

APRIL 15, 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
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)

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

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 noted that the next Street Committee meeting will be held on 04/22 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report.

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

“On March 19th, I attended the Open House of State Representative Paul Schemel.

On March 20th, I had the privilege of uniting in marriage Lori Reeder and Daryl Gunder in the snow storm at Renfrew. We wish the Gunders the

very best.

On March 25th, I attended the Board of Directors meeting of Horizon Goodwill Industries.

On April 4th, I had the privilege of uniting in marriage, at Red Run Park, Sean Seymour and Amanda Griffin. We wish the Seymours the very best.

On April 9th, I attended the Chamber's mixer at the L. T. Rush Stone and Fireplace facility.

I would hope that you had the opportunity to attend the Cancer Auction on April 11th at Green Grove Gardens.

On April 12th, I attended the Alexander Hamilton Library's Open House with Manager Stains and Councilmen Cermak and Bader.

On April 14th, along with Manager Stains, I attended the Waynesboro Fire Police meeting.

On April 15th, I attended Mainstreet's annual meeting at the Parlor House, along with Manager Stains."

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

- 05/09/2015 Mercersburg SpringFest
- 05/16/2015 Hooverville Elementary's Annual Yard Sale
- 05/23-26/2015 Old German Baptist Brethren Church's Annual Conference in Chambersburg
- 09/26-27/2015 Fairfield's Pippinfest

SOLICITOR'S REPORT: Mr. Wisner noted that he has numerous items to discuss during an executive session.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Based on recommendation of the Fire Chief, Councilman Cermak made a motion to hire the following individuals as part-time relief firefighters, at the rate of \$10.00/hour. Councilman Greenawalt seconded; the motion passed unanimously. Those hired were:

- Joel Oyler
- Jeffrey Rowe
- Brian Starliper

- Trayer Stoops
- Gerald Smith
- Tyler Myers
- Eric Patterson
- Robert Doverspike
- Neil Stover
- Nathan Biesecker
- Gary Summers
- Brandon Kaas
- Robert Atkinson
- Levi Biesecker
- Christopher Daywalt

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

Councilman Cermak made a motion also to hire Brad Rock as a Summer Maintenance Worker with the Maintenance Department. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to hire pool personnel who are returning from last year. Mr. Stains commented that the Pool Manager will conduct interviews with new personnel and will have recommendations for additional hires at Council's May workshop. He noted that all employment paperwork (including certifications and work permits) will need to be in place prior to them performing any type of work, adding that a "Sneak Preview Opening" is being planned for the evening of 05/22. Councilman Greenawalt seconded; the motion passed unanimously. Those hired were:

Lifeguards

Charles Cooley
 Cody Frey
 Courtenay Lesniak
 Josh Heebner
 Claire Koons
 Tim Ingram
 Chris Payne
 Ben Heebner
 Kyle Dinterman
 Cassidy Brandes
 Clay Heebner
 Jacob Minnich

Cashiers

Isabelle Painter
 Joey Shank

Connor Weibley
Chris Ramsey

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 APRIL 15, 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 - March 18, 2015 (regular meeting) and April 1, 2015 (workshop)
2. Accept reports of the Code Enforcement Officer and Fire Chief - March, 2015
3. Pay Bills - Voucher Lists dated 03/30 and 04/10 (and any others following preparation of this agenda)

Previously Discussed: N/A.

UNFINISHED BUSINESS

FORMAL SUBMISSION OF ZONING ORDINANCE AND SUBDIVISION/LAND DEVELOPMENT ORDINANCE TO WAYNESBORO PLANNING COMMISSION, FRANKLIN COUNTY PLANNING COMMISSION AND WASHINGTON TOWNSHIP FOR FINAL REVIEW: Following Borough Council's informal review of proposed amendments to the Zoning Ordinance and Subdivision/Land Development Ordinance, Mr. Grubbs requested Council's formal submission of the documents to the Planning Commission for final review at their 05/11 meeting which begins at 7:30 p.m.. Councilman Bader made a motion as such. Councilman Cermak seconded; the motion passed unanimously.

NEW BUSINESS

LIBRARY INFORMATION PRESENTATION: Members of the Library's Board of Trustees (Marie Lanser-Beck, Barbara Gaydick and Andrea Bowersox) were in

attendance to give a presentation regarding the Library's newly-expanded facilities and services.

RECOMMENDATIONS FOR REAPPOINTMENTS TO RENFREW COMMITTEE, INC.:

Councilman Cermak made a motion to reappoint the following members to the Renfrew Committee, Inc. (RCI) Board:

- Representing M & T Bank – George Buckey, Alice McCleaf and Greg White
- Representing the Borough of Waynesboro – Allison Kohler, David Hykes, A.J. Benshoff and Connie Huet

Councilman Potts seconded; the motion passed unanimously.

RESOLUTION DISPOSING OF STORED DOCUMENTS: Manager Stains presented proposed Resolution No. 2015-04 regarding the disposal of administrative, legal and financial records. Councilman Greenawalt made a motion to approve Resolution No. 2015-04, as presented. Councilman Oldham seconded; the motion passed unanimously.

RESOLUTION NO. 2015-04

A RESOLUTION OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING THE ADMINISTRATIVE STAFF TO DESTROY AND DISPOSE OF ADMINISTRATIVE, LEGAL AND FINANCIAL RECORDS IN ACCORDANCE WITH PENNSYLVANIA LAW REGARDING THE DISPOSAL OF UNCLAIMED PROPERTY

Complete copy on file at Borough Hall.

CREATION OF MAINTENANCE POSITION AT WASTEWATER TREATMENT PLANT:

Mr. Stains noted that Waynesboro Borough Authority Chairman Jon Fleagle and Director of Utilities S. Leiter Pryor are present to discuss this matter with Council in executive session at the end of the meeting.

LOAN OF BOROUGH HALL CLOCK WORKS TO DAVE GEORGE'S MUSEUM:

Mr. Stains noted that the original clock works for Borough Hall has been on display in the lobby for many years, however the Borough's Safety Committee has recommended it be moved to another location because of safety concerns with the working gears, etc. He has discussed loaning the item to Waynesboro's Industrial Museum, however they are unable to house it because of its weight. Dave George has an extensive collection of historical Waynesboro (and other) items at his property on E. Sixth Street, and would be willing to display the clock works there. Should Council be agreeable, the Solicitor will draft an agreement that the clock works will be on loan to Mr. George for public viewing in his museum. Councilman Greenawalt made a motion to approve relocation of the clock works as discussed by the Borough Manager. Councilman Bader seconded; the

motion passed unanimously.

PLANNING COMMISSION ITEMS: Kevin Grubbs noted that Council approved the land development plans for improvements to the WASHS football field and resurfacing of their track at the 02/18 Council meeting, conditional upon several requirements. Mr. Grubbs advised that those requirements have all been met, and he requested Council's authorization for execution of the developer's agreement and Stormwater Management Operations and Maintenance Agreement, and to proceed with issuing the land use permit. Councilman Cermak made a motion for approval as such. Councilman Greenawalt seconded; the motion passed unanimously.

UPDATE ON PARKING METER INSPECTION AND CALLIBRATION: Mr. Grubbs reported that several members of the staff have been certified and inspections of the parking meters will take place in the very near future. The meters must be numbered for the inspection program, which will cost \$90.00/100 (or a total of \$180.00); and he asked for Council's approval of this expense. Councilman Bader made a motion for approval. Councilman Potts seconded; the motion passed unanimously.

DOG BARKING ORDINANCE: Mr. Stains noted that this matter was discussed briefly by Council at their last workshop meeting, input was received from residents living in the vicinity of the subject home on S. Church Street which houses 25 dogs, and the Police Department has cited the owners numerous times for dog barking complaints. He and Code Enforcement Officer Dan Sheffler have reviewed the penalties contained in the current ordinance, and are recommending the following:

- First offense would be a warning from the Police Department;
- For a second and subsequent offense, any person violating the provisions of the ordinance shall be subject to arrest and shall be guilty of a summary offense and shall, upon conviction thereof, be fined not less than \$75.00 for the first offense, \$125.00 for the second offense, \$175.00 for the third offense, increasing by \$50.00 for each subsequent offense but not-to-exceed more than \$300.00 per additional offense or, in lieu of payment of this fine and cost of prosecution, be imprisoned for not more than 30 days.

