

SEPTEMBER 23, 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
Mike Benshoff, Maintenance Foreman
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)

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

APPROVE MINUTES: Councilman Stains made a motion to approve the minutes of the September 1, 2010 meeting, as written. Councilman Greenawalt 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 Stains seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he received a favorable performance evaluation for Ray “Sam” Wagaman - no action is required at this time. He will present another item during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that the “first annual Dog Swim” at Northside Pool was very successful. He felt this was a great start to the fundraising efforts for the proposed dog park. Mr. Driscoll reported that the Eagles Club generously donated \$7,000 toward the park, the Owls Club gave \$50, private contributions of \$100 were given, and the Dog Swim raised \$915. He thanked Lloyd Hamberger, Vicky Grubbs and the pool staff for their assistance. Mr. Driscoll noted that discussions will be held in the near future regarding the size and price for the fencing.

Councilman Driscoll also reported that some progress has been made at the former caretaker’s house at the golf course.

STREET COMMITTEE: Councilman Martin noted that he will discuss several items during the “voting” section and later on in the meeting. He added that the Street Committee will meet next Wednesday (September 29th) at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: Councilman Stains reported that Comcast’s office hours in Shippensburg have been changed to Monday thru Friday from 9:00 a.m. to 5:00 p.m., and on

Saturdays from 9:00 a.m. to 1:00 p.m.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer noted that the proposed Market Day activities are “coming up”. He added that, although he hasn’t heard any reports, the “Thunder on the Square” events the previous weekend seemed to be fairly successful.

Kevin Grubbs reported that PENNDOT’s contractor has completed the milling work and started applying the “scratch coat” on the west end of Main Street. They are hoping to complete the scratch coat throughout town for the events scheduled for October 2nd. Once the scratch coat is completed to the end of the project area (in Washington Township), they will work on Grant Street.

FINANCE COMMITTEE: No report.

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

“On September 14th, Chief King and I attended the Waynesboro Fire Police meeting. At the meeting, I swore-in the new members to the Fire Police organization.”

SOLICITOR’S REPORT: No report. Solicitor Wisner noted he will discuss several items elsewhere on the agenda. Mr. Hamberger added that Council will need to hold an executive session at the end of the meeting to discuss legal matters.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma Mumma made a motion to approve a step increase for Mike Ely to salary level 10B. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to re-appoint Allen Porter to the Waynesboro Planning Commission; said term to expire on 10/20/2014. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to appoint Ronnie Hilton as a member of the Waynesboro Fire Police. Councilman Martin seconded; the motion passed unanimously.

Councilman Mumma noted that the position of Assistant Borough Manager has been offered to (and accepted by) Jason Cohen, who was present at the meeting. He will be paid at salary level 15A (\$46,175/year) and serve a six-month probationary period, with performance evaluations at three (3) and six (6) months. Mr. Cohen will receive the standard employee benefits package and one (1) week of unpaid vacation time to be used during the holiday season. His first day of work will be November 1st. Councilman Mumma made a motion to affirm the hiring, as presented. Councilman Greenawalt seconded; the motion passed 5-0 (Councilman Stains abstained).

UNFINISHED BUSINESS

BIDS FOR STORMWATER OUTFALL PROJECT: Mr. Hamberger advised that the opening of bids for the stormwater outfall project was deferred until Tuesday, September 28th, due to a necessary clarification to the bidding documents that allows for an alternate bid to be submitted, but requires the submission of a base bid and alternative bid. Solicitor Wisner further clarified the process, and it was noted that all potential bidders were notified of this change prior to submission of any bids. It was stated that the bids can be awarded at Council’s next scheduled meeting to be held on October 6th.

NEW BUSINESS

PLANNING COMMISSION ITEMS: Kevin Grubbs noted that he emailed information to Council earlier regarding the proposed Subdivision Plan for Finn/Morningstar/Greenshields/Zeimetz, which is a lot addition to the rear of their properties (they are exercising their right to claim the property which was previously Myrtle Avenue and is now the vacated portion of Myrtle Avenue). The Waynesboro Planning Commission approved the plan, contingent upon the 15' right-of-way for the 2" water line that runs through the property being identified on the plan. That revision has been made. Mr. Grubbs added that the plan meets all requirements of the current Zoning and Subdivision/Land Development Ordinances. Councilman Martin made a motion to approve the proposed Subdivision Plan, as presented. Councilman Driscoll seconded; the motion passed unanimously.

ADDITIONAL REQUESTS FOR MARKET DAY (MAINSTREET WAYNESBORO, INC.): Mr. Hamberger advised that MSI would like to hold an Oktoberfest-like event in the parking area of Susquehanna Bank during the Market Day festivities on October 2nd. As it would be on private property, it is not necessary for the Borough to become involved. However, so MSI can qualify for a one-day permit, the PLCB is requesting that the Borough provide a resolution endorsing MSI (not necessarily this event). Accordingly, he presented proposed Resolution 2010-10. Councilman Mumma made a motion to approve the resolution, as presented. Councilman Driscoll seconded.

Discussion followed. It was clarified that the resolution recognizes MSI as a beneficial organization of downtown Waynesboro, but removes the Borough from approval of this specific event. After further discussion and the suggestion for a modification to the resolution, Councilman Mumma amended his motion to change the phrase "from time to time" in the second paragraph to "on October 2nd". Councilman Driscoll seconded; the amended motion passed unanimously.

Councilman Martin questioned the law regarding serving alcohol and any potential liability if there is an accident. Solicitor Wisner stated he feels that the Borough is sufficiently removed from any liability, as they are not endorsing the specific activity and it is on private property (the parking area will be closed to the general public). President Newcomer added that MSI has also provided an insurance policy covering any liability. A vote was called and the motion passed unanimously.

RESOLUTION 2010-10

WHEREAS, Mainstreet Waynesboro, Inc. has been established for the benefit and advancement of downtown Waynesboro, and

Complete copy on file at Borough Hall.

On a related matter, Mr. Hamberger noted that MSI has contacted both Susquehanna Bank and the Evangelical Lutheran Church to obtain permission to utilize their parking lots for the hayrides; and they have notified the Eagles Club of the proposed route. In addition, Grove-Bowersox has offered a portion of their parking lot to the rear of the Post Office for use by employees and patrons that day. Mr. Hamberger noted he believes this addresses all of Council's concerns regarding the events on October 2nd.

2011 PENSION MMO (MINIMUM MUNICIPAL OBLIGATION): Mr. Hamberger stated that he is required annually to present Council members with a calculation of the pension costs for employees. Councilman Mumma made a motion to acknowledge receipt of this information. Councilman Stains seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Mr. Hamberger presented Council members with a copy of the proposed 2011 budget meeting schedule. He plans to present budget requests to

Council on 10/04, and they will meet with Department Heads on 10/07 to review their initial requests. Budget meetings will follow on 10/14 at 7:00 p.m., on 10/20 following the Council meeting, on 11/04 at 7:00 p.m., on 11/11 at 7:00 p.m., and on remaining Thursdays at 7:00 p.m. as needed. He is hoping to present the tentative budget to *The Record Herald* no later than 12/01 for Council's adoption on 12/15.

REQUEST FROM WHAG-TV: Mr. Hamberger was contacted by WHAG-TV, who would like to set up their remote truck and the "shredder-mobile" in Center Square on 10/01 (from approximately 2:00 p.m. until 6:30 p.m.) to publicize the events to be held the following day. Discussion followed regarding the Main Street paving project, and Downtown Manager Pat Fleagle suggested they utilize the northwest corner of the Square so the nearby businesses are not inconvenienced. Councilman Martin made a motion to approve WHAG's request for 10/01, provided that they locate their equipment on the northwest corner of the Square. Councilman Greenawalt seconded; the motion passed unanimously.

REMOVAL OF HANDICAPPED PARKING SPACE: Councilman Martin noted that the house located at 116 Cottage Street has been sold, and the handicapped parking space in front is no longer being used. He made a motion to remove the appropriate signs at this location. Councilman Greenawalt seconded; the motion passed unanimously.

PAVING OF ALLEYS: Councilman Martin noted that a list of alleys to be paved by the Borough's Maintenance Department was emailed recently to all Council members. He made a motion to approve paving the alleys listed, starting with #1 and proceeding "as far as the money allows". Councilman Greenawalt seconded; the motion passed unanimously. The list was as follows –

1. First and second alleys north of Mt. Airy Avenue - from N. Church Street to Alley #1 North
2. Alley #1 North - from Mt. Airy Avenue to dead end
3. Alley behind St. Andrews Catholic Church
4. Alley between N. Broad Street and Locust Street - south to alley behind Catholic Church
5. Northside Avenue Extended
6. Alley at the end of N. Broad Street
7. Alley behind Best Western
8. Alley between Chestnut and N. Broad Streets - from E. Fifth to E. Sixth Streets
9. Alley between E. Fifth Street and E. Sixth Street - from Ringgold Street to alley east of S. Broad Street
10. Alley beside Pappy's Pub
11. Green Street east of S. Potomac Street

PAY BILLS: Councilman Mumma made a motion to approve the payment of Voucher Lists dated 09/10, 09/22 and 09/23. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Driscoll commended the volunteers and participants in the 30K Gut Check held the previous weekend. He thanked Police Chief King, Kevin Grubbs and all others who helped to make the event a "huge success".

Chief King noted that prescription drug abuse is one of the fastest growing public health threats facing the nation today. The source of much of those controlled substances abused by adults and young people is our very own medicine cabinets. He announced that the Waynesboro Police Department will participate in a one-day collaborated effort by holding a "Take-Back Day" on September 25th from 10:00 a.m. to 2:00 p.m. This will provide a unique nationwide opportunity for the public to surrender expired, unwanted or unused pharmaceutical controlled substances and other medications to law enforcement officers for destruction. Only controlled, non-controlled and over-the-counter pills and capsules will be collected ... they are not collecting liquid products in plastic containers. Intravenous solutions, injectables and syringes will not be accepted due to the potential hazards posed by blood-

borne pathogens. He then thanked the local newspapers for their excellent coverage regarding this matter.

President Newcomer noted that Fire Chief Martin could not attend the meeting this evening, as he was participating in a training course.

Mayor Starliper noted that the Police Department would like to purchase the barricades and trailer discussed at a recent meeting from leftover monies in the 2010 police budget. He requested that the Maintenance, Water and Sewer Departments also assist in payback for this equipment. Mr. Hamberger noted the matter will be placed on Council's agenda for their next meeting.

Mayor Starliper reported that Senator Corman has introduced legislation to assist in deterring repeated alcohol abuse violations and help fund municipal efforts to prevent drinking offenses. There are three (3) Senate Bills being discussed; and additional information on the matter will be forwarded upon receipt.

Mayor Starliper then asked Chief King to come forward. He presented him (the Waynesboro Police Department) with a Statement of Support for the National Guard and Reserves.

President Newcomer offered words of praise to the Eagles Club for their generous donation of \$7,000 to the proposed dog park. Mr. Newcomer also welcomed newly-appointed Assistant Borough Manager Jason Cohen to the Borough's staff.

Council adjourned to executive session at 8:11 p.m. They reconvened to regular session at 8:29 p.m.

Mayor Starliper read a letter from Derek Lange, resigning from his position as a Police Officer for the Borough of Waynesboro. Councilman Mumma made a motion to accept the resignation. Councilman Greenawalt seconded; the motion passed unanimously.

Solicitor Wiser noted that Council authorized, by resolution, the filing of a declaration of taking (if necessary) to acquire the necessary right-of-ways to complete the stormwater improvements. The property owners have asked, as part of the right-of-way negotiations, that the Borough acquire an appraisal to establish a fair market value of those properties. He added that if the Borough proceeds to file a declaration of taking, an appraisal would be required anyway. Councilman Martin made a motion to authorize the Solicitor to work with the Borough Manager to select an appraiser with the MAI designation to complete condemnation appraisals on the affected properties. Councilman Greenawalt seconded; the motion passed unanimously.

Mr. Hamberger noted that the Borough's Negotiating Committee has come to an agreement with the Waynesboro Police Officers Association. Councilman Martin made a motion to authorize the appropriate staff and Council officials to execute the proposed agreement, upon final review by the Borough's Labor Solicitor. Councilman Mumma seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 8:32 p.m. on a Martin/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant