

FEBRUARY 16, 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  
Tom Finucane, Salzman Hughes PC (Borough Solicitor)  
Jason Cohen, Assistant Borough Manager  
Mark King, Police Chief  
Dave Martin, Fire Chief

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

**APPROVE MINUTES:** Councilman Greenawalt made a motion to approve the minutes of the February 2, 2011 public hearing and regular meeting, as written. Councilman Stains seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman Greenawalt made a motion to accept the reports of the Code Enforcement Officer, Police Chief and Fire Chief, as presented. Councilman Driscoll seconded; the motion passed unanimously.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma noted that he received a favorable performance evaluation for Peggy Martin, however no action is required. He will present several other items during the “voting” section of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** Councilman Martin noted that he will present an item during the “voting” section.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** President Newcomer announced that the Committee’s next meeting will be held on 03/01 at 10:00 a.m. He requested that Harry Morningstar share with Council the projects they have been discussing.

Harry Morningstar, 205 Clayton Avenue - Mr. Morningstar reported that some progress has been made on the hiking/biking/walking trail connecting the parks, but it is moving very slowly. They have

been talking and working with members of the RCI Board of Directors, Michael Bercaw of the Waynesboro Area School District (who spearheads the local youth running group), Bob Correll of Waynesboro Running, Inc., and Summit Health.

President Newcomer added that this project was included as a recommendation in the Joint Comprehensive Plan Study. Specifically, the Borough noted their goal was to create a walking path within the Borough, and Washington Township's goal was to create a walking path within the Township; and eventually those walking paths would be connected and tied into the Appalachian Trail. The first step of this overall goal, however, is to connect the parks together – beginning with Renfrew and Memorial Park, then Memorial Park and Rotary Park, Rotary Park and Northside Park, etc.

**FINANCE COMMITTEE:** No report.

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

“On January 22<sup>nd</sup>, along with two members of the Waynesboro Bible Church, I had the honor of judging their Apple Pie Contest. All were very tasty.

On January 28<sup>th</sup>, I attended the Greater Waynesboro Chamber of Commerce's Quarterly Breakfast. Mr. Bill Hofman of the COPT gave an update on Fort Ritchie.

February 8<sup>th</sup>, along with Carlene Willhide, Mrs. McGarity, Fire Chief Martin, Police Chief King, Emergency Management Director Bader, Fire Police Captain Burns, Downtown Manager Fleagle and Mr. Hanks (Chairman of the Franklin County Builders' Show), I met to give input for the show. Mr. Hanks was very pleased with the cooperation he has received.”

**SOLICITOR'S REPORT:** Attending in Sam Wiser's absence was Tom Finucane from Salzmann Hughes. Mr. Finucane presented three (3) permanent and construction easements dealing with the eminent domain action which was brought against three (3) property owners. These have been reviewed and will be handled during the “voting” section of the meeting. Mr. Hamberger added that the property owners have executed the easements, and Council's approval/execution is now required.

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner asked if a report would be provided following the training Council members attended on 01/27 in York regarding the Blight Bill. Mr. Hamberger advised that a report was given at the last meeting, and he will provide Mr. Bittner with a copy of those minutes. In addition, Mr. Bittner requested that the Manager and Council members furnish him with financial summaries of all accounts controlled by them for the years 2009 and 2010. Mr. Hamberger noted that he will provide Mr. Bittner with a copy of the audit reports for those years, upon completion.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma noted that he received a favorable evaluation for Chris Eyler, and made a motion to approve a step increase to salary level 8E. Councilman Stains seconded; the motion passed unanimously.

In response to Chief King's recommendation, Councilman Martin made a motion that left turns from S. Enterprise Avenue onto Main Street be prohibited during the upcoming Builders Show scheduled for 03/11-01/13; and further, that signs be posted regarding a “shuttle service” being provided via trolley on E. Second Street in front of the Senior High School. Councilman Greenawalt seconded; the motion passed unanimously.

Pursuant to Tom Finucane's earlier recommendation, Councilman Martin made a motion to authorize the appropriate Borough officials to execute the three (3) easement agreements and release the checks in accordance with provisions of the agreements. Councilman Mumma seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**CONSIDER ORDINANCE INCREASING PLANNING COMMISSION MEMBERSHIP:** Mr. Hamberger noted that the proposed ordinance to increase the Planning Commission's membership from seven (7) to nine (9) members has been duly advertised and is being presented for Council's consideration. Councilman Martin made a motion to adopt the proposed ordinance, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

### **ORDINANCE NO.**

AN ORDINANCE AMENDING ORDINANCE NO. 1069 ENTITLED "AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NOS. 901 BEING AN ORDINANCE REPEALING ORDINANCE NO. 778 BEING AN ORDINANCE AMENDING ORDINANCE NO. 679 ENTITLED "AN ORDINANCE CREATING A BOROUGH PLANNING COMMISSION IN AND FOR THE BOROUGH OF WAYNESBORO; REGULATING THE POWERS AND DUTIES THEREOF; AND REPEALING OF PRIOR ORDINANCE".

Complete copy on file at Borough Hall.

Councilman Mumma then made a motion to appoint Richard Rose and Bruce Greenshields to the two (2) newly-created openings on the Waynesboro Planning Commission. Councilman Driscoll seconded; the motion passed unanimously. Mr. Hamberger noted that term expirations will be clarified by the Solicitor.

**2011 CDBG PROGRAM RECOMMENDATIONS:** Mr. Hamberger recommended that funds for the 2011 CDBG program be allocated at 18% for Administration, with the remaining funds being allocated for Streets. Councilman Martin made a motion to approve the Borough Manager's recommendation. Councilman Greenawalt seconded; the motion passed unanimously.

Mr. Hamberger added that "old" money could possibly be used at a later date to address the other requests submitted.

## **NEW BUSINESS**

**LETTER OF SUPPORT FOR HEALTHY COMMUNITIES PARTNERSHIP OF GREATER FRANKLIN COUNTY (DRUG FREE COMMUNITIES GRANT):** Mr. Hamberger presented a request for a Letter of Support from the Healthy Communities Partnership of Greater Franklin County for their Drug Free Communities Grant application. Councilman Martin made a motion to authorize the Council President's execution of a proposed Letter of Support. Councilman Stains seconded; the motion passed unanimously.

**REQUEST TO "PAINT THE TOWN PURPLE" FOR GREENCASTLE RELAY FOR LIFE:** Mr. Hamberger presented a request from the Greencastle Relay for Life for permission to hang purple bows on the parking meters on Main Street from 04/14 to 05/14. This has been approved the last several years and there have been no problems. As always, they will be responsible for hanging, maintaining and removing the bows during this time period. Councilman Greenawalt made a motion to approve the request. Councilman Stains seconded; the motion passed unanimously.

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

**CONTRACT WITH FIRE APPARATUS DRIVERS ASSOCIATION:** Councilman Martin announced that a four-year contract has been negotiated with the Fire Apparatus Drivers Association, which includes pay raises of 2%, 2%, 2% and 3% for each consecutive year. He made a motion to approve the contract, as presented, with “thanks” for their understanding with regard to the raises (due to the difficult economic times). Councilman Greenawalt seconded; the motion passed unanimously. Mr. Martin added that the Police Officers Association was also very “reasonable” in this respect.

As an adjunct to that, Mr. Hamberger noted it was pointed out during the negotiations that the current job description for Fire Apparatus Driver was at variance with the contract. The job description has since been modified (and approved by the union) to require that new hires must complete Pump I and Pump II training within one (1) year and complete Firefighter I and Firefighter II training within two (2) years. In accordance with the Borough Manager’s recommendation, Councilman Mumma made a motion to approve the modified job description and request that the Civil Service Commission modify their rules (which are also at variance). Councilman Stains seconded; the motion passed unanimously.

**AWARD BIDS - DUCTILE IRON PIPE:** Mr. Hamberger noted that there were four (4) bidders for ductile iron pipe, the lowest of which was L/B Water of Chambersburg, PA. Councilman Martin made a motion to award the bids to L/B Water. Councilman Greenawalt seconded; the motion passed unanimously.

**STORMWATER MANAGEMENT PLAN - WAYNESBORO AREA SCHOOL DISTRICT (FAIRVIEW AVENUE ELEMENTARY SCHOOL):** Kevin Grubbs reminded Council members that, at their November 17, 2010 meeting, the Stormwater Management Plan for the Waynesboro Area School District’s additional parking lot at the Fairview Avenue Elementary School was presented for consideration. At that meeting, Council approved the plans, contingent upon the receipt of bonding. Mr. Grubbs stated that the ninety (90) day time period for submission of the bonding expired at 12 midnight on 02/15, and no bonding has been received. At this time, then, Borough Council can choose to either grant them additional time to submit the bonding or to deny a time extension (at which time the plans would need to go back through the planning process again).

Councilman Martin made a motion to grant an extension until 03/14 for either a letter of credit or bonding to be submitted. Councilman Driscoll seconded.

Discussion followed. Mr. Finucane explained that this is an unusual situation, as it deals with another public body; and in addition, because the parking lot work has already been completed. (Mr. Grubbs noted that the stormwater retention portion has not been done.) Mr. Finucane continued that they have not been compliant or cooperative with the Borough ... and are still not providing what they were supposed to. He suggested that their right to use the parking lot could be revoked (on 03/16) due to their violation of the ordinance, and daily fines could then be imposed.

President Newcomer clarified that the motion should be to grant an extension until 03/14 for either a letter of credit or bonding to be submitted; and if they do not comply, at the Council meeting on 03/16, Council will take action to revoke their occupancy permit for that portion of the parking lot. Councilmen Martin and Driscoll concurred with the motion clarification. A vote was called and the motion passed unanimously.

Councilman Greenawalt questioned the timeframe for completion of the extension to Third Street. It was noted that the School District has until July 1<sup>st</sup> to complete that project.

**FRANKLIN COUNTY HOUSING AUTHORITY - PLANS FOR ELDERLY HOUSING UNITS:** Kevin Grubbs noted that when the Housing Authority's plans for elderly housing were approved, there was a contingency that they conduct an infiltration study/testing. He explained that winter had already set in at that time and the ground has been frozen, which precludes the testing being done properly. They have been in contact with him and provided a written explanation regarding the matter; and accordingly, Mr. Grubbs requested they be given an extension on their plans. Councilman Martin made a motion to grant the Housing Authority an extension to 04/30. Councilman Greenawalt seconded; the motion passed unanimously.

### **FOR INFORMATION ONLY**

**FCADC ANNUAL GENERAL MEMBERSHIP BREAKFAST MEETING (MARCH 10, 2011):** Council members were invited to attend the Franklin County Area Development Corporation's General Membership Breakfast Meeting on March 10<sup>th</sup>. Those wishing to attend were asked to contact Melinda Knott.

Discussion followed regarding the upcoming Cumberland-Franklin County Boroughs Association meeting to be held in New Cumberland on 02/22. Those planning to attend were asked to confirm their attendance with Melinda Knott.

**PAY BILLS:** Councilman Mumma made a motion to approve the payment of the Voucher List dated 02/10. Councilman Stains seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Kevin Grubbs reported that PENNDOT has approved the permit application for the illuminated street name signs, and he will need to obtain President Newcomer's signature on the appropriate documents. They have also approved the design plans for the rapid-flashing beacon lights for various crosswalks.

Jason Cohen reported that Bonded Applicators has completed the roof project on the rear of Borough Hall; and to date, there have been no occurrences of leaking where warranty work was done over the hallway to the rear of Council Chambers.

Police Chief King reminded Council and the public of the upcoming Health Fair scheduled for 03/12. He reported that Waynesboro Police Department will have a display booth there, in conjunction with the Pennsylvania State Police. In addition, he requested that members of the public keep a watchful eye on vacant houses in the area, as there has been an ongoing problem with the theft of copper wiring. If an individual is observed in or around a vacant home, the police should be notified.

Fire Chief Dave Martin advised that the Waynesboro Volunteer Fire Department will be providing/vending refreshments at the Franklin County Builders Show.

Downtown Manager Pat Fleagle thanked both Chiefs and the Mayor for their cooperation and assistance with the upcoming Builders Show, noting that it will be a logistically difficult event. He also reported that tickets for the Chocolate Extravaganza are available at the MSI office. The event will be held on 03/05 at the Downtown Eagles Club. He added that a dance band will be performing in addition to the chocolate treats on-hand.

Councilman Mumma thanked the public for their attendance at the meeting.

Councilman Martin requested an update on payments made to the Sidewalk Improvement Project based on the individuals who committed to make contributions.

Having no further business to discuss, the meeting adjourned at 8:15 p.m. on a Greenawalt/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant