

AUGUST 19, 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, C. Harold Mumma, Hans Bader and Michael Cermak (Darrel Potts was absent)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager
Mike Benshoff, Maintenance Foreman
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wisner, Borough Solicitor (Salzmann Hughes, PC)
Jody Sanders, Deputy Fire Chief
Jim Sourbier, Police Chief

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

PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS: Mayor Starliper recognized Eagle Scout Richie Guilford for his donation of five (5) handicapped-accessible picnic tables at Memorial Park.

EXECUTIVE SESSION: Council adjourned to executive session at 7:32 p.m. to discuss pending litigation, personnel matters and real estate matters. They returned to regular session at 8:27 p.m.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cermak noted that he received a favorable performance evaluation for Denny Benshoff, however no action was required. He will also present four (4) items during the “voting section” later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Oldham noted that he will present two (2) items during the “voting section” also.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report.

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

“On July 16-19, I attended the PA State Mayors' Association conference in Bethlehem. Among the speakers were Governor Tom Wolf, State Representative Kate Harper, Richard Vilello (Executive Director of the Center for Local Government Services), Michael Levy (Chief of Computer Crimes, U.S. Attorney's Office) and Glenn Smith (Solicitor for the PSMA). Topics included Perspectives on Emergency Management, Legal Developments, Marketing our Boroughs and Governor Wolf's Budget.

On July 30th, along with Manager Stains and Councilman Greenawalt, I attended the ribbon-cutting for the new PA Wine and Spirits Store.

On July 31st, I attended a Breakfast at the American Legion, sponsored by Mainstreet in cooperation with the Appalachian Trail Community.

On August 3rd, along with Township Manager Christopher, I was invited to attend at Applebee's a recognition of the employees' effort in contributing to the Alex's Lemonade Stand in their effort to help fight children's cancer research. The employees raised over \$3,800 in one month.

On August 4th, the Police Department (with help from a lot of organizations) helped with the National Night out held every year throughout the U.S. Thanks especially to Kim Green for all of her help.

On August 11th, along with Chief Sourbier, I attended the Fire Police meeting. All upcoming events have been approved, with the exception of the WASHS Homecoming Parade.

On August 12th, along with Manager Stains, we were presented with five (5) new picnic tables at Memorial Park by Eagle Scout Candidate Richie Guilford, for his Eagle Scout Project. Scout Guilford is a member of Troop 97.

On August 15th, I had the privilege of uniting in marriage Leonardo Ryes and Ashley Young. We wish them the very best.

On August 18th, I attended the Franklin County Commissioners' meeting and later attended the Open House of Senator John Eichelberger.”

SOLICITOR'S REPORT: No report.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak made a motion to approve a step increase for Larry Freeman to salary level 10E. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to approve a step increase for Ray Wagaman to salary level 10E. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to re-appoint Jim Seilhamer as a member of the Fire Police. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to appoint Gerald Smith as a Fire Relief Driver. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Oldham made a motion to remove the handicapped parking spaces at 202 W. Second Street and 7A Penn Street, as they are no longer needed. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Oldham made a motion to authorize Kevin Grubbs to contact PENNDOT regarding the Street Committee's recommendation to prohibit left turns onto N. East Avenue from Main Street. Councilman Greenawalt seconded; the motion passed unanimously. Concerns were also noted regarding left turns *from* N. East Avenue onto Main Street. Mr. Grubbs advised that that was also discussed by the Street Committee at their meeting, and the Engineering Department will be conducting a traffic count in the area to determine the number of vehicles travelling in that direction.

PUBLIC COMMENTS – AGENDA ITEMS: None.

PUBLIC COMMENTS – NON-AGENDA ITEMS: None.

CONSENT AGENDA: The Consent Agenda was approved on a Greenawalt/Oldham motion which passed, with Councilman Cermak abstaining, as follows --

Award of Contracts: None.

Routine:

- (1) Approval of Minutes – July 15, 2015 (regular meeting)
- (2) Accept Reports of the Code Enforcement Officer, Police Chief and Fire Chief for the month of July, 2015
- (3) Pay Bills – Voucher List(s) dated 07/24 and 08/12

Previously Discussed Items: None.

UNFINISHED BUSINESS

CONSIDER “BARKING DOG ORDINANCE” AMENDMENT FOR ADOPTION: Jason Stains advised that the proposed ordinance, with the updated fine structure, has been

advertised for Council's consideration. Councilman Cermak made a motion to adopt the proposed ordinance, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

ORDINANCE NO.

BEING AN ORDINANCE AMENDING ORDINANCE NO. 997 REGULATING ANY PERSON WHO OWNS, POSSESSES, KEEPS IN THEIR CUSTODY, HARBORS OR CONTROLS A DOG OR OTHER ANIMAL THAT BARKS OR MAKES ANY NOISE TO THE DISTURBANCE, ANNOYANCE OR DISCOMFORT OF ANY PERSON, AND CONTINUES TO MAKE SUCH NOISE CONTINUOUSLY AND/OR INCESSANTLY SUCH AS TO CONSTITUTE A DISTURBANCE WITHIN THE BOROUGH OF WAYNESBORO, ESTABLISHING PENALTIES.

Complete copy on file at Borough Hall.

PUBLIC SERVICE ANNOUNCEMENT RE: FAIR HOUSING: To satisfy fair housing requirements for the CDBG program, Franklin County and the Boroughs of Chambersburg and Waynesboro would like to partner in airing a free public service announcement on WAYZ (a copy was provided to Council for their review). Councilman Cermak made a motion to approve the Borough's inclusion in the PSA. Councilman Oldham seconded; the motion passed unanimously.

COUNCIL TRAINING: Mr. Stains noted that Council had approved a training session for Council members in the spring, however it was postponed. He asked for direction from Council regarding rescheduling the training, as he has already received an invoice from Barley Snyder in the amount of \$750 for their preparation. Councilman Greenawalt made a motion to continue with the training at a date to be arranged in the near future. Councilman Bader seconded; the motion passed unanimously.

SCHEDULE PUBLIC HEARING FOR LIQUOR LICENSE TRANSFER FOR FRATERNAL ORDER OF EAGLES: Solicitor Wisner explained that a public hearing to receive comments is required in order to pursue the possibility of transferring a liquor license from Washington Township into the Borough in response to the FOE's request. Following the hearing, Council will need to approve a resolution to move forward. It was clarified that this is a use by right at the proposed location. Councilman Cermak made a motion to authorize the Borough Manager to schedule the public hearing as appropriate. Councilman Oldham seconded; the motion passed unanimously. *(The public hearing was since scheduled for September 16th at 7:00 p.m., prior to the next Council meeting.)*

NEW BUSINESS

PUBLIC HEARING RE: ORDAINING BRIMINGTON DEVELOPMENT STREETS: Mr. Wisner noted that, pursuant to an agreement, outstanding work in the Brimington

Development has been completed. Subsequently, the Borough will need to hold a public hearing on acceptance of the streets and execute the necessary Deeds of Dedication. The public hearing is a prerequisite to the Borough making that acceptance final ... under the Borough Code Section 1732, there is a process by which streets are opened and ordained. The second step then is to take action on the ordinances.

The public hearing was opened for comments at this time. Hearing no comments, the hearing was closed.

COUNCIL'S DECISION ON ACCEPTANCE OF BRIMINGTON DEVELOPMENT

STREETS: Mr. Wisner noted that Council can now take action on the proposed ordinance authorizing the acceptance and opening/ordination of the public streets completed in the Brimington Development. Councilman Bader made a motion to adopt the ordinance, as presented. Councilman Cermak seconded; the motion passed unanimously. Borough Manager Stains clarified that there is a 30-day waiting period for any objections to be raised.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, ACCEPTING DEDICATION OF WATERDALE DRIVE, EVANGELINE DRIVE, HOLLENGREEN DRIVE, A PORTION OF ABIGAIL AVENUE, AND A PORTION OF CREEKSIDE BOULEVARD IN THE BRIMINGTON FARM RESIDENTIAL DEVELOPMENT IN THE BOROUGH OF WAYNESBORO.

Complete copy on file at Borough Hall.

AUTHORIZE STAFF TO PREPARE RFP FOR OFFICIAL TREE TRIMMING SERVICES FOR THE BOROUGH OF WAYNESBORO:

Mr. Stains recommended that an RFP be prepared for official tree trimming services for the Borough, which would keep prices consistent and alleviate future questions regarding certifications for companies contracted to do tree work. Councilman Cermak made a motion to authorize the staff to prepare an RFP for Official Tree Trimming Services. Councilman Bader seconded; the motion passed unanimously.

PROPOSED MODIFICATIONS TO JOB DESCRIPTION AND MINIMUM STANDARDS FOR FIRE APPARATUS DRIVER POSITION:

Council members received a copy of proposed modifications to the job description and minimum standards for Fire Apparatus Drivers. Mr. Stains noted that the Civil Service Commission has met and approved the Fire Chief's request to add the requirement for future apparatus drivers to obtain EMT certification within two (2) years of being hired by the Borough. It was clarified that the current apparatus drivers would be "grandfathered", but the Borough would pay for their EMT certification if they wish to pursue it. Councilman Bader made a motion to approve the proposed modifications, as presented. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2015-12

WHEREAS, the Waynesboro Civil Service Commission and the Borough Council of the Borough of Waynesboro have adopted Regulations which enable the Borough Council to adopt Minimum Standards for Applicants to be Examined for the Fire Apparatus Drivers' Examination by Resolution, and

WHEREAS, Borough Council hereby wishes to establish minimum standards for the applicants to take the examination,

NOW, BE IT RESOLVED, that the Waynesboro Borough Council hereby establishes the following as Minimum Standards for Applicants to take the Fire Apparatus Drivers' Examination:

Complete copy on file at Borough Hall.

REQUEST TO HOLD HOMECOMING PARADE (WAYNESBORO AREA SENIOR HIGH SCHOOL): Mr. Stains presented a request from WASHS regarding their annual Homecoming Parade to be held on 10/02, beginning at 6:00 p.m., on E. Second Street from the Summitview parking lot west to the third entrance of the high school parking lot. Councilman Cermak made a motion to approve the request, contingent upon arrangements with the Mayor/Fire Police for appropriate traffic control. Councilman Greenawalt seconded; the motion passed unanimously.

REQUEST FROM CALVARY ASSEMBLY OF GOD TO CLOSE STREET FOR "LIGHT THE NIGHT" EVENT ON WAYNESBORO'S "TRICK OR TREAT" NIGHT: Mr. Stains presented a request from the Calvary Assembly of God to close Snider Avenue (from Potomac Street to the alley) from 5:00 p.m. until 8:30 p.m. for their "Light the Night" event to be held on Waynesboro's Trick-or-Treat Night. Mayor Starliper announced that Trick-or-Treat night in the Borough will be held on Thursday (10/22) from 6:00 p.m. to 8:00 p.m. Councilman Cermak then made a motion to approve the request. Councilman Bader seconded; the motion passed unanimously.

REQUEST FOR LETTER OF SUPPORT FOR PA RECREATION & PARK SOCIETY, INC.: Mr. Stains noted that the PA Recreation and Park Society, in conjunction with DCNR and Penn State University, are requesting support from municipalities throughout the state for a Plan for Community Park Maintenance. Their concern is that parks and recreation areas are increasingly neglected due to budget cuts, etc. Councilman Oldham made a motion to authorize a letter of support. Councilman Bader seconded; the motion passed unanimously.

AFFORDABLE CARE ACT COMPLIANCE SOFTWARE: This matter was deferred for discussion at a later date.

SURVEY AND RESEARCH ASSISTANT POSITION: A local student in his junior year at Shippensburg University (Nathanael Skroban) approached Mr. Stains regarding doing some work for the Borough relating to his field of study. Council members were provided with a proposed job description for a position of Survey and Research Assistant to be created. This individual would be doing activities for the CDBG program (including the ADA projects and income surveys mentioned at the hearing held prior to this meeting), developing a database (with the Code Enforcement Officer) of foreclosed/blighted properties, as well as other administrative duties which are time-intensive. Mr. Stains noted that the temporary, part-time position would be for approximately 20 hours/week at an hourly rate of \$9.00 (much of which can be paid by CDBG administrative funds). Councilman Bader made a motion to approve the job description for Survey and Research Assistant, as presented; and to hire Nathanael Skroban for the position. Councilman Greenawalt seconded; the motion passed unanimously.

DEVELOPMENT REQUESTS: Kevin Grubbs presented a request from Mainstreet Waynesboro, Inc. for a time extension to 01/29/2016 for the Downtown Park Land Development Plans. Councilman Bader made a motion for approval. Councilman Greenawalt seconded; the motion passed unanimously.

Kevin Grubbs presented a request from R. Lee Royer & Associates for a time extension to 01/06/2016 for the Robert & Margaret Frye Land Development Plans. Councilman Bader made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

Kevin Grubbs presented a request from the New Hope Shelter for a time extension for their Land Development Plan for ninety (90) days beginning on 08/27/2015. Councilman Bader made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

Kevin Grubbs presented a request from the ELA Group, Inc. for a Waiver of Preliminary Plan Application for the Waynesboro Middle School Additions & Alterations. Councilman Greenawalt made a motion for approval. Councilman Oldham seconded; the motion passed unanimously.

REPAIR OF DAMAGES TO BRICK STAMPED CROSSWALKS: Mr. Grubbs noted that repairs to the brick stamped crosswalks on Main Street were postponed from last year, but he asked how Council wishes to proceed. The estimated cost of repairing four (4) crosswalks will be \$3,700 to \$4,000; and the alternative of re-doing all the crosswalks would cost approximately \$10,000. Because of the continuing maintenance required, Mr. Grubbs recommended they remove the brick stamp and put in regular blacktop. Discussion followed regarding the use of colored blacktop. Mr. Grubbs was asked to provide Council with a price estimate on the difference between regular and colored blacktop on any or all of the crosswalks.

ALLOCATE TRANSFER OF FUNDS FROM PART-TIME POLICE FUND TO NEWLY-ESTABLISHED CONSTABLE FUND IN BUDGET:

Following an inquiry by several councilmen, Mr. Stains explained that constable fees have historically been paid from the Part-time Police Fund line item in the budget. To alleviate future confusion, it was suggested that a new line item be created for constable fees. As the 2015 budget has already been approved, Council will need to take action to transfer funds from the Part-time Police Line item to the newly-created Constable Fund. He recommended the amount of \$2,000. Councilman Greenawalt made a motion to approve the action outlined by the Borough Manager regarding the Constable Fund. Councilman Bader seconded, but requested that Chief Sourbier explain the use of constables to transport prisoners. Mr. Sourbier noted that constables are used by the WPD when there are only two (2) officers working, which allows them to remain in town. When there are multiple officers working, the WPD makes their own transports. A vote on the motion then passed, with Councilman Cermak abstaining.

FOR INFORMATION ONLY

NOTICE OF AWARD OF KEYSTONE COMMUNITIES/FACADE IMPROVEMENT

GRANT: Mr. Stains advised that he received notification from DCNR that Mainstreet Waynesboro, Inc. is the recipient of a \$50,000 façade improvement grant.

PSAB TRAINING (2015 ANNUAL PA MUNICIPAL LEGAL UPDATE):

Mr. Stains informed Council that he will be attending the 2015 Annual PA Municipal Legal Update Conference in Harrisburg, PA on August 26-27, 2015. He will provide a report to Council following the training.

PSAB FALL LEADERSHIP CONFERENCE AT SEVEN SPRINGS MOUNTAIN RESORT (OCTOBER 16-18, 2015):

Council members were provided with information regarding the upcoming PSAB Fall Leadership Conference. Those interested in attending were asked to inform Melinda Knott.

MARKET DAY EXPANSION (OCTOBER 3, 2015):

Mr. Stains advised that Mainstreet Waynesboro Inc. is “teaming up” with St. Andrews Catholic Church to expand the area of Market Day to be held on 10/03. Scott Hershberger (MSW) explained that, following a request by St. Andrews, Market Day will now run from Potomac Street to Clayton Avenue (with Broad Street remaining open to public traffic). It will now feature a Kids-Zone with children’s activities, sponsored by St. Andrews School.

PRESS QUESTIONS/COMMENTS:

Jennifer Fitch, Herald Mail

Question: Your vote on N. East Avenue was not clear on what it entailed. I understand that you are restricting left turns, but is a study being conducted or is PENNDOT approval required?

- Councilman Oldham explained that a study will be conducted to be presented to PENNDOT with a request that left turns be prohibited from Main Street to N. East Avenue. Nothing is “set in stone” at this point in time.

Question: What prompted this now, because I know this has been debated for some time?

- Councilman Oldham noted that the street markings are causing some confusion.

Question: Do you have a timeframe when you think you might hear back from PENNDOT?

- Kevin Grubbs noted that permission will be sought from PENNDOT, prior to any sign being erected, in order to prohibit left turns at that location.

Question: Is there any real opportunity for the public to comment on that before it is final?

- Mr. Grubbs noted that the transition taper installed in front of N. East Avenue (for a turn lane at the traffic signals at Martin’s) is causing people to stop and turn on a double yellow line. When that occurs, traffic is being held up and people can’t get through the intersection at the traffic signal.

Question: When you say a “manual” study will be done ... does that mean someone will stand there and evaluate the traffic flow?

- Mr. Grubbs noted that the traffic recorder doesn’t record the type of vehicles that are turning and where, so staff will conduct a manual study to determine where school bus traffic is going and how the traffic increases during school arrival and dismissal times.

COUNCIL AND STAFF COMMENTS: Jason Stains noted that he received a request to once again allow “Park in the Pink” for Breast Cancer Awareness. Pink ribbons will be attached to the parking meters between October 1st and October 30th. Councilman Bader made a motion to approve the request. Councilman Oldham seconded; the motion passed unanimously.

Mr. Stains presented a request from Mr. and Mrs. Paul Newcomer of Tritle Avenue for “no parking” signs on either side of their driveway, as vehicles have been parking in a manner impeding access to/from their driveway. The matter was referred to the Street Committee for review and recommendation.

Mr. Stains reported that he recently signed a contract with Comcast for telephone and internet services. The change from Century Link to Comcast at the Fire Department, Police Department, Maintenance Department and Borough Hall will save approximately

\$6,000/year. Comcast is currently unable to provide service to the water and wastewater facilities, however they will continue to pursue that possibility for the future.

Mr. Stains reported that 25,376 people come through the gates at Northside Pool as of Sunday (08/16); 11,050 were members and 14,326 were non-members. To date, revenue above expenses is at \$53,000.

Mr. Stains noted that, due to a change in the payroll system, check stock will no longer be purchased (at a savings of \$1,000/year). As all employees are utilizing direct deposit, the check stubs will be printed on plain paper.

Mr. Stains noted that St. Andrews Catholic Church has advised that they will conduct their annual "Life Chain" on 10/04 from 9:30 to 10:30 a.m. in front of their church, and from 2:00 to 3:00 p.m. in Center Square. No action is required.

Council members received an invitation to the opening of *Through the Lens and Beyond* at 38 W. Main Street on 08/27 at 7:00 p.m.

Mr. Stains reminded Council members of the upcoming Cumberland-Franklin County Boroughs Association meeting to be held on 09/16 at the Parlor House in Waynesboro. RSVP's are due to Melinda Knott by 09/16.

Mr. Stains reported that the Fire Department was awarded a \$25,000 FEMA grant for much-needed turnout gear.

Mr. Stains reminded Council that the Franklin County Area Development Corporation's Annual Dinner is 09/10. RSVP's are due to Melinda Knott by 08/20.

Mr. Stains recommended that Council hold their next regular meeting on 09/16 (canceling the 09/02 meeting), with the second meeting of the month being held on 09/30 to do department head budget presentations. Council members were provided with a tentative schedule for the 2016 budget process. No objections were noted.

Scott Hershberger, Mainstreet Waynesboro Inc., reported on activities for Market Day on 10/03 (including a scarecrow contest, chili cook-off and many vendors). The Waynesboro Theater project is well underway ... they are hoping to open in mid-October. He has received six (6) applications for the façade grant program. WaynesboroFest events will begin on 08/28; and Destination Innovation (a tribute to Waynesboro's historic past) will begin next weekend at 90 W. Main Street.

Councilman Greenawalt asked about the progress on RFP's for building inspection services. Solicitor Wisner advised that he has completed a draft RFP for review by a committee to ensure it is within the scope that Council is looking for. In addition, several of the parameters need to be discussed in-depth before a final copy is brought to Council for authorization to advertise. Council concurred that a committee should review the draft RFP.

Councilman Oldham noted that the Street Committee meeting for 08/26 will be canceled, but he will discuss the Newcomer request (presented earlier in the meeting) with Kevin Grubbs. He reminded the public to be cautious of children walking to/from school.

Mayor Starliper reiterated Councilman Oldham's comments regarding walking students and athletes. He reminded property owners and/or renters to help keep the community clean by picking up trash from the streets. He also welcomed Eagle Scout Richie Guilford and his parents to the meeting. Mr. Starliper noted that he attends annual conferences of the Pennsylvania State Association of Boroughs and the Pennsylvania State Association of Mayors, during which he receives much information and feedback regarding the need for less controversy and more positives for the community.

President Mumma thanked Richie Guilford again for his labor and efforts to better Memorial Park by providing handicapped picnic tables.

Having no further business to discuss, the meeting adjourned at 9:36 p.m. on a Greenawalt/Oldham motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary