

FEBRUARY 17, 2010  
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  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)  
Dave Martin, Fire Chief  
Mark King, Police 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 1, 2010 special meeting, as written. (Minutes for the February 3<sup>rd</sup> regular meeting will be deferred until Council's next meeting.) Councilman Martin seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman Martin made a motion to approve the reports of the Code Enforcement Officer, Police Chief and Fire Chief, as presented. He thanked Chief King for providing the additional information he had requested at a previous meeting. Councilman Greenawalt seconded; the motion passed unanimously.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** No report. Councilman Mumma noted he will present several items during the "voting" section of the meeting.

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

**STREET COMMITTEE:** No report.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Stains reported on several changes being made to the Comcast cable line-up. An advertisement will appear shortly in *The Record Herald*.

**DOWNTOWN REVITALIZATION COMMITTEE:** President Newcomer noted that he, Wayne Driscoll, Harold Mumma and Pat Fleagle met on Saturday to discuss the "beginning steps" in downtown's revitalization. Another meeting will be held on February 23<sup>rd</sup> at 9:00 a.m. at 310 W. Main Street to receive public input.

**FINANCE COMMITTEE:** Councilman Greenawalt gave a brief report on taxes received; and added that real estate tax bills will be sent out soon. He also noted that the cost to repair Borough Hall's

elevator was an additional \$5,000.

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

“On February 13<sup>th</sup>, along with Councilmen Greenawalt and Martin, I attended the Waynesboro Fire Department's 27<sup>th</sup> Annual Awards Banquet.”

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

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner noted that a “state of emergency” was declared by PA's Governor during the last snowstorm. He asked if Waynesboro has any type of documented protocol for situations such as this (with regard to the response of emergency vehicles when the streets have not yet been cleared). President Newcomer replied that the Borough has developed an Emergency Operations Plan, and their appointed Emergency Management Coordinator is Hans Bader. He suggested that Mr. Bittner contact him to discuss specific details. Mr. Bittner then mentioned several areas where water is dripping onto the new brick sidewalk and the sand (mortar) is being splashed out. Kevin Grubbs advised that the bricks did not have an opportunity to “set up” properly in some areas; and the contractor will be returning in the spring to make repairs. Mr. Bittner also observed some scratch marks on the bricks from individuals shoveling snow. Mr. Grubbs noted this is also seen on concrete and is quite normal. He added that the brick has an etched design, which should help to hide the marks.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma noted the following individuals' terms on the Library Board were due to expire: Amy Weber, Hannah Savage and Margaret Rovelstad. Amy Weber is not seeking re-appointment, but will continue to serve until a replacement is found. Hannah Savage will continue to serve (her new term would expire on 02/01/2013; and Otis Brown will replace Margaret Rovelstad (his term would expire on 02/01/2013 also). Councilman Mumma made a motion to re-appoint Ms. Savage and appoint Mr. Brown accordingly. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma advised that the five (5) full-time fire apparatus drivers were previously represented by the Waynesboro Fire Apparatus Drivers Association, but they have since chosen to be represented by the International Association of Firefighters. He clarified that the Fire Chief and part-time employees will not be covered under this union. Councilman Mumma made a motion for agreement to the terms of this representation. Councilman Stains seconded; the motion passed unanimously. Mr. Hamberger clarified that the drivers must still adhere to the Borough's civil service regulations.

**UNFINISHED BUSINESS**

**CONSIDER ORDINANCE FOR ADOPTION (AMENDMENT TO POLICE PENSION PLAN):** Mr. Hamberger presented a proposed ordinance which amends the Police Pension Plan to bring it into conformance with the “Killed in Service Benefit Act” signed by the Governor. Councilman Martin made a motion to adopt the ordinance, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1076, ENTITLED BOROUGH OF WAYNESBORO POLICE PENSION PLAN, IN ORDER TO COMPLY WITH ACT 600 OF 1956, AS AMENDED BY ACT 51 OF 2009, THE

EMERGENCY AND LAW ENFORCEMENT PERSONNEL DEATH BENEFITS ACT, EFFECTIVE AS PROVIDED IN THE AMENDMENT

Complete copy on file at Borough Hall.

**CONSIDER ORDINANCE FOR ADOPTION (TRAFFIC & PARKING REGULATIONS):** Mr. Hamberger noted that the proposed ordinance amending Traffic & Parking Regulations was presented at Council's last meeting and advertised for consideration at this meeting. However, it has been brought to his attention that the new restriction of vehicles on the Rotary parking lot with 5,000 lbs. GMVW (Page 6, Article 5, Section 3 - Public Parking Lots) may pose a problem, because many of the Fire Department personnel's personal vehicles exceed that limit. After further discussion, it was determined that Council had intended for the limit to be 5 tons GMVW. Council agreed that this section of the ordinance will not be enforced, and an amendment to the ordinance will be prepared. Councilman Mumma made a motion to adopt the proposed ordinance as recommended by the Borough Manager. Councilman Stains seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE 688, 845, 899, 955, 965, 1034 AND 1079 OF THE BOROUGH OF WAYNESBORO, AS AMENDED, PRESCRIBING TRAFFIC AND PARKING REGULATIONS IN THE BOROUGH OF WAYNESBORO, PRESCRIBING PENALTIES FOR VIOLATION AND REPEALING CERTAIN PRIOR ORDINANCES.

Complete copy on file at Borough Hall.

**DISCUSSION OF BOCA CODE:** Mr. Hamberger noted that discussion on the BOCA Code had been held previously by Council, and the matter was deferred until this meeting. Additional discussion was held, and it was noted that clarification on the misunderstandings surrounding this issue is needed. Councilman Mumma made a motion for Council to hold a workshop at 6:00 p.m. (prior to the next Council meeting). Councilman Stains seconded. Mr. Hamberger agreed to contact the State the following day to determine what sections of the Codes were adopted and/or eliminated. The motion then passed unanimously.

**PEDESTRIAN CROSSWALK LIGHTS:** Councilman Martin reported that Council met earlier this day (at 4:00 p.m.), along with Downtown Manager Pat Fleagle, Representative Todd Rock and Police Chief Mark King, to discuss the pedestrian crosswalk lights offered to the Borough in PENNDOT's pilot program.

He explained that 200' of sight distance is required on either side of the crosswalk at any location these lights are used. Numerous parking spaces would be lost at the locations they considered – i.e. at Mulberry Avenue and W. Main Street (would require the removal of a total of 11 parking spaces, including a handicapped one), Cleveland Avenue and W. Main Street (would require the removal of a total of 11 parking spaces, including some trees and street lights), the Alley at the Library (would require the removal of a total of 14 parking spaces), and Walnut and E. Main Streets (would require the removal of a total of 11 parking spaces).

The locations they chose were: (1) S. Potomac and Gay Streets (this would require moving the Fire Hall parking space slightly to the south), (2) S. Potomac and Second Streets (6 parking spaces will need to be removed on the east side, but a lot of school students cross at this location), (3) Fairview Avenue and W. Main Street (a lot of students cross here), and (4) Third Street and Clayton Avenue (again, a lot of students cross here). President Newcomer added that a question arose during the meeting regarding the 200' required sight distance ... if the lights are raised to the top of the sign,

wouldn't that decrease the amount of parking spaces to be lost? Representative Rock is pursuing this concept, which may change some of these decisions.

Councilman Martin made a motion that, bearing any unforeseen circumstances or changes by the State, Council adopt these four (4) locations for the use of pedestrian crosswalk lights. Councilman Stains seconded. It was noted that the matter can be re-visited if the decision on the 200' comes back positively, however action needs to be taken now due to the strict timeframe for the program. Upon further review of the regulations, Kevin Grubbs added that there may need to be a change in the Third Street/Clayton Avenue location, as the intersections where the lights are used cannot be controlled by stop signs. He suggested approving it and waiting for a decision from the State; and added that Council's approval should include implementation of the "no parking" areas required for each location. Councilman Martin amended his motion to include the required "no parking" areas, as recommended by Kevin Grubbs. Councilman Mumma seconded the amended motion; the motion then passed 5-1 (Councilman Driscoll opposed).

**NEW BUSINESS:** None.

### **PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:**

Craig Mahrle, 84 W. Main Street - Mr. Mahrle noted that since the last "massive" snowstorm, he has visited both Philadelphia and Baltimore. He reported that their streets are "a lot worse" than Waynesboro's, and he commended the Borough on the job they did. Mr. Mahrle also stated his opinion that the brick sidewalks downtown look outstanding.

Councilman Martin questioned if it would be possible to put radios in the snow plow trucks during snowstorms, so emergency personnel (ambulances) could contact them to ensure they can get through to their patient(s). Fire Chief Martin replied that some of the plow vehicles have low-band radios in them. In fact, the Fire Department communicates with the maintenance trucks (on occasion) for this reason. He added that radios in the ambulances could do the same on the Borough's frequency.

### **FOR INFORMATION ONLY**

**REMINDER OF CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION MEETING (FEBRUARY 23, 2010):** Mr. Hamberger reminded Council members of the upcoming Cumberland-Franklin County Boroughs Association meeting on February 23<sup>rd</sup>. Three (3) individuals have responded that they are attending. Anyone else wishing to attend was asked to contact Melinda Knott.

**PAY BILLS:** Councilman Mumma made a motion to approve the payment of two (2) Voucher Lists dated 02/05. Councilman Stains seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Mr. Hamberger noted he has received quite a few favorable comments regarding the road conditions. He also commended the office staff for their assistance during the storms, as they received many telephone calls regarding plowing and trash collection schedules.

Denny Benshoff noted that he received telephone calls regarding some "bad" streets, but he stated this (in many cases) was because people were shoveling snow back into the streets after the plows had come through. Mr. Hamberger reminded residents that this is a violation of a municipal ordinance, and they can be fined for it. Councilman Martin added that the staff did a tremendous job ... there was just a lot of snow and nowhere to put it..

Fire Chief Martin advised Council members that the Fire Department received a Federal Fire Grant in the amount of \$18,000. With it, they will purchase two (2) AED machines, a new porta-tank for the Tanker, two (2) Blitz fire nozzles, a hydraulic ladder access rack on Engine 2-1, and 10 sets of traffic cones. The volunteers also decided to purchase six (6) additional AED machines, so one can be placed on each piece of apparatus as well as at each station's social hall.

Mr. Hamberger added that the Fire Department has cleaned snow away from 95% of the fire hydrants in the Borough. Chief Martin noted that if a resident sees a hydrant that was missed, they should contact either fire station. He added that they are "spreading out" into Washington Township, and the Township has agreed to purchase flags for all their hydrants. He asked if the Borough could do the same for those in the Borough (the Fire Department will install the flags). It was noted there would be approximately 130 at a cost of \$15-\$20 each. Chief Martin noted that the flags are a lifesaving factor during the winter months. The request was referred to the Finance Committee for review; and it was suggested that the Waynesboro Borough Authority may also agree to participate.

Chief King reported that he attended a School Safety Workshop in Harrisburg on February 4<sup>th</sup>, sponsored by the South Central Task Force. He extended an invitation to the principals from the Middle School (Brian Richter) and High School (Chris Dennis). Travis Carbaugh (School Resource Officer) also attended. Topics covered during the workshop included How to Conduct a School Safety Self-Assessment, Parent/Child Re-unification Procedures, Sexting and Digital Media Concerns for Schools, Lessons Learned from School Safety Assessments, and a School Safety Checklist. He added that Officer Carbaugh will be speaking on Sexting and Digital Media Concerns on March 9<sup>th</sup> at 6:00 p.m. at the Waynesboro Middle School.

Chief King also reported that the Waynesboro Area School District has stated that, unless they can find money elsewhere, they will not contribute to their promised portion of the School Resource Officer grant next year. He reminded Council members that the Memorandum of Understanding for the SRO Project was to expire on 06/20/2012. Even though that agreement was executed by the WASD, they are saying that it is illegal to use taxpayers' money to pay for SRO. Chief King noted that may be "up for interpretation", and he forewarned Solicitor Dively that it may be "coming her way". President Newcomer advised the public that the WASD originally brought the SRO concept to the Borough and requested they signed an agreement on the matter. He recommended that residents contact members of the School Board if the officer is removed from the schools. Chief King stated that this would be a tragedy, because the SRO does far more than offer security. He spends approximately 30% of his time on educational programs, public events, sits on boards for troubled youth, conducts security assessments, and has been key and instrumental in lock-down drills (which have been completed in both schools). Councilman Martin commented that he has heard "nothing but good" with regard to the SRO from teachers, students and principals. He suggested the Borough give the School Board time to review and re-evaluate the situation. Chief King advised that, in another month, re-application needs to be made for the grant money for the third year ... so time is of the essence. To reinforce Councilman Martin's comments, Chief King noted that at least 1 out of every 3 students have stated they feel the school is a safer place for them since the SRO is present.

Downtown Manager Pat Fleagle publicly thanked Council for their commitment to downtown snow removal. The business owners were very thankful. He added that several Council members also made personal commitments of time and equipment, and it is most appreciated.

Councilman Greenawalt thanked residents for their attendance at this meeting. He commended the Maintenance Department for the fine job they did on snow removal, as well as Councilman Martin (and several of his employees) for the assistance they contributed in the plowback efforts during the first snow (and Lloyd Hamberger for contacting the State to get it done during the last snow).

Councilman Mumma reiterated Chief King's comments regarding the SRO issue. He noted that an article was in tonight's *Record Herald*, and he has already received several telephone calls from concerned parents. Chief King noted that there has been nothing but great support from teachers and principals regarding the SRO. They have seen the value and know the value of having an officer in the schools. Incidentally, he added that Chambersburg pays for their SRO with taxpayers' money. Mr. Mumma suggested that (perhaps) it would be advisable to contact the School District's attorney, and Mayor Starliper added that he will contact other municipalities to see how they handle the matter.

Mayor Starliper commended the Maintenance Department for the job they did during the recent snows; and he congratulated the police officers also for answering many calls during the snowy and icy conditions. Mr. Starliper also reported that Representative Todd Rock informed him today that the Police Department received a grant for the purchase of additional tasers.

President Newcomer acknowledged his appreciation to Councilman Martin for utilizing his private equipment and men to assist with downtown snow removal. He also thanked the Maintenance Department for the work they did, and noted that he received many favorable comments from local residents.

Having no further business to discuss, the meeting adjourned at 8:38 p.m. on a Driscoll/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant