

MARCH 4, 2015
WAYNESBORO, PA 17268
WORKSHOP MEETING

Council President C. Harold Mumma called the workshop 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 – Jason Stains, Borough Manager
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)

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

PERSONNEL COMMITTEE: Councilman Cermak noted that he received a favorable performance evaluation for S. Leiter Pryor, however no action was required. He also received a favorable evaluation for Tom Brennan, and made a motion to approve a step increase for him to salary level 14C. Councilman Greenawalt seconded; the motion passed unanimously.

RESOLUTION RE: TRASH/RECYCLING REGULATIONS: Jason Stains noted that Resolution No. 91-12 was discussed at Council's last workshop – in particular, regarding residential trash containers being left at the curb or in the public right-of-way. Discussion followed regarding the fact that it is physically impossible to fit the containers between some of the residences downtown, and it was Council's consensus to make no changes to the current regulations.

EXECUTIVE SESSION: Council adjourned to executive session at 7:39 p.m. for the purpose of discussing litigation issues. They returned to regular session at 8:23 p.m.

*President Mumma informed the public that they may raise their hand if they wish to comment on any items during the meeting.

EMPLOYEE HANDBOOK: Mr. Stains noted that, following a review and revisions to the Employee Handbook by the Personnel Committee and Borough Solicitor, a lengthy discussion was held at Council's last workshop regarding the section regarding pay systems. He provided a detailed written explanation of the pay systems to be inserted into page 11 of the handbook, and Council members agreed that this was satisfactory.

Hours of operation for each Borough facility will be added to the Borough's website, and the definition for "spouse" conforming to Department of Labor regulations has been included in pertinent sections of the document. No major feedback has been received from Council, so he asked for discussion on the matter.

Councilman Potts presented the following questions/comments --

1. Page 8 - regarding Procedures for Making, Investigating, and Resolving Sexual Harassment Complaints. "In the event that a female employee would prefer to report a concern about sexual discrimination or harassment to a female, Melinda Knott (Borough Secretary) is designated as the proper person to receive such communications." Because that position may change in the future, he asked if it should just note "Borough Secretary" instead of the employee's name? Mr. Wisner commented that an employee needs to be named, as the Borough Secretary may be a male at some time in the future.

Mr. Stains added it is his intention that the Employee Handbook will be reviewed/updated every two (2) years.

2. Page 10 - regarding Motor Vehicle Record checks for new hires. It notes that an MVR will be deemed unacceptable (and an employee will not be allowed to drive a Borough vehicle) if they have "less than three (3) years of driving experience". Mr. Stains explained that this is a stipulation from the Borough's insurance company.
3. Page 20 - regarding Medical Certification for Family and Medical Leave Act (FMLA) Policy. The stipulation that a third health care provider can be selected, **at the Borough's expense** ... is listed in several sections throughout the handbook. These should all be consistent. This will be corrected.
4. The Borough's policy regarding the donation of sick leave should be included in the handbook. It will be noted that employees may be granted approval to donate sick leave to a co-worker in need, provided that the request is reviewed/approved by Council on a case-by-case basis.

President Mumma asked Council members if there were any other questions/comments. Hearing none, he asked if they would like to approve the Employee Handbook contingent upon the additions/corrections noted. It was suggested that the modifications be made and a final copy be presented to Council for approval at their meeting on 03/18.

DISCUSSION ON LIQUOR LICENSE RESOLUTION: Mr. Stains presented a resolution passed recently by the Borough of Chambersburg. With the discussion of privatizing the liquor system in the Commonwealth, he felt that it warranted discussion to determine if Council would like to pass a similar resolution. He explained that this resolution would be forwarded to the Pennsylvania State Association of Boroughs in support of State

legislation allowing Core Communities to host a new class of liquor license to increase economic development and to allow a public safety impact fee to be collected. This would permit such establishments like a “brew pub”, etc. within the Downtown Business District. Mr. Stains noted it is his understanding that Washington Township is also considering the adoption of such a resolution for their municipality.

Council was asked to consider the matter for discussion at their next meeting.

CORRESPONDENCE FROM CRAIG NEWCOMER RE: CANADIAN HEMLOCKS AT 117 W. THIRD STREET: President Mumma noted that this is not a Borough issue, as it has been forwarded to the Borough’s insurance company.

BOROUGH HALL’S OUTSIDE BATHROOMS: Jason Stains reported that the bathrooms outside of Borough Hall have continually been an issue over the past year, particularly after events are held downtown, as they are left in poor condition and require cleaning and/or repair. In addition, during the recent cold weather, the pipes froze and broke. Thought was given to utilizing one of the rooms as a storage area for outside tools and equipment, and utilizing the other as a unisex bathroom. However, if modifications are made, they would be required to conform to ADA standards and involve the removal of a wall, and adjustments to the fixtures, doors, plumbing and stall enclosures. Either way, this will cost money. He reported that on a typical daily basis, there are (at most) 2-3 individuals who utilize the restrooms; and when events/activities are held downtown, Mainstreet Waynesboro Inc. has porta-potties delivered. Councilman Greenawalt made a motion to close the public restrooms in the front of Borough Hall. Councilman Bader seconded; the motion passed unanimously.

APPROVE HIRING OF POOL CUSTODIAN: Mr. Stains recommended re-hiring Tina Rideout as Custodian at Northside Pool for the 2015 season. Councilman Cermak made a motion as such. Councilman Greenawalt seconded; the motion passed unanimously.

REQUEST FOR REDUCTION OF BOND (MARTIN’S FOOD STORE): Kevin Grubbs provided Council members with a request from J. C. Bar Properties Inc. to reduce the current bond amount for the Martin’s Food Store Project from \$1,963,005.74 to \$1,164,005.24. He and the Solicitor have verified the completed improvements listed in their request and are recommending approval. Councilman Greenawalt made a motion to grant the bond reduction, as requested. Councilman Cermak seconded; the motion passed unanimously.

PUBLIC COMMENTS:

Ronnie Martin, 66 State Hill Road - Mr. Martin noted that he has requested Council’s consideration in the past for an ordinance to allow any inspection company (or any licensed inspector) to operate in the Borough of Waynesboro. He feels that, since the developer is paying for the inspection, he should have the right to choose the company to do the work; He added that having only one (1) inspection company is a disservice

and a restraint of free trade.

Ben and Wayne Driscoll - President Mumma recognized and welcomed former Councilman Wayne Driscoll and his son, Ben, who was in attendance for his ninth grade Civics class.

PRESS QUESTIONS/COMMENTS: None.

COUNCIL AND STAFF COMMENTS: Mr. Stains reminded Council to RSVP for any of the upcoming they plan to attend --

1. FCADC breakfast meeting on 03/12 at 7:15 a.m.
2. Ribbon-cutting/champagne & chocolate tasting at Schier's Furniture Lifestyles on 03/06 at 4:00 p.m.
3. Ribbon-cutting and open house at Representative Paul Schemel's District Office on 03/19 from 1:00 to 4:00 p.m.

Mr. Stains advised that, in anticipation of the upcoming snow, Waste Management will be closed the following day and no trash/recyclables will be collected. Curbside collection for the remainder of the week will be delayed by one (1) day.

Mr. Stains reminded Council that they will need to start choosing dates to review the proposed new Zoning and Subdivision/Land Development Ordinances.

Councilman Bader announced that the forecast calls for snowfall in the amount of 6-12", beginning in this area at 1:00 a.m. Following the snow, the Department of Emergency Services is advising of the potential for flooding due to the forecast warming trend. Mayor Starliper also advised that the Emergency Snow Plan will be in effect from 03/05 at 2:00 a.m. until 12:00 noon. (As a reminder, that includes Main Street between Clayton Avenue and Fairview Avenue, and Potomac Street between Main Street and Second Street.)

Councilman Bader added that he recently attended an informational meeting on "Dealing with Tornadoes" at the Department of Emergency Services.

Councilman Cermak reported on a training session he attended recently at the State Ethics Commission. He was surprised to learn that they (the Ethics Commission) are not concerned with "ethics", but with "money". He gave examples that they are not concerned if a Councilman sexually harasses an employee or threatens an employee's job. Mr. Cermak also reported that complaints have been filed against him ... and he learned that individuals filing false complaints (after investigation) can be fined \$250.

Scott Hershberger (Mainstreet Waynesboro, Inc.) reported that the 9th Annual Chocolate Extravaganza will be held on 03/06 at the Waynesboro Country Club. A few tickets remain.

Councilman Greenawalt asked the status regarding repair of the Fire Department's Tower. Mr. Stains advised that the adjuster visited on 03/03, but his determination has not yet been received.

On a related matter, Mr. Stains advised that he has contacted the insurance company regarding the wall in front of Borough Hall several times, but has received no response. His last message to them was that there is no record or recollection of that wall ever having been repaired. Discussion followed regarding the condition of the planter, and that will be pursued further when the weather improves. Mr. Stains noted that he has been told there is a plaque at the base of the flagpole dedicated to Korean War veterans, which should be exposed when any repair or improvement is made.

Councilman Oldham thanked the public for their attendance.

Councilman Potts noted that Council members received Street Committee minutes from the last meeting in their packets. He advised that there will be several items which require voting at the next Council meeting.

Councilman Potts announced that he will not be seeking re-election as a Councilman in the upcoming election.

Mayor Starliper noted he has been advised that the Christ United Methodist Church will hold a brief Good Friday service in Center Square this year. He will advise them of requirements with regard to the public right-of-way.

Darwyn Benedict, a member of the public, suggested that Council hold a public input session (prior to the public hearing process) to discuss changes being made to the Zoning and Subdivision/Land Development Ordinances. President Mumma stated that the Planning Commission has held many meetings regarding these documents over the past two (2) years, with very minimal input being offered by the public. Mr. Benedict noted that the documents have only been on public display for a little over a week now, and this may give the public a better opportunity to read and comprehend the changes being proposed. He added that the Planning Commission agendas are not on the Borough's website, and the public may or may not have known that these were being discussed. President Mumma instructed the staff to ensure that the Planning Commission agendas are posted from now on.

Having no further business to discuss, the meeting adjourned at 9:08 p.m. on a Greenawalt/Oldham motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary