Jam, 07/18 – Mighty Ducks and 08/08 – ET. They are hopeful that the new stage will be completed in time for those events. He added that the possibility of renting the stage will be discussed at the Recreation Board’s next meeting.

Councilman J. Fleagle noted that the Antietam Humane Society would like to use Memorial Park for a dog walk fundraiser on 10/14. He advised that if the Recreation Board recommends approval of that event, the matter will need to be considered as well by Council, because they are planning to cross Clayton Avenue and a PENNDOT permit would therefore be required.

Councilman Royer added that the next Recreation Board meeting will be held on 05/24 at 6:30 p.m. at Northside Pool.

UNFINISHED BUSINESS – None.

NEW BUSINESS

REQUEST TO TRANSFER \$10,000 FROM THE POLICE DEPARTMENT’S TRAINING AND EDUCATION FUND LINE (01-410-420) TO MAJOR EQUIPMENT (01-410-740) TO PURCHASE CERAMIC PLATE INSERTS FOR BALLISTIC VESTS: Police Chief Sourbier presented his request for this transfer. He noted that the funds are available in Training and Education as a result of reimbursement for Academy training expenses received from the Commonwealth. He added that the inserts will provide an additional measure of safety for the officers, particularly if they encounter rifle fire during a response. Councilman Knott made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

APPROVE RESOLUTION NO. 2023-09 SUSPENDING THE ENFORCEMENT OF BOROUGH REGULATIONS RESTRICTING OPEN CONTAINERS AT CERTAIN BOROUGH AND MAINSTREET WAYNESBORO SPONSORED EVENTS: Mr. Stains read the proposed resolution in its entirety as follows –

WHEREAS, on October 19, 2022, Waynesboro Borough Council granted approval for open containers for an event in December known as the “Sip and Stroll”; and

WHEREAS, since January 2019 local microbreweries and distilleries have grown in popularity in the Waynesboro community and added to the redevelopment of several buildings in the area; and

WHEREAS, microbreweries, local distilleries, and wineries frequent events in the downtown and provide samples and sales of their products; and

WHEREAS, the Borough Council for the Borough of Waynesboro, Franklin County, Pennsylvania, believes adults of legal drinking age may consume alcohol from these local breweries, distilleries and wineries responsibly at certain events sponsored by the Borough of Waynesboro and Mainstreet Waynesboro, Inc.; and

NOW, THEREFORE, the Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, hereby RESOLVES as follows:

1. The above recitals are incorporated herein by reference.
2. The enforcement of any Borough regulation restricting open containers is lifted during the following events:
 - a. Spring Market Day – between Broad Street and Potomac Street while Main Street is closed to vehicular traffic and on the sidewalks in the same boundary.
 - b. Annual Car Show –between Broad Street and Potomac Street while Main Street is closed to vehicular traffic and on the sidewalks in the same boundary.
 - c. Fall Market Day – between Broad Street and Potomac Street while Main Street is closed to vehicular traffic and on the sidewalks in the same boundary.
 - d. Annual Christmas Tree Lighting – between Broad Street and Potomac Street while Main Street is closed to vehicular traffic and on the sidewalks within the same boundary.
 - e. Northside Dog Swim – within the fence of the pool property in the grass area.
 - f. Concerts, festivals and movies utilizing the stage at Memorial Park – in the grass area adjacent to the stage at Memorial Park.
3. All alcohol consumption shall be from a local vendor set up for the event. No outside alcohol shall be permitted. All vendors shall observe Pennsylvania law when serving and selling alcohol.
4. Adults of drinking age may have one (1) open container on their person at any time, and no container shall be made of glass.
5. The organizer shall be responsible for posting removable means of notification stating, “No Alcohol Beyond This Point” at all intersections, alleys, sidewalks, cartways, paths and trails intersecting as a border for the event. The organizer

shall provide waste receptacles at these locations and is responsible for trash removal from the receptacles throughout, and at the end of the event.

6. The organizer of the event shall notify the Borough Manager and Chief of Police in writing seven (7) days in advance of the event with the name and all pertinent contact information for the vendor(s), and shall provide a Certificate of Insurance in the amount of one million dollars (\$1,000,000) naming the Borough of Waynesboro as an additional insured for the event.
7. All resolutions or parts of resolutions in conflict with any of the provisions of this resolution are hereby repealed.
8. The provisions of this resolution are declared to be severable, and if any section, subsection, sentence, clause, or part thereof is, for any reason, held to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this resolution.
9. This resolution shall take effect immediately upon its passage and adoption.

Mr. Stains added that, if approved, Mainstreet Waynesboro, Inc. will be advised that a copy of this resolution must be provided to every vendor who sets up for an event.

Councilman P. Fleagle made a motion for approval of Resolution No. 2023-09, as presented. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2023-09

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
WAYNESBORO, FRANKLIN COUNTY, PENNSLVANIA, SUSPENDING THE
ENFORCEMENT OF BOROUGH REGULATIONS RESTRICTING OPEN
CONTAINERS AT CERTAIN BOROUGH AND MAINSTREET WAYNESBORO
SPONSORED EVENTS

COMPLETE COPY ON FILE AT BOROUGH HALL. .

APPROVE RESOLUTION NO. 2023-10 RETURNING THE LOAN/GRANT FROM USDA FOR RADIOS: Mr. Stains explained that the Borough applied for, and was awarded, a USDA CFP loan in the amount of \$105,000 and a grant in the amount of \$56,800 for the purchase of radios for the Police Department. Since that application was made, the Waynesboro Borough Authority offered a loan to the Borough with an interest rate lower than USDA. As this award is an “all or nothing” offer, this resolution will authorize declining the grant and loan. Councilman Cermak made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

RESOLUTION NO. 2023-10

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, EXPRESSING ITS DESIRE TO DECLINE A GRANT AND LOAN FUNDING AWARD FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE'S COMMUNITY FACILITIES DIRECT LOAN AND GRANT PROGRAM

COMPLETE COPY ON FILE AT BOROUGH HALL.

APPROVE RESOLUTION NO. 2023-11 AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR THE MULTIMODAL TRANSPORTATION FUND GRANT PROGRAM AS THE APPLICANT AND ADMINISTRATOR OF THE PROJECT:

Mr. Stains noted that the Borough has received \$199,000 from the Franklin County Commissioners through their IMPACT! Grant Program toward the C.V. Avenue and King Street Stormwater Project. This grant application would request \$700,000 from the Commonwealth Financing Authority's Multimodal Transportation Fund Grant Program to be used for the project as well. Councilman Royer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2023-11

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR THE MULTIMODAL TRANSPORTATION FUND GRANT PROGRAM AS THE APPLICANT AND ADMINISTRATOR OF THE PROJECT.

COMPLETE COPY ON FILE AT BOROUGH HALL.

AUTHORIZE BOROUGH MANAGER TO EXECUTE ROAD USE AGREEMENT WITH PA DCNR:

Mr. Stains noted that this agreement is required by DCNR in order for staff at the Water Treatment Plant to use certain State Forest Roads located in the Michaux State Forest (namely Smokey Hole Trail and an unnamed woods road having a total length of about 0.4 miles) for the purpose of accessing two streams to conduct quarterly water testing. The Waynesboro Borough Authority has approved the execution of this agreement, however DCNR is requiring that the Borough sign the agreement because the Borough is the employer of the employees utilizing the roads. Accordingly, Councilman J. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

ADDITIONAL PUBLIC COMMENTS

John Spurlock and Carla Warne, 255 Garfield Street (who spoke earlier in the meeting) noted they had another concern to address with Council. Ms. Warne explained that her property was originally three (3) lots which are now separate ... and access to their home is actually off their driveway on Eden Avenue (not Garfield Street). They have

been advised by the Code Enforcement Officer that they will have to move their camper at the end of Garfield Street because it cannot be in their front yard. For this reason, they asked if their address could be amended. (They mentioned several other properties that appear to be in various violations, and Code Enforcement Officer Matt Schmidt advised that he has begun incidents for all of those complaints.)

After further discussion, Manager Stains suggested that the Property Committee discuss this matter at their next meeting.

FOR INFORMATION ONLY

MAJOR PROJECTS STATUS REPORT: Mr. Stains noted that Council members have been provided with a Major Projects Status Report for review. Several unfinished sewer projects from last year still need to be added; and this list will be updated and provided to Council periodically as changes are made.

COUNCIL COMMENTS: Mr. Stains reminded Council members of lunch at the Water Treatment Plant on 06/01 at 2:00 p.m. in celebration of their 30th Anniversary. RSVPs should be provided to Leiter Pryor.

Police Chief Sourbier also gave an open invitation for attendance at his "Coffee and Donut Program at the Library on 05/24 at 10:00 a.m.

Mr. Stains noted that a flagger certification course is being given in conjunction with Mainstreet Waynesboro, Inc. on 05/22 at 6:30 p.m. at the Waynesboro Theatre. Registration is now closed, but he noted that 42 individuals will be attending.

Having no further business to discuss, Council adjourned at 7:42 p.m. for a brief recess prior to executive session. They reconvened to regular session at 9:15 p.m. and adjourned the meeting on a Knott/Cermak motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary