

APRIL 6, 2011  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Craig Newcomer 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, Jason Stains, C. Harold Mumma, Craig Newcomer, Wayne Driscoll and Ronald Martin

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Denny Benschoff, Maintenance Superintendent  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
Sam Wiser, Salzman Hughes PC (Borough Solicitor)  
Jason Cohen, Assistant Borough Manager  
S. Leiter Pryor, Director of Borough Utilities  
Mark King, Police Chief

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

**EXECUTIVE SESSION:** Council adjourned to an executive session at 7:31 p.m. for the purpose of discussing a personnel matter. They reconvened to regular session at 8:03 p.m.

**APPROVE MINUTES:** Councilman Martin made a motion to approve the minutes of the March 16, 2011 meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma noted that he received a favorable performance evaluation for Jason Cohen – no action was required. He will also present several items during the “voting” section of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Driscoll reported that, according to Kevin Grubbs, there has been a lot of interest in the bids for the dog park fence. The bids will be opened on 04/14 at 4:00 p.m. Donations from the public continue to be received.

**STREET COMMITTEE:** No report. Councilman Martin will present two (2) items during the “voting” section.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Stains reported on several changes in Comcast’s channel line-up.

**DOWNTOWN REVITALIZATION COMMITTEE:** Council President Newcomer reported on the Committee’s last meeting, during which time they reviewed the information submitted by the Rental Inspection Committee. A public workshop will be held prior to a future Council meeting to discuss the matter publicly. In addition, they discussed downtown building facades and proposed plans for the bike path.

**FINANCE COMMITTEE:** No report.

**MAYOR'S REPORT:** No report. Mayor Starliper urged Council to contact the Pennsylvania State Association of Boroughs (PSAB) for assistance with the renters' program. Mr. Newcomer noted that they were already part of the process in conjunction with the Rental Inspection Committee. He commented that the committee met twice monthly for 18 months; and the document they prepared as a result was quite thorough.

**SOLICITOR'S REPORT:** Sam Wisner reported that work is proceeding with the PENNVEST/Stormwater Project, and they will be closing on the second Series B Tax Anticipation Note at the end of this week. D. H. Martin has been issued a Notice-to-Proceed, and they will begin work shortly. Additional paperwork with regard to MBE/DBE items was requested by the state; and all seems to be going well. A pre-construction meeting will be held on 04/14.

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

**REQUEST FROM ST. ANDREW CATHOLIC SCHOOL RE: 1.5 MILE RACE:** Christina Manning, one of the leaders of the Running Club at St. Andrew School, presented a request for Council's permission to use the block between Dickinson Avenue and Vista Drive on Roadside Road for a 1.5 mile race to raise funds for Waynesboro's Pregnancy Resource Center on behalf of Judy Clement and her family. Mr. Hamberger noted that he and Police Chief King have discussed the matter. They foresee no problems, provided that adequate traffic control (fire police) is in place. Councilman Driscoll made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

**SEWER RATE MODIFICATION:** In preparation of additional costs for an expansion at the Sewer Plant (to meet requirements of the Chesapeake Bay Initiative), Mr. Hamberger noted that the Waynesboro Borough Authority is recommending a 15% increase in sewer rates. He explained that Borough Council will vote on the increase at this meeting, and the WBA will affirm the action at their meeting on 04/19. Councilman Greenawalt made a motion to approve the recommended 15% sewer rate increase (Resolution No. 2011-03). Councilman Martin seconded. Councilman Martin noted his concern that Waynesboro's water and sewer taps are the highest in the area. Leiter Pryor acknowledged his concern, but added that the tap fees will not be impacted by this rate increase. President Newcomer provided the telephone number for the Chesapeake Bay Initiative (410-268-8816), and suggested that citizens contact them regarding the need for these expansions and subsequent increases. The motion then passed unanimously.

#### **RESOLUTION 2011-03**

WHEREAS, the Borough of council of the Borough of Waynesboro has adopted a Sewer Use Ordinance, and

WHEREAS, said Sewer Use Ordinance provides for fees charged to owners of properties connected to and from which wastewater is discharged into the sewer system, and

WHEREAS, said Ordinance requires Council to adopt, from time to time, a resolution setting forth the sewer use charges,

Complete copy on file at Borough Hall.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma made a motion to hire Rachel Schuler and Andrew Dinterman as Assistant Managers at Northside Pool for the 2011 season,

based on a recommendation by Pool Manager Jared Mummert. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Lifeguards at Northside Pool: Kiersten Bell, Kegan Crider, Allison Doub, Elizabeth Farmer, Clayton Heebner, Morgan Jackson, Sean Sheldrake, Stephanie Stachmus, Paige Tanner, William Smith, Molly Sanders, Michal Sanders, John-Eric Bell, Adam Heebner, Matthew Hinojos and Sarah Mitchell. Councilman Driscoll seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Cashiers at Northside Pool: Emily Blair, Abigail Schuler, Jacob Smith and James Miller. Councilman Driscoll seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Summer Maintenance Workers at the Golf Course: Kenneth Stonebraker, Toby Andrew, Nathan Kauffman, Jarred Knott, Ronald Butts and Ralph Johnson. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Pro Shop Attendants at the Golf Course: Dorothy "Jean" Kaiser, Maren Smith, Malia Scheeler, Samantha Pryor, Jesse Mowen, Isaac Swink, Marvin Gaskill and Audrey Rouzer. Councilman Driscoll seconded; the motion passed unanimously.

Councilman Mumma noted that an error was made at the March 2<sup>nd</sup> Council meeting when a step increase for Tom Brennan was approved – his new salary level should be 13D (not 13E, as previously mentioned). Council acknowledged the correction.

Councilman Mumma made a motion to approve a step increase for Tom Simmers to salary level 11C. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin made a motion to remove the handicapped parking space at 227 S. Church Street, as the resident who requested it no longer lives there. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin reported that Attorney Tim Misner attended the Street Committee meeting and presented a request (on Darwyn Benedict's behalf) to remove eight (8) parking spaces in the Rotary parking lot. A diagram was provided to Council members indicating the spaces involved. *\*Councilman Martin then recused himself from the discussion.* Councilman Mumma made a motion to deny the request, based on the letter received previously from the Rotary Club. Councilman Greenawalt seconded. Darwyn Benedict clarified that they are not requesting to remove any spaces, but to return the lot to the way it was prior to the repaving (which would allow for trucks to access a business that is considering taking over the property). The motion to deny the request to remove eight (8) spaces passed unanimously; and the request to reconfigure the parking spaces was referred back to the Street Committee for review and recommendation.

## **UNFINISHED BUSINESS**

**PEDDLERS ORDINANCE AND FEE STRUCTURE:** Mr. Hamberger noted that Solicitor Wiser has provided proposed changes to the current Peddlers Ordinance, which includes a modification to the fee structure. Specifically, the recommended fees will be \$20.00/individual over the age of 18 years and \$15.00/individual under the age of 18 years. The matter will be on Council's agenda for the next meeting; and if acceptable, the ordinance can be advertised for consideration at Council's first

meeting in May. Councilman Martin suggested that “Assistant Borough Manager” be added to Subsection 195-6.

### **AWARD BIDS:**

**Pool Concession Stand** - Mr. Hamberger noted that the Recreation Board has recommended that the Pool Concession Stand contract be awarded to the Waynesboro News Agency, based on their bid of 15.5% of gross sales. Councilman Driscoll made a motion as such. Councilman Stains seconded; the motion passed unanimously.

**Stone** - Based on the staff’s recommendation, Councilman Martin made a motion to award the stone bids to Valley Quarries, Inc. Councilman Mumma seconded; the motion passed unanimously.

**Polyethylene Traffic Barricades** - Mr. Hamberger noted that PBS Rentals of PA was the only bidder for traffic barricades – their total bid was \$8,148.00. Councilman Martin made a motion to award the bid to PBS Rentals, however he suggested that the Borough save the \$670.00 delivery fee by picking them up. Discussion followed regarding the actual cost of transporting the barricades, as well as the language utilized in the bid documents with regard to delivery. Councilman Martin amended his motion to simply award the bid to PBS Rentals. Councilman Stains seconded; the motion passed unanimously.

**BOROUGH TELEPHONE CARRIERS:** Jason Cohen reported the previous month that he would be receiving a second quote from Century Link, and provided a spreadsheet for Council’s review. He summarized by indicating that Comcast could save the Borough approximately \$5,340.00 annually; but if they remain with Century Link, they stand to save \$5,520.00 annually. Accordingly, the staff is recommending staying with Century Link, as they can maintain “status quo” at a better rate. He added that the prices are locked-in for 36 months. Councilman Stains made a motion to approve the staff’s recommendation regarding telephone carriers. Councilman Greenawalt seconded; the motion passed unanimously.

### **INTERLOCAL AGREEMENT FOR 2010 COMMUNITY ORIENTED POLICING SERVICES (COPS)**

**GRANT:** Mr. Hamberger noted that a “COPS” grant was provided to fund the majority of costs for the purchase of new radios. He presented an Interlocal Agreement for Council’s execution in order to proceed. (One radio, which will cost the Borough several hundred dollars, was for the Emergency Management Coordinator; and another was for the Water Plant, which the WBA will pay for). Councilman Greenawalt made a motion to authorize execution of the agreement. Councilman Martin seconded; the motion passed unanimously.

### **CLOSE-OUT FACADE IMPROVEMENT GRANT FOR DR. JOEL MCGAHEN (112 W. MAIN STREET):**

Mr. Hamberger noted that the Design Review Committee has recommended the facade improvement grant for Dr. Joel McGahen be closed-out, and Dr. McGahen be reimbursed for the work (approximately \$2,200.00). Councilman Greenawalt made a motion to approve the close-out. Councilman Driscoll seconded; the motion passed unanimously.

### **CLOSE-OUT BANK ACCOUNTS:**

Mr. Hamberger explained that, due to the new accounting system which is being installed, the Borough will need to utilize a clearing account (which will basically take all municipal funds, except those which are required to be physically segregated by law, and put them into one account), and the accounting system will keep the balances separate “on the books”. He noted that the Borough’s auditors have been encouraging this process for several years now. Accordingly, authorization will be required from Council to close-out various accounts in order to transfer the appropriate money to the clearing account established at Tower Bank. Jason Cohen added that they would like authorization to close-out the General Fund account, but they anticipate leaving the account open with a small balance for approximately a month or so to ensure against any type of bounced check issues, etc. Once they are 100% certain that there are no outstanding checks,

the account will be closed. Councilman Greenawalt made a motion to close-out the accounts as presented. Councilman Mumma seconded. Councilman Martin asked if this will lead to electronic payments for utility bills. Mr. Cohen responded that this is the first step in that process ... when a merchant services account is established, those transactions must be directed to a single bank account. Electronic transfers will then be made (daily and weekly) to accommodate for the WBA's water and sewer revenues, as well as WTMA's revenues. He advised that their goal is to be able to accept electronic payments on approximately 07/01. The motion then passed unanimously.

## **NEW BUSINESS**

**REQUEST TO HOLD SUMMER JUBILEE FIRECRACKER 5K RACE (JULY 4<sup>TH</sup>):** Mr. Hamberger presented a request for the Summer Jubilee Firecracker 5K Race to be held on 07/04 at 8:00 a.m. (kids' 1-mile run) and 8:30 a.m. (5K race). They will utilize the same route as last year, and Chief King noted no problems. Councilman Driscoll made a motion to approve the request. Councilman Stains seconded; the motion passed unanimously.

**POTENTIAL LOSS OF NEW RADIO FREQUENCY:** Mr. Hamberger noted that the County has spent millions of dollars (and received grants) to convert to a new radio frequency, but the federal government is proposing to take it away after 10 years. Mr. Hamberger requested Council's permission to correspond with Congressman Shuster regarding the Borough's concerns. Councilman Martin made a motion that the Borough Manager be authorized to contact Congressman Shuster regarding the matter. Councilman Stains seconded; the motion passed unanimously.

**APPLICATION FOR PARADE PERMIT (JULY 4<sup>TH</sup> PARADE):** Councilman Greenawalt made a motion to approve the request from the Brothers of the Brush to hold the July 4<sup>th</sup> parade beginning at 10:30 a.m. that day. Councilman Stains seconded; the motion passed unanimously.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:** None.

**ADDITIONAL ITEMS:** Councilman Martin noted that discussion arose at the Street Committee meeting regarding the wall at the golf course. He requested that the Property Committee review the matter and make a recommendation.

Councilman Martin requested that Kevin Grubbs provide Council members with a list of the unfinished developments in the Borough, including when they were started, what needs to be done, etc. He suggested that Council discuss these at their next meeting; and if they are in agreement, request the developers to attend a Street Committee meeting regarding the outstanding items. A report would then be provided to Council for review.

President Newcomer noted that the "trailer issue" keeps coming up, and he requested that the Street Committee look into the possibility of permitting commercial trailers (the driver/owner of the trailer would be required to be a resident of the Borough). Councilman Martin noted that he will discuss the matter with Chief King and report back.

## **FOR INFORMATION ONLY**

**CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION:** Council members were invited to attend the upcoming Cumberland-Franklin County Boroughs Association meeting to be held on 04/26 at the Highline Coffeehouse in Greencastle. Those interested in attending were asked to contact Melinda Knott.

**REQUESTS FROM MAINSTREET WAYNESBORO, INC. RE: MARKET DAY 2011:** Correspondence was received from Mainstreet Waynesboro, Inc. regarding items for the 7<sup>th</sup> Annual Market Day to be held on 10/01 from 9:00 a.m. to 4:00 p.m. Councilman Driscoll made a motion to approve the requests outlined. Councilman Mumma seconded. Discussion followed regarding vendors setting up, and Downtown Manager Pat Fleagle noted that they will be instructed not to erect tents in the streets prior to 7:30 a.m. Mr. Hamberger advised that if a vendor is registered with MSI, the Borough's peddlers' fees will be waived for that day. The motion then passed unanimously.

**PAY BILLS:** Councilman Mumma made a motion to approve the payment of Voucher Lists dated 03/18, 03/22, 03/28 and 04/06. Councilman Stains seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Pat Fleagle asked for information regarding the "corrective paving" being done on Main Street. Kevin Grubbs reported that PENNDOT's contractor will be repairing five (5) areas of Main Street in the Borough this week – two (2) locations at Tritle Avenue, Fairview Avenue near the VFW, Center Square by one of the crosswalks, and they will grind off the joints between Clayton and Virginia Avenues. The remainder of the repairs will be in Washington Township.

Mayor Starliper advised that former Police Chief Mac McCleary is at Laurel Run nursing home. He also reported that he and Chief King have received information regarding proposed state legislation banning the sale of certain bath salts and synthetic marijuana – he can provide additional information to anyone requesting such.

Having no further business to discuss, the meeting adjourned at 9:04 p.m. on a Greenawalt/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant