

DECEMBER 19, 2012  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Jason Stains 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, Craig Newcomer, Darrel Potts, Jason Stains and Wayne Driscoll (Michael Cermak 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 Cohen, Assistant Borough Manager

**PLEDGE OF ALLEGIANCE:** Mayor Starliper requested a moment of silence be observed for families of the victims of recent tragic events in Newtown, CT. He then led those present in the Pledge of Allegiance.

**EXECUTIVE SESSION:** Council adjourned to executive session at 7:32 p.m. and returned to regular session at 7:52 p.m.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Driscoll reported that he received favorable performance evaluations for Donald Kaiser and Leiter Pryor. No action was required.

Mr. Hamberger added that Todd Sharrah was hired several months ago as a Technician at the Water Treatment Plant. He has passed the appropriate examination and is being recommended for a promotion to the position of Operator. Action on the matter will be taken during the “voting” section of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Driscoll reported that, as D. L. George is the Borough’s snow plowing contractor, the staff has met with him to discuss plowing in the Brimington Farms Development. Mr. Driscoll explained that anytime the Borough is plowing and/or applying anti-skid, D. L. George will be contacted to do the same at Brimington Farms. It was agreed that they will stay 3-5' away from the curb to avoid drains, manholes and water valves. Mr. Grubbs added that, due to other commitments, they may not get there when the snow begins, but will get it done the same day.

**STREET COMMITTEE:** Councilman Potts reported that no Street Committee meetings were held since the last Council meeting, during which time a resident discussed the need for additional lighting in alleys. That request, along with the need for additional lighting at intersections, will be reviewed after the first of the year. No Street Committee meeting will be held in December (due to the holidays and no pressing business).

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** Councilman Newcomer noted that the Downtown Revitalization Committee met the previous day, and discussed the following items –

- Reminder about LERTA appointments.
- The possibility of hiring a part-time maintenance individual to work two (2) days downtown and two (2) days at the parks, for needed painting, etc.
- Rental Inspection Program – met with Darwyn Benedict and will email some of the realtors' concerns and possible changes to the proposed program.
- Blighted property review – this item is on the agenda and will be discussed later in the meeting.

**FINANCE COMMITTEE:** Councilman Greenawalt reported that Council will be asked to consider the 2013 proposed budget and Tax Ordinance later in the meeting.

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

“On December 12<sup>th</sup>, I attended the Waynesboro Beneficial Fund board meeting, where we presented to the Renfrew Institute funds to upgrade their computer system.

Also on the 12<sup>th</sup>, I attended the retirement party of Bonnie Iseminger and thanked her for her years of service to the Renfrew Museum and Park.”

Mayor Starliper noted he has prepared a Proclamation offering condolences to the families/friends of the children and adults of Sandy Hook Elementary whose lives were taken away so soon in life. He asked members of Council and the staff to sign the Proclamation prior to leaving, as it will be mailed the following day.

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

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

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Driscoll made a motion to approve the promotion of Todd Sharrah to the position of Water Plant Operator (salary level 10A). Councilman Greenawalt seconded; the motion passed unanimously.

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

**RESOLUTION FOR**  
**COUNCIL MEETING OF DECEMBER 19, 2012**  
**"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. Propane Bids.

**Routine:**

1. Approval of minutes - December 5, 2012 (public hearing and regular meeting)
2. Accept reports of the Code Enforcement Officer, Police Chief and Fire Chief - November, 2012
3. Pay Bills - Voucher List dated 12/06 and 12/18 (and any others following preparation of this agenda)
4. Request from Mainstreet Waynesboro, Inc. for 2013 Activities/Events

**Previously Discussed:** N/A.

**UNFINISHED BUSINESS**

**ADOPT 2013 BUDGET AND TAX ORDINANCE:** Mr. Hamberger noted that the 2013 proposed budget has been prepared and advertised in accordance with laws of the Commonwealth of Pennsylvania. Councilman Greenawalt made a motion to approve the proposed 2013 budget. Councilman Driscoll seconded; the motion passed unanimously.

Councilman Greenawalt also made a motion to adopt the 2013 Tax Ordinance, which includes no tax increase. Councilman Driscoll seconded; the motion passed unanimously.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, COMMONWEALTH OF PENNSYLVANIA, fixing the tax rate for the fiscal year 2013.

Complete copy on file at Borough Hall.

Further, Councilman Greenawalt made a motion that all Act 511 taxes remain in force at their current rates. Councilman Newcomer seconded; the motion passed unanimously. Mr. Hamberger thanked Council and the staff for the time they spent negotiating the budget.

## **NEW BUSINESS**

**REQUEST FOR LETTER OF SUPPORT (WAYNE GARDENS SENIOR HOUSING DEVELOPMENT):** Bonnie Zehler, Executive Director of Valley Housing, was present. Mr. Hamberger explained that they are proposing two projects in the Mt. Vernon Terrace area – (1) to add 40 units for senior citizens and (2) to do renovations to the existing properties. They will be requesting funding from the Pennsylvania Housing Finance Association, and are asking for Council's support. Councilman Newcomer made a motion to authorize the Borough Manager to write a letter in support of their proposed projects. Councilman Driscoll seconded.

Discussion ensued, and Ms. Zehler explained that they have applied for funding three (3) prior times, but have not been selected for funding yet. The applications are due in February and are very competitive (they receive approximately 90-120 applications and can fund around 30). She noted that their application is very strong, and they have had the support of Council each year (as well as with CDBG funds). They also have an approved site plan, and are hopeful their application will be selected during this round of funding.

Ms. Zehler noted that a separate application is being submitted for renovations to the apartment buildings, which are over 60 years old. Issues which will be dealt with include piping, electric, etc., as well as handicapped accessibility. This application will be submitted under "historic preservation", and will complement the other application.

Mr. Hamberger added that he has served in the past on the Housing Authority Board, and noted that the board always does their best to maintain their buildings. The rents are very affordable, being considerably lower than the current market rates. Ms. Zehler also stated that the rents will not be raised after these renovations are completed.

A vote was called, and the motion passed unanimously.

**SCHEDULE OF 2013 REGULAR MEETINGS:** Council members were provided with a list of the 2013 regularly-scheduled meetings, as well as the holidays to be recognized by Borough employees. Councilman Driscoll made a motion to approve both. Councilman Newcomer seconded; the motion passed unanimously.

**REQUEST FOR SURPLUS EQUIPMENT:** Fire Chief Martin noted that the Fire Department would like Council's permission to market and sell old excess equipment

(parking meters, traffic lights, etc.) which have been unusable for the last several years as a fundraising activity. Mr. Hamberger explained that there are very specific ways the Borough must dispense of surplus property, and they would like to make the parking meters available individually to the general public. Councilman Driscoll made a motion to permit the Fire Department to market and sell the old parking meters (penny & nickel) and residual traffic signal heads/parts as a fundraising event. Councilman Greenawalt seconded; the motion passed unanimously.

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

### **FOR INFORMATION ONLY**

**UPDATE (STORMWATER PROJECT):** Kevin Grubbs reported that all Highway Occupancy Permits for portions of the stormwater project have been obtained, and Sam Wisner is working on the PENNVEST closing. The contractors are looking to start work in mid to late January, and contract documents are currently being finalized.

Mr. Wisner reported that “almost all” information is ready for the PENNVEST closing. The easements are being completed; and once they are recorded, the contractors’ contract documents will be uploaded to the PENNVEST website. Settlement will (hopefully) take place at the end of January.

Mr. Grubbs noted it is anticipated that the S. Potomac Street by-pass (from Fifth Street to Cemetery Avenue) will take approximately 9-12 months; the upgrade on Potomac Street (from Main Street to Gay Street) will take approximately 3 months; and the Grant Street by-pass (Cleveland Avenue, Second Street, Snider Avenue and Third Street) should take from 4-6 months.

Mr. Hamberger commended the Engineering Department (Kevin Grubbs and Scott Crum) for their efforts on this project.

**COUNTY BLIGHTED PROPERTY REVIEW COMMITTEE:** Mr. Hamberger reported that the County Redevelopment Authority has formed a Blighted Property Review Committee; and some individuals have thought this could be utilized to “attack” blighted properties in various communities. There are several caveats, however, to the program. The Committee is basically designed to help communities that do not have codes such as the International Property Maintenance Code (IPMC). Before any property is submitted to the Committee, the local municipality must exhaust all possible remedies. The County’s Blighted Property Review Committee will review a property under the existing PA Redevelopment Law, which is significantly less stringent than the IPMC. So this Committee would not be of any benefit to the Borough, as the Borough’s adopted codes are more stringent.

**TRASH AND RECYCLING CONTRACT MODIFICATIONS:** Mr. Hamberger noted that major modifications were made to the trash contract. All 4300 trash customers will receive new 64-gallon recycling totes during the week of January 7<sup>th</sup>. The previous

recycling containers should not be used, but can be kept or returned to Waste Management. He reminded residents that recycling is mandatory in Waynesboro; and periodic checks will be made to ensure that residents are recycling.

The new system for recycling is single-stream, and means that all recyclables are put into one container – this includes plastic bottles, glass bottles and jars, all types of cans, all paper, flat cardboard, brown paper bags, newspaper, magazines and junk mail. Shredded paper can be placed in the container or in a clear plastic bag for recycling. Unacceptable items for recycling are: styrofoam, packing material and plastic bags. This new system should significantly reduce the amount of trash going to the landfill.

Also, beginning in January, PA has prohibited trash haulers and municipalities from accepting electronic components – this includes computers, computer monitors, television sets, printers, and any other components of a computer. These items must be taken to an approved site. The Borough's website will contain a link to the Commonwealth of Pennsylvania's Department of Environmental Resources, outlining these approved sites. However, Washington Township Transfer Station is an approved site.

In addition, residents will also have the opportunity to rent a 96-gallon trash tote for \$6.00/quarter.

**UPDATED BOROUGH WEBSITE:** Mr. Hamberger then presented a slideshow of the Borough's newly-updated website, which was authorized by Council last year. He noted that Mike Cermak Jr. (Cermak Technologies), Scott Crum and Melinda Knott put a lot of time into the new website.

**BOARD RE-APPOINTMENTS:** Councilman Greenawalt made a motion to re-appoint Lee Layman to the Borough Authority and Jerry Kauffman to the Zoning Hearing Board. Councilman Newcomer seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** "Get Well" wishes were voiced to Councilman Cermak.

Dan Sheffler reminded Council members that two (2) members are still needed for the Zoning Hearing Board.

Kevin Grubbs advised that the Maintenance Department has installed directional signs at Turkey Hill, which Turkey Hill will pay for. Mr. Grubbs also noted that an area of the brick sidewalk in front of Susquehanna Bank has dropped. Barricades have been placed at the site, and the contractor will repair the damage. He also thanked Solicitor Wisner for his assistance on the stormwater project.

Jason Cohen reported that he has begun looking recently at the Borough's use of constables to ensure the use is in line with the "going rates" for these services. He will possibly have information for Council's consideration in January.

Fire Chief Martin reminded individuals utilizing candles over the holidays to be careful, as they cause house fires around this time each year. Mr. Martin also noted that equipment is currently being mounted on the Department's new truck; and they have sold the former Special Unit.

Police Chief Sourbier advised that the investigation of a recent shooting incident is progressing nicely; and he remains optimistic that there will be an arrest forthcoming soon. He also had the pleasure of addressing the Rotary Club last week. During that meeting, he was asked to find a resolution to the problem of WASHS students congregating across Second Street to smoke cigarettes prior to entering the school. He noted that there are no Borough ordinances against smoking; they do not violate the Sidewalk Ordinance because they permit pedestrian passage; and it is not illegal for a minor to *smoke* a cigarette in PA, although they cannot buy them. He asked if there is anything that would preclude the Borough from enacting an ordinance that individuals cannot congregate in a public place (within 100 yards of school property) and smoke? He also suggested that the School District has an administrative code within its power that says that a student, once on the premise of the school, cannot depart from the grounds of the school without permission from a school authority. He feels that the school bears some responsibility for the students who park in the parking lot and walk across the street to congregate on a public sidewalk and smoke. Further, he noted that the Borough has already banned most of the parking in front of the high school, so why not ban it also on Virginia Avenue and Enterprise Avenue as well during school hours? Chief Sourbier noted these suggestions are simply offered to Council as "food for thought". Councilman Driscoll stated that he was the individual who asked the Police Chief for an opinion on this matter, as he feels strongly about it as both a parent and member of this community. Solicitor Wisner was asked to obtain a copy of Chambersburg's policy regarding underage smoking.

On a related matter, Councilman Greenawalt asked why police officers are at the high school everyday. Chief Sourbier responded that (particularly in light of the events which occurred in Connecticut last week), there is a certain perceived comfort level in seeing a police car in the vicinity of a school. It also has a calming affect on the traffic as well. He added that it is only for a few minutes in the morning and a few minutes in the afternoon, and it doesn't detract significantly from the officers' other responsibilities. He would "rather have them there to see and to be seen than to have to summon them from someplace else to attend to an event that has occurred". He feels that the officers' presence at the school is "time well spent".

Holiday wishes were expressed by various councilmen and staff. Mayor Starliper noted that he received information regarding prosecuting individuals who purchase/provide tobacco products for underage individuals.

President Stains expressed appreciation to the department heads, Manager and Assistant Manager for working with Council on the 2013 budget.

Having no further business to discuss, the meeting adjourned at 9:04 p.m. on a

Driscoll/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant