

NOVEMBER 19, 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  
Jason Kelso, 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. Councilman Cermak noted he will present two (2) items during the “voting section” later in the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Bader commented that safety markers were placed at a dumpster located on S. Potomac Street, and discussion followed regarding the need for PENNDOT’s approval if the dumpster is placed on a state highway. Clarification will be obtained and markers/signs will be addressed in the ordinance currently being drafted.

**STREET COMMITTEE:** No report. Councilman Potts noted that, due to the upcoming holidays, the Street Committee meetings for November and December will be combined and held on 12/10 at 9:00 a.m.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Potts announced that the Downtown Revitalization Committee will hold a meeting on 12/02 at 10:00 a.m. in Borough Hall’s second floor conference room.

**FINANCE COMMITTEE:** Councilman Greenawalt noted that Council will hold a budget meeting immediately following this meeting.

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

“On November 12<sup>th</sup>, Chief Sourbier spoke at Faith United Methodist Church group on safety and security at the church. Approximately 70 members were in attendance.

On November 18<sup>th</sup>, I attended the Greencastle Antrim Chamber of Commerce breakfast meeting at the John Allison House.

On November 18<sup>th</sup>, along with Chief Sourbier, I attended the Waynesboro Fire Police meeting.

On November 19<sup>th</sup>, as a member of the Board of Directors of Horizon Goodwill Industries, I attended their meeting in Hagerstown.”

**PRESENTATION TO POLICE OFFICER BRYAN CHAPPELL:** Mayor Starliper and Police Chief Sourbier presented Officer Bryan Chappell with an “Exemplary Service Award” in recognition of his assistance in apprehending an individual responsible for the 11/07 armed robbery at M & T Bank in Rouzerville, as well as several other armed robberies in the area. Chief Sourbier acknowledged Officer Chappell's superior performance. He added appreciation also to Officer Ryan Ramsey, Detective Travis Carbaugh and the Washington Township Police Department for their assistance.

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

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Sherian Diller, Superintendent for Waynesboro Area School District, was present to comment on the proposed walking trail which would border the school district's property. She noted her concern regarding the liability of people utilizing the trail, maintenance of the trail (including trash pick-up, etc.), and the safety of students on nearby school properties. She noted that she recognizes the health benefits of a walking trail, but feels that school security would be compromised; and she asked for Council's consideration for her concerns.

Billie Finn, a resident whose property would abut the proposed walking trail, also spoke as a member of the school board. As the proposed trail is fairly isolated, the board is concerned about policing of the trail, lighting of the trail, maintenance of the trail (litter, potholes, weeds and brush), as well as potential liability for any injuries. As the trail is not proposed on school property, it is no longer the school district's concern ... but the compelling argument against it is the students' security. Ms. Finn closed by asking Council to vote against the measure.

Robert Rowe, who is a crossing guard for the school district, noted that safety of the students is more important to him than anything, and he suggested that the school police officer could periodically check the walkway when making his rounds from building to building. He added, however, that the walking trail would be beneficial for the people of Waynesboro.

Ms. Diller commented that the area where this trail is to be established would be difficult to monitor. In addition, there are many walking trails available at Renfrew Park and the public is permitted to use the high school track for walking.

Darwyn Benedict, 47 W. Main Street, is a local realtor. He noted that walking trails are being introduced in many new developments in their pursuit of "green" spaces. He understands the concerns voiced, but feels the walking trail would be a great addition to the community.

Councilmen Oldham and Greenawalt noted there are walkways within the Rotary Park, which they commented is very "under-used".

Stephen Monn, 126 W. Main Street, stated he can see both sides ... but questioned how the danger of that piece of property would increase if a walking trail is put there (as the land is already accessible). He added that the trail would likely be most dangerous at night when school is not in session.

Assistant Borough Manager Jason Stains explained that this grant opportunity presented itself recently, and he felt compelled to pursue it because concern was noted in the past that grants were not being applied for. He noted that the Joint Comprehensive Plan was adopted by the Borough of Waynesboro in May of 2009. He referred to pertinent sections in the Plan, indicating goals and objectives as follows:

- Plan for a circulation system which will allow safe and efficient vehicular, bicycle and pedestrian travel throughout the Region.
- Encourage and support the development of a network of trails linking residential areas to open space and recreation resources, surrounding municipalities' trail systems.
- Expand the pedestrian system to the area of the Waynesboro Area School District facilities.

Mr. Stains noted he felt the grant opportunity was a perfect tie-in to link Renfrew, Memorial Park and the new development at Brimington. He described the proposed route, and stated that letters of support were received from Washington Township and Renfrew Museum/Park for the approximate quarter-mile paved trail. It was noted that the application deadline was near when he became aware of the grant opportunity; but if Council so desires, it could be withdrawn.

Andy Moats, 730 Ringgold Street, is a teacher for the school district. He noted, however, that he is in favor of the trail and feels it would greatly benefit the community.

President Mumma suggested that the matter be deferred until the next Council meeting. A notice will be published in *The Record Herald* to invite public input on the matter prior to Council's vote.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Cermak made a motion to accept William P. Kauffman's resignation from his position as a Police Officer. Councilman Greenawalt seconded; the motion passed unanimously.

Upon request by the Mayor, Councilman Cermak made a motion to reclassify the job description for the Police Department's Administrative Assistant to a salary level 10A. Councilman Greenawalt commented that the Personnel Committee should discuss this matter prior to taking action. Councilman Bader seconded the motion (for the purpose of discussion). Mayor Starliper reviewed the duties and responsibilities of the position in question; and Chief Sourbier explained that Kim Green (who currently serves in that position) is imperative to the success of the Police Department and its staff. A vote was called – the results being 4-0-2 (Councilmen Greenawalt and Oldham abstained from voting).

Subsequent to the resignation of Patrolman Kauffman, Mayor Starliper asked Council to entertain a motion to authorize the hiring of a Police Officer. Councilman Bader made such a motion; Councilman Cermak seconded. A vote was called – the results being 4-2 (Councilmen Greenawalt and Oldham opposed). The motion passed. It was noted that there is a current civil service list for Police Officer; and interviews will be scheduled in the near future.

**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 November 19, 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 - November 5, 2014 (regular meeting)

2. Accept reports of the Code Enforcement Officer and Fire Chief - October, 2014
3. Pay Bills - Voucher List dated 11/11 (and any others presented following preparation of this agenda)

**Previously Discussed:** N/A.

## **UNFINISHED BUSINESS**

**DRAFT ROLL-OFF/MOBILE STORAGE UNIT ORDINANCE:** Jason Stains noted that discussion has been held in the past regarding roll-off dumpsters and mobile storage units, which create issues with traveling on Borough streets; and Council authorized the staff to prepare a draft ordinance for their review. He discussed regulations to be included in the draft, including a proposed \$25 permit fee; and PENNDOT procedures will be clarified prior to preparation of a final draft. Councilman Potts noted that the Street Committee is in favor of the proposed ordinance. Council members were asked to forward any additional comments to the staff, and a final draft will be presented to Council at their next meeting.

## **NEW BUSINESS**

**APPOINTMENT TO RENFREW COMMITTEE, INC.:** Correspondence was received from Renfrew Committee, Inc. regarding the resignation (and replacement) of an RCI board member. Accordingly, Councilman Cermak made a motion to accept the resignation of Barbara Gaydick; and further, to appoint Connie Huet as her replacement. Councilman Bader seconded; the motion passed unanimously.

**GMS FUNDING SOLUTIONS:** Jason Stains advised that the contract with GMS Funding Solutions is nearing expiration. To date, the Borough has paid approximately \$21,000 in retainer fees for their services; for which the Borough has received \$500,000 on behalf of their lobbying for the Multi-Modal Transportation Fund (MMTF) grant for Welty Road and Fairview Avenue. He noted that Amy Kaufman (GMS) was present to discuss her pursuit of funding for other projects in the Borough, should Council decide to retain their services for an additional six (6) months.

Amy Kaufman, 32 Liberty Court, Carlisle, PA, reviewed GMS' work on the MMTF grant, as previously mentioned by Mr. Stains. Moving forward, they are looking at various other funding sources – they have offered their assistance to the Fire Department in their annual application for an Assistance for Firefighters Grant and identified the County-level grant program for a proposed walking trail (mentioned previously in the meeting). They took a tour of the Borough's recreational areas, and are hoping to pursue funding for additional playground equipment and other recreational amenities to enhance Northside Park. In addition, Ms. Kaufman added that the MMTF program will open again next spring, and they would like to pursue funding to address lighting concerns and pedestrian safety issues in the downtown area.

Councilman Oldham noted that he discussed a proposed Borough study with Ms. Kauffman recently, and she explained that the grant program for a study similar to that done in Cumberland County requires the participation of two (2) municipalities. Understanding that, they reached out to Washington Township; but they were very clear that they weren't interested. Councilman Oldham clarified that he is suggesting an internal study of the Borough itself. Ms. Kaufman explained that that particular funding source requires two (2) municipalities, but she will continue to look for other funding sources for such an internal study.

Ms. Kaufman requested Council's consideration of a six-month extension to the original agreement with GMS Funding Solutions. President Mumma commented that GMS has had an "excellent success rate" thus far, and he asked for a motion from Council to approve a six-month extension to their contract. Mr. Hamberger stated that Council members should discuss this matter further at their upcoming budget meeting before taking action.

**YMCA MINI TRIATHLON:** Jason Stains advised that the Waynesboro YMCA is celebrating their 100<sup>th</sup> anniversary in 2015, and they are planning a mini triathlon on Sunday, 05/24. The first leg of the triathlon will be swimming in their pool, the second leg will be biking, and the third will be running. Most of the biking portion will be in Washington Township, however they are requesting that Second Street be closed in the vicinity of the Middle School to Main Street and N. East Avenue be closed to the Borough line at the top of the hill at Roadside in the area of Prospect Avenue. The route for the running portion will be down Clayton Avenue, and they plan to keep the runners on the sidewalk for the event. Mayor Starliper asked if they will require fire police assistance, and he requested that they contact him or the Police Chief regarding traffic control. Additional information is requested prior to Council's action.

**DRAFT PARKING FEE ORDINANCE AND PROPOSED FEE RESOLUTION:** Jason Stains noted that, after reviewing the General Fund during budget deliberations, it became evident that many of the miscellaneous fees charged have not been discussed or voted on for many years. He would like to pursue reviewing/modifying the miscellaneous fee schedule, as well as the parking fee schedule, and asked if Council would be agreeable.

Detailed discussion followed regarding the various fees, as well as the fees being charged by other communities. The matter will be on Council's agenda for further discussion at their next meeting

**VEHICLE FOR FIRE POLICE:** Jason Stains advised that he was contacted by the Waynesboro Fire Police regarding their purchase of a used (2004) Dodge Caravan from a local business for use as a duty vehicle. The Fire Police are asking for assistance from the Borough to purchase and/or insure it.

**Ron Hilton, 24 N. Price Avenue (Fire Police Sergeant)** – Mr. Hilton noted that the vehicle is now being donated ... and they are seeking the Borough's agreement to maintain and insure it. He explained that the vehicle will be used to transport safety cones and

barricades, and will be driven by on-call officers. Discussion followed regarding motor vehicle record checks for those individuals who will drive the vehicle, and the use of emergency lights. President Mumma noted that the cost for insurance will be determined, and management will report back on the matter.

**REZONING REQUEST ON GRANDVIEW AVENUE (RM TO GC):** Kevin Grubbs presented a request from Marsh Run Properties to rezone Parcel A (the former Armory building), which was recently subdivided, from RM to GC. All pertinent fees have been received, and a public hearing will be required. Councilman Greenawalt made a motion to schedule a public hearing regarding the matter on 01/07 at 7:15 p.m. Councilman Cermak seconded; the motion passed unanimously.

**TAP FUNDING FOR RECTANGULAR RAPID FLASHING BEACON (RRFB):** Kevin Grubbs reported that the Borough has received approval of their grant application for TAP funding to install RRFB lights at eight (8) additional locations. The total amount of the project is \$188,000 – as the funding is for 80% reimbursement, they received \$151,000 and will need to spend \$37,000 (which can be included in the 2016 budget). Information required for the project will take several months to formulate, and bidding/installation should take place in early 2016.

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

Andrew Moats, 730 Ringgold Street – Mr. Moats stated that he addressed Council approximately three (3) months ago regarding a neighbor with 25 dogs at her residence. He presented a “Citizens Petition” with 52 signatures from people in the neighborhood, asking for Council’s action regarding the noise and smell. They are concerned that the Borough’s ordinances do nothing to prevent someone from keeping 25 dogs on their property. They realize that the current situation may be “grandfathered”, but want to ensure that something is done to prevent this situation from occurring elsewhere in the Borough.

President Mumma suggested that the Planning Commission consider placing a cap on the number of dogs permitted by the Zoning Ordinance (which is currently under review for future modification). Mr. Moats added that something needs to be in place (beyond the current Noise Ordinance) to address the noise. Discussion followed regarding various options, and Mr. Moats was assured that the Borough will pursue the matter in whatever manner possible.

#### **FOR INFORMATION ONLY**

**APPROVAL OF SAFETY COMMITTEE’S CERTIFICATION RENEWAL:** Jason Stains presented Council with notification from the PA Department of Labor and Industry regarding recertification of the Borough’s Safety Committee, which will entitle the Borough to receive a 5% discount of its workmens’ compensation premiums. Mr. Stains noted that the Safety Committee is comprised entirely of Borough employees; and all recordkeeping, accident investigations/recommendations, training and state

reporting is handled by members of the Committee. He asked for Council's acknowledgment of the certification renewal and recognition to members of the Safety Committee for their hard work. Councilman Greenawalt made a motion as such. Councilman Oldham seconded; the motion passed unanimously.

**DRAFT ORDINANCE RE: PLANNING COMMISSION MEMBERSHIP (7 TO 5):** Kevin Grubbs presented a draft copy of the proposed ordinance reducing the Planning Commission membership from seven (7) members to five (5) members, as previously authorized by Council. The ordinance will be advertised on 11/24 for Council's consideration at their 12/03 meeting.

**DRAFT ORDINANCES RE: AMENDMENT TO PENSION PLANS REDEFINING DEFINITION OF "SPOUSE":** Jason Stains presented draft ordinances to redefine the definition of "spouse" in the Borough's police and non-uniformed pension plans, as previously authorized by Council. These ordinances will be advertised in combination with the ordinance regarding Planning Commission membership for Council's consideration on 12/03.

**COUNCIL AND STAFF COMMENTS:** President Mumma reported that a "thank you" letter was received from Rev. Jessica Bryan (Calvary Assembly of God) for allowing them to hold their "Light the Night" celebration.

Mr. Hamberger reminded Council that a budget meeting will be held following this Council meeting.

Kevin Grubbs noted that Council members will receive copies of the revised Zoning Ordinance and Subdivision/Land Development Ordinance, for review, in the near future. The Waynesboro Planning Commission has spent much time and effort in reviewing/revising these ordinances, which were last revised in 1991. A public hearing be scheduled beginning in February.

Mr. Grubbs advised that repair of the brick-stamped crosswalks will not be done this year because of the cold temperatures. The contractor has repaired the crosswalks free-of-charge every year since their installation in 2010, but can no longer continue to bear the costs; and they have provided a cost estimate for the repairs of \$3700-\$4000. Mr. Grubbs requested that the Street Committee look at alternatives to this application, because the brick-stamped crosswalks don't seem to be a viable option for the long-term future.

Jason Stains provided Council with requests for donations from Mainstreet Waynesboro, Inc. and Medic 2.

Mr. Stains reported that Logan Weibley (Boy Scout Troop19) was present several meetings ago and has recently completed the installation of birdhouses in the trees throughout Rotary Park. These birdhouses are expected to help with the insect population in the park. He will request that Logan attend another Council meeting in the



future to recognize him for his donation.

Mr. Stains noted that members of the staff met recently with representatives of Verizon Wireless – they are interested in installing mini-cells (to boost data) on the arms of the traffic lights in downtown. Verizon is currently in negotiations with PENNDOT to permit the project in Chambersburg, Waynesboro, Gettysburg and Washington Township. It is his understanding that Verizon would provide an up-front amount of cash to install the cells, and a yearly rental amount would be forthcoming for the cells to be housed on the Borough's traffic signals. They are also looking for other antenna locations in the area – and he mentioned the possibility of them utilizing the Borough Hall tower. He will keep Council updated on any progress.

Mr. Stains reported that the “debt list” for miscellaneous invoices mailed by the Borough (which was discussed earlier in the year) is down to one (1) individual. A court hearing has been scheduled at the District Magistrate's office on 01/06 to pursue the remaining debt. He added that several invoices were “written off” because they were past the statute of limitations.

Mr. Stains also advised that the water and sewer bill adjustments discussed by Eugene Leatherman at a recent Council meeting have been handled. The issues were due to a problem with the billing system, however an update in early 2015 should prevent the problem from recurring in the future. He noted that D'Lynn Scheeler (Billing Department) reviewed all the affected utility bills, made any necessary adjustments, and mailed out statements advising that a credit was placed back on the account(s).

Jason Stains commented that a misspelling was discovered on the Borough-logo shirts recently received. He requested that Council members return the shirts for correction.

Police Chief Sourbier noted that the Police Department has received a number of complaints regarding fundraising efforts in the form of “quarter auctions” by organizations who have Small Games of Chance licenses. He advised that “quarter auctions” violate provisions of Small Games of Chance licensing, which can be confirmed on the PA Department of Revenue's website.

Chief Sourbier mentioned that the individual responsible for acts of vandalism in the southwest portion of the Borough on 11/10 and 11/11 (specifically at Rotary Park and on a number of automobiles and buildings) was identified and taken into custody within 24 hours by Detective Carbaugh and Officers Rowe and Sanders, with the help of cooperative citizens from the neighborhood.

Scott Hershberger (Mainstreet Waynesboro, Inc.) reported that the Christmas tree for the Square has been cut down, installed/decorated and is ready for the Tree Lighting Ceremony on 11/21 from 6:30 to 8:00 p.m. He thanked the Police Department, Maintenance Department and Fire Police for their assistance. Mr. Hershberger added that the Holiday Parade will be held on 11/22 at 2:00 p.m. (and because of the construction work at Waynesboro Mall, the parade will disband on Virginia Avenue).

Councilman Greenawalt thanked the public for their attendance at this meeting.

Councilman Oldham acknowledged the dog problem discussed earlier and thanked the school district for their comments regarding the walking trail.

Councilman Potts thanked the public for their attendance.

Mayor Starliper noted that the Waynesboro Fire Police will be assisting with traffic control for the Historical Society's event at Harbaugh Church on 11/30 at 3:00 p.m. He added that Council members should contact Congressman Shuster and Senator Toomey regarding EPA's new water plan which will affect any water area.

Mr. Hamberger suggested that the budget meeting (which was to be held following this meeting) be postponed until a later date because of the lateness of this meeting. Council members agreed to hold it on 11/24 at 7:00 p.m.

Having no further business to discuss, the meeting adjourned at 9:55 p.m. on a Cermak/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant