

DECEMBER 20, 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 and Dade Royer (Michael Cermak was absent)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)
S. Leiter Pryor, Director of Utilities
Matt Schmidt, Zoning-Code Enforcement Officer
Tom Storey, Police Corporal
Chris Devers, Fire Chief

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Borough Manager Jason Stains gave a presentation of the 2024 final budget, which Borough Council will consider for adoption later in the meeting.

EXECUTIVE SESSION: President Mumma noted that Council will hold an executive session immediately following this Council meeting to discuss personnel and litigation matters.

PUBLIC COMMENTS – NON-AGENDA ITEMS:

Lynn Stevens, 14326 Red Victoria Court – President Mumma noted that Mr. Stevens is a Washington Township resident, and it is Council's policy to only take comments from Borough residents or taxpayers.

Kris Martin, 11655 Terra Cotta Drive – President Mumma noted that Ms. Martin is also a Washington Township resident, but she stated that she is a taxpayer (owning property at 310 S. Potomac Street, 204 S. Potomac Street, 206 S. Potomac Street ...). She asked when the 2022 Borough audit is expected to be completed. Manager Stains noted they are still working with the auditors and are hoping it will be done soon. It will be posted on the Borough's website when it is completed. Ms. Martin also noted that the Council meeting minutes have not been updated on the website. Borough

Secretary Melinda Knott stated that they have not yet been completed due to her heavy workload.

Doug Carranza, 711 S. Potomac Street – Mr. Carranza asked for the Borough Manager's and Fire Chief's salaries from 2000 to the present. He was instructed to complete a Right-to-Know Request Form, which he provided to Mr. Stains at this time. Mr. Carranza also asked how citizens can view the tentative 2024 budget. Mr. Stains noted it has been on public display since 12/07 and every budget meeting was an advertised public meeting. Mr. Carranza stated that copies should be provided to the public and Mr. Stains responded that the document is on display in the Borough Hall lobby, but citizens are required to pay a photocopy fee if they want a copy for their own use.

Mr. Carranza then asked Fire Chief Devers if he is qualified to drive any of the Fire Department's apparatus or has any driving certifications. President Mumma stated that the Chief is certified to drive certain vehicles and if Mr. Carranza wishes to see that information, he can complete a Right-to-Know Request Form for that as well.

Kris Martin – As a follow-up to her previous discussion, Ms. Martin asked the Solicitor if the meeting minutes are required to be completed within a certain amount of time. Solicitor Wisner responded that there is no provision in the Borough Code or Sunshine Act that prescribes a certain period of time that Council has to act on the minutes.

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.

STAFF COMMENTS AND WRITTEN REPORTS

MAYOR: The Mayor's Report was as follows –

- On November 16th, the Franklin County Mayors' Association had their meeting with a representative from the Franklin County Sheriff's Department.
- On November 17th and 18th, I participated in the Tree Lighting and Holiday parade.
- On November 19th, I participated in the Waynesboro Community Concert Association program.
- On December 2nd, I was on a Zoom meeting with the Pennsylvania State Mayors' Association.
- I have attended Franklin County Commissioners' meetings.
- On December 13th, I attended the Chamber's Board meeting.

RENFREW MUSEUM AND PARK: Becky LaBarre, Executive Director and CEO, was present and provided Council with highlights from her written report dated December 20, 2023, which was included in their meeting packets.

ANTIETAM HUMANE SOCIETY: Kacie Morrell, Executive Director of the Antietam Humane Society, provided November'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: No report.

OFFICE MANAGER: No report.

FIRE CHIEF: Chief Devers' written report was included in Council's meeting packets.

POLICE CHIEF: Chief Sourbier's 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: No report.

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

- A. Approve Borough Council Meeting Minutes as Presented – December 6, 2023 (special meeting)
- B. Award Bid for Traffic Safety Upgrades Project (School Zone Beacon Light System) as Recommended by Staff – Atlantic Transportation Systems, Inc. (\$30,675.00)
- C. Award Bids for 2024 Materials and Supplies as Recommended by Staff –

Water Treatment Chemicals

- Liquid Chlorine #2000 cylinder - Univar Solutions USA, Inc.
- Liquid Chlorine #150 cylinder - Univar Solutions USA, Inc.
- Sodium Hypochlorite - Univar Solutions USA, Inc.
- Hydrofluorosilicic Acid - George S. Coyne Chemical Co., Inc.
- Sodium Polyphosphate - Shannon Chemical Corporation

- Blended Liquid Phosphate/Silicate - Shannon Chemical Corporation
- Caustic Soda (684 lb. Drum) - Univar Solutions USA, Inc.
- Hydrated Lime - Univar Solutions USA, Inc.
- Activated Carbon - Brenntag Northeast, LLC
- Potassium Permanganate - Brenntag Northeast, LLC
- Liquid Polymer - Univar Solutions USA, Inc.
- Aluminum Sulfate - USALCO, LLC
- Polyaluminum Chloride - USALCO, LLC
- Magnesium Hydroxide (Tote) - Univar Solutions USA, Inc.
- Methanol - Brenntag Northeast, LLC

Sodium Hypochlorite – No bids received.

Fuel Oil – Bedford Valley Petroleum

Motor Fuel (Diesel – Off Road) – Bedford Valley Petroleum

Propane – McLaughlin’s Energy Services

Stone

- #8 Stone, #57 Stone, 2A Stone and 2RC Stone (Delivered) - St. Thomas Development, Inc.
- Anti-Skid (FOB Plant and Delivered) - New Enterprise Stone & Lime Co., Inc.

Paving Materials

- Proposal A (Virgin Material Mix) - Fayetteville Contractors, Inc.
 - Cold Patch (FOB Plant) and (Delivered)
- Proposal B (Asphalt Mix including RAP) - Craig Paving, Inc.
 - Superpave W.C. 9.5mm (FOB Plant)
 - Superpave W.C. 12.5mm (FOB Plant)
 - Superpave B.C. 25mm (FOB Plant)

Ductile Iron Pipe – Ferguson Waterworks

Snow Plowing – No bids received.

Random Curb and Sidewalk – GRC General Contractor, Inc.

Biosolids Hauling – Bids rejected.

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

- Approve a step increase for Stacie Noll, Water Plant Operator, to salary level 13C, effective 12/17/2023 – Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.
- Approve a salary increase for Kimberly Green, Administrative Assistant (Police Department), to salary level 16C, effective 01/01/2024 – Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.
- Approve the hiring of Jacob Shafer as a PT Firefighter, effective 12/20/2023 – Councilman Royer made a motion for approval. Councilman Knott seconded; the motion passed unanimously.
- Approve the job description for the position of Lieutenant in the Police Department – Councilman Royer made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.
- Approve the job description for the position of Utilities Project Manager (Water and Sewer) – Councilman Royer made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.
- Approve the appointment of Janeen McChesney to fill the unexpired term on the Civil Service Commission; said term to expire on 08/01/2025 – Councilman Royer made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.
- Approve the appointment of Pat Dunigan to RCI's Board of Directors (Borough appointment); said term to expire on 12/31/2028 – Councilman Royer made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

B. Property and Public Safety Committee – No report.

Doug Carranza – Mr. Carranza questioned if the Property Committee had investigated concerns he presented several months ago regarding the former golf course property. President Mumma noted that his concerns have been addressed ... no chemicals were present and the tenant is working on cleaning up the area.

C. Street Committee – Councilman J. Fleagle noted that the Street Committee met on 12/07 and minutes of the meeting were provided to Council. The following item requires Council's action:

(1) Request for Directional Signs from Presbyterian Church – The Presbyterian Church located at 105 E. Main Street is requesting to install directional signs at two (2) locations to better direct vehicles to their rear parking lot. It was noted that the Zoning Ordinance states “No sign shall be permitted within the public right-of-way, exception sandwich board signs or banners and other signs used for informational purposes for an event of civic or public interest; provided, however, said banner or sign shall be approved in advance by Borough Council, the property owner consents to such sign being located on the property owner, and which said sign shall conform to all applicable federal, state and local laws, rules and regulations.” Zoning-Code Enforcement Officer Matt Schmidt stated that since church services fall under events of civic or public interest, they could use a temporary sandwich board sign on days the church holds services or certain events and then remove the sign after the event concludes. Councilman J. Fleagle then made a motion that no permanent signs, but temporary signs can be used, subject to approval by the Borough Zoning Officer. Councilman Knott seconded; the motion passed unanimously.

D. Economic Development Committee – Councilman P. Fleagle provided the following written report regarding their meeting held on 12/05:

Walnut Street Lighting/Redevelopment Plan – K. Grubbs advised that Harrison & Sons is running behind schedule on boring. Actual light fixtures are at least four (4) weeks out on delivery.

Main Street Lighting – J. Stains advised that metal bases are on order. All lights are functional. Brick work is being replaced at present.

New Businesses/21 East Main/137-139 West Main Street – B. Kohler noted that Waynesboro Construction is still waiting on steel for 21 East Main structural support and anticipates a two (2) week delivery.

K. Grubbs will supply Committee with any design work submitted by previous owner of 137-139 West Main for review of possible uses of property.

B. Kohler advised that Vintage Flame at 24 West Main will be opening a candle and wax business. Also noted that Toledo's on South Potomac Street has been requested by owner of property to vacate. B. Kohler will investigate other possible venues for Toledo's.

Ridge Avenue Property – Committee had requested this property be converted from Industrial/Commercial to Residential. Borough Council has requested Planning Commission to put on their agenda on December 11.

LERTA Ordinance – Committee reviewed comments and concerns on previously submitted changes. S. Wiser and J. Stains presented new proposal similar to Franklin County LERTA and will present the revised proposal to Planning Commission with slight changes. Plan retains map of zoning areas currently coinciding with Franklin County with anticipation of changing several areas when County plan is reauthorized in two (2) years.

The next meeting will be held on January 2, 2024.

E. Finance Committee

(1) Pay Bills – Councilman Knott made a motion to approve the payment of Check Details dated 11/16 and 11/28-29. Councilman Royer seconded; the motion passed unanimously.

F. Recreation Board – No report.

The next Recreation Board meeting will be held on 02/28 at 6:30 p.m. at Borough Hall.

Councilman P. Fleagle discussed the Rotary Club's commitment to construct a pickleball court at Rotary Park, the cost of which is approximately \$40,000. He noted that some funds have already been committed, and he asked if the funds remaining from dissolution of the Memorial Park Association could be used for this purpose. Councilman Royer stated that they could not, as part of the dissolution required that the funds be used at Memorial Park.

UNFINISHED BUSINESS

ADOPTION OF 2024 FINAL BUDGET: Councilman Knott made a motion to adopt the 2024 final budget, as presented by the Borough Manager. Councilman J. Fleagle seconded; the motion passed unanimously.

CONSIDER ORDINANCE FOR ADOPTION AMENDING CHAPTER 195 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO ESTABLISH A DAILY LICENSE FEE FOR TRANSIENT VENDORS IN THE BOROUGH: Mr. Stains noted that the proposed ordinance was duly advertised. Councilman Knott made a motion for approval. Councilman P. Fleagle seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 195 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO ESTABLISH A DAILY LICENSE FEE FOR TRANSIENT VENDORS IN THE BOROUGH

Complete copy on file at Borough Hall.

CONSIDER PROPOSED RESOLUTION NO. 2032-22 AUTHORIZING BOROUGH STAFF TO EFFECTUATE THE FORMAL DISSOLUTION OF THE MEMORIAL PARK ASSOCIATION, INC.: Councilman P. Fleagle made a motion for approval of Resolution No. 2032-22, as presented. Councilman Royer seconded; the motion passed unanimously.

RESOLUTION NO. 2023-22

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING BOROUGH STAFF TO EFFECTUATE THE FORMAL DISSOLUTION OF THE MEMORIAL PARK ASSOCIATION, INC.

Complete copy on file at Borough Hall.

NEW BUSINESS

CONSIDER PROPOSED RESOLUTION NO. 2023-23 ESTABLISHING THE 2024 TAX LEVY: Mr. Stains noted that the tax levy for 2024 in the Borough of Waynesboro will remain the same as in 2023, as follows –

- For General Borough Purposes – 23.68 mills
- For Fire Purposes – 3.0 mills
- For Rescue Service Purposes - .50 mills
- For Street Lights – 3.0 mills
- For Dedicated Debt Service Purposes – 6.75 mills

Councilman Knott made a motion for approval of Resolution No. 2023-23, as presented. Councilman J. Fleagle seconded; the motion passed unanimously.

RESOLUTION NO. 2023-23

RESOLUTION OF THE BOROUGH OF WAYNESBORO ESTABLISHING THE 2024 TAX LEVY

Complete copy on file at Borough Hall.

CONSIDER PROPOSED RESOLUTION NO. 2023-24 SETTING MISCELLANEOUS COMPENSATION FOR BOROUGH PART-TIME, SEASONAL AND CONTRACT EMPLOYEES, AND OTHER MISCELLANEOUS EXPENSES, TO BE EFFECTIVE JANUARY 1, 2024: Councilman P. Fleagle made a motion for approval of Resolution No. 2023-24, as presented. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2023-24

RESOLUTION OF THE BOROUGH OF WAYNESBORO SETTING THE MISCELLANEOUS COMPENSATION FOR BOROUGH PART TIME, SEASONAL, AND CONTRACT EMPLOYEES, AND OTHER MISCELLANEOUS EXPENSES, TO BE EFFECTIVE JANUARY 1, 2024

Complete copy on file at Borough Hall.

CONSIDER PROPOSED RESOLUTION NO. 2023-25 (2024 SCHEDULE OF FEES): Councilman Royer made a motion for approval of Resolution No. 2023-25, as presented. Councilman Knott seconded; the motion passed unanimously.

Councilman J. Fleagle suggested that the Finance Committee review the rates to determine if any should be increased, due to increased costs and inflation. Council concurred.

RESOLUTION NO. 2023-25

WHEREAS, the Borough of Waynesboro, from time to time, may adopt new fees and/or change fees charged for Borough services, and

WHEREAS, many of the enabling Ordinances permit the adoption of fees by Resolution,

NOW, THEREFORE BE IT RESOLVED, that the following fee schedule is hereby established and/or modified.

Complete copy on file at Borough Hall.

CONSIDER PROPOSED RESOLUTION NO. 2023-26 WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN: Mr. Stains noted that this is an annual requirement. Councilman P. Fleagle made a motion for approval. Councilman Knott seconded; the motion passed unanimously.

RESOLUTION NO. 2023-26

A RESOLUTION WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN

Complete copy on file at Borough Hall.

PROPOSED REZONING ON RIDGE AVENUE: Councilman J. Fleagle (also Chairman of the Planning Commission) noted that the Planning Commission is recommending to Borough Council to proceed with a zoning change along Ridge Avenue from Industrial/Commercial (I/C) to Medium Density Residential (RM), as they feel this change would be beneficial to the property owners and allow for more flexibility.

Additionally, the empty lot owned by the Borough (which they have been trying to sell) would be more appealing as a Residential lot vs. Industrial/Commercial.

Councilman J. Fleagle made a motion to authorize staff to schedule a public hearing and to contact all adjoining property owners regarding the proposed change. Councilman P. Fleagle seconded; the motion passed unanimously.

REVISED AMENDMENT TO LERTA ORDINANCE: Councilman J. Fleagle noted that the purpose of the LERTA Ordinance is to encourage new industrial, commercial and business development in the economically deteriorated areas of the Borough. The proposed ordinance contains a map of the deteriorated properties, which is consistent with Franklin County's LERTA map. Councilman J. Fleagle made a motion to authorize advertisement of the proposed ordinance. Councilman P. Fleagle seconded; the motion passed unanimously.

CONSIDER MAINSTREET WAYNESBORO, INC.'S REQUEST TO ADD ADDITIONAL DOG WASTE STATIONS DOWNTOWN IN CONJUNCTION WITH THE SAFE, CLEAN & GREEN CAMPAIGN FOR 2024: Mr. Stains presented a request from Mainstreet Waynesboro, Inc. to add four (4) additional dog waste stations downtown at the following locations –

- Near the Presbyterian Church on East Main Street
- In front of Nifty Thrifty across from Borough Hall on East Main Street
- In front of Olympian Athletics on West Main Street
- Near Alex Ivan Barber Shop and the laundromat on West Main Street
- At the tree square north of TranquiliTEA Room at 123 West Main Street (if another sponsor can be found)

Bill Kohler was present and added that the stations and bags to fill them would be paid for and maintained by Mainstreet Waynesboro, however they are asking for the Borough's maintenance crew to install them at their convenience.

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

APPROVE 24-01 BOX CARDS: Mr. Stains requested that Council authorize the Fire Chief to continue working with the Franklin County Department of Emergency Services to implement and format the 24 box cards appropriately. The Chief submitted a draft to DES last week and they are currently under review. Councilman P. Fleagle made a motion for approval. Councilman J. Fleagle seconded; the motion passed unanimously.

FOR INFORMATION ONLY

NOTICE OF 2024 MEETINGS: The proposed list of 2024 meetings was presented to Council for review. Mr. Stains noted that this will be advertised in *The Record Herald* and the meetings will be posted on the Borough's website. He reminded Council and the public that Council's reorganization meeting will be held on 01/02 at 6:30 p.m.

Kris Martin – Ms. Martin suggested that the notice include information regarding which meetings are open to the public. Mr. Stains thanked her for the suggestion and noted that a modification will be made to include this information.

2024 HOLIDAY SCHEDULE: Council members received a copy of the 2024 Holiday Schedule for Borough employees.

COUNCIL COMMENTS: Mr. Stains thanked Council and the staff for their work on the 2024 budget.

Councilman Royer recognized two (2) guests in the audience ... Jay Gray, who is running for State Representative for our District, and Chad Reichard.

Councilman P. Fleagle requested that Mr. Stains provide guidance regarding the 2024 budget and the opportunity for newly-seated Council to reopen it, for the record. Mr. Stains gave clarification that the Borough Code allows for newly-seated Council to reopen the budget that has been adopted, and it must then be passed by February 15th.

Councilman J. Fleagle noted that, during the past year, he has made a number of wagers with Kevin Grubbs on various issues involving start dates, completion dates, estimated costs, etc. ... and the stakes of those wagers has been a “cup of coffee”. Since he has lost (probably) all of those wagers, he is paying off his losses and presented a gift card for Brio to Mr. Grubbs.

Mayor Starliper once again reiterated his request for a Fire Code and new doors at the front entrance to the Police Station.

Having no further business to discuss, Council adjourned to executive session at 7:37 p.m. They reconvened at 8:15 p.m., but took no further action. Councilman P. Fleagle made a motion for adjournment. Councilman Knott seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary