

SEPTEMBER 3, 2014
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 – Lloyd R. Hamberger, II, 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)
Jason Stains, Assistant Borough Manager
Jim Sourbier, Police Chief

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Bader reported that the Franklin County Department of Emergency Services is holding an Open House on 09/13 from 9 a.m. to 12 noon. Council and the public is invited to attend. Mr. Bader noted that he recently attended a course at the 9-1-1 Center on school hostage situations.

STREET COMMITTEE: Councilman Potts noted that Council members received minutes from the Street Committee's meeting of 08/27. He will present several items for action later in the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report. Mr. Hamberger noted that the proposed 2015 budget schedule was included in Council's meeting packet.

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

“On August 15th, Chief Sourbier and I discussed and implemented a Performance Evaluation Policy and Procedure.

On August 25th, Fire Chief Adolini and I met to discuss the Standard Operating Guidelines for Safe Incident Operations for the Waynesboro Fire Department.

On August 27th, I had the privilege of uniting in marriage Michelle Liberty and Barry Hill. Our best wishes to them.

On August 29th, I had the privilege of uniting in marriage Stephanie Esponosa and Bennie Stone. Our best wishes to them.

On August 29th, I swore-in John Leister as a new member of the Waynesboro Fire Police.

On September 3rd, Borough Manager Hamberger and I were interviewed in connection with a program called “Communities of Distinction”.

SOLICITOR'S REPORT: Solicitor Wisner reported that he has received a signed copy of the developer's agreement from Brimington, however one (1) correction is needed on an exhibit. He asked the Council President to execute the document, as previously authorized, and hold the agreement in escrow until they are satisfied with the attachment.

PUBLIC COMMENT - ITEMS ON AGENDA:

Roger Smith, 13943 Anthony Highway - Mr. Smith, representing the tennis players of Waynesboro, asked Council to consider having the tennis courts at Memorial Park re-surfaced. In addition, he noted that the trees along the sidewalk should be placed on the opposite side from the courts to preclude any damage to the surface and/or interference with play. Mr. Hamberger noted that the matter will be discussed during the 2015 budget deliberations.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Potts referred to page 3 of the Street Committee's 08/27 minutes regarding a request for a “No Parking Here to Corner” area in front of 225 W. North Street. When vehicles are parked too close to the corner, traffic has difficulty turning onto Harrison Avenue; and there is a sight distance problem for vehicles turning onto W. North Street from Harrison Avenue. Accordingly, Councilman Potts made a motion to create a “No Parking Here to Corner” area beginning at the east curb line of Harrison Avenue and extending 40' to the east along the north side of W. North Street. Councilman Oldham seconded; the motion passed unanimously.

Councilman Potts again referred to page 3 of the Street Committee's 08/27 minutes

regarding a request for a “No Parking” area at 17 N. Broad Street (which is located directly behind Eichholz Flower Shop). The resident at this location is having difficulty exiting her driveway safely when vehicles park too close to the driveway opening. Councilman Potts made a motion to create a “No Parking Any Time” area beginning 67’ north of the north curb line of E. Main Street and extending 105’ to the north along the west side of N. Broad Street. Councilman Oldham seconded; the motion passed unanimously.

Councilman Potts referred to page 4 of the Street Committee’s 08/27 minutes regarding a request for a “No Outlet” and a “Children at Play” sign on Sunny Drive, due to the amount of traffic on the dead-end street. Councilman Potts made a motion to approve the request and Councilman Bader seconded, however discussion followed regarding the need for “Children at Play” signs. Councilman Potts amended his motion to approve the installation of two (2) “No Outlet” signs at the beginning of Sunny Drive and at the entrance to the Reservoir Heights Development on the north side of Harbaugh Avenue just west of the intersection of N. Broad Street. He added that the “Children at Play” signs can be discussed further, if needed. Councilman Bader seconded; the motion passed unanimously.

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

RESOLUTION FOR
COUNCIL MEETING OF September 3, 2014
“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 - July 16, 2014 (public hearing)

Previously Discussed: N/A

UNFINISHED BUSINESS

CDBG INFORMATION FOR 2014 GRANT: Mr. Hamberger reported that additional information has been received on the 2014 CDBG grant application, which is now due

by 01/03/2015. The Borough's CDBG consultant is recommending holding the second required hearing during Council's first meeting in November, which will provide additional time to consider streets for inclusion in the application.

CONSIDER AWARDING BIDS FOR CDBG STREETS: Mr. Grubbs noted that only one (1) bid was received, from Valley Quarries, for the six (6) streets proposed for resurfacing. He noted that their bid submission was in order; and Councilman Greenawalt made a motion to award the bid to Valley Quarries, based on their total bid of \$111,200. Councilman Cermak seconded; the motion passed unanimously.

LEASE AGREEMENT WITH WAYNESBORO YOUTH LEAGUE FOR MEMORIAL PARK BALLFIELDS: Pursuant to the WYL's presentation at the last Council meeting, Mr. Hamberger noted a lease agreement has been drafted for consideration. He explained that the agreement requires the WYL to be responsible for maintaining the leased areas at Memorial Park (major league and little league fields) and permits them to use the concession stand (with a fee being charged for utilities). Improvements to the leased areas are also addressed.

Discussion followed regarding the proposed term of the lease. Mr. Stains noted that the Recreation Board is recommending Council consider a lease between 20-30 years, as the WYL may be hesitant to invest in major improvements if it is only a short-term lease. Mr. Hamberger suggested a term of five (5) years, which can be further negotiated.

The document will be presented to the WYL for review/comment, and if acceptable, it will be returned to Council for final execution.

UPDATE ON GOLF COURSE LEASING BY WAYNESBORO BOROUGH AUTHORITY: Jason Stains provided an update on leasing of the municipal golf course. The Waynesboro Borough Authority has awarded the bid to Cumberland Valley Golf (Dan Baker and Jon Becker). Criminal background and credit checks are being conducted at this time, which will take approximately 2-3 weeks; but the pair anticipate taking over the course by the September 30th deadline Council imposed several months ago. A lease agreement with the WBA and an equipment lease with the Borough will be drafted for execution by all parties involved.

Mr. Stains noted that the tenants will begin by aerating the greens within the next several weeks, and their first large project will be remodeling the clubhouse. They plan to begin selling 2015 memberships in October (with discounts for purchasing early), and will honor all existing memberships through 12/31/2014. He added that they have a lot of different ideas for activities, and are planning to stay open year-round.

As the Borough is currently contracted with Pepsi (for the beverage program) and Golf Cart Services (for the golf carts), additional details will need to be worked out with them. The WBA will purchase a new heat pump, install a new water line, pave Cemetery Avenue and the parking lot in preparation for the new tenants; and the tenants plan to make significant financial investments in the greens and the clubhouse. A gate across

Cemetery Avenue is also being discussed.

Dan Baker hosts a Saturday morning golf talk show in the Harrisburg area, and he plans to provide publicity for the changeover.

NEW BUSINESS

RESOLUTION NO. 2014-10 (POLICE CONTRIBUTIONS TO PENSION PLAN): Mr. Hamberger noted that the state auditor who reviewed the Borough's pension plans requested a resolution waiving employee contributions to the police pension plan (in accordance with the Borough's contract with the Waynesboro Police Officers Association). Councilman Greenawalt made a motion to approve Resolution No. 2014-10, as presented. Councilman Cermak seconded; the motion passed unanimously.

RESOLUTION NO. 2014-10

A RESOLUTION WAIVING EMPLOYEE CONTRIBUTIONS TO THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN

Complete copy on file at Borough Hall.

2015 BUDGET SCHEDULE: Council members were provided with a tentative 2015 budget schedule, however it was suggested that budget meetings begin on October 1st and the Council meeting be held thereafter (instead of the morning of October 2nd). A revised schedule will be provided to Council and duly advertised.

"POD" AND CONSTRUCTION CONTAINER PARKING: Jason Stains noted there have been issues with some roll-off dumpsters and POD's placed on Borough streets, limiting the ability for vehicles to navigate the streets and utilizing needed parking spaces. The staff is recommending the creation of permits for such containers, which would be valid from Wednesday to Wednesday for a minimum fee of \$25, but renewable each week for an additional \$25. Placement of the containers would be reviewed by the Police Department.

Councilman Cermak suggested that the initial fee be set at \$50 (because of the need for personnel to inspect placement of the container). Council concurred, and the Solicitor was requested to prepare an ordinance for consideration.

REQUEST BY WAYNESBORO AREA SCHOOL DISTRICT TO CLOSE SECOND STREET PRIOR TO FOOTBALL GAMES: Eric McIlquham, WASHS Athletic Director, was present to re-visit their request to close E. Second Street (from Summitview Elementary to Virginia Avenue) for the purpose of holding a brief parade/pep rally-type celebration before home football games to boost community spirit. The events will be held from 4:30 p.m. to approximately 4:50 p.m. on 09/05, 09/12, 10/03 and 10/31 and will include the football players, cheerleaders and band. He added that downtown

businesses have also begun decorating their storefronts in support of the teams. Councilman Cermak made a motion to approve the request. Councilman Bader seconded. Discussion followed regarding individuals certified/authorized to direct traffic for the events, as well as cones and/or barricades required for the street closing. Traffic control is to be coordinated with the Police Chief. A vote was called and the motion passed unanimously.

Mayor Starliper commented that the Fire Police will need direction from the High School as soon as possible regarding any assistance required for their upcoming Homecoming Parade.

PUBLIC COMMENT - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

UPDATE ON "PROBLEM PROPERTIES": Jason Stains provided an update on the status of several properties –

- CitiFinancial has developed a bid and obtained a contractor to repair the foundation and clean up the property at 109 Middle Street.
- Two (2) additional citations were issued today for high weeds at 199 Tritle Avenue. The property is currently in foreclosure and Wells Fargo has not returned phone calls regarding the complaints received. Mr. Stains requested that authorization be provided by Council for the property to be mowed/cleaned-up; and due to a problematic resident living in the home, the contractor be escorted by the Police Department. Councilman Cermak made a motion as such. Councilman Potts seconded; the motion passed unanimously. It was noted that a lien will be placed on the property for expenses incurred.
- Owners of the property at 471-471½ W. Fourth Street were charged by the Antietam Humane Society with 42 counts of animal cruelty, for which they were found guilty on all 42 counts. The property owners were fined for one (1) count plus court costs; the property owners/tenants were banned from any pet ownership for five (5) years; and for five (5) additional years, are limited to a maximum of two (2) pets in their possession and may not feed other animals. They have terminated all rights to the pets they were caring for, which are now the possession of the Antietam Humane Society. In light of that decision, the Borough will notify the AHS that they will no longer pay for their care at the shelter. The owners indicated that they would appeal this decision.

An executive session will be held at the end of this meeting to discuss specific findings as a result of inspections at this property. Solicitor Wiser commented that a lien will be placed on the property for the full costs of remediation.

Discussion followed regarding the continued need for an inventory of foreclosed

properties.

REMINDER OF “DOG SWIM” AT NORTHSIDE POOL (SEPTEMBER 6, 2014): Mr. Stains reminded the public of the upcoming “Dog Swim” at Northside Pool to be held on Saturday, 09/06, from 1-4 p.m. The cost is \$5.00 for the first owner and dog, and \$5.00 for each additional owner or dog, with a maximum of \$20.00/family. Donations for dog and cat food will also be accepted for the Antietam Humane Society.

MEMORIAL PARK TENNIS COURTS: Jason Stains noted that the tennis community has been discussing conditions of the tennis courts since the spring, and brought the matter to the Recreation Board last week. Estimates have been obtained for a 2-3 year “short term” fix for \$13,500 and for a complete rebuild for \$65,000. Discussion followed regarding the opinion that the trees along the walkway are an issue; and although the trees are sentimental, they should at least be shaped so they don’t grow over the courts. He suggested that the Shade Tree Commission, Memorial Park Board, Recreation Board and Borough Council work together to find a solution. The proposals for repair can be discussed during budget deliberations, and the Recreation Board is requesting Council’s consideration of the 2-3 year “fix” for \$13,500. Mr. Stains added that he has sent this information to the Borough’s grant writer, who anticipates that grants of this nature will not be available until the spring or summer of 2015.

“NO PARKING” AREAS AND ROAD CLOSURES FOR MAD ANTHONY HALF-MARATHON (SEPTEMBER 13, 2014): Kevin Grubbs provided Council members with a list of proposed road closures for this event. The event will be held on 09/13, beginning at 8:00 a.m., and will conclude at approximately 12:00 noon. The evening before the event, volunteers will be erecting “no parking” signs on the affected streets and will place door hangers on the residences where parking will be prohibited; and the Borough’s maintenance personnel will be placing barricades the morning of the event. An advertisement will also be placed in *The Record Herald* regarding the route and specific details for the event.

REMINDER OF CUMBERLAND-FRANKLIN COUNTY BOROUGHS ASSOCIATION MEETING (SEPTEMBER 23, 2014): Council members were reminded of the upcoming CFCBA meeting to be held on 09/23 in Newburg.

REMINDER OF JOINT MEETING WITH WASHINGTON TOWNSHIP SUPERVISORS (SEPTEMBER 25, 2014): Council members were reminded of the joint meeting with Washington Township Supervisors on 09/25 at the Parlor House.

TRICK-OR-TREAT NIGHT: Mayor Starliper designated Thursday, October 23rd, as Trick-or-Treat night in the Borough of Waynesboro. The event will be held from 6-8 p.m. Residents are reminded to turn their porch lights on if they are participating, and motorists are reminded to be cautious of pedestrians.

COUNCIL AND STAFF COMMENTS: Councilman Cermak questioned if proposals had been sought for mowing/trimming services (when required) for property maintenance

violations. Mr. Stains responded that several companies are contacted, but Farm Boys are typically the first to respond and are the least expensive.

Pursuant to earlier discussions regarding the tennis courts at Memorial Park, Denny Benschhoff reminded Council that several new trees were recently planted and will (most likely) become an issue in the future. President Mumma recommended that the Recreation Board, Memorial Park Board, Shade Tree Commission, tennis representatives and Borough staff meet to have a "serious" discussion regarding this ongoing problem.

Jason Stains noted that Council members received an invitation to the Chamber's mixer on 09/10 from 5-7 p.m. at the downtown branch of Susquehanna Bank. RSVP's are due by 09/19.

Jason Stains noted that a request was received to place a geo-cache in the evergreens at the base of the flag pole in front of Borough Hall. Management has reviewed the request and proposed location and have no concerns with it being placed there, provided that the Police Department is notified to preclude any misunderstandings regarding its origin. Council concurred.

Scott Hershberger (Mainstreet Waynesboro, Inc.) noted that Market Day will be held on 10/04, and there has been a lot of interest generated. The Hometown Heroes banners went on sale the previous day, and several have already been sold. Upcoming Destination Arts events are as follows: CVSM Day on 09/05, PSU Day on 09/12, and Wine Walk on 09/13 from 2-5 p.m.

Councilman Greenawalt requested an update on the status of the proposed parklet on E. Main Street. Mr. Hershberger noted that the grant application has been submitted to DCED, but is pending at this point in time.

Councilman Oldham reported that he spoke recently with Amy Kaufman (GMS Funding Solutions), who will check the possibility of obtaining grant monies for an independent Borough study. Mayor Starliper noted that he will be meeting with Ben Thomas, Jr. next week to discuss the independent study he was recently involved with.

Mr. Starliper reminded the public to reflect on 9-11, as the anniversary date will be next week.

President Mumma thanked the public for their attendance.

Councilman Cermak acknowledged and welcomed the WASHS new football coach, Brennan Marion. Mr. Stains interjected that many of the businesses throughout the Waynesboro community will be decorating on Fridays prior to home football games; and Borough Hall will be among those participating by decorating in blue and gold. He noted that Buchanan Auto Park will be supplying balloons to any businesses who would like to participate.

EXECUTIVE SESSION: Council adjourned to executive session at 8:55 p.m. for the purpose of discussing litigation matters for 471-471½ W. Fourth Street. They reconvened to regular session and adjourned at 9:13 p.m. on a Greenawalt/Oldham motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant