

NOVEMBER 5, 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 and Michael Cermak (Hans Bader was absent)

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  
Shawn Adolini, Fire Chief  
Jody Sanders, Deputy Fire Chief

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

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Cermak reported that he received favorable performance evaluations for Gordon Cruickshanks and John Baumgardner, but no action was required. He will present several items during the “voting section” of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report. Mr. Hamberger noted that he and Councilman Bader recently attended a meeting at Waynesboro Hospital to discuss precautions and procedures in regard to Ebola. A meeting will be held with the Borough’s first responders to ensure they are following proper procedures.

**STREET COMMITTEE:** Council members received a copy of minutes from the Street Committee’s 10/29 meeting. Complaints regarding Old Mill Road were discussed at that time, and the Street Committee is in the process of reviewing the situation. A representative from Martin’s Food attended the Street Committee meeting, and is also in attendance at this meeting. Mr. Potts noted that he will present one (1) item during the “voting section” of the meeting.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report. Councilman Greenawalt stated that a budget meeting will be held immediately following this meeting.

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

“On October 18<sup>th</sup>, I attended the PSAB's Leadership Convention in Gettysburg.

On October 21<sup>st</sup>, I attended the Franklin County Commissioners' meeting in Chambersburg.

On October 22<sup>nd</sup>, I attended the Board of Directors meeting for Horizon Goodwill, Inc. in Hagerstown.

On October 23<sup>rd</sup>, along with Manager Hamberger, I attended the ribbon-cutting for Saucy's Grille in the S. Potomac Shopping Center.

On October 24<sup>th</sup>, along with Manager Hamberger, Assistant Manager Stains, Authority Director Pryor, WBA members Fleagle and Layman, I attended the ribbon-cutting for “The Muni”. We wish them the best.

On October 25<sup>th</sup>, I attended the Waynesboro Lions Club's 85<sup>th</sup> Anniversary banquet. Many thanks go to the members for all of their good works.

On October 28<sup>th</sup>, along with Chief Sourbier, I did a walk-thru and around of the Faith United Methodist Church. They have invited the Chief to speak on November 12<sup>th</sup> regarding security.

On November 1<sup>st</sup>, I attended the Library's fund raiser “Books, Bites, Brews”.”

**SOLICITOR'S REPORT:** Solicitor Wisner requested a brief executive session regarding code enforcement and personnel matters.

**EXECUTIVE SESSION:** Council adjourned to executive session at 7:36 p.m. and reconvened to regular session at 7:52 p.m.

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

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Cermak made a motion to approve a step increase for Dan Sheffler to salary level 11E. Councilman Greenawalt seconded; the motion passed unanimously.

In light of the budget meeting scheduled for later this evening (which is a public meeting), Councilman Cermak noted there is an anticipated deficit of \$23,000 for the 2015 budget. Accordingly, he made a motion to reduce the salaries for all Council members to \$1.00/month for the year 2015. Councilman Potts seconded the motion. Councilman Cermak explained that this would reduce the deficit by \$15,000. A vote was called; the motion died with only Councilman Cermak voting in favor.

Councilman Potts referred to page 3 of the Street Committee minutes regarding the request for a handicapped parking space at 7A Penn Street. He made a motion to grant the request establishing a handicapped parking space on the north side of W. North Street between Elder Avenue and Penn Street. Councilman Oldham seconded; the motion passed unanimously.

**CONSIDER APPROVAL OF CONSENT AGENDA:** Mr. Hamberger referenced correspondence from Director of Utilities Leiter Pryor regarding award of the water treatment chemical bids. He explained that the bid for poly-aluminum chloride provided by Gulbrandsen Technologies is for an alternate product (G-pac 2000). This product was trial-tested at the plant and performed well during the 3-day test period. He is recommending award of the the bid to Gulbrandsen Technologies contingent upon the continued successful performance of the product, with the stipulation that if product performance declines, they will proceed with the next lowest qualified bidder (Univar) for the remainder of calendar year 2015.

Councilman Greenawalt made a motion to approve the Consent Agenda (and accepting the terms and conditions regarding the bid award for polyaluminum chloride as outlined in Leiter Pryor's memo dated 10/31/2014), as presented. Councilman Potts seconded; the motion passed unanimously.

**RESOLUTION FOR**  
**COUNCIL MEETING OF November 5, 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:**

1. Water Treatment Chemicals

**Routine:**

1. Approval of minutes - September 17, 2014 and October 15, 2014 (regular meetings)
2. Pay Bills - Voucher Lists dated 10/24 and 10/24 (and any others presented following preparation of this agenda)

**Previously Discussed:** N/A.

## **UNFINISHED BUSINESS**

### **DISCUSSION OF CHANGING NUMBER OF MEMBERS ON PLANNING**

**COMMISSION:** Mr. Hamberger noted that this matter was discussed at Council's last meeting, and research indicates that the current ordinance in effect provides for seven (7) Planning Commission members. The Municipalities Planning Code permits a minimum of five (5) members; and historically, the Planning Commission has consisted of five (5) members for most of its existence. Councilman Cermak made a motion to authorize the staff to prepare the appropriate ordinance for advertisement and consideration at the 12/03 Council meeting to reduce the Planning Commission membership to five (5). Councilman Greenawalt seconded; the motion passed unanimously.

## **NEW BUSINESS**

**PROPOSED 2015 NORTHSIDE POOL FEE SCHEDULE:** Jason Stains presented a proposed schedule for the 2015 Northside Pool fees, which was approved by the Recreation Board at their October meeting. This schedule includes a 5% across-the-board increase in fees. Councilman Cermak made a motion to approve the proposed Northside Pool fee schedule for 2015, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

### **FRANKLIN COUNTY AREA TAX BUREAU'S PROPOSED 2015 OPERATING**

**BUDGET:** Council members received copies of the proposed 2015 operating budget for the Franklin County Area Tax Bureau, for Council's consideration. Councilman Greenawalt made a motion in favor of the proposed budget, as presented. Councilman Oldham seconded; the motion passed unanimously.

### **APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO FRANKLIN COUNTY AREA TAX BOARD:**

Mr. Stains added that Council is required to reappoint their representative and alternate to the Franklin County Area Tax Board on an annual basis, and they are currently Jason Stains and Delmos Oldham (respectively). Councilman Greenawalt made a motion for the representative and alternate to remain the same for the upcoming year. Councilman Potts seconded; the motion passed 4-1 (Councilman Cermak opposed).

**2014 COMPLIANCE AMENDMENTS TO PENSION PLANS:** Mr. Hamberger noted that an amendment is required to the Borough's pension plans in order to continue in compliance with PA state law. This amendment will redefine the definition of "spouse" in both the Municipal Employees' Pension Plan and the Police Pension Plan.

Councilman Greenawalt made a motion to authorize preparation of the required ordinances for these modifications. Councilman Cermak seconded; the motion passed unanimously.

**SCHEDULE CDBG HEARING:** Mr. Hamberger noted that the second required public hearing for the 2014 CDBG program will be scheduled for 12/03 at 7:15 p.m. The Street Committee and Engineering Department will finalize their recommendations for street repairs for inclusion in the program, and their recommendations will be included in the advertisement for the public hearing. Council concurred.

**BOROUGH'S FY2013 AUDIT:** Craig Witmer and Kevin Stouffer of Smith Elliott Kearns & Company, the Borough's auditors for many years, were present. Council members were provided with a copy of the 2013 audit, and a presentation on the findings was given.

**BOND REDUCTION (MARTIN'S FOOD STORE PROJECT):** Kevin Grubbs presented a request from Martin's Food to reduce their current bond (letter of credit) from \$2,319,830.00 to \$1,963,005.74, which is an approximate 15% decrease but includes the 10% contingency. The revised bond amount will cover the remaining items to be completed on the project. Solicitor Wisner has reviewed the request and found it to be in order, and Council has 45 days in which to make a decision regarding the bond reduction. Councilman Greenawalt made a motion to approve the bond reduction for Martin's Food, as presented. Councilman Oldham seconded.

Discussion also followed regarding their plans to install gas islands at the site, which was discussed briefly at Council's last meeting. Representatives from Martin's Food were present to answer any questions regarding the matter. Mr. Grubbs stated that they have reconfigured the original traffic patterns and are now planning for traffic to utilize S. Enterprise Avenue and the Main Street entrance (formerly to the rear of the bank) when the gas pumps become operational. Councilman Potts stated that the Street Committee concurs with their plans.

Councilman Greenawalt modified his initial motion to reduce the bond amount to include approval of the revised traffic pattern for the gas islands. Councilman Oldham seconded; the motion passed unanimously.

**REQUEST FOR WAIVER FROM WAYNESBORO AREA SCHOOL DISTRICT FOR LAND DEVELOPMENT PLANS:** Kevin Grubbs noted that the ELA Group, Inc., on behalf of the Waynesboro Area School District, will be submitting land development plans in the near future for the new all-weather turf field and facility upgrades at the high school sport complex. They are requesting approval from Council to waive the preliminary plan requirement in order to submit a combined preliminary/final land development plan for the project. Mr. Grubbs stated that the staff has no problem with this request. Solicitor Wisner added that all requirements of the Subdivision/Land Development Ordinance will still be met in this one-step process.

Josh Bower, a representative from Crabtree & Rohrbaugh Architects, was present to answer any questions. Handouts were provided to Council members and drawings were defined for the public in attendance. He noted their goal is to have the field ready for the fall of 2015.

Councilman Greenawalt made a motion to approve the waiver, as requested. Councilman Oldham seconded; the motion passed unanimously.

**PUBLIC COMMENT - NON-AGENDA ITEMS:** Eugene Leatherman, 21547 Ringgold Street, Hagerstown, MD, was present with a question regarding the utility bills he received for his rental property at 11 W. North Street. Mr. Hamberger noted he will investigate the matter with the Billing Department, but questions regarding billing policies should be addressed to the Waynesboro Borough Authority.

### **FOR INFORMATION ONLY**

**DONATION OF DOG WASTE STATIONS:** Jason Stains announced that an anonymous donor has provided two (2) dog waste stations for the Northside Dog Park, at a cost of over \$1,000. Mr. Stains thanked them for their generous donation.

**COUNCIL AND STAFF COMMENTS:** Councilman Cermak commented that the firm hired recently by Council (GMS Funding Solutions) has successfully acquired a grant of \$500,000 for the reconstruction of Fairview Avenue and Welty Road, and it is evident that the \$3,500/month fee being spent was a good investment. He encouraged people to attend Council's budget meetings, as there is talk of cutting maintenance and police personnel, asking employees to pay for their own medical insurance, and reducing the two (2) Council meetings each month to one (1) Council meeting and a workshop (because people won't attend a workshop and Council members "can say whatever they want"). He commented that the Council members are here to serve the Borough, but he feels that some members are "here for their own vendetta" instead of doing what they were elected to do.

Denny Benshoff reported that new leaf boxes have been installed on two (2) trucks, and they seem to be working well.

Kevin Grubbs presented a request from Marsh Run Properties for a 30-day time extension of the 45-day review period for their land development plan on Clyde Street, as they are currently in the process of completing the revisions required to their plan. If granted, the new review period would expire on 12/16. Councilman Greenawalt made a motion to approve the request for a time extension for Marsh Run Properties. Councilman Potts seconded; the motion passed unanimously.

Kevin Grubbs noted that the street projects included in this year's CDBG program were completed today - those streets were Eden Avenue, Sunny Drive, Brown Street, Middle Street and E. North Street.

Scott Hershberger (Main Street Waynesboro, Inc.) commented that they are seeking sponsors to provide landscaping and maintenance for the "Waynesboro" signs on the four (4) quadrants of town. Volunteers recently made improvements at the sign on Route 16, west of Waynesboro, near 84 Lumber.

Councilman Greenawalt reiterated his announcement regarding the budget meeting to be held after this meeting.

Councilman Oldham thanked the public for their attendance. He reminded them to thank a veteran for their service on Veterans Day (11/11).

Mayor Starliper noted, with regret, that Jim Seilhamer has submitted his resignation from the Waynesboro Fire Police. Councilman Cermak made a motion to accept the resignation. Councilman Greenawalt seconded; the motion passed unanimously. A letter will be sent to thank him for his years of service.

Mayor Starliper reminded Council members and the public that Dan Baker is still seeking tee marker sponsors at "The Muni". He also noted that Applebee's Restaurant will be providing free meals to veterans on Veterans Day (11/11).

President Mumma thanked individuals for their attendance.

Having no further business to discuss, the meeting adjourned at 8:51 p.m. on a Cermak/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant