

MAY 4, 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 and Ronald Martin (Wayne Driscoll was absent)

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager

Denny Benshoff, Maintenance Superintendent

Dan Sheffler, Zoning-Code Enforcement Officer

Kevin Grubbs, Head of Engineering Services

Sam Wiser, Salzman Hughes PC (Borough Solicitor)

Jason Cohen, Assistant Borough Manager

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 April 20th meeting, as written. Councilman Stains seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that he received a favorable performance evaluation for William Hedrick, however no action was required. He will present an additional item during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: In Councilman Driscoll's absence, Mr. Hamberger reported that Denny Benshoff is making preparations to remove the stone wall at the golf course within the next several weeks. In addition, the Property Committee, Recreation Board and management will meet to discuss a final resolution regarding the former caretaker's house.

STREET COMMITTEE: Councilman Martin reported that the Street Committee met on 04/27 and discussed the following --

- Student Parking at High School - Chris Dennis was present at the meeting and advised that he has seen an increase in student parking on the street (rather than in the school's parking lot), resulting in many unused spaces. He will continue to monitor the situation and will report back on any developments.
- Lighted Street Signs - Kevin Grubbs noted that the lighted street signs should be installed within the next week or two.
- Flashing Lights on Crosswalk Signs - Kevin Grubbs also advised that he is working on the contract documents for flashing lights on the crosswalk signs.
- Crosswalk Markings - Denny Benshoff is looking into a thermoplastic-type system for marking crosswalks (instead of painting them, as the paint wears and fades quickly). He will report back on the costs involved.
- Parking Lot Leases - Council members were provided with copies of the existing leases for the Record Herald and Trinity House parking lots. Mr. Martin requested they consider dropping the leases due to the costs involved in maintaining the lots. This item will be on Council's agenda for voting at the next meeting.
- Fourth Street Extended - Bob King was present to discuss the ownership of Fourth Street Extended. The Borough Solicitor was requested to conduct a title search to determine exactly who owns what. He will report back upon completion.
- Street Projects - Council members were provided with a list of streets proposed for the next paving season, as follows:
 - 1) Fairview Avenue - Main Street to Sixth Street (\$571,697)
 - 2) E. Fifth Street - Potomac Street to Clayton Avenue (\$446,231)
 - 3) E. Second Street - Middle School to Main Street (\$361,625)
 - 4) S. Price Avenue - Main Street to Coldspring Estates alley (\$36,883)
 - 5) S. Welty Road (\$272,916)
 - 6) Northside Parking Lot (\$70,525)
 - 7) Golf Course Parking Lot (\$32,555)

(TOTAL: \$1,792,432)

Mr. Martin calculated that the streets could be done with no tax increase, using the three (3) mill tax currently designated for street projects (which nets approximately \$142,000/year). He requested that Council members review his proposal for consideration at the next Council meeting. President Newcomer requested that questions be presented by email prior to that meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer noted that a meeting has been scheduled for 05/12 at 9:00 a.m.

FINANCE COMMITTEE: No report.

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

“On April 25th, along with Borough Manager Hamberger, Assistant Manager Cohen, and Councilmen Martin, Mumma and Newcomer, I attended Mainstreet's annual meeting. Senator Alloway was the speaker.

On April 26th, along with Borough Manager Hamberger, Assistant Manager Cohen, and Councilmen Martin, Mumma and Newcomer, I attended the Cumberland-Franklin County Boroughs' Association meeting. Once again, Senator Alloway was the speaker.

On May 2nd, Borough Manager Hamberger and I attended the ribbon-cutting of the “All Natural Massage” office.

As previously stated by Chief King and myself, and now more than ever, please be aware of those around you in light of this week's event.”

SOLICITOR'S REPORT: Solicitor Wisner noted that necessary revisions to the Subdivision/Land Development Ordinance were mentioned at Council's last meeting. He will present proposed language to Council for review and discussion at the next meeting.

PUBLIC COMMENT - ITEMS ON AGENDA:

Bob King, 235 Myrtle Avenue - As mentioned by Councilman Martin, Mr. King noted that he attended the recent Street Committee meeting to discuss his concerns regarding the ownership/maintenance of Fourth Street Extended. Mr. King claimed that the Borough "took" a portion of his property and that he "has been wronged"; and added that he plans to put his complaints in writing. President Newcomer noted that the matter will be re-visited when facts/documentation have been received from the Solicitor, and Mr. King will be notified when discussion will be held on the matter.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma noted that Assistant Borough Manager Jason Cohen has completed his six-month probationary period, and a favorable performance evaluation was submitted at the last Council meeting. Accordingly, Councilman Mumma made a motion to remove Mr. Cohen from probationary status. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin noted that Mayor Starliper had requested that the Street Committee look at the parking situation on E. Main Street in front of the St. Andrews Church/School. He explained that parking is permitted to the white line at the crosswalk; and even though pedestrians are utilizing the pedestrian crossing, they cannot see oncoming cars when they enter the crosswalk. In order to provide better sight distance, Councilman Martin made a motion to erect a "No Parking Here to Corner" sign where the existing sign is located regarding school bus parking requirements. Councilman Mumma seconded; the motion passed unanimously.

Councilman Martin discussed parking on S. Enterprise Avenue (in the vicinity of the Savage Family Pharmacy's drive-thru exit). It has been discovered and confirmed that two (2) signs/posts are missing, which were originally located from the aforementioned exit 20' south to Kmart's loading dock entrance. Councilman Martin made a motion to replace the two (2) missing signs and extend the "no parking" zone 30' south of the exit at the Savage Pharmacy on the east side of Enterprise Avenue; and to install two (2) additional signs on the east side of Enterprise Avenue from Main Street and the entrance to the parking lot approximately 15', and on the west side of Enterprise Avenue to eliminate parking 34' from Main Street. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin noted that truck/trailer parking has been discussed, and he made a motion to allow trailers to be parked on the south side of E. Ninth Street from the driveway at the former Beck Manufacturing's parking lot to Rt. 997 (State Hill Road). Councilman Stains seconded. During discussion which followed, it was clarified that the owner/driver must live in the Borough, no "drop" trailers" will be allowed, and a parking permit must be obtained. Councilman Martin then amended his motion to include that this parking would be for vehicles in excess of five (5) tons. Councilman Stains seconded the amended motion. Solicitor Wisner recommended that a weight cap also be included in the proposed ordinance. Kevin Grubbs added that a centerline will be required, which led to discussion regarding parking along the opposite side of the street. Councilman Martin amended his motion again to prohibit parking on the north side of Ninth Street for the same distance as truck parking on the south side. Councilman Stains seconded the second amended motion. The motion passed unanimously.

Councilman Martin noted that news was received today regarding the approval of street projects for the CDBG program. Mr. Hamberger complimented the Borough's engineering staff for their efforts in

this regard; and stated that the following streets (totalling \$266,074.98) have been approved:

- King Street (N. Grant Street to N. Potomac Street)
- St. Andrews Drive (N. Broad Street to the end)
- N. Broad Street (Harbaugh Avenue to Borough line)
- Hawbaker Avenue (Mt. Airy Avenue to Harbaugh Avenue)
- N. East Avenue (E. Main Street to Roadside Avenue)
- Northfield Avenue (Harbaugh Avenue to the Borough line)

He added that these streets are in a census tract previously determined to be low/moderate income.

**Councilman Martin provided Council members with a drawing/proposal from Darwyn Benedict for the Rotary parking lot, and recused himself from the discussion.* Darwyn Benedict explained that his proposal would not eliminate any spaces, but return them to the way they were before the Rotary lot was paved and reconfigured. His proposal would move six (6) spaces at Second Street back to their original place in front of the Laundry Center to provide truck access to the side of the building (i.e. to empty the dumpster, etc.) Mr. Benedict offered to bear the cost of blacking out the existing strips and re-striping for the change (if approved). Kevin Grubbs stated that the Rotary lot was laid out with the idea of having a 30' thru-way from alley to alley – this proposal would close that thru-way and completely change the traffic flow. It was suggested that an opinion be obtained from the Fire Chief, and that Council members meet at the site before a decision is made. They agreed to meet (with Mr. Benedict) at the Rotary parking lot on 05/18 at 6:30 p.m. (prior to the next Council meeting). The item will then be on the agenda for discussion and a decision.

Mr. Hamberger noted that an article was mistakenly published by the *Public Opinion* regarding a change in the Council meeting schedule. This was incorrect ... no change in the schedule has been made and the next Council meeting will be held on 05/18 at 7:30 p.m.

Councilman Martin advised that Council has received a letter from Mr. Walker (Horizon Homes) indicating that they intend to put the final wearing surface on Crown Court during 2011. He noted that this development can then be finalized and placed on the Borough's "rolls" for Liquid Fuels funding.

Councilman Martin asked Kevin Grubbs for an update regarding the Brimington Farms Development bonds. Mr. Grubbs advised that he and Solicitor Wiser are preparing a checklist and correspondence to them, and will schedule a meeting with them for sometime in May. They will report back to Council after that meeting.

UNFINISHED BUSINESS

CONSIDERATION OF PEDDLERS' ORDINANCE: Mr. Hamberger noted that the proposed Peddlers' Ordinance has been advertised for Council's consideration at this meeting. Councilman Stains made a motion to adopt the proposed ordinance, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA REPEALING IN THEIR ENTIRETY ORDINANCE NO. 687 AND ORDINANCE NO. 731 OF THE BOROUGH OF WAYNESBORO, BEING ORDINANCES REGARDING TRANSIENT RETAIL MERCHANTS AND ENACTING A NEW ORDINANCE PROVIDING FOR THE REGULATION, LICENSING, AND THE PENALTIES FOR VIOLATION OF TRANSIENT RETAIL BUSINESS

Complete copy on file at Borough Hall.

NEW BUSINESS

MODIFY WEED ORDINANCE: Mr. Hamberger presented a proposed modification to the current Weed Ordinance for Council's authorization to advertise. The process was reviewed – in the event of a weed violation (grass/weeds greater than 10 inches in height), a notice/citation is issued for abatement within five (5) days. If the violation is not abated within five (5) days, the Borough will contract to have the property mowed and the cost thereof (along with additional authorized costs) will be liened to the property. It was also noted that the applicable fine for violations will be \$150.00. Councilman Martin made a motion to authorize advertisement of the proposed Weed Ordinance for Council's consideration at their meeting on 05/18. Councilman Greenawalt seconded. President Newcomer noted his concern that taxpayers' money is being utilized to have these properties mowed, which will not be reimbursed until the property is sold and the lien paid. The motion then passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Downtown Manager Pat Fleagle - Mr. Fleagle asked if a workshop has been scheduled yet with regard to the Rental Inspection issue. President Newcomer noted that he will announce a date for the workshop by 05/12.

Ed Schildt, 25 N. Potomac Street - Mr. Schildt discussed the prescription drug take-back program held at the Waynesboro Mall the previous Saturday. He had mentioned to Chief King that there are some individuals at the Trinity House who don't drive (and the County Commuter doesn't operate on weekends), and Chief King made arrangements with the Trinity House manager for a special pick-up. On behalf of the Trinity House residents, Mr. Schildt thanked Chief King for his extra efforts. Mr. Schildt also noted that his power chair was damaged when the streets were being repaired in September, and Kevin Grubbs has offered his assistance in contacting the contractor regarding the cost for damages. He also mentioned the condition of the Trinity House parking lot, and requested that it be "looked at". He thanked Council and the staff for the job(s) they do for the town of Waynesboro.

CLOSE-OUT FACADE IMPROVEMENT GRANT: Mr. Hamberger reported that the facade improvement project for Ernie Brockmann (22-26 W. Main Street) has been completed and approved by the Design Review Committee. Councilman Greenawalt made a motion to close-out the grant and authorize reimbursement to Mr. Brockmann. Councilman Martin seconded; the motion passed unanimously.

Mr. Hamberger noted that the Presbyterian Church would like to make an application for a facade improvement grant for repairs to their steeple. He personally feels that the steeple would be included as part of the facade, but noted he would like the Downtown Revitalization and Property Committee's opinions before accepting their application.

SUMMER MEETING SCHEDULE: Discussion was opened regarding the upcoming summer schedule for Council meetings. Council members agreed to keep the two-meeting per month schedule; and if there is no business which needs to come before Council, one of the meetings can be canceled.

FOR INFORMATION ONLY

POOL OPENING REMINDER: Mr. Hamberger reminded Council that Northside Pool will open on 05/28. Various repairs are currently being made and most of the staff has been hired. He is hoping for good weather and a profitable season.

Councilman Mumma asked for an update regarding campers parking in the pool's parking lot. Mr. Hamberger noted that the police are contacting owners of the campers to have them moved, and appropriate language for signage is currently being drafted.

ADDITIONAL ITEMS: Mr. Hamberger noted that Waynesboro Aglow has requested use of the Mt. Airy Avenue Park on September 17th, from 9:00 a.m. to 1:00 p.m., for an outreach. Their request has been reviewed and approved by the Recreation Board.

President Newcomer reported that he received a telephone call from Senator Alloway regarding an upcoming Legislative Town Hall meeting for Pro-Life Advocacy. Senator Alloway will be the speaker and would like to hold the meeting in Waynesboro. Additional details will be forthcoming.

PAY BILLS: None.

COUNCIL AND STAFF COMMENTS: Kevin Grubbs noted that the Subdivision Plan for Crown Court (townhouse units) was discussed at the last Council meeting. Approval for an extension was contingent upon receipt of a letter from the developer regarding application of the final surface coat. He reported that a letter was received indicating that the final wearing surface coat will be laid during 2011. Solicitor Wiser reviewed and approved the letter; and accordingly, the plans are before Council for execution and recording at the courthouse. Councilman Martin made a motion to approve the plans and Councilman Mumma seconded. Discussion followed regarding the amount remaining on the developer's letter of credit, which expires in November of 2011. Councilman Martin then amended his motion noting that the approval be contingent upon receipt of another letter stating that the final surface coat will be completed by 10/15/2011. Councilman Mumma seconded the amendment; the motion passed unanimously.

Solicitor Wiser mentioned that, since the "Parking Ordinance" is being amended, Section 280-26 does not provide a fee for parking trailers; and he suggested that a provision be included noting that Council can set a fee by resolution from time to time. Council agreed.

Police Chief King reported that approximately 45 pounds of prescription drugs were collected at the "Drug Take-Back" event on Saturday.

Councilman Stains thanked Dan Sheffler for checking the security of an abandoned property (118-120 W. North Street).

Mayor Starliper reported that the Police Department is currently looking into the purchase of a new police cruiser. At the present time, New Holland is the low bidder (their cost is approximately \$200 below the budgeted figure). Additional information will be forthcoming.

Mayor Starliper also noted that a COPS grant is available for funding to hire police officers. He explained details of the program, and requested permission from Council to submit an application for the 05/25 deadline (which would be to hire one additional police officer). Councilman Mumma made a motion to approve submission of an application for the COPS program. Councilman Stains seconded. Mr. Hamberger clarified that the grant would pay the officer's base salary and benefits for 36 months (with the Borough being responsible for any salary growth). The motion then passed unanimously.

Having no further business to discuss, the meeting adjourned at 9:08 p.m. on a Mumma/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott

Administrative Assistant