

OCTOBER 5, 2016
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

Council Members – Delmos Oldham, Patrick Fleagle, Niccole Rolls, C. Harold Mumma and Michael Cermak (Chad Rooney was absent)

Junior Councilpersons – Arianna Taylor and Sophie Van Gilder (alternate)

Mayor Richard Starliper

Borough Staff – Jason Stains, Borough Manager

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

PUBLIC COMMENTS – AGENDA ITEMS: Visitors desiring to comment on a particular agenda item will be recognized by the President to speak when the topic is being discussed.

UNFINISHED BUSINESS

CONSIDER ADOPTION OF PROPOSED NUISANCE ORDINANCE: Manager Stains noted that the proposed Nuisance Ordinance has been duly advertised for Council's consideration at this time. Councilman Fleagle made a motion for adoption. Councilman Cermak seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE REPEALING ORDINANCE NO. 513 OF THE BOROUGH OF WAYNESBORO, AS AMENDED, IN ITS ENTIRETY AND ENACTING A NEW ORDINANCE REGARDING NUISANCES WITHIN THE BOROUGH AND PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF

Complete copy on file at Borough Hall.

VERIZON SMALL CELL ANTENNAS: Mr. Stains provided Council with copies of information discussed at the Street Committee's last meeting. He explained that Verizon Wireless had contacted the Borough in 2014 regarding their interest in adding data locations on the traffic signals throughout the downtown, as well as Potomac/Third Street. At that time, however, the equipment was large and bulky; they have now

returned with a new proposal (in terms of equipment). They are discussing a 20+ year lease, during which time the Borough would receive a small stipend of money monthly for linear use and an annual amount of approximately \$20,000 for allowing them to place the equipment on the traffic signals. Councilwoman Rolls made a motion to authorize the staff and Solicitor to move forward with negotiating a contract with Verizon to determine if it is a viable option. Councilman Cermak seconded.

Councilman Fleagle asked if other communities have policies regarding the number and type of communication devices that can be placed on poles/traffic signals and asked, at what point do aesthetics come into play? Mr. Stains noted that, ultimately, that would be up to Council and PENNDOT (as they must approve the permitting for these devices). He was requested to contact PSAB and/or other municipalities to determine if they can offer any suggestions.

Rhett Spada, 142 S. Phillips Avenue, asked if anyone has considered the radio waves being emitted from these antennas. He stated there are signs posted at cell towers regarding the amount of time you can stay under them; and he feels it is important to consider how close these antennas should be located to buildings and people.

A vote was then called and the motion passed unanimously.

PUBLIC COMMENTS – NON-AGENDA ITEMS:

Rhett Spada, 142 S. Phillips Avenue - Mr. Spada then addressed a letter that he (and other residents of S. Phillips Avenue) received regarding trimming of the tree(s) in front of their residences.

Councilwoman Rolls clarified that the letter states the trees are in violation of the Borough's Tree Trimming Ordinances (Nos. 832 and 588), i.e. trees with branches overhanging a street or alley must be trimmed to 18' feet above travel portions of the street and 8' over the sidewalk. This ordinance was established to protect vehicles from tree limbs, and pedestrians from low-hanging limbs and forcing them into or near the street. Residents were requested to have the trees trimmed to the aforementioned height in compliance with the ordinance. Ms. Rolls added that the Street Committee has been discussing this matter for several months – they have talked with the developer of the street, communications were sent to the Shade Tree Commission and they have coordinated functions to teach proper trimming techniques.

Discussion continued and reference was made to minutes from the 11/18/2015 Council meeting, which included a statement from the Solicitor that the trees would be the Borough's responsibility. Councilman Fleagle suggested that clarification be obtained from the Solicitor regarding this matter.

PRESS QUESTIONS:

Jennifer Fitch, Herald Mail

Question: Does the Nuisance Ordinance go into effect immediately?

- President Mumma replied “yes”.

Junior Councilperson Arianna Taylor noted that she and Sophie (Van Gilder) have asked students at the high school to let them know about issues they would like brought before Council. She mentioned that the intersection of Clayton Avenue and Fifth Street is “worrisome” for the students (as they are inexperienced drivers), but also because motorists seem to be confused about whether they are required to stop or not. Mr. Stains noted this is a very valid point, as there have been many accidents at that particular intersection through the years. The grade on Clayton Avenue to Fifth Street is an issue; and PENNDOT will allow the Borough to reduce the grade at their cost, even though it is a state-owned road. This, of course, would involve the excavation and lowering of Clayton Avenue and the reinstallation of sidewalks and walls leading into the intersection. It is his understanding that the majority of accidents at this location are from cars failing to stop at Clayton Avenue when traveling west on State Hill Road. Another option considered would be to add a stop sign on Clayton Avenue for vehicles traveling north (this portion is owned by the Borough), but certain traffic counts would have to be met. Speed at this location is also an issue and was addressed with PENNDOT in the past. Mr. Stains added that he will be attending an upcoming meeting with Senator Alloway and will discuss this concern with him. Councilman Fleagle also asked that Council be provided with information regarding this intersection (to include correspondence with PENNDOT, accident information, etc.)

Bill Kohler, Mainstreet Waynesboro Inc., thanked the Borough for their assistance (on many levels) during Market Day and with stormwater piping at the parklet. He will also be meeting with Borough representatives regarding the upcoming Tree Lighting Ceremony and Holiday Parade.

Having no further business to discuss, the meeting adjourned at 8:04 p.m. on a Cermak/Fleagle motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Borough Secretary