Mr. Stains added that the number of dogs permitted at a residence would be dealt with separately as a zoning matter; and he recommended a maximum of four (4).

Several neighbors spoke regarding the fact that dog waste is not cleaned up, but covered over with straw. They noted concern regarding rodents this draws to the location and neighboring properties. Solicitor Wiser recommended that the staff and Solicitor be tasked with addressing the situation and reporting back to Council, as appropriate. Council concurred.

Councilman Greenawalt then made a motion to authorize advertisement of the proposed ordinance for Council's consideration. Councilman Bader seconded; the motion passed

unanimously.

POOL TICKETS FOR EMPLOYEES: Mr. Stains noted that Borough Council approved the issuance of two (2) daily admission tickets per month to all Borough employees last year, and he asked if they would be willing to do the same this year. Councilman Cermak made a motion for discussion. Councilman Bader seconded. Discussion followed regarding the potential cost and Councilmen Cermak and Hader withdrew their motion. Councilman Greenawalt then made a motion to continue the practice of giving two (2) tickets per month (during May, June and July) to all employees until further notice. Councilman Bader seconded; the motion passed unanimously.

RELIEF DRIVERS' HOURLY RATE: Mr. Stains noted that discussion was held during 2015 budget deliberations regarding increasing the relief drivers' hourly rate to \$10.00/hour, however he could find no formal direction to begin doing so. Councilman Cermak made a motion to increase the relief drivers' hourly rate to \$10.00/hour, effective immediately. Councilman Bader seconded; the motion passed unanimously.

TREE CITY, USA PROCLAMATION: Harry Morningstar was in attendance and accepted a Proclamation on behalf of the Shade Tree Commission, presented by Mayor Starliper, designating 04/15 as Arbor Day in the Borough of Waynesboro. Mr. Stains commended members of the Tree Commission for their service to the community, adding it is the second year that Waynesboro has been designated (thru their efforts) as a Tree City, USA.

GIS DATA SHARE AGREEMENT: Mr. Stains presented a proposed GIS Data Share Agreement with Franklin County for use by emergency services and municipalities throughout the County. Several staff members attended a mandatory training session for the system earlier this year, and he explained the type of information they will have access to. Councilman Greenawalt made a motion to authorize execution of the agreement, as presented. Councilman Bader seconded; the motion passed unanimously.

PRICE QUOTE FOR NEW STREET SWEEPER: Council members received a price quote from A & H Equipment of Harrisburg, PA for the purchase of a new Elgin Pelican street sweeper, as the current street sweeper is "nearing the end of its days". Their best price is \$212,092.25, the Costars discount will be \$9,147.25, trade-in for the old sweeper is \$20,000, and demo of the new sweeper will deduct another \$6,500 – the total price will be \$176,445.00.

Mr. Stains noted that the Local Government Unit Debt Act has many stipulations for financing in excess of \$125,000; and since only \$30,000 was budgeted from Liquid Fuels Funds, he reviewed the budget and suggested the following options for consideration:

- Utilize the \$30,000 budgeted for roof repairs on the garage at the rear of Borough Hall, as there is no way the roof can be repaired for that amount;

- Re-allocate \$30,000 from the Mt. Vernon Terrace Reserve Fund, as this is basically used as a capital reserve fund;
- Utilize the \$37,000 budgeted (or a portion thereof) for rehab of Engine 2-2, as the Volunteer Fire Department has not indicated they have the required matching funds available at this time to do the work. If this option is chosen, it is recommended that the amount taken be placed in the 2016 budget for Engine 2-2.

Councilman Cermak made a motion to take only \$16,000 from budgeted funds for Engine 2-2 for the sweeper. Councilman Potts seconded. Fire Chief Adolini commented that the remaining amount would suffice for this year, as the work can be done in steps. The motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS:

Darwyn Benedict, 47 W. Main Street - Mr. Benedict commented favorably on repair of the high manhole at Shire's Way and N. Church Street.

Mr. Benedict suggested that any future ordinance regarding animals prohibit them a certain distance from a property line.

Mr. Benedict clarified Council's approval of the timeline for amendments to the Zoning Ordinance and Subdivision/Land Development Ordinance and the Planning Commission's public meeting on 05/11 at 7:30 p.m. for final review of the proposed amendments. He noted there is an area in town that has been "substantially down-zoned", and he suggested that the affected businesses be contacted. Mr. Grubbs noted that public notice could not be given until Council formally submitted the amendments to the Planning Commission; and all areas being changed significantly will be contacted, in writing, to inform them of the proposed changes and meeting dates. Mr. Benedict commented in favor of property rights, and stated that the property owners should have been contacted while these changes were initially being considered.

Lawrence Cowden, Sixth/Potomac Street - Mr. Cowden expressed concern about personnel taking fire and police vehicles to lunch, the bank, etc. on a daily basis, as he feels this is a misuse of taxpayers' money. Mayor Starliper commented that these individuals are still on-duty when that is done; and many times, they have to leave their lunch to respond to a call. It is felt that having the vehicle on-hand provides a more immediate response to an emergency, and this practice is considered good public relations.

Mr. Cowden complained that his sidewalk was not repaired properly when the stormwater project on S. Potomac Street was completed. Kevin Grubbs stated that the concrete work was completed in accordance with PENNDOT and Borough specifications. Mr. Cowden also noted that the fire hydrant near his home has not been

in working order for several months. After further discussion, President Mumma stated the matter(s) will be reviewed.

Andrew Moats, S. Church Street - Mr. Moats thanked Council for taking the residents' concerns into consideration and for acting on adoption of a new ordinance regarding barking dogs.

FOR INFORMATION ONLY

REQUEST FOR COMMENTS RE: MOUNT VERNON TERRACE HOUSING DEVELOPMENT AT FAIRVIEW AVENUE AND W. EIGHTH STREET: Mr. Stains reported that the Pennsylvania Housing Finance Agency is providing a 30-day comment period regarding the Mount Vernon Terrace Development at Fairview Avenue and W. Eighth Street.

INVITATION TO FRANKLIN COUNTY DRUG TASK FORCE 2015 BREAKFAST (MAY 15, 2015 AT 7:30 A.M.): Council members received an invitation to attend the Franklin County Drug Task Force Annual Breakfast on 05/15 at 7:30 a.m. at the Rhodes Grove Camp & Conference Center. RSVP's are due by 05/08.

REMINDER OF CUMBERLAND-FRANKLIN COUNTY BOROUGH'S ASSOCIATION MEETING: Mr. Stains reminded Council of the upcoming CFCBA meeting on 04/30. RSVP's are due by 04/24.

BURNS HILL CEMETERY ASSOCIATION, INC.: Information has been provided to Council from the Burns Hill Cemetery Association regarding their Capital Improvements/Maintenance Campaign.

PRESS QUESTIONS/COMMENTS: None.

EXECUTIVE SESSION: Council adjourned to executive session at 9:00 p.m. for the purpose of discussing personnel and potential litigation matters with the Solicitor. They reconvened at 10:34 p.m.

COUNCIL TRAINING: Councilman Cermak made a motion to hire Jill Welsh from the firm of Barley Snyder to train Borough Council members on how to professionally interact with Borough staff. Councilman Bader seconded; the motion passed unanimously.

BUILDING AND GROUNDS MAINTENANCE WORKER (WWTP): Councilman Oldham made a motion to create and advertise for a Building and Grounds Maintenance Worker for the Wastewater Treatment Plant, at a salary level of 6A. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2015-05 RE: LIQUOR LICENSE: Councilman Cermak made a motion to approve Resolution No. 2015-05, as presented at a previous meeting.

Councilman Bader seconded; the motion passed 4-2 (Councilmen Oldham and Potts opposed).

Having no further business to discuss, Councilman Greenawalt made a motion to adjourn the meeting at 10:47 p.m. Councilman Oldham seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary