

MARCH 18, 2015  
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 – Jason Stains, Borough Manager  
Denny Benshoff, Maintenance Superintendent  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
Jason Kelso, Borough Solicitor (Salzmann Hughes, PC)  
Jim Sourbier, Police Chief  
Shawn Adolini, Fire Chief  
Jody Sanders, Deputy Fire Chief  
John Beck, Jr., Assistant Fire Chief

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

**WELCOME TO VISITING “FLAT BEN”:** President Mumma introduced “Flat Ben”, Franklin County’s ambassador from the Franklin County Visitors Bureau. Flat Ben resembles the historic figure Benjamin Franklin and was designed to help visitors get to know Franklin County better. He is modeled after Flat Stanley, a book character from the early 1960's who travels around and documents his exploits. Mr. Mumma welcomed Flat Ben and asked Council members to stay after the meeting to have a group picture taken with him.

**EXECUTIVE SESSION:** Council adjourned to executive session at 7:32 p.m. to discuss personnel and litigation issues. They reconvened to regular session at 7:53 p.m.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Cermak noted that he will present three (3) items during the “voting” section of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** Councilman Potts reported that the Street Committee met on

02/25, and Council members have received copies of the minutes from that meeting. Several recommendations were made to Council, however no action will be taken on those at this time. He will also present one (1) item for voting later in the meeting.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report.

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

“On February 21<sup>st</sup>, the Chamber held its Annual Business Expo and also the Lions Club Pancake & Sausage Breakfast.

On February 24<sup>th</sup>, along with Manager Stains and Council President Mumma, I attended the CFCBA meeting in Shippensburg.

On February 28<sup>th</sup>, the Police Department was part of the Waynesboro Hospital's Health Fair. Thank you for participating.

On March 4<sup>th</sup>, as a member of the Waynesboro Beneficial Fund, I attended their board meeting.

On February 25<sup>th</sup>, I attended the Chamber's mixer at Buchanan Automotive.

On March 6<sup>th</sup>, I had the privilege of uniting in marriage at Red Run Park Monica Hege and Shane Hockenberry. We wish them the very best.

Also on the 6<sup>th</sup>, along with Council President Mumma, I attended the ribbon-cutting for Schier's Furniture Lifestyles Store.

On March 6<sup>th</sup>, Mainstreet's Chocolate Extravaganza was held. The Mainstreet Committee is to be congratulated.

On March 7<sup>th</sup>, along with Chief Sourbier, Fire Chief Adolini, Manager Stains, Council President Mumma and Councilman Bader, I attended the 2<sup>nd</sup> Annual Waynesboro Public Safety Awards Banquet. Thanks to all who helped to make it an enjoyable evening.

On March 12<sup>th</sup>, along with Manager Stains, I attended the FCADC Annual Breakfast meeting.

On March 12<sup>th</sup>, I attended the Chamber mixer at Cobblestone Hotel and Suites.

On March 17<sup>th</sup>, I had the privilege of uniting in marriage Elizabeth Stuckey and Joseph Bloom. We wish them the very best.  
On March 18<sup>th</sup>, along with Manager Stains, I attended the Franklin County Council of Governments meeting in Chambersburg.”

Mayor Starliper also provided a list of events that the Waynesboro Fire Police has approved to assist with, as follows:

- 04/04/2015 Egg Hunt at Renfrew (Brothers of the Brush)
- 05/24/2015 YMCA Triathlon Event
- 05/25/2015 Memorial Day Parade
- 07/04/2015 Jubilee Events to include kids' one-mile fun run, Firecracker 5K, parade and fireworks
- 09/12/2015 Mad Anthony Half-Marathon

**SOLICITOR'S REPORT:** No report.

**PUBLIC COMMENT - ITEMS ON AGENDA:** None.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Cermak made a motion to re-appoint Virginia Ingels to a full term on the Shade Tree Commission; said term will expire on 03/04/2020. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to hire Elliott Bonner as a Summer Maintenance Worker with the Borough's Maintenance Department. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to hire Shade Smith as a Summer Maintenance Worker with the Borough's Maintenance Department also. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Potts made a motion to affirm the removal of a handicapped parking space at 234 Philadelphia Avenue, as it is no longer needed at this location. Councilman Oldham seconded; the motion passed unanimously.

**CONSIDER APPROVAL OF CONSENT AGENDA:** Councilman Greenawalt made a motion to approve the Consent Agenda, as presented. Councilman Bader seconded; the motion passed 5-0 (Councilman Cermak abstained).

**RESOLUTION FOR**  
**COUNCIL MEETING OF MARCH 18, 2015**  
**“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 - February 18, 2015 (regular meeting) and March 4, 2015 (workshop)
2. Accept reports of the Code Enforcement Officer and Fire Chief - February, 2015
3. Pay Bills - Voucher List dated 02/25 and 03/10 (and any others following preparation of this agenda)

**Previously Discussed:** N/A.

## **UNFINISHED BUSINESS**

**EMPLOYEE HANDBOOK:** Mr. Stains noted that work has been done to update the 1999 version of the Employee Handbook. Council discussed the document at their last workshop and corrections were made per their request. The final copy is before Council now for final approval. Councilman Cermak made a motion for approval. Councilman Potts seconded.

Councilman Bader opened discussion regarding the pay systems as outlined on page 11. He and Councilman Oldham voiced concern regarding locking future Councils into the 2% step increase outlined (which is the current policy). President Mumma noted that this issue was discussed previously, a clarification of the policy was agreed upon by Council, and the final document has been prepared for final approval. After further discussion on the matter, he asked for a vote. Voting in favor – Councilmen Potts, Mumma and Cermak; voting in opposition – Councilmen Greenawalt, Oldham and Bader. The Mayor was asked to cast his vote to break the 3-3 tie – he voted in favor; the motion passed.

**LIQUOR LICENSE RESOLUTION:** Mr. Stains noted that this matter was discussed at Council's last workshop when he presented a copy of Chambersburg's resolution to create a Core Communities Liquor License; and he has changed the wording of their resolution to pertain to Waynesboro.

Mr. Stains explained that this resolution would urge the Pennsylvania State Association of Boroughs to support the passage of State legislation to create a Core Communities Liquor License in conjunction with the privatization of State liquor stores. If approved, this would include the establishment of a new class of liquor license (the Core Communities Liquor License) with new rules and a new distribution of the fees from such

licenses. He reviewed the advantages to a municipality of such a liquor license, including revenue to be earmarked for police and fire emergency service budgets. He added that Washington Township is also discussing such a resolution.

Councilman Cermak made a motion to approve the resolution, as presented. Hearing no second, however, the motion died.

**LEASE AGREEMENT WITH WAYNESBORO YOUTH LEAGUE FOR MEMORIAL PARK BALLFIELDS:**

Mr. Stains noted that Council previously discussed the Waynesboro Youth League's interest in leasing the little league and softball fields at Memorial Park, and a signed document has been received. The WYL will provide maintenance/mowing of the fields; and they will have access to the concession stand (but must follow all PA food regulations). They are currently working on installation of a scoreboard provided by Giant Foods, and are hoping to improve fencing around the little league field.

Councilman Bader made a motion for approval of the Lease Agreement, as presented. Councilman Cermak seconded. Discussion ensued, and Denny Benshoff was instructed to replace the removable fence section at the major league field as soon as possible. The motion then passed unanimously.

**NEW BUSINESS**

**SPECIAL PRESENTATION:** Daryl Burns, Captain of the Waynesboro Fire Police Association, presented Councilman Benjamin Greenawalt with a gold badge for his years of service with their organization.

**FIRE POLICE VEHICLE:** Mr. Stains noted that, pursuant to the donation of a 2004 Dodge Caravan to the Waynesboro Fire Police in December, Council decided to insure the van and the Fire Police would be responsible for maintenance costs. The Fire Police, however, are requesting that Council consider covering routine maintenance costs as well.

Discussion followed regarding funding sources for the Fire Police, which are mainly donations received for services provided; and they have purchased various safety equipment (signs, cones, etc.) with these funds. Fire Chief Adolini commented that this vehicle will benefit the Borough, as it will be utilized during special events in the community. Councilman Cermak made a motion to bear the costs for maintenance (tires, oil, inspection and upkeep items) of the 2004 Dodge Caravan, up to \$500/year. Additional costs should be approved by Council. Councilman Greenawalt seconded; the motion passed unanimously.

**MAINSTREET WAYNESBORO, INC. QUARTERLY ALLOCATION:** Mr. Stains noted that, in accordance with their agreement, the Borough pays a quarterly allocation (as budgeted) to Mainstreet Waynesboro, Inc. in the amount of \$1,875. Scott Hershberger has brought to his attention, however, that a payment was missed in 2013. This error

has been documented, and Mr. Stains asked for direction from Council since they have already budgeted for four (4) quarterly payments to be made this year. Councilman Bader made a motion to pay the missed payment (\$1,875) retroactively. Councilman Cermak seconded; the motion passed unanimously.

**REQUEST FROM ST. ANDREW SCHOOL TO HOLD “RACE FOR EDUCATION” AT MEMORIAL PARK (MAY 15<sup>TH</sup> FROM 9:30 ALM. TO 1:00 P.M.):** Mr. Stains presented a request from St. Andrew School for this annual event to be held on 05/15, from 9:30 a.m. to 1:00 p.m., at Memorial Park. They anticipate the participation of approximately 122 children, kindergarten thru sixth grade. A rain date of 05/22 has also been scheduled. Mr. Stains noted that, even though the Borough doesn’t reserve the park, St. Andrew School is looking for acknowledgment of the event and their use of the pavilion. Councilman Greenawalt made a motion to approve the request. Councilman Oldham seconded; the motion passed unanimously.

**HOURS OF OPERATION AT BOROUGH PARKS:** Mr. Stains noted it was brought to his attention that the signs indicating hours of operation at the various parks are inconsistent. The “Park Rules and Regulations” state that all parks will close at 10:00 p.m. unless a special event has been approved by Council. He stated that the signs should be consistent and asked for Council’s direction.

After discussion and various ambiguous wordings, it was suggested that all park areas be closed from one-half hour after Sunset as defined by the U.S. Weather Bureau for the Waynesboro area to one-half hour prior to Sunrise as defined by the U.S. Weather Bureau for the Waynesboro area, except for special events and occasions approved by the Borough. Councilman Greenawalt made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

**REQUESTS FROM WAYNESBOROFEST:** Jason Stains presented several requests for activities from WaynesboroFest, as follows –

1. To Use Tennis Courts at Memorial Park for “Park Dance” (August 28<sup>th</sup> from 7:00 p.m. to 11:00 p.m.) – He noted that the Recreation Board has recommended approval, provided that the DJ set-up in the area closest to the little league field (for pedestrian safety due to holes in the surface of the tennis courts). Councilman Cermak made a motion to approve the request. Councilman Potts seconded; the motion passed unanimously.
2. To Hold Shirt-Tail Parade on Main Street on August 28-29th from 11:00 p.m. to 1:00 a.m. – Request withdrawn.
3. To Use Adult Baseball Field at Memorial Park for “Old Timer Baseball Game” (August 29<sup>th</sup> from 11:00 a.m. to 5:00 p.m.) – He noted that the Recreation Board has recommended approval, and the Waynesboro Youth League is aware of this request. Councilman Bader made a motion to approve the event. Councilman Oldham seconded; the motion passed

unanimously.

**REPAIR OF “ACADEMY OF MUSIC” PLAQUE ABOVE POLICE DEPARTMENT ENTRANCE AT BOROUGH HALL:**

Mr. Stains advised that the Borough’s Safety Committee has pointed out that the “Academy of Music” memorial stone directly above the door at the Police Department’s front entrance is coming loose. A masonry contractor (Tolbert) has confirmed the need for repair and submitted an estimate of \$1,250. He also submitted an alternate bid to repair the damaged section of the wall in front of Borough Hall, however Mr. Stains suggested that matter be tabled until a response has been received from the responsible party’s insurance carrier. Councilman Greenawalt made a motion to approve the quote for repair of the loose plaque above the Police Department’s front entrance, as referenced by Manager Stains. Councilman Cermak seconded; the motion passed unanimously.

**PUBLIC COMMENT - NON-AGENDA ITEMS:**

Andy Moats, 730 Ringgold Street - Mr. Moats noted that he came before Council six (6) months ago regarding concern (i.e. smell, noise, etc.) about a neighbor who has 25 dogs. At that time, Council seemed sympathetic to his situation; and he returned three (3) months later to see what progress had been made. To date, however, he sees no movement on changing the existing ordinance that would limit the number of dogs a homeowner can own or dealing with the noise of barking dogs.

President Mumma asked if there are any limitations in the proposed new Zoning Ordinance which would deal with dogs. Kevin Grubbs stated that it mostly addresses farm animals; but it was mentioned that dogs would be addressed by a stand-alone ordinance. Discussion followed regarding other municipalities’ ordinances/limitations, and Dan Sheffler was requested to obtain copies of their current ordinances. Solicitor Kelso added that a “tighter” ordinance can be developed, but most municipalities feel that the Dog Warden and State laws “have more teeth”.

Daryl Groft, another neighbor in the vicinity – Mr. Groft commented that a petition containing 52 signatures of people from the neighborhood was presented to Council several months ago; and he asked, “doesn’t that mean anything?”

Discussion ensued regarding modification of the Borough’s current “Barking Dog Ordinance” to increase the fines for violation. This, along with other municipalities’ ordinances, will be reviewed by the staff for discussion at Council’s next meeting. Mr. Stains was instructed to keep Mr. Moats informed of progress on this matter.

**FOR INFORMATION ONLY:** Mr. Stains reminded Council members of the upcoming ribbon-cutting ceremony at Representative Paul Schemel’s office on 03/19 at 1:00 p.m.

**PRESS QUESTIONS/COMMENTS:**

Dustin Haluska, Record Herald

Question: Would anyone on Council care to go on record as to why the Liquor License Resolution died tonight?

- No one commented.

**COUNCIL AND STAFF COMMENTS:** Councilman Cermak thanked Andrew Moats for his comments.

Denny Benshoff reported that the Borough's "Spring Street Sweeping" will begin in April.

Scott Hershberger reported that Mainstreet Waynesboro, Inc.'s next downtown event will be a "Beer Festival" on 05/16 on Grove-Bowersox's private parking lot behind the Post Office.

Fire Chief Adolini reported that the Fire Department's first fundraiser (a meat drawing) will be held on 03/27 at the S. Potomac Street Fire Hall.

Police Chief Sourbier spoke in favor of the Franklin County Public Safety Training Center and in support of the per capita invoice they sent recently. President Mumma noted that it was discussed at a previous meeting when Chief Sourbier was not in attendance, and Council had tabled the matter until they could hear his opinion on the benefit of contributing. Accordingly, Councilman Greenawalt made a motion to approve payment of the per capita contribution to the Franklin County Public Safety Training Center. Councilman Cermak seconded; the motion passed unanimously.

To preclude any confusion and/or curiosity on the matter, Chief Sourbier also stated that the Police Department paid for their recent banquet and no tax dollars were utilized.

Councilman Greenawalt thanked the Fire Police for his badge, noting he will cherish and remember the years he spent with their organization.

Councilman Oldham thanked the public for their attendance. He also requested residents' cooperation in sweeping stones from their sidewalks into the streets for the upcoming street sweeping.

Councilman Potts noted that the next Street Committee meeting will be held on 03/25 at 9:00 a.m. He also commended the Borough's maintenance crew for a "job well done" with keeping the streets clear of snow/ice this winter.

Borough Manager Stains noted that Council had budgeted for the first payment (of many) on a new street sweeper. He was contacted recently by the company it is being purchased from – the street sweeper should be to their facility in mid-April. He added that staff is in the final stages of setting up the project through the Liquid Fuels Fund with PENNDOT, and the project should be moving forward in the near future.

President Mumma thanked for the public for their attendance.

Having no further business to conduct, the meeting adjourned at 9:04 p.m. on a Greenawalt/Oldham motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Borough Secretary