

APRIL 4, 2012
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Jason 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, Craig Newcomer, Darrel Potts, Jason Stains, Wayne Driscoll and Michael Cermak

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Jason Cohen, Assistant Borough Manager
Mark King, Police Chief
Dave Martin, Fire Chief

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

COMMITTEE REPORTS

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

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Driscoll stated that several items will be addressed later in the meeting.

STREET COMMITTEE: Councilman Potts noted that he will present several items during the “voting” section. The next Street Committee meeting will be held on 04/25 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Newcomer reported that the next Downtown Revitalization Committee meeting will be held on 04/16 at 9:00 a.m. He also noted that several applications for facade improvement grants have been submitted; and it is the Committee’s recommendation to renew funding for this purpose. He added that facade improvements are included in the Joint Comprehensive Plan as a betterment for the community. Mr. Hamberger noted that the Property Committee is currently reviewing this issue; and added that flexibility is available in the 2011 program to allocate funding for this purpose.

FINANCE COMMITTEE: No report.

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

“On March 22nd, I attended the Chambers Mixer held at the Susquehanna Bank.

On March 27th, I had the privilege of speaking to the Boys Scouts of Troop 19 on their quest for filling the requirements on the Citizenship merit badge. Also, they are in attendance here tonight.

On March 29th, I attended the 9/11 Tribute meeting. Their goal is \$110,000. Also anyone who is interested in donating their time and/or expertise, contact Mike Christopher.

On April 4th, I attended “The Rally for Business”, hosted by Senator Alloway. Governor Corbett spoke in reference to business.”

Mayor Starliper also reported that he prepared a Proclamation for “Days of Remembrance” for Holocaust victims. At their request, the proclamation will be presented to the WASHS World Literature class.

Mr. Starliper noted that a letter was received from the PA Commission on Crime and Delinquency. He read excerpts from the letter – “During calendar year 2011, with help from you and your officers informing Pennsylvania’s crime victims of the availability of our services, VCAP (Victims Compensation Assistance Program) received almost 9,000 claims and paid out in excess of \$13 million to, and on behalf of crime victims.” and “Your department was one of 256 which consistently returned the reports to us in 15 days or less, thereby expediting the process of getting much needed financial assistance to crime victims and their families.” He congratulated the Police Department (mainly Chief King) for their efforts.

Mr. Starliper also read a letter received from Ken Shur, Vice-President and Chief Operating Officer of the Waynesboro Hospital, thanking Chief King and his officers for their response to the Emergency Department on 03/18 for a difficult situation which required police intervention. The officers arrived quickly, took control of the situation with the utmost professionalism, and stayed until their services were no longer required. The staff felt great comfort in their support, and Mr. Shur extended a “thank you” on behalf of the Hospital.

Mayor Starliper also read a letter of retirement/resignation from Chief Mark King. His last active working day in this position will be 04/20. He noted that the Personnel Committee will take action on this matter later in the meeting. Mr. Starliper added that the Police Sergeant (Mike Bock) will be responsible for the operations of the Waynesboro Police Department in the absence of the Mayor and Chief of Police.

SOLICITOR’S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak made a motion to hire the following individuals for the summer season --

- Brenten Knott, Summer Maintenance Worker (Water Plant)
- Adam Heebner, Assistant Pool Manager
- Andrew Dinterman, Assistant Pool Manager
- Ralph Johnson, Golf Course Maintenance Worker
- Kenneth Stonebraker, Golf Course Maintenance Worker
- Jarred Knott, Golf Course Maintenance Worker
- Nathan Kauffman, Golf Course Maintenance Worker
- Dorothy “Jean” Kaiser, Pro Shop Attendant
- Samantha Pryor, Pro Shop Attendant

- Maren Smith, Pro Shop Attendant
- Audrey Rouzer, Pro Shop Attendant
- Kimberly Crum, Pro Shop Attendant
- Malie Scheeler, Pro Shop Attendant

Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to advertise for the Police Chief vacancy. Councilman Greenawalt seconded; the motion passed unanimously. Further, Councilman Cermak made a motion to accept Mark King's letter of retirement/resignation, with regret. Councilman Greenawalt seconded; the motion passed 5-1 (Councilman Newcomer opposed).

Councilman Potts advised that the Street Committee is concerned about the number of signs around town, as well as the costs involved when signs are installed. It is their intent (and hope) that when a sign is requested for a "no parking" zone, etc.; and it directly benefits them and no one else, the costs thereof be passed on to the individual making the request. Having said that, he made a motion to install a "No Parking Here to Corner" sign on the southeast corner of E. Third and Ringgold Streets. (He noted that sight distance at this location is a concern, and this sign would be to improve a public safety condition.) Councilman Greenawalt seconded; the motion passed 5-1 (Councilman Cermak opposed).

Councilman Potts made a motion to approve a "No Parking Here to Corner" sign for the triangle-area at Third Street/Cleveland Avenue/Hamilton Avenue. Parking at this location also creates a safety concern. Councilman Greenawalt seconded. Councilman Newcomer mentioned another issue in that same area, and he will forward information to the Street Committee for their review and consideration. The motion then passed 5-1 (Councilman Cermak opposed).

Councilman Potts noted that the Mayor has requested a 24-hour parking space in the parking lot to the rear of Borough Hall. In addition, a handicapped parking sign that was originally erected has (at some point) disappeared. Councilman Potts made a motion to authorize installation of the Mayor's parking sign, as well as re-establishment of the handicapped parking sign. Councilman Cermak seconded; the motion passed unanimously.

Councilman Potts reported that, on occasion, out-of-town motorists traveling on Cleveland Avenue have failed to turn onto Fifth Street and have gone straight through on the one-way portion of Cleveland Avenue. Kevin Grubbs has provided a recommendation for this location, however the Street Committee would like to try painting the yellow centerline to determine if the problem can be resolved before additional signs are erected. Councilman Driscoll made a motion to proceed with the Street Committee's recommendation. Councilman Cermak seconded; the motion passed unanimously.

CONSIDER APPROVAL OF CONSENT AGENDA: Councilman Driscoll made a motion to approve the Consent Agenda, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

**RESOLUTION FOR
COUNCIL MEETING OF APRIL 4, 2012
"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 - March 21, 2012 (regular meeting).
2. Pay Bills - Voucher Lists dated 03/23 and 03/28 (and any others following preparation of this agenda).
3. Request from Waynesboro Area Gala Cancer Auction, Inc. to use northwest corner of Center Square from 7:00 a.m. on April 28, 2012 until 12:00 p.m. on April 29, 2012 to display larger auction items; and further, to allow "no parking" signs to be posted in front of the Eagles Club on April 28, 2012 for Hurley Auctions to park.
4. Request from Mainstreet Waynesboro, Inc. to close Main Street from Walnut to Potomac Streets on June 23, 2012 from 7:00 a.m. to 4:30 p.m. to accommodate participants, pedestrians, set up and clean up for Classic Car and Truck Show which begins at 9:00 a.m.

Previously Discussed: N/A.

Mr. Hamberger added that he received a request from *The Record Herald* to close Walnut Street on the same day as the Classic Car and Truck Show. He suggested that the staff and Street Committee review the matter and make a recommendation.

UNFINISHED BUSINESS

RESOLUTION NO. 2012-05 (MODIFYING F.Y. 2009 AND 2010 CDBG PROGRAMS): Mr. Hamberger noted that these modifications to the CDBG program were discussed during the public hearing held prior to this meeting. Councilman Potts made a motion to approve Resolution No. 2012-05. Councilman Newcomer seconded. Councilman Driscoll mentioned funding discussed previously for downtown facade improvements. Mr. Hamberger noted that facade projects are a lengthy process, and CDBG budgets can be modified at a later date to accommodate them; but these monies are "old" and need to be spent as soon as possible (which is easier to do with Streets and Handicapped Curbs). Councilman Driscoll noted he understands, but also feels that facade improvements are an important issue and should be addressed in the near future. The motion then passed unanimously.

RESOLUTION NO. 2012-05

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO MODIFYING THE FISCAL YEAR 2009 AND 2010 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

Complete copy on file at Borough Hall.

RESOLUTION NO. 2012-06 (AUTHORIZING SUBMITTAL OF F.Y. 2012 CDBG APPLICATION): Councilman Greenawalt made a motion to approve Resolution No. 2012-06, as presented. Councilman Newcomer seconded; the motion passed unanimously.

RESOLUTION NO. 2012-06

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY DEVELOPMENT BLOCK GRANT

(CDBG) FUNDS FOR FISCAL YEAR 2012

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE RE: FIRE DEPARTMENT FOR ADOPTION: Mr. Hamberger noted that Council authorized advertisement of this proposed ordinance at its last meeting. The proposed ordinance included a change from two (2) Captains to one (1), however it is desired to keep it the same. The Solicitor has indicated that this is a de minimis change and can be made without re-advertising the proposed ordinance. Councilman Driscoll made a motion to adopt the ordinance, with the proposed revision as noted by the Borough Manager. Councilman Greenawalt seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE CREATING A FIRE DEPARTMENT IN THE BOROUGH OF WAYNESBORO, PENNSYLVANIA, DESCRIBING THE OFFICERS AND PERSONNEL THEREOF AND THEIR DUTIES, PROVIDING RULES AND REGULATIONS FOR SAID FIRE DEPARTMENT AND REPEALING ALL INCONSISTENT ORDINANCES.

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE RE: 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE FOR ADOPTION: Solicitor Wisner noted that this ordinance serves as an update to the current Property Maintenance Code, which adopted the 2003 International Property Maintenance Code. This ordinance will adopt the 2012 International Property Maintenance Code and contains necessary amendments necessary to make the Code legal in PA. He added that two (2) sections of the proposed ordinance reference "Residential Property Maintenance Code", and he requested that Council adopt the proposed ordinance with "residential" deleted. Councilman Greenawalt made a motion to adopt the proposed ordinance, in accordance with the recommendation of the Borough Solicitor. Councilman Newcomer seconded; the motion passed 5-0 (Councilman Cermak abstained).

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NO. 1030, AN ORDINANCE ADOPTING THE *INTERNATIONAL PROPERTY MAINTENANCE CODE 2003* IN ITS ENTIRETY AND ENACTING ORDINANCE NO. ____ ADOPTING THE *INTERNATIONAL PROPERTY MAINTENANCE CODE 2012*, AS AMENDED HEREAFTER FROM TIME TO TIME TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE, AND THE PENALTY PROVISIONS FOR VIOLATIONS OF SAID ORDINANCE.

Complete copy on file at Borough Hall.

PROPOSED MODIFICATION TO PARK RULES AND REGULATIONS RE: PROHIBITING SMOKING: Councilman Driscoll commented that, several weeks ago, a program through the Penn State Extension Office to encourage communities to prohibit smoking in the parks was presented to the Recreation Board. The Recreation Board endorsed the program and their recommendation for approval was brought to Council. He continues to feel that it is a good concept, but he received numerous negative comments and made a motion to table the matter. Councilman Newcomer seconded. Mr. Hamberger also noted that the Memorial Park Board discussed the matter and was not in favor of it. Discussion followed regarding designating an area of the park for smoking, but it seemed

to be the consensus of Council to table the matter. A vote was called and the motion passed unanimously.

NEW BUSINESS

REQUEST FOR SPECIAL USE OF NORTHSIDE POOL: Jason Cohen presented a request from a Senior High School sports marketing and management class to hold a Splash Hop at Northside Pool on 06/02 from 7-12 p.m. The request is being presented to Council because pool rentals typically end at 10 p.m. A DJ will be present at the event, and they are aware that the music must cease at 10 p.m. It was noted that they will be paying the typical rental fee (actually a double fee for the extended hours), and all the Borough's incurred costs will be covered.

Various issues were discussed including staffing, security/chaperones, curfew hours, if an adult is required to execute the rental agreement, pool capacity, etc. Mr. Cohen added that the Recreation Board recommended approval of the request. Additional discussion ensued and it was suggested that the matter be tabled until more information can be obtained. It was finally clarified that this event is identical to any other rental typically held at the pool ... with the exception of the fact that the rental hours will be extended from 10 p.m. to 12 midnight.

Councilman Newcomer then made a motion to approve the request to allow the rental until 12 midnight, provided that an adult execute the rental contract. Councilman Cermak seconded; the motion passed unanimously.

SECURITY CAMERA AT MEMORIAL PARK: Mr. Cohen explained that, in response to vandalism which occurred recently at Memorial Park, an individual approached the Recreation Board with an offer to donate a video surveillance and monitoring system near the memorial area at Memorial Park. The donor will cover the entire cost of the camera, installation and monitoring/recording equipment. He noted that the Recreation Board, as well as the Memorial Park Board, has recommended approval. The only potential cost to the Borough is the cost of renting a "ditch witch" (\$100-\$150), which would be required for installation of wiring for the equipment. Councilman Driscoll made a motion to proceed with the proposal. Councilman Newcomer seconded. Mr. Cohen also noted concern by the Solicitor that signage may be required to notify the public that the property is under video surveillance. The motion then passed unanimously.

PENN NATIONAL INSURANCE SAFETY GRANT: Assistant Manager Cohen advised that the Borough received notification from Penn National Insurance of a matching funds grant approval for various safety training and equipment needed throughout the Borough's departments. Council was provided with information regarding the specific equipment and costs involved. He and Mr. Hamberger are in support of the Safety Committee's request to proceed. Councilman Greenawalt made a motion to approve the proposed costs of approximately \$2,399 for the Borough's portion of the grant. Councilman Cermak seconded; the motion passed unanimously.

REQUEST TO HOLD "PICNIC IN THE PARK" (WAYNESBORO CHURCH OF THE BRETHREN): Jason Cohen described a request presented to the Recreation Board by the Church of the Brethren to hold a community-oriented event at Memorial Park on 08/11 from 2-6 p.m. The event will consist of free food and music; and the Recreation Board recommended approval of the request, provided that no equipment be permitted to be placed on the flagstone at the memorial area. They have offered to provide a generator for their own electricity, as well as porta-potties to accommodate the crowd. The staff recommends prohibiting the use of porta-potties, however. Councilman Greenawalt made a motion to grant approval for the event. Councilman Driscoll seconded; the motion passed unanimously.

REQUEST FROM FAITH UNITED METHODIST CHURCH: President Stains reported that the Faith United Methodist Church has requested to hold an Easter Egg Hunt at Northside Park on 04/07 at

1:00 p.m. They noted that their “safe sanctuary children’s ministry policy” will be in place during the event. Councilman Greenawalt made a motion to approve the request. Councilman Driscoll seconded. It was clarified that the church’s safe sanctuary children’s ministry policy provides for adult supervision of the young children involved. The motion then passed unanimously.

COMMUNITY MOVIE NIGHT AT ROTARY PARK (JUNE 12): Councilman Driscoll mentioned that he would like to sponsor three (3) community movie nights – in June at the Rotary Park, in July at Northside Park (in conjunction with WaynesboroFest’s plans for a pool party) and in August at Memorial Park (in conjunction with the Police Department’s National Night Out event). After discussion regarding noise issues at Northside Pool, he stated concern about the movies (as they can’t begin until dark and won’t be over until after 10 p.m.) Mr. Hamberger explained that the volume and noise from a movie is not the same type of rhythmic thumping/bumping as from a DJ. Council indicated there should be no problems with these type of events. Mr. Driscoll noted he will present additional details to Council for approval at the next meeting.

“RACE FOR EDUCATION” EVENT - ST. ANDREW SCHOOL (APRIL 27): Mr. Cohen presented the annual request from St. Andrew School to hold their “Race for Education” at Rotary Park on 04/27. Councilman Newcomer made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS:

Amos Miller, 309 W. Sixth Street - Mr. Miller suggested that, in the Personnel Committee’s search for a new Police Chief, they expand it beyond the boundaries of the Borough of Waynesboro (and perhaps to the Tri-State area, or further); and also, that the Mayor be a part of the process. He also commended the Street Committee for their position on the signs throughout the Borough.

FOR INFORMATION ONLY

CFCBA MEETING (APRIL 25, 2012): Mayor Starliper invited Council members to the upcoming Cumberland-Franklin Counties Boroughs Association (CFCBA) meeting to be held on 04/25 at the Mont Alto Fire Hall. The cost will be \$12 per person; and the speakers will be Representative Todd Rock and PSAB’s Deputy Executive Vice-President Jeff Heishman. RSVP’s should be forwarded to Melinda Knott.

TRINITY UNITED CHURCH OF CHRIST (PARKING LOT LEASE AGREEMENT): Mr. Cohen reported that the Trinity Church has returned an executed copy of the Parking Lot Lease Agreement, so the parking lot continues to be available for the use of patrons of downtown businesses in the Borough of Waynesboro. President Stains noted he received a request from Trinity Church that the Borough “hold off” on any work until after May 23rd (when the school year ends). Mr. Cohen noted that the request has been discussed and will be accommodated.

COUNCIL AND STAFF COMMENTS: Councilman Driscoll thanked Council for their support of the proposed Community Movie Nights and the Boy Scouts troop for their attendance.

Councilman Cermak explained his position on signs – if the Police Department and/or Engineering Department feel that a sign is needed for public safety or information, he supports the Borough bearing the costs for the sign. However, if an individual wants a sign at his/her driveway, etc., the Engineering Department’s “blessing” should be given, but the individual should be responsible for paying the cost of the sign. Mr. Cermak recognized the Boy Scouts and citizens for their attendance, encouraged residents to shop downtown Waynesboro, and thanked Chief Mark King for a job well done.

Denny Benshoff was welcomed back from surgery. He noted that he is currently working part-time.

Dan Sheffler reminded the public that yard sale signs are not permitted to be posted off-premises. He began removing signs earlier today; and noted that he notifies individuals of the violation if an address is provided on the sign. Mr. Sheffler added that he will also begin looking for weed violations throughout town.

Kevin Grubbs advised that he finally received approval for the rectangular rapid flashing beacon crosswalk lights; and he has begun working on the contract documents, including solicitations for MBE/WBE contractors.

Fire Chief Dave Martin reported that the Fire Department and Ambulance Squad volunteers began a joint fundraising venture several months ago. They hold weekly BINGO games every Saturday at 12:30 p.m.; and so far, the events have been very successful. He also thanked Chief King for his assistance the past several years.

Chief King thanked Council and the Borough's staff for their support over the last four (4) years.

Councilman Greenawalt thanked the Scouts for their attendance, and encouraged more young people to attend future Borough meetings. He also wished Chief King luck in his future endeavors.

Councilman Newcomer also recognized the Scouts for their attendance; and Chief King for his time and hard work over the past four (4) years. He noted that a lot of the work he did was "behind the scenes", but our Police Department will benefit and prosper from his efforts in the future. He added (jokingly) that he was the only Councilman who did not approve Mr. King's resignation.

Councilman Potts echoed comments to the Scouts and to Chief King.

Mayor Starliper thanked the Scouts for their attendance, and encouraged them to move forward on their path to Eagle award. He commented that he continues to request that PENNDOT post signs at the Borough's boundary lines to indicate that the speed limit is 25 mph unless otherwise posted. He also reminded contractors and homeowners to ensure that mowed grass is not blown into the streets or the storm drains.

President Stains also welcomed the Scouts and wished them luck in their scouting careers. He noted that Chief King has worked on some very memorable cases as a Detective and Police Chief, and he will be very missed.

Mr. Hamberger invited the Scouts to take part in tours of some of the Borough's facilities (i.e. Police Department, Fire Department, and Water and Sewer Treatment Plants). On a related matter, Councilman Greenawalt commented that work has begun on upgrades at the Sewer Plant. This is an approximately \$9 million project which will take 18-24 months to complete.

Having no further business to discuss, the meeting adjourned at 8:43 p.m. on a Greenawalt/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant