

JANUARY 2, 2013
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Stains 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, Darrel Potts, Craig Newcomer, Jason Stains, 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 Wisner, Borough Solicitor (Salzmann Hughes, PC)
Jason Cohen, Assistant Borough Manager
Jim Sourbier, Police Chief

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that he spent most of the day with the Borough's crew who were removing the Christmas decorations and installing new banners downtown. He also noted that discussion will be held later in the meeting regarding the need to ban sledding at Memorial Park.

STREET COMMITTEE: No report.

INTERGOVERNMENTAL COMMITTEE: President Stains noted that the staff received a letter of resignation from Barry Stevenson from his position on the Civil Service Commission. He has agreed to serve until final approval has been granted for the recently-modified Rules and Regulations. Action will be taken on his resignation during the "voting" section of the meeting. Mr. Stains added that Council will be seeking a replacement.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Newcomer noted that he sent an email to Council regarding the meeting with local real estate agents to discuss the proposed Rental Inspection Program; and he requested that they take the

recommendations into consideration. Mr. Hamberger added that the staff will meet next week to review the recommendations, and the matter will be on the agenda for discussion at Council's next meeting (01/16). Councilman Newcomer thanked Councilman Driscoll for his assistance with the new downtown banners, and advised that the next Downtown Revitalization Committee meeting will be held on 01/15 at 9:30 a.m.

FINANCE COMMITTEE: No report.

MAYOR'S REPORT: No report.

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Driscoll made a motion to reluctantly accept Barry Stevenson's resignation from the Civil Service Commission. Councilman Cermak seconded; the motion passed unanimously.

CONSIDER APPROVAL OF CONSENT AGENDA: It was noted that there were no other items for the Consent Agenda except for the payment of bills. Accordingly, Councilman Potts made a motion to approve the payment of Voucher Lists dated 12/21, 12/31 and 01/02. Councilman Driscoll seconded; the motion passed 5-0 (Councilman Cermak abstained).

UNFINISHED BUSINESS

CLOSE-OUT 2012 YEAR: Mr. Hamberger noted that this is done on an annual basis. Councilman Greenwalt made a motion to close-out the accounts for 2012 and to make the necessary transfers to balance all accounts. Councilman Cermak seconded; the motion passed unanimously.

NEW BUSINESS

2013 NON-UNIFORMED/NON-UNION FULL-TIME SALARIES: Mr. Hamberger presented a proposed 2013 salary schedule and employee roster, which includes a recommended cost-of-living increase of 1% for all full-time, non-uniformed employees. Councilman Greenwalt made a motion to approve the salary schedule, as presented. Councilman Driscoll seconded; the motion passed unanimously.

APPROVE AUDITOR CONTRACT FOR 2013: Mr. Hamberger noted that Smith Elliott Kearns & Company has submitted a proposal to conduct the Borough's 2012 audit. Their fee includes a minor increase (approximately \$600) from last year's fee. Councilman Greenwalt made a motion to approve the proposed contract with Smith Elliott Kearns & Company. Councilman Newcomer seconded; the motion passed unanimously.

SLEDDING AT MEMORIAL PARK: Mr. Hamberger explained that a total of approximately \$90,000 was spent on upgrades at Memorial Park, one of which was the new fence at the baseball field. He explained that the old fence had an area which could be removed (providing an area for individuals to sled through), but the new fence is one-piece. Even when a portion of the old fence was removed for sledding, however, the remaining posts were a hazard. It was the staff's consensus to install a taller, one-piece fence to provide more safety for the baseball players; but during snows, people are sledding and banging into the fence. As a result, it has been bent; and he is fearful that someone will be injured. Accordingly, temporary "no sledding" signs have been installed; but Council will need to take permanent action on the matter.

Councilman Driscoll noted that baseball is the intended use of the fenced area (and sledding is an occasional by-product of winter). As sledding in this area poses a risk to both health and property, he reluctantly made a motion to ban sledding in Memorial Park. Councilman Greenawalt seconded. Discussion followed regarding areas of the park that could still be used for sledding. It was noted that this is the only area where there are hills, but Council noted they do not wish to preclude parents from "dragging" their kids on sleds there.

Discussion ensued also about the risks of sledding at Northside Park. Liability issues were mentioned; and Solicitor Wiser explained that the Borough has governmental immunity in certain areas, and is protected from liability in some instances through the Recreational Use of Land Act. He suggested that enforcement and penalties for violation be included in any modification to the Rules and Regulations. The staff will discuss the matter further and will make recommendations to Council for discussion at their first meeting in February.

No changes were made to the original motion to ban sledding in Memorial Park, and the motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

UPDATE - CLOSING FOR PENNVEST LOAN: Solicitor Wiser advised that a final settlement date has been scheduled for 02/15, both Highway Occupancy Permits have been issued, and all required easements have been completed.

REMINDER - RENTAL INSPECTION ORDINANCE ON AGENDA FOR JANUARY 16TH MEETING: (Discussed during "Downtown Revitalization Committee" report.)

COUNCIL AND STAFF COMMENTS: Councilman Driscoll noted that, even though he made the motion to ban sledding at Memorial Park, he regrets having to restrict the simple pleasures in life but because of all the recent improvements to the park, and baseball being the intended use of this particular area, he felt it was necessary.

Mr. Hamberger noted it has been recommended that the Fire Chief receive a \$50 increase in his monthly stipend, the monthly stipends for the Deputy and Assistant Fire Chiefs be increased to \$125, and the relief drivers' hourly rate be increased to \$8.25/hour. Councilman Newcomer made a motion to approve the recommendations as presented by the Borough Manager. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak noted Barry Stevenson's years of service on the Civil Service Commission are very much appreciated.

Dan Sheffler reported that he has issued approximately 40 citations for snow shoveling violations. He suggested, however, that Council may wish to modify the fines for these violations (which are only \$15) to be similar to the weed violations (which are \$150).

Kevin Grubbs provided Council with information from PENNDOT regarding special event permitting, which pertains to road closures for any event held in the Borough on a state highway. He mentioned indemnification requirements (which the Solicitor is reviewing), as well as liability insurance requirements of the sponsor. He noted that he will provide copies of the application to organizations who have sponsored events in the past, and the new application will be included on the Borough's website for future use.

Jason Cohen reported that Council will be presented with updated Civil Service Commission Rules and Regulations for consideration at their next meeting.

Pat Fleagle noted his appreciation to Council and the Borough staff for all their assistance during the holiday season.

Councilman Potts announced that the next Street Committee meeting will be held on 01/23 at 9:00 a.m.

Mayor Starliper advised that the next CFCBA meeting will be held on 02/26 in Mercersburg. Specific details will be forthcoming. He also informed Council and the public that he will be seeking re-election as Mayor for a third term.

President Stains stated that Christmas tree pick-up will take place during the week of January 14th. Mr. Hamberger added that residents will receive their new recycling totes beginning next week.

Having no further business to discuss, the meeting adjourned at 8:08 p.m. on a Cermak/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant

