

JANUARY 6, 2014
WAYNESBORO, PA 17268
RE-ORGANIZATION MEETING

REGULAR MEETING - OLD COUNCIL

Council President Wayne Driscoll called the meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, Craig Newcomer, Darrel Potts, Wayne Driscoll, C. Harold Mumma and Michael Cermak

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Jason Stains, Assistant Borough Manager
Dave Martin, Fire Chief
Shawn Adolini, Fire Chief (appointee)
Jim Sourbier, Police Chief

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

REPORTS FROM ANY COMMITTEES: Councilman Newcomer advised that President Driscoll will be chairing the Downtown Revitalization Committee in the future.

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

“On December 15th, I had the privilege of uniting in marriage Vicki Jo Huff and Carl Collum. We wish the Collums the vest best.

On December 17th, I attended the Combined County Chamber Mixer at Wilson College.

On December 20th, I attended the D. L. George and Sons Christmas Open House at their facility.

On December 28th, I had the privilege of uniting in marriage Cheryl Patrick and Mike Moose. We wish Mr. and Mrs. Moose the vest best.”

ACCEPT REPORTS: Councilman Cermak made a motion to accept reports of the Code Enforcement Officer, Police Chief and Fire Chief for December, 2013, as presented. Councilman Mumma seconded; the motion passed unanimously.

APPROVE MINUTES: Councilman Greenawalt made a motion to approve the minutes of the December 11, 2013 regular meeting, as written. Councilman Cermak seconded; the motion passed unanimously.

UNFINISHED BUSINESS: None.

APPROVE 2013 BILLS AND AUTHORIZE NECESSARY TRANSFERS: Councilman Newcomer made a motion to approve Voucher Lists dated 12/10, 12/12 and 12/20 and authorize any necessary transfers for 2013. Councilman Potts seconded; the motion passed 5-0 (Councilman Cermak abstained).

PRESENTATION - SENATOR RICHARD ALLOWAY: President Driscoll gave recognition to Senator Alloway for his assistance to Waynesboro Hospital in acquiring a RACP (Redevelopment Assistance Capital Program) grant in the amount of \$2.5 million dollars for their medical building project.

Senator Alloway then presented a service award from the Borough of Waynesboro to outgoing Councilman Craig Newcomer. Mr. Newcomer was wished much luck in his new endeavors.

Senator Alloway also thanked Waynesboro Borough Council for their steadfast efforts for the community, for their support to him, and for their cooperation with Waynesboro Hospital in making their project move along so quickly. He noted he is pleased to be a part of the Hospital's project, and will continue to keep the Borough's road projects at the top of his agenda. Mr. Alloway also introduced Chad Reichard (from Waynesboro), who will be working in his Chambersburg office, handling some district operations (with a focus on the Greater Waynesboro area) and taking over a number of Committees in Harrisburg.

President Driscoll thanked Mr. Newcomer for his service; and Mr. Newcomer thanked Council members for working with (and against) him, as (he noted) sometimes adversity is a learning experience. He stated that he is looking forward to embarking on a new project in Chambersburg which will require a lot of his time.

The meeting adjourned at 7:38 p.m. on a Cermak/Mumma motion which passed unanimously.

RE-ORGANIZATION - INCOMING COUNCIL

Mayor Starliper called the meeting to order at 7:39 p.m. Certificates of Election were presented for Mayor Richard Starliper; Councilmen Wayne Driscoll, C. Harold Mumma and Delmos Oldham; and Tax Collector Kara Geesaman. The Honorable Judge

Angela Krom, 39th Judicial District, administered the Oaths of Office and Loyalty Oaths to the five (5) newly-elected individuals.

ELECT COUNCIL OFFICERS:

PRESIDENT – Mayor Starliper asked for nominations for the position of Council President. Mike Cermak nominated Wayne Driscoll. C. Harold Mumma made a motion to close the nominations. Councilman Potts seconded; the motion passed unanimously. Mayor Starliper announced that Wayne Driscoll was elected Council President by unanimous vote.

VICE-PRESIDENT – Mayor Starliper asked for nominations for the position of Council Vice-President. Benjamin Greenawalt nominated Delmos Oldham. Michael Cermak nominated C. Harold Mumma. Darrel Potts made a motion to close the nominations. Councilman Cermak seconded; the motion passed unanimously.

A vote was called on the nomination of Delmos Oldham as Council Vice-President. Voting in favor were Benjamin Greenawalt, Delmos Oldham and Darrel Potts; opposing were Wayne Driscoll, C. Harold Mumma and Michael Cermak.

A vote was called on the nomination of C. Harold Mumma as Council Vice-President. Voting in favor were Wayne Driscoll, C. Harold Mumma and Michael Cermak; opposing were Benjamin Greenawalt, Delmos Oldham and Darrel Potts.

Being a 3-3 tie vote, the Mayor voted for C. Harold Mumma as Council Vice-President.

APPOINTMENTS: Councilman Cermak made a motion to re-appoint all current officers and staff with the exception of Deputy Fire Chief and Assistant Fire Chief. Councilman Mumma seconded; the motion passed unanimously. Those appointments were as follows:

- Manager - Lloyd Hamberger
- Assistant Manager - Jason Stains
- Secretary - Lloyd Hamberger
- Assistant Secretary - Kevin Grubbs
- Treasurer - Jason Stains
- Assistant Treasurer - Julie Myers
- Fire Chief - Shawn Adolini (appointed for the 2014 year on 12/11/2013)
- Deputy Fire Chief - (see following motion)
- Assistant Fire Chief - (see following motion)
- Fire Police - (per attached list)
- Maintenance Superintendent - Denny Benschhoff
- Director of Borough Utilities - S. Leiter Pryor
- Head of Engineering Services - Kevin Grubbs
- Police Chief - Jim Sourbier
- Zoning/Code Enforcement Officer - Dan Sheffler

- Operations Manager (Water/Sewer) - Gordon Cruickshanks
- Golf Course Manager/Groundskeeper - Mike Rouzer

Councilman Cermak made a motion to appoint Jody Sanders as Deputy Fire Chief. Councilman Mumma seconded; the motion passed 5-0 (Councilman Oldham abstained). Councilman Cermak made a motion to appoint John Beck as Assistant Fire Chief, with the stipulation that he acquire the status of Firefighter II within one (1) year or as extended at the pleasure of Council. Councilman Mumma seconded; the motion passed 5-0 (Councilman Oldham abstained).

APPOINT VACANCY BOARD: Councilman Cermak made a motion to re-appoint O. June Mumma and members of Council to the Vacancy Board. Councilman Greenawalt seconded; the motion passed 5-0 (Councilman Mumma abstained).

APPOINT BOROUGH SOLICITOR: Councilman Mumma made a motion to appoint Salzman Hughes, PC (Sam Wiser) as the Borough's Solicitor. Councilman Cermak seconded; the motion passed unanimously.

APPOINT HANDICAPPED GRIEVANCE COMMITTEE: Councilman Cermak made a motion to appoint Eric Boyer, Jon Fleagle and Council's President to the Handicapped Grievance Committee. Councilman Mumma seconded; the motion passed unanimously.

APPOINT SEWAGE ENFORCEMENT OFFICER: Councilman Greenawalt made a motion to appoint Jonathan Piper as the Borough's Sewage Enforcement Officer. Councilman Cermak seconded; the motion passed unanimously.

APPOINTMENT OF EMERGENCY SERVICES ALLIANCE REPRESENTATIVE(S): Councilman Mumma made a motion to appoint Benjamin Greenawalt and Jody Sanders as the Borough's representatives on the Emergency Services Alliance. Councilman Oldham seconded; the motion passed 5-0 (Councilman Greenawalt abstained).

The re-organization meeting then adjourned.

REGULAR MEETING - NEW COUNCIL

President Driscoll called the meeting (with "new Council") to order at 8:04 p.m. He noted that Council will hold a brief executive session at the end of the meeting to discuss current litigation.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

NEW BUSINESS

OPEN 2014 BUDGET: Mr. Hamberger advised that the PA Borough Code gives "new Council" the right to open the 2014 budget during the month of January. Hearing no

comments, Councilman Greenawalt made a motion to decline opening the adopted budget. Councilman Mumma seconded; the motion passed unanimously.

2014 SALARY SCHEDULE (NON-UNIFORMED EMPLOYEES): Mr. Hamberger noted that the police and fire contracts include a 1% cost-of-living increase, and the 2014 budget was prepared with a 1% cost-of-living increase for all full-time, non-uniformed employees (with the exception of two employees who are on probation). Council was provided with a 2014 Salary/Step Schedule and a list of the current employees with their appropriate rates. Councilman Mumma made a motion to approve the 2014 Salary Schedule for non-uniformed employees, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

RESOLUTION RE: HOSPITAL GRANT: Solicitor Wisner noted that, in the fall of last year, Borough Council authorized (by resolution) to act as an applicant for the Waynesboro Hospital in their pursuit of RACP funding. The Hospital was successful (with the help of Senator Alloway) in securing those funds in the amount of \$2,500,000. In the resolution, the Borough stipulated they would be willing to act as the sponsor for the project, provided that the Hospital bear all costs for the grant application and administration. That commitment was re-affirmed in the developer's agreement, authorized by the Borough in December, which also stated that the Hospital was responsible for any and all financial obligations associated with the grant. There was also a provision in the developer's agreement that provides for a sponsorship fee in the amount of 10% of the grant award, which the Hospital is willing to provide as soon as that award is made. To satisfy the State and the Office of Budget (which administers this program), he presented a resolution of Borough Council officially accepting the grant funds. Councilman Cermak made a motion to approve Resolution No. 2014-01, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

RESOLUTION NO. 2014-01

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA SUPPORTING THE REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM GRANT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) FOR THE PURPOSE OF PERFORMING SITE WORK AND RELATED ACQUISITION AND CONSTRUCTION OF INFRASTRUCTURE TO FACILITATE THE DEVELOPMENT OF THE WAYNESBORO HOSPITAL MEDICAL OFFICE BUILDING AND URGENT CARE FACILITY PROJECT.

Complete copy on file at Borough Hall.

Mr. Hamberger also noted that a hearing will be held prior to the next Council meeting (01/22 at 7:15 p.m.) to receive public comments on the proposed street and alleys vacation for the Hospital project.

AUTHORIZE CIVIL SERVICE TESTING FOR POLICE OFFICER AND FIRE APPARATUS DRIVER: Mr. Hamberger reported that the eligible lists for both Fire

Apparatus Driver and Police Officer have expired, and the staff is recommending that Council request the Civil Service Commission to conduct examinations for both positions. He noted that the Civil Service Commission re-organized earlier this day, and will present their annual report to Council in the near future. They have tentatively scheduled the examination for Fire Apparatus Driver for the end of February and the examination for Police Officer for the end of March. Councilman Mumma made a motion to authorize civil service examinations for both positions as recommended by the Borough Manager. Councilman Greenawalt seconded; the motion passed unanimously. It was clarified that the new eligible lists will be in effect for three (3) years.

NEW FEE SCHEDULE FOR SEWAGE ENFORCEMENT OFFICER: Kevin Grubbs noted that Council members received copies of a proposed fee schedule from JWP Environmental (Sewage Enforcement Officer), adding there has been no increase in his fees for the past three (3) years. Councilman Greenawalt made a motion to approve the fee schedule, as presented. Councilman Cermak seconded; the motion passed unanimously. It was noted that the SEO's services are required only for on-lot sewage disposal systems (which are minimal in the Borough).

NEW DUES ASSESSMENT (FRANKLIN COUNTY EMERGENCY SERVICE ALLIANCE): Mr. Hamberger noted that the Franklin County Emergency Service Alliance has assessed dues in the amount of \$105.68 for Waynesboro (based on their population of 10,568 x \$0.01 per resident). As this is a new fee, Mr. Hamberger requested Council's permission to pay it. Councilman Greenawalt made a motion as such. Councilman Cermak seconded; the motion passed unanimously.

TOTAL BEVERAGE PROGRAM: Mr. Stains noted that Pepsi is currently the Borough's beverage provider. Requests for proposals were requested, however Coca-Cola was unable to bid. Pepsi was the lone bidder at 28% of the sales revenue, with an increase to \$1.50/bottle, and a term of five (5) years. They would also like to work with the new concessionaire at Northside Pool (once one has been named). The staff is recommending continuing with Pepsi. Councilman Greenawalt made a motion to award the beverage contract to Pepsi. Councilman Cermak seconded. Discussion followed regarding the golf course (as it is proposed to be leased), and Mr. Stains noted Pepsi advised they would work with the Borough and any lessee in the future. The motion passed unanimously.

VOTING ON ITEMS FROM PERSONNEL COMMITTEE: Councilman Cermak noted that a favorable performance evaluation was received for Peggy Martin, and he made a motion to approve a step increase for her to salary level 5E. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak also received a favorable evaluation for Donald Kaiser, and made a motion to approve a step increase for him to salary level 5E. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak noted that Kerry Smith made a lateral transfer from the Borough's Maintenance Department to the Wastewater Treatment Plant several months ago. He received a favorable performance evaluation, but no step increase was granted at that time. Mr. Cermak made a motion to approve a step increase for Mr. Smith to salary level 5C, effective immediately (no retroactive pay). Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to re-appoint Christopher Snively to a full term on the Waynesboro Borough Authority; said term will expire on 01/01/2019. Councilman Greenawalt seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

WARMING SHELTER: Mr. Hamberger reported that the Fire Department, in cooperation with the Red Cross, has set-up a warming shelter at the S. Potomac Street Fire Station for the night (as the temperatures are expected to drop dangerously low). Residents are invited to go there if they lose heat or need a place to go for warmth.

COUNCIL COMMENTS: Mr. Hamberger announced that he is planning on retiring on 02/01/2015.

Councilman Mumma thanked everyone for their attendance and congratulated the new members in various positions.

Councilman Cermak thanked Dave Martin for a job well done; and welcomed the new Fire Chief, Deputy Chief and Assistant Chief.

Kevin Grubbs advised that, since the last Council meeting, he has received a time extension request for the GEOFAM Land Development Plan (the storage area and upgrade to the stormwater facilities inside their fenced-in area off Ninth Street). They are requesting a time extension through the end of January, which requires Council's approval. Councilman Greenawalt made a motion to approve the time extension for GEOFAM. Councilman Cermak seconded; the motion passed unanimously.

Solicitor Wisner reminded Council that a brief executive session is needed at the end of the meeting.

Jason Stains noted that the Borough's Facebook page is up/active and has approximately 300 friends. Information (such as the cold-weather shelter) has been put out to the public over the past several weeks.

Additionally, Mr. Stains noted he has been reviewing unpaid invoices from the past three (3) years ... there are people who still owe money to the Borough, in the total amount of \$15,576.00, for items such as sign repairs, sidewalk contributions, etc. He advised

that, in the next week or so, final letters will be sent to these individuals in an attempt to collect the money owed. Individuals will be given thirty (30) days to pay the amount owed in full or to contact him to make payment arrangements. If they fail to do so, other action will be taken (civil action, municipal liens, etc.) in order to redeem as much of that money as possible. He will keep Council posted on the progress.

Dave Martin congratulated the new fire officers and noted he is available if they need any assistance.

Shawn Adolini thanked Council for his appointment as Fire Chief.

As reported several months ago, Police Chief Sourbier reiterated the Police Department's plans to conduct a ceremony memorializing the line-of-duty death of Officer William Daywalt on the 100-year anniversary of his death. He feels it is extremely fitting to remember his sacrifice. The ceremony will be held on 02/01 at 11:00 a.m., when they will gather at the Green Hill Cemetery to provide full military honors for Officer Daywalt. The ceremony will include members of his family, his grandson, numerous honor guards, bagpipers, rifle companies, etc. Council members are invited to participate.

Chief Sourbier advised that the outside call-box will be installed on the front of Borough Hall on 01/13. The telephone lines have been run, the permit is posted, and the telephone has been programmed. He added that the call-box at the S. Potomac Street Fire Station will also be done in the near future. He again thanked the Waynesboro Beneficial Fund and American Legion for their generous donations.

Scott Hershberger (MSW) thanked President Driscoll for his recent positive comments to the press regarding the Destination Arts initiative downtown. They continue to bring a large audience to the downtown area, despite the cold weather. He noted there are now four (4) galleries, including the Contemporary School of Arts (next to the Candy Kitchen) which will begin doing after-school arts programs for students.

Councilman Greenawalt thanked the public for their attendance.

Councilman Oldham thanked everyone for their support during his tenure as Tax Collector, and wished the new Tax Collector well in her new position.

Councilman Potts also thanked the public for their attendance.

Mayor Starliper noted that a request was received from the new Tax Collector (Kara Geesaman) to move the "15-minute parking" signs across Main Street from the previous tax office location to the new tax office location (Representative Rock's former office at 15 E. Main Street). Councilman Potts made a motion to approve the request. Councilman Cermak seconded; the motion passed unanimously. It was noted that the signs will be moved as soon as possible.

Jason Stains reported that an informational meeting will be held on 01/28 at 7:30 p.m. in

Borough Hall's second floor Council Chambers for individuals/organizations who hold events (parades, car shows, races, etc.) to review requirements for road closures, permitting process, etc. Invitations and new application packets will be mailed to those who have organized events in the past.

Mayor Starliper noted he has received several comments regarding specific details of the proposed golf course lease. Mr. Hamberger and Mr. Stains explained that potential lessees are asked to outline their terms/conditions in response to the Request for Proposals; and Borough Council will then negotiate details of any future lease.

President Driscoll asked for an update on the storm sewer project. Kevin Grubbs reported that there are two (2) crews in place on S. Potomac Street - one is working in front of NAPA, continuing north; and the other is working from Sixth Street to the end of the project. He anticipates that all the pipe will be installed by the end of January or the first week in February. When warm weather arrives (mid-April), the curb, sidewalk and landscaping will be done.

President Driscoll welcomed Delmos Oldham to Council and wished luck to the new leadership of the Fire Department.

Having no further business to discuss, Council adjourned to executive session at 8:38 p.m. Following the executive session, they reconvened and adjourned the meeting at 8:58 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant