

SEPTEMBER 17, 2008  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:45 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, C. Harold Mumma, Craig Newcomer, Charles McCammon and Ronald Martin (Jason Stains was absent)

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 McCammon made a motion to approve the minutes of the September 3, 2008 regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer, Police Chief and Fire Chief, as presented. Councilman Greenawalt seconded; the motion passed unanimously. President Newcomer stated that these reports are public information and are available for view by the public upon request.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma noted that he received a favorable performance evaluation for Darryll Wagaman, however no action was required.

In addition, Mr. Mumma noted that he received a favorable performance evaluation for Doug Layman. He will present a motion later in the meeting regarding this matter.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman McCammon noted that work on the house at the corner of Madison Avenue and the alley across from Swope's Tire Center has been idle for some time. Mayor Starliper commented that he has seen work being done there within the last month.

**STREET COMMITTEE:** No report.

**INTERGOVERNMENTAL COMMITTEE:** Mr. Hamberger noted that a resolution regarding DTV will be presented later in the meeting.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report. Mr. Hamberger noted that Council members were provided with a proposed 2009 budget schedule.

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

“On September 6, 2008, I had the privilege of uniting in marriage Christina Scandale and George Carr. Best wishes to them.

On September 13, 2008, I swore-in one of our newest part-time police officers, Lyle Williams.”

**SOLICITOR'S REPORT:** Solicitor Dively reported that she prepared a proposed weed control ordinance to address provisions in the International Property Maintenance Code that were deemed to be inadequate – the new ordinance will return to the previous standards.

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner questioned the definition of “favorable” and “good” reports, as referenced by the Personnel Committee with regard to employee evaluations. Councilman Mumma explained his personal feeling is that a very good report contains many “meets standards” and several “exceeds standards”; and a good report contains mostly “meets standards” with several “exceeds standards”. Mr. Hamberger explained that the standards include job knowledge, quantity/quality of work, dependability, attendance, etc., which are evaluated by the department heads.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma made a motion to approve a step increase for Doug Layman to salary level 10B (\$16.27/hour). Councilman Greenawalt seconded; the motion passed unanimously.

**UNFINISHED BUSINESS**

**ENGINEERING FOR STORMWATER IN CENTER SQUARE:** Mr. Hamberger noted that this matter was discussed by Council at their workshop prior to this meeting. Councilman Mumma made an original motion (seconded by Councilman Martin); but, after discussion with the Solicitor, amended it slightly. The amended motion was as follows: “to accept the proposal from Dennis E. Black Engineering, Inc. dated September 2, 2008, subject to and conditioned upon Dennis E. Black Engineering's agreement to release of all original plans, drawings, computations, sketches, notes, and all other project documentation developed by the firm or acquired by the firm in relation to the Stormwater Conveyance System Upgrades in the intersection of Church Street and Main Street in the Borough, the Potomac Street Stormwater Drainage Network, and the Potomac Street Stormwater Drainage Network Report prepared by Dennis E. Black Engineering.” Councilman Martin seconded the amended motion; and the motion passed unanimously.

**TREES ON W. MAIN STREET:** Councilman Mumma made a motion to move ahead with 3 (or possibly 4) trees on the present plan for W. Main Street approved by Kevin Grubbs. Councilman Martin seconded. Councilman Mumma explained that, in order to have appropriate walking area on the sidewalk, 8' of sidewalk is required to plant trees. It is, therefore, impossible to put them all along W. Main Street. In the near future, though, Mainstreet Waynesboro, Inc. and the Shade Tree Commission will talk with homeowners to determine (in conjunction with Kevin Grubbs) if the Borough could put them on private property. A vote was called and the motion passed unanimously. Councilman Mumma noted that specific details will be discussed at a later date.

**RESOLUTION NO. 2008-21 RE: MARKET DAY BANNERS:** Mr. Hamberger presented proposed Resolution No. 2008-21 for the Market Day banners previously approved. Councilman McCammon made a motion to approve the resolution, as presented. Councilman Martin seconded; the motion passed unanimously.

**RESOLUTION NO. 2008-21**

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO  
AUTHORIZING THE INSTALLATION OF TWO (2) DOUBLE-SIDED BANNERS  
ACROSS MAIN STREET (S.R. 16)

Complete copy on file at Borough Hall.

Kevin Grubbs had previously mentioned a community service project by Allegheny Power in which they install poles for this type of use. However, they can only put up telephone poles (no decorative poles) due to the cost involved. Because of time constraints and the fact that many of their crews are out of the area assisting with power outages, they may not be able to do this until a later date. Accordingly, it is likely that they will have to go back to the original concept of installing the banners from one building to another across Main Street. Mr. Grubbs noted that he will continue to pursue the matter for possible installation next year. Council members agreed that they should look at "permanent" poles which are aesthetically pleasing. Mr. Grubbs will attempt to obtain prices from companies that make fluted poles. The Street Committee will discuss this at their upcoming meeting and make a recommendation.

**REVISE 2004 AND 2005 CDBG PROGRAMS FOR CURB CUTS:** Mr. Hamberger noted that he is recommending moving \$300.00 from Street Improvements to ADA Curb Cuts in the 2004 CDBG program, and moving \$41,000 in Street Improvements to ADA Curb Cuts in the 2005 program. He added that these changes were anticipated when the projects were originally discussed. Councilman McCammon made a motion to approve the proposed changes to the 2004 and 2005 CDBG programs for curb cuts. Councilman Greenawalt seconded; the motion passed unanimously.

**NEW BUSINESS**

**LAND DEVELOPMENT PLAN (CRAIG MAHRLE, 84-88 W. MAIN STREET):** Kevin Grubbs presented a Land Development Plan for Craig Mahrle, located at 84-88 W. Main Street. The property was previously one (1) commercial unit; and he is proposing dividing it into three (3) units. The plan has been reviewed by the Franklin County Planning Commission, who gave no comments. After a minor revision was made, the plan was recommended for approval (as revised) by the Waynesboro Planning Commission. Mr. Mahrle has provided a copy of a lease agreement with an adjoining property owner for the additional parking spaces required. Mr. Grubbs noted that the plan meets all requirements. Councilman McCammon made a motion to approve the Land Development Plan for Mr. Mahrle. Councilman Greenawalt seconded. After discussion regarding firewalls and potential hazards, it was noted that Accredited Services will be responsible for inspecting the property to ensure compliance with the appropriate codes. A vote was called and the motion passed unanimously.

**RESOLUTION NO. 2008-19 RE: DIGITAL TELEVISION TRANSITION:** Mr. Hamberger presented proposed Resolution No. 2008-19 which will be mailed with a Press Release to alert the public that, as of February 17, 2009, all analog signals will cease. Consumers will either need to purchase new TVs, subscribe to cable television or secure a digital converter box. \$40.00 coupons toward the purchase of a converter box are available through the National Telecommunications and Information Administration (NTIA). Councilman McCammon made a motion to approve Resolution No. 2008-19. Councilman Greenawalt seconded; the motion passed unanimously.

## RESOLUTION NO. 2008-19

### RESOLUTION IN SUPPORT OF TELEVISION CONSUMERS IN THE BROADCAST DIGITAL ("DTV") TRANSITION

Complete copy on file at Borough Hall.

**REQUEST RE: CROP WALK (OCTOBER 5, 2008):** Mr. Hamberger presented a request to hold the Waynesboro CROP Walk on Sunday, October 5, 2008, from 2-4 p.m. Councilman McCammon made a motion to approve the request, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

**RESOLUTION NO. 2008-20 RE: NEW GRANT ACCOUNT:** Mr. Hamberger noted that they have received funds for the Rotary Parking Lot grant and need to establish an account at the First National Bank of Greencastle for this project. He presented proposed Resolution No. #2008-20 for Council's approval. Councilman McCammon made a motion to approve Resolution No. 2008-20. Councilman Mumma seconded; the motion passed unanimously.

## RESOLUTION NO. 2008-20

### CORPORATE AUTHORIZATION RESOLUTION

Complete copy on file at Borough Hall.

**NEW POLICE HIRE:** Councilman Mumma made a motion to hire John Fleagle as a full-time Police Officer, at a salary of \$38,355.20/year, pending receipt of a valid MPOETC card. Mr. Fleagle will serve a one-year probationary period. It was noted that his date of hire will be determined by Chief King. Councilman Greenawalt seconded; the motion passed 4-1 (Councilman McCammon opposed).

**CIVIL SERVICE EXAMINATION:** Councilman Mumma made a motion that the Civil Service Commission be requested to conduct an examination for the position of Police Officer, under the present regulations established. Councilman Martin seconded; the motion passed 4-1 (Councilman McCammon opposed).

**2009 MINIMUM PENSION OBLIGATION:** Mr. Hamberger noted that the Municipal Pension Act requires that he establish and provide minimum pension calculations to Council each year. Councilman Martin made a motion to acknowledge receipt of the required information. Councilman Mumma seconded; the motion passed 4-0 (Councilman McCammon recused himself).

President Newcomer asked if the recently adopted cost-of-living adjustment had taken effect yet. Mr. Hamberger advised that information regarding the increase has been forwarded to Susquehanna Trust (it will be retroactive to August 1<sup>st</sup>).

**DESIGNATE TRICK-OR-TREAT NIGHT:** Mayor Starliper noted that he would like to designate Trick-or-Treat Night in the Borough as Thursday, October 30<sup>th</sup>, from 6-8 p.m. He noted that residents wishing to participate should leave their porch lights on. Councilman McCammon made a motion to approve October 30<sup>th</sup> as Trick-or-Treat Night. Councilman Greenawalt seconded; the motion passed unanimously.

**REQUEST FOR "CHAIN OF LIFE" (ST. ANDREWS CHURCH):** Mr. Hamberger noted that he received a request from Rev. Dennis Dalessandro (Saint Andrew the Apostle Catholic Church) for permission to host a "Life-Chain" event on Sunday, October 5<sup>th</sup>, from 9:30 - 10:30 a.m., in observance

of "Pro Life Sunday". They anticipate that approximately 100 people will be holding signs at the four (4) corners of Broad and Main Streets that say "Abortion kills children" and "Jesus heals and saves". They note that the event will be a silent, prayerful protest of abortion. Councilman Martin made a motion to approve the request. Councilman McCammon seconded; the motion passed unanimously.

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

Frank Bittner, 842 Anthony Avenue - Mr. Bittner stated that he read an article in the newspaper recently regarding damage which occurred to a police car in an accident during an out-of-town "chase". He questioned if there is a rule regarding engaging in these chases. President Newcomer suggested that Mr. Bittner discuss the matter further with Chief King at his convenience.

#### **FOR INFORMATION ONLY**

**GREATER WAYNESBORO CHAMBER OF COMMERCE 88<sup>TH</sup> ANNUAL DINNER MEETING (OCTOBER 16, 2008):** Council members received an invitation to attend the Greater Waynesboro Chamber of Commerce's 88<sup>th</sup> Annual Dinner Meeting to be held on October 16, 2008. Those interested in attending were asked to inform Melinda Knott.

**REQUEST FROM CHAMBER OF COMMERCE RE: CHRISTMAS PARADE:** Mr. Hamberger presented a request from the Chamber of Commerce to close Main Street and Center Square on November 22<sup>nd</sup>, at 2:00 p.m., for the Christmas parade. In addition, they asked for assistance from Borough personnel to hang decorations during the week of November 17-20 (to be lit on November 21<sup>st</sup>).

Carlene Willhide, Executive Director, noted that the parade will form at Fairview Avenue and end at Sunnyside Avenue (not from C.V. Avenue to Virginia Avenue, as was originally planned). She will coordinate with Police Chief King and Fire Police Captain Jones for traffic control. Councilman McCammon made a motion to approve the request for the Christmas parade and assistance in hanging decorations, as requested. Councilman Greenawalt seconded. Discussed ensued regarding the detour route, and it was noted that detour signs will be utilized in conjunction with the fire police directing traffic. The motion then passed unanimously.

Ms. Willhide noted that Bruce Dreisbach will present a request regarding the Tree Lighting Ceremony in the near future.

**PAY BILLS:** Councilman Mumma made a motion to void Check Nos. 46864, 46959, 47000 and 47031; and to approve the payment of Check Nos. 46865 thru 46958 and 46960 thru 47034. Councilman Greenawalt seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Martin questioned if Council would consider scheduling another workshop to review the Joint Comprehensive Plan with Glenn Neuhs (Spotts, Stevens and McCoy). It was noted that the two (2) Planning Commissions will hold a public input session on September 23<sup>rd</sup>, but Council will offer no comments at that time. Mr. Hamberger suggested that a meeting be scheduled for 6:00 p.m. on October 1<sup>st</sup> (prior to the next Council meeting). Council agreed. Mr. Hamberger noted that copies of the draft Plan are on display at the Borough and Township Offices, as well as on the Borough's and Township's websites.

Kevin Grubbs noted that prep work on the Rotary parking lot will begin in approximately two (2) weeks. The existing lights are set on top of yellow concrete pedestals, but it is felt that the Victorian lights should be put on regular bases (flush on the surface of the blacktop) with protective barriers around them. Council agreed.

Fire Chief Martin advised Council members that the “brush truck” was placed into service two (2) weeks ago.

Councilman Greenawalt commented that the workshop held earlier this evening was helpful and seemed to move the regular Council meeting along. He asked if Council would consider holding one (1) workshop per month. President Newcomer noted that he will take the matter under advisement.

Councilman Mumma apologized to the public in attendance for the lateness in starting this evening’s Council meeting. He explained that they held a workshop and executive session prior to beginning the regular meeting.

Mayor Starliper noted several ordinances (such as the Weed Ordinance and Snow Removal Ordinance) require that Code Enforcement Officer Dan Sheffler provide warnings of violations prior to issuance of citations. He feels that those should be reviewed and amended, if possible.

Having no further business to discuss, the meeting adjourned at 8:40 p.m. on a McCammon/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant