

AUGUST 20, 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, Hans Bader and Michael Cermak

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Mike Benshoff, Maintenance Foreman
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
Shawn Adolini, 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. to discuss personnel and litigation matters regarding tax appeals and code enforcement. They reconvened to regular session at 8:12 p.m.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cermak noted that he received favorable performance evaluations for Mike Benshoff and Robert Cole, however no action was required. He will present several items during the “voting section” later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: President Mumma appointed Councilman Bader to serve as Chairman of the Property Committee (as Wayne Driscoll’s replacement).

STREET COMMITTEE: Councilman Potts noted that Council members received minutes from the Street Committee’s meeting held on 07/23. He will present an item for action later in the meeting.

The next Street Committee meeting will be held on 08/27 at 9:00 a.m. Mr. Hamberger noted that discussion will take place at that meeting regarding the parking of portable storage units on streets. Mr. Potts added that the bags covering the “Permit Parking

Only” signs on Enterprise Avenue need to be removed before the start of school.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: President Mumma appointed Councilman Bader to serve on the Downtown Revitalization Committee, along with Councilman Potts.

FINANCE COMMITTEE: No report.

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

“July 17th -19th, I attended the PSMA’s 43rd Annual Conference at Grantville, PA. Among the speakers were Ron Stern of the Governor’s Center for Local Services; Brad Mallory, Executive Deputy Secretary for the Department of Transportation; Governor Tom Corbett; State Police Officers in reference to radar; and a Federal Drug Enforcement Officer.

On July 21st, I swore in Hans Bader as our newest Councilperson.

On July 26th, I had the privilege of uniting in marriage Stacey Hess and David Hess.

On August 4th, I was invited and attended the reception and dinner for the International Rotary President Gary C.K. Huang at Green Grove Gardens. Also, special thanks to Chief Sourbier and our officers who provided escort service while the International Rotary President was in town (in corroboration with Washington Township and Greencastle Police Departments).

On August 5th, along with Chief Sourbier, the Borough Manager and Assistant Borough Manager, Police Officers, Fire Police personnel and Fire Department members, I attended the National Night Out event. Kim Green, our Department’s Administrative Secretary, deserves all the credit for bringing the event together. Thank you.

On August 6th, with Borough officials, employees, outside agencies and political dignitaries, a ribbon-cutting ceremony was held for the completion of the S. Potomac Street Storm Water Project.

On August 9th, I had the privilege of presenting to Cody Motz a Certificate of Achievement for obtaining the rank of Eagle Scout. Cody is a member of Troop 97.

On August 12th, I attended the Waynesboro Fire Police meeting.

On August 15th, I had the privilege of uniting in marriage Josette Dannheim and David Gladhill Jr. We wish them the very best.

On August 18th, along with Chief Sourbier, I attended a meeting with local school officials in reference to their newest members on staff in regards to law enforcement.”

SOLICITOR’S REPORT: No report.

PUBLIC COMMENT – ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak noted that he received a favorable performance evaluation for Assistant Borough Manager Jason Stains, and made a motion to remove him from probationary status. Councilman Potts seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve the job description for a newly-created position of Park Maintenance Supervisor II (a position to be filled at a later date). Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak noted, after discussion regarding the planned promotion of an existing employee in the “front office” to the vacant Receptionist/Data Processor’s position (created by the resignation of Julie Myers), the Personnel Committee is recommending that the “third person position” be filled with part-time help. Councilman Cermak made a motion as such. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to create a new position of Finance Supervisor/Bookkeeper, and appoint Vicky Grubbs to that position at a salary level 10A. Councilman Greenawalt seconded. Jason Stains added that this will be an exempt/salary position (no overtime). The motion passed unanimously.

Councilman Cermak made a motion to appoint Chad Rooney to a vacant position on the Recreation Board; said term will expire on 12/31/2017. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Potts referred to page 2 of the Street Committee minutes regarding a request to extend the residential permit parking area on E. Second Street to the section between Clayton Avenue and Myrtle Avenue. Councilman Potts made a motion to approve the request, adding that the Street Committee is also recommending not to extend the residential permit parking area any further. Mayor Starliper noted that he has confirmed with school personnel that there is adequate parking available on school property for the students. Councilman Oldham seconded; the motion passed unanimously.

Councilman Cermak made a motion to accept the resignation of Julie Myers from her position as Receptionist/Data Processor. 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 Oldham seconded; the motion passed unanimously.

RESOLUTION FOR
COUNCIL MEETING OF August 20, 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 - June 18, 2014 (regular meeting) and June 24, 2014 (special meeting)
2. Accept reports of the Code Enforcement Officer and Fire Chief - July, 2014
3. Pay Bills - Voucher Lists dated 07/25, 07/28, 07/29 and 08/08 (and any others following preparation of this agenda)

Previously Discussed: N/A.

UNFINISHED BUSINESS

REQUEST TO HANG “HOMETOWN HEROES” BANNERS NEAR CENTER SQUARE:

Jason Stains noted that Council approved the “Hometown Heroes” banner project proposed by Denny Martin and Combined Veterans Council representatives several meetings ago; and Mr. Martin is asking for approval to begin hanging sample banners near Center Square to promote the project. Council concurred.

NEW BUSINESS

SPECIAL PRESENTATION TO FIRE DEPARTMENT: Sandy Cermak noted that they lost a dog to heart disease about a year ago, and wanted to make a donation to “pay it forward” for other animals in neighboring communities. She presented a donation of two (2) sets of pet oxygen masks to Fire Chief Adolini for the fire trucks.

PROPERTY MAINTENANCE PRESENTATION AND UPDATES: Jason Stains noted that the staff has been extremely busy the last several months in terms of property

maintenance issues and code enforcement efforts in the Borough, and narrated a Powerpoint presentation to Council and the public on where their tax dollars are being spent. (A summary copy of Mr. Stains' presentation is attached hereto and hereby made a part of these minutes.)

REQUEST FROM HIGH SCHOOL RE: HOMECOMING PARADE (OCTOBER 16, 2014): Kevin Grubbs reported that he was contacted by WASHS representatives regarding their plans for the annual Homecoming parade. The route will be the same as in past years; and it was noted that the school is responsible for providing traffic control, either utilizing school police or contacting the Fire Police for assistance.

RESOLUTION OPPOSING THE EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT (RESOLUTION NO. 2014-09): Mr. Hamberger provided Council members with information from the PA State Association of Boroughs requesting adoption of a resolution opposing EPA and the Army Corps of Engineers' proposed expansion of federal control under the Clean Water Act. Specifically, there is concern that this would/could affect all physical areas with a connection to downstream navigable waters, thereby causing delays in development and infrastructure maintenance by municipalities. Councilman Oldham made a motion to adopt Resolution No. 2014-09, as presented. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2014-09

**A RESOLUTION OPPOSING THE EXPANSION OF FEDERAL CONTROL
UNDER THE CLEAN WATER ACT**

Complete copy on file at Borough Hall.

ACKNOWLEDGE RESIGNATION FROM ZONING HEARING BOARD MEMBER: Mr. Hamberger noted that Charles McCammon has submitted his resignation as a member of the Zoning Hearing Board. As the resignation must be accepted by the ZHB at their next scheduled meeting (which is to be held on 08/28), Council was requested to acknowledge the resignation subject to the ZHB's acceptance. Councilman Greenawalt made a motion as such. Councilman Bader seconded; the motion passed unanimously.

2015 MINIMUM MUNICIPAL PENSION OBLIGATION: Mr. Hamberger noted that PA Act 205 (which deals with municipal pensions) requires the chief pension officer to certify a minimum municipal obligation to the municipality on an annual basis. Councilman Greenawalt made a motion to acknowledge receipt of the MMO information. Councilman Bader seconded; the motion passed unanimously. Mr. Hamberger also noted that the Borough's Pension Committee met recently with representatives of their investment firm, and he reported that the pension investments are conservative but solvent.

MEMORIAL PARK BASEBALL FIELD LEASE AGREEMENT (WAYNESBORO YOUTH LEAGUE): Jason Stains noted that the Waynesboro Youth League approached

the Recreation Board several months ago regarding the possibility of entering into a long-term contract for use of the little league and major league fields at Memorial Park. The WYL continues to grow and they need additional fields to play on. They propose to maintain/mow the fields and make major improvements such as creating better playing surface, installing new fencing, working on the mound and base pads, etc. The WYL would also like to utilize the existing concession stand during their games, and have agreed to take care of field scheduling on an annual basis. Mr. Stains stated that the Recreation Board is in favor of the proposal.

John Steiger, President of the WYL, was present to answer questions and provide an overview of their plans. President Mumma commended the WYL for keeping youth of the community busy in a positive way.

Specific items to be addressed in a lease agreement were discussed, and the staff will begin preparing a draft for further discussion.

DOG SWIM AT NORTHSIDE POOL (SEPTEMBER 6, 2014, 1-4 P.M.): Jason Stains announced that the fifth annual dog swim will be held on 09/06 from 1-4 p.m. at Northside Pool. The cost is the same as in past years: \$5 for first dog/owner, \$5 for each additional dog/owner, \$20 maximum per family. Donations of dog/cat food and cat litter will be accepted and presented to the Antietam Humane Society. Councilman Greenawalt made a motion to approve the event. Councilman Cermak seconded; the motion passed unanimously.

DISCUSS 2014 CDBG OPTIONS: Mr. Hamberger reported that the second required hearing for the 2014 CDBG program will be held at either the 09/15 or 10/01 Council meeting. Council members were asked to consider what projects they would like to include in the application ... typically handicapped curbs and street projects are listed.

TAX APPEAL (NICHOLS): Solicitor Wiser reported that notice of a tax appeal was received for Cathy Sue Nichols. The Borough doesn't generally participate in the tax appeal process because their share is minimal as compared to the School District's and the County's. However, this was a smaller tax appeal and they have come to terms with the appellant and are requesting the Borough's acknowledgment of such. Councilman Potts made a motion to authorize the Council President to execute the Stipulation and Agreement, as presented. Councilman Bader seconded; the motion passed unanimously. It was noted it should be made clear that Council does not want a lot of private property tax appeals coming before them.

PUBLIC COMMENT - NON-AGENDA ITEMS:

Andy Moats, 730 Ringgold Street - Mr. Moats reported that his neighbor has 25 dogs, all of which are licensed and cared for (he assumes); but the dogs make a lot of noise and can be heard howling loudly on nearby streets for repeated periods of time (8-10 minutes). As the current Borough ordinance states they must bark continually for 15-minute intervals, he is assuming that nothing can be done to resolve the issue.

Georgia Martin, State Dog Warden, has cited them in the past for having more than 25 dogs (which is the PA state limit before it is considered a kennel). He asked Council why anyone in the Borough of Waynesboro would be permitted to keep 25 dogs on their property? He noted that, typically, other municipalities have limited residents to housing a maximum of four (4) dogs.

Code Enforcement Officer Dan Sheffler was asked to look into the matter of dog feces on the property, and the Borough will look into any modifications that may need to be made to current regulations regarding the number of dogs permitted at a residence.

REQUEST TO CLOSE SECOND STREET PRIOR TO WASHS FOOTBALL GAMES:

Jason Stains noted that he met recently with the High School's football coach, who requested that Council consider closing Second Street from Main Street to Virginia Avenue every Friday evening prior to home football games. This will allow the football players to walk from Summitview Elementary to the High School, and fans to encourage/support them. It was noted that this is "above and beyond" their annual Homecoming parade request. As additional information was not available, Councilman Greenawalt made a motion to deny the request. Councilman Bader seconded; the motion passed unanimously.

FOR INFORMATION ONLY

UPDATE OF BOROUGH RECEIPTS AND EXPENDITURES: Jason Stains noted that Council members were provided with information showing General Fund receipts and expenditures as of July 2014; and he reported that the figures are typical for this time of the year. Department heads have been tasked with providing budget worksheets to management by 08/28, and initial meetings to review their requests will begin in September.

LIFE CHAIN DEMONSTRATION (OCTOBER 5, 2014): Jason Stains received information from St. Andrew the Apostle Catholic Church regarding their intent to hold a Life Chain on 10/05 from 9:30 to 10:30 a.m. on the sidewalk in front of the church, and from 2:00 to 3:00 p.m. in Center Square. Council acknowledged the event; and they will be reminded that the sidewalks should remain open to pedestrians and vehicular traffic should not be impeded in any way during the demonstrations.

PSAB FALL LEADERSHIP CONFERENCE (OCTOBER 17-19, 2014): Information was provided to Council members regarding the upcoming PSAB Fall Leadership Conference to be held in Gettysburg on 10/17-10/19.

REMINDER OF FRANKLIN COUNTY AREA DEVELOPMENT CORPORATION ANNUAL DINNER (SEPTEMBER 11, 2014): Council members were invited to attend the FCADC's Annual Dinner to be held on 09/11 at Green Grove Gardens. RSVP's are due by 08/22.

COUNCIL AND STAFF COMMENTS: Councilman Bader noted he appreciates his

appointment to Council and will do his best to serve the people well in Ward 1.

Councilman Cermak noted his appreciation for those individuals in attendance at this meeting.

Kevin Grubbs noted that the original plan for the library's expansion project included the placement of a grass area between the new addition and their parking lot, to serve as their underground infiltration and handle runoff from the roof/spouting. They are now requesting a modification to include the installation of a brick patio close to the alley; but because the patio is proposed in the infiltration area, a revised plan was required. The plan has been reviewed and recommended for approval by Dennis E. Black Engineering. Councilman Cermak made a motion to approve the minor modification, contingent upon the modification being shown on an as-built plan. Councilman Greenawalt seconded; the motion passed unanimously.

Jason Stains advised that Senator Toomey will hold a Town Hall meeting on 09/02, beginning at 10:00 a.m., at the Waynesboro Ambulance Squad facility. The public is invited to attend.

Mr. Stains noted his appreciation to all who attended the ribbon-cutting ceremony for the South Potomac Storm Water Project.

Mr. Stains provided Council members with two (2) sample ordinances regarding the regulation of roll-off dumpsters and mobile storage units. Adopting an ordinance of this nature should be considered, as there are no current ordinances/regulations/codes prohibiting such.

Jason Stains provided an update on the status of the municipal golf course. Council voted recently that the Borough would continue funding the golf course only until 09/30. Since that decision was made, the Waynesboro Borough Authority has secured/reviewed two (2) proposals for leasing the golf course and will hold a special meeting on 08/26 to announce their decision. Both parties have expressed a desire to begin operations in September and will honor season memberships purchased previously through the end of the year (so no refunds will need to be paid out by the Borough).

Following a recent inquiry into the matter, Mr. Stains noted that recreational vehicles are permitted to park on public streets and at the Rotary parking lot for up to 72 hours. Discussion followed regarding this matter, and it was referred to the Street Committee for further review.

Mr. Stains reported that the water line project on Fairview Avenue is moving along, however it will not be completed by the start of school. He wanted to publicize that there will be some impact with paving in the area during the first few days of school.

Jason Stains advised that he spoke with the Borough's grant consultant (Amy Kaufman

of GMS Funding Solutions) regarding their application for Welty Road and Fairview Avenue. They are planning to meet with the Governor's staff and PENNDOT representatives to continue discussing the project, and anticipate a decision by the end of October or the beginning of November.

Mr. Stains also thanked Council members for removing him from probationary status, adding that the year passed quickly and he enjoyed it thoroughly.

Police Chief Sourbier reported that "National Night Out" was well-attended. He thanked all participants and echoed the Mayor's comments in appreciation for Kim Green's assistance in planning the event.

Councilman Oldham commented that Council currently has no Vice-President. As such, Councilman Cermak nominated Mr. Oldham to the position. Councilman Bader seconded; the motion passed unanimously.

Mr. Oldham noted that he spoke with Solicitor Wisner regarding an independent study that was recently conducted for Cumberland Township, and he asked for Council's approval for him to talk with them regarding the costs and what is involved in pursuing such a study. Council concurred.

Mayor Starliper asked for Council's approval to add John Leister as a member of the Waynesboro Fire Police. Councilman Cermak made a motion as such. Councilman Potts seconded; the motion passed unanimously.

Mayor Starliper reported that the Fire Police will provide a course on how to properly handle golf carts in cooperation with the Fairfield Pippinfest on 09/27 and 09/28, they will assist with traffic control at Renfrew on 09/06 for Heritage Day, and assisted at the Blue Rock Church's Festival on 08/09.

Mr. Starliper noted that information will be forthcoming shortly regarding the upcoming Cumberland-Franklin County Boroughs Association meeting to be held on 09/23 in Newburg.

Jason Stains reminded Council that the joint meeting with Washington Township will be held on 09/25 at 6:00 p.m. at the Parlor House.

President Mumma thanked the public for their attendance and patience.

Having no further business to discuss, the meeting adjourned at 10:20 p.m. on a Greenawalt/Bader motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant