

APRIL 16, 2014
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, Delmos Oldham, Darrel Potts, C. Harold Mumma, Wayne Driscoll 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
Jim Sourbier, Police Chief
Jody Sanders, Deputy Fire Chief

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

EXECUTIVE SESSION: Council adjourned to executive session at 7:31 p.m. for the purpose of discussing legal matters. They returned to regular session at 8:02 p.m.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cermak noted that he will present two (2) items during the “voting section” of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that he, Jason Stains and Denny Benshoff met recently at the Dog Park to discuss the location of five (5) benches; and they will be installed in the near future.

STREET COMMITTEE: Councilman Potts advised that the next Street Committee meeting will be held on 04/23 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Driscoll reported that he attended Mainstreet Waynesboro’s annual meeting. Accomplishments from the previous year were discussed, and officers were nominated and put in place. He

reiterated that no Downtown Revitalization Committee meetings are currently scheduled ... but can/will be scheduled if Council or the staff has concerns regarding the downtown which should be discussed.

FINANCE COMMITTEE: No report.

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

“On April 3rd, I attended the Open House of Mainstreet Waynesboro.

On April 5th, I attended the Cancer Auction and hope that others supported it as well.

On April 6th to 9th, I attended the PSAB's Annual Conference at State College. Some of the sessions I attended were Sexual Harassment in the Workplace, Police and School Collaboration Strategies to Enhance School Safety, Landlord/Tenant Disputes, Could Human Trafficking be Happening in your Borough, Costars Purchasing Programs and Image is Everything (KMS Advertising). The Fall Leadership Conference will be held October 17-19, 2014 at the Wyndham Hotel in Gettysburg.

On April 15th, Kim Green attended the Open House in reference to Drug Overdose at the Capitol Theatre.

On April 16th, I attended Mainstreet's Annual Meeting.

On April 16th, along with Assistant Manager Stains; Shade Tree Commission Members Tom McCloud, Carol Bailey, Ginny Ingels and Harry Morningstar Jr.; Penn State Service Forester Nathan Fite; MSW Director Scott Hershberger; and Borough Maintenance Superintendent Denny Benshoff, the Borough was presented with the Tree City Flag in recognition of being a Tree City USA. Congratulations to all involved. A Proclamation will be presented later in this meeting in reference to Arbor Day.”

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA:

Harry Morningstar, 205 Clayton Avenue - Mr. Morningstar apologized that his request for a street re-naming had taken so much of Council's time. He noted that the matter is ongoing, however, as he still doesn't have an address and the Post Office is not delivering his mail. President Mumma stated that the matter is on Council's agenda for discussion (Item #8E under New Business), but Council decided to discuss it at this time.

Jason Stains noted (as stated by Mr. Morningstar) that his request to change the name of Alley #1 North to Schier's Way had been granted by Council several meetings ago. It was pointed out at the last Street Committee meeting, however, that an advertisement for Schier's Furniture Market had contained the address of 100 Schier's Way. It was determined at that time that Dan Sheffler (the staff member who, by ordinance, is responsible for assigning all addresses within the Borough of Waynesboro) had not assigned that number ... in fact, it could not be 100 because it is on the wrong side of the street to be an even number, and Schier's Way would begin at N. Church Street at zero and continue westbound to N. Potomac Street and end at 99 in that block.

A meeting was held with Mr. Morningstar last week to discuss the matter further. They came to an agreement to utilize the address of 1 Schier's Way, but Councilman Greenawalt has since noted concern regarding that number. Mr. Stains added that he spoke with David Donohue, Franklin County Department of Emergency Services, who stated that as the building takes up the entire block between N. Church and Mulberry Streets, he is not concerned with the number as long as it is an odd number in that block.

Mr. Stains stated that the matter was placed on Council's agenda because it seemed to be a very controversial issue. He asked if Council wishes to continue with the ordinance authorizing Dan Sheffler (as Zoning-Code Enforcement Officer) to assign addresses or do they wish for the matters to be brought to Council for decisions in the future?

Councilman Driscoll made a motion to continue with the current ordinance, as adopted, which authorizes Mr. Sheffler to assign addresses in the Borough. Councilman Cermak seconded; the motion passed unanimously. President Mumma instructed Mr. Morningstar to confer with Dan Sheffler regarding the matter and he declared the subject 'closed'.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak reported that he received a letter of resignation from Patrick McGinnis (Maintenance Department), effective either 04/25 or 05/09. He made a motion to accept the resignation. Councilman Greenawalt seconded; the motion passed unanimously.

Mr. Hamberger noted that applications are currently being reviewed for a previous vacancy, and interviews will be conducted prior to the next Council meeting. After discussion about the number of current openings on the maintenance crew, Council concurred that two (2) individuals could be hired. Management will report back to Council on the individuals selected at the next meeting.

On recommendation by the Assistant Borough Manager, Councilman Cermak made a motion to hire Andrew Dinterman, Clayton Heebner and Ben Heebner as Lifeguards at Northside Pool. Councilman Greenawalt seconded; the motion passed unanimously.

CONSIDER APPROVAL OF CONSENT AGENDA: Councilman Greenawalt made a

motion to approve the Consent Agenda, as presented. Councilman Potts seconded; the motion passed 5-0 (Councilman Cermak abstained).

RESOLUTION FOR
COUNCIL MEETING OF April 16, 2014
"CONSENT AGENDA"

WHEREAS, the Mayor and Borough Council have either previously discussed or considers certain agenda items to be of a routine nature; and

WHEREAS, items of the nature noted in the paragraph above generally meet with the consensus approval of the Mayor and Borough Council.

NOW, THEREFORE, on motion of Councilman _____, seconded by Councilman _____, by a vote of _____, it was resolved that the following items are approved by the Mayor and Borough Council:

Award of Contracts: N/A.

Routine:

1. Approval of minutes - April 2, 2014 (regular meeting)
2. Accept reports of the Code Enforcement Officer, Police Chief and Fire Chief - March, 2014
3. Pay Bills - any Voucher Lists submitted following preparation of this agenda.

Previously Discussed: N/A.

UNFINISHED BUSINESS

PRESENTATION RE: TREE CITY USA DESIGNATION AND ARBOR DAY

PROCLAMATION: Along with Tom McCloud (on behalf of the Borough's Shade Tree Commission), Mayor Starliper announced Waynesboro's designation as a Tree City USA by the Arbor Day Foundation. Mr. McCloud noted that Waynesboro joins 106 other PA communities as a Tree City USA and thanked Council for their support over the years. He added that, at this time of year, the trees along Main Street are in full bloom and are properly pruned – and he hopes that is an example to the rest of the community on how to be good stewards of trees in the Borough. A plaque and flag received from DCNR was presented to the Borough; and Mr. McCloud added that a tree (which was donated in honor of this recognition) will be planted at Northside Park. He also mentioned that the Borough is always receptive of tree donations from the public in honor or memory of loved ones.

Mayor Starliper then presented a Proclamation to the Shade Tree Commission regarding Arbor Day.

SCOREBOARD AT MEMORIAL PARK: Jason Stains noted that Council members received an illustration of the scoreboard to be placed at Memorial Park, which included

the proposed advertisement for Giant Food Stores. Denny Benshoff has met with representatives of the Waynesboro Youth League at the site, and they have chosen a location for the scoreboard to be erected. Denny Martin (Star Electric) will install the needed electricity free-of-charge. No concerns were noted from Council and Mr. Martin was commended for his assistance.

SPEED LIMIT REDUCTION ON STATE HIGHWAYS IN THE BOROUGH: Kevin Grubbs noted that Council members received information in their packets regarding PENNDOT's response to the Borough's request for speed limit reductions to 25 mphs in seven (7) areas, all State roads within the Borough, where posted speed limits are currently 35 and 40 mph. PENNDOT claims they conducted five (5) engineering and traffic studies – and they concluded that none of the speed limits along Route 16 were to be reduced from 35 mph, as well as the other locations, with the exception of Clayton Avenue from Main Street to State Hill Road and State Hill Road to the Borough line.

Mr. Grubbs commented that he feels they may have simply used information from previous studies, because studies of this nature are very time-consuming. In addition, there were no traffic counters in place and there were no individuals collecting any type of visual counts at any of these intersections. He will request copies of the results of the speed counts, and he encouraged Council members to put pressure on PENNDOT regarding the need for reduced speed limits. President Mumma asked each Council member and department head to contact PENNDOT regarding the matter.

Kevin Grubbs noted that the speed limit reduction on Clayton Avenue and State Hill Road (which was approved by PENNDOT) would involve approximately 6-9 signs, and an ordinance will need to be prepared/advertised and adopted. President Mumma suggested that the Street Committee discuss the matter and make a recommendation on the matter to Council.

NEW BUSINESS

REQUEST FROM BROTHERS OF THE BRUSH FOR JULY 4TH PARADE: Kevin Grubbs reported that he received a request from Brothers of the Brush to hold the July 4th parade. They also submitted requests to the Police Department and Fire Police for traffic control, and a meeting will be held with them prior to the event. Councilman Greenawalt made a motion to approve the request. Councilman Oldham seconded; the motion passed unanimously.

REQUEST FROM CHURCH OF THE BRETHREN FOR "PICNIC IN THE PARK" ON 08/16: Jason Stains noted that he received a request from Church of the Brethren to hold their annual "Picnic in the Park" at Memorial Park on 08/16 from 2-6 p.m. This is a free event for the community. Food, face-painting and games are provided. In addition, community organizations will set-up tables with information regarding their services. Councilman Greenawalt made a motion to approve the request. Councilman Cermak seconded; the motion passed unanimously.

REQUEST FROM WAYNESBORO AREA SENIOR HIGH SCHOOL FOR HOMECOMING PARADE ON 10/16: Mayor Starliper noted that he spoke with High School representatives regarding the information needed prior to presenting their request to Council. The matter will be tabled until a later date.

ELECTION FOR BOROUGH REPRESENTATION (RADIO SYSTEM END USERS): Mr. Hamberger noted that correspondence was received from David Donohue (Franklin County Department of Emergency Services) asking for nominations for Borough representation regarding the radio system. Management has discussed the matter with Fire Chief Shawn Adolini, and he has agreed to accept the nomination. Councilman Greenawalt made a motion to submit Mr. Adolini's name as Waynesboro's nominee. Councilman Oldham seconded; the motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS: Harry Morningstar noted that, through a coordinated effort of Mainstreet Waynesboro and some volunteer groups, they would like to begin a "downtown clean-up". On 04/26, 50-60 members of the Indians Football Team and Booster Club will do clean-up downtown as a community service. The work will be coordinated through Assistant Borough Manager Jason Stains. Council concurred and noted appreciation of their efforts.

FOR INFORMATION ONLY

UPDATE ON 2013 CDBG PROGRAM APPLICATION: Mr. Hamberger reported that he has received correspondence indicating that the Borough's 2013 CDBG program application has been approved. Execution of the contract will be required upon receipt.

JIM KESSELRING MEMORIAL RIDE ON 04/26: Jason Stains noted that a motorcycle ride, which will begin at the Littlestown FOE, will come through the Borough on the morning of 04/27. The ride, which is expected to include approximately 100 participants, will stop at the Waynesboro FOE for breakfast. When leaving the FOE, they will travel east on Main Street to Center Square, turning left onto N. Church Street – and are requesting assistance with traffic control at that location. Police Chief Sourbier has offered assistance to them if his personnel are not involved with any incidents at that time. Mayor Starliper added that this has been done in the past and there were no problems. They were advised to obey the traffic signals; but in the best interests of public safety, traffic should be stopped at the Square.

INVITATION TO ANNUAL SPRING MEETING OF FRANKLIN COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS (05/22): Council members received an invitation to the Annual Spring Meeting of the Franklin County Association of Township Officials on 05/22. Individuals interested in attending were asked to inform Melinda Knott.

REMINDER OF CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION (CFCBA) MEETING (04/22): Council members were reminded of the upcoming CFCBA meeting to be held at the Parlor House on 04/22.

SECOND EXECUTIVE SESSION: Solicitor Wiser informed Council that he just received an electronic update regarding the matter discussed previously in executive session. Accordingly, he noted that the matter needed to be re-visited in another executive session. Council adjourned to executive session again at 8:50 p.m. and returned to regular session at 9:00 p.m.

President Mumma appointed the Street Committee (Councilmen Potts and Oldham) to meet with Brimington representatives, along with Borough representatives and Solicitor Wiser, on the day of the next Street Committee meeting (05/23).

COUNCIL AND STAFF COMMENTS: Councilman Cermak commented that drawings from PENNDOT's public meeting regarding the proposed Memorial Bridge replacement project are on display in Council Chambers, should the public wish to view them.

Denny Benshoff reported that the scoreboard will be installed at Memorial Park on 04/19.

Kevin Grubbs gave an update on the S. Potomac Street storm sewer project. Curbing along Potomac Street was installed last week and sidewalk work will begin next week. The asphalt contractor will also begin paving in the near future.

Jason Stains noted that the Waynesboro Youth League has requested to utilize a portion of the park's maintenance shed to store a small riding tractor (to be used to drag the fields), and Denny Benshoff feels there is sufficient room available in the shed for their use. The Solicitor has recommended that a hold-harmless agreement be prepared for their execution. Councilman Greenawalt made a motion to allow the WYL to utilize a portion of the park maintenance building and directed the Solicitor to prepare the appropriate hold-harmless agreement. Councilman Cermak seconded; the motion passed unanimously.

Mr. Stains noted that the WYL also asked for permission to utilize the existing concession stand at Memorial Park during their games. It was noted that there are no soda dispensers or cooking abilities there, and they would only be permitted to sell pre-packaged food and drinks. If Council agrees, this use can be included in the hold-harmless agreement (mentioned above). Councilman Cermak made a motion to approve the request for the WYL to use the Memorial Park concession stand. Councilman Driscoll seconded; the motion passed unanimously.

Jason Stains noted that, while making conversions in the Borough's utility billing system, some "glitches" resulted in individuals who paid their bills on time erroneously receiving penalties and/or late notices. Specifically, individuals who paid their utility bills on 04/02 were affected; but the problem has been corrected. He publicly apologized that this occurred, and noted that all fees associated with these accounts are being waived. Councilman Greenawalt made a motion that letters of apology be mailed to everyone affected. Councilman Driscoll seconded; the motion passed unanimously.

Scott Hershberger reported that Mainstreet Waynesboro recently held their annual meeting, during which time they elected new officials and brought in some new members. He reported that there will be an Earth Day Celebration at Renfrew on 04/26, when Waynesboro will be officially receiving their Appalachian Trail Community Designation; and MSW is holding a Children's Tea at Christine's Café on 04/27.

Police Chief Sourbier reported that the Police Department will conduct a Drug Take-Back Initiative on 04/26 from 10 a.m. to 2 p.m. in the rear parking lot. In addition, he reminded the public that prescription drugs can be placed (at any time during regular office hours) in the lock-box in the Police Department's lobby. No needles, syringes or liquified prescriptions are accepted. Mr. Hamberger stated that it is best to dispose of medications in this manner, as it is not good for the environment when medications are flushed or landfilled.

Chief Sourbier also requested that a discussion be held at the next Council meeting regarding the licensing of second-hand dealers and pawn shops. He feels that restrictions, limitations and rules/regulations should be established for their operation and function.

Councilman Cermak asked if anyone from the public has used the emergency call-boxes yet. Chief Sourbier responded they have not yet been used, but statistics regarding their use will be included in his monthly Chief's Report.

Councilman Oldham reminded residents to sweep their sidewalks in preparation of the upcoming street sweeping schedule.

Mayor Starliper noted that he received correspondence from the PA Housing Finance Agency regarding applications for funding for Trinity House and Mount Vernon Terrace. They requested comments, in writing, by 05/03. It was noted that letters of support were previously provided, but will be re-sent.

Mayor Starliper noted that he received correspondence from the Office of Attorney General advising that, during a recent investigation, the child predator section identified a location within Franklin County as a site where child pornography was being downloaded and disseminated to others. Corporal Kurt Wagaman and Detective Travis Carbaugh assisted with the investigation and were thanked for their efforts.

Mr. Starliper stated that the Waynesboro Fire Police have been requested to help at the Annual Community Memorial Service at Harbaugh Church on 05/25, which has been done in the past.

Mayor Starliper presented a proposed resolution for Council's consideration regarding support for Senate Bill 1340 and House Bill 1272 enabling all municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police. Councilman Cermak made a motion to approve Resolution No. 2014-02, as presented.

Councilman Driscoll seconded; the motion passed unanimously.

RESOLUTION NO. 2014-02

A RESOLUTION IN SUPPORT OF SENATE BILL 1340 AND HOUSE BILL 1272
ENABLING ALL MUNICIPAL POLICE TO USE THE SAME MOTOR VEHICLE
SPEED-TIMING EQUIPMENT AS THE PENNSYLVANIA STATE POLICE.

Complete copy on file at Borough Hall.

President Mumma noted that, in past years, Council has held joint meetings with the Washington Township Supervisors to discuss items of mutual interest. He requested that Council think about items which should be discussed at such a meeting and provide their comments to Jason Stains. He has discussed the matter with Mike Christopher, who will provide dates when his Board might be available.

Having no further business to discuss, the meeting adjourned at 9:30 p.m. on a Greenawalt/Cermak motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant