

MARCH 4, 2009  
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, Charles McCammon and Ronald Martin

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Denny Benschoff, Maintenance Superintendent  
Kevin Grubbs, Head of Engineering Services  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)  
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 February 18, 2009 regular meeting, as written. Councilman Stains seconded. Councilman Martin noted that a correction should be made in the vote for President – he clarified that it should be 4-2 (in favor of Craig Newcomer). Councilman McCammon made a motion to amend the minutes as described. Councilman Stains seconded; the motion passed unanimously.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma reported that he will present one (1) item during the “voting” section of the meeting.

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

**STREET COMMITTEE:** Councilman Martin made a motion to schedule a public hearing for the 2009 CDBG program during Council’s second meeting in March at 7:15 p.m. (The Council meeting will begin immediately following the hearing). Councilman Mumma seconded; the motion passed unanimously.

Secondly, Mr. Martin noted that he has read the Community Housing Plan in its entirety, and stated his willingness to discuss it with anyone who may have questions. He added that several items need to be discussed, and suggested that Council hold a 15-minute workshop at 6:45 p.m. prior to their next meeting (March 18<sup>th</sup>). Council concurred.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** President Newcomer mentioned a recent article in the newspaper regarding a proposed statue. He advised the public that Council is not involved with this project at all .... it is a private matter. Mr. Newcomer added that brick pavers and the Sidewalk Ordinance will be discussed later in the meeting.

**FINANCE COMMITTEE:** Councilman Greenawalt noted that he will have a report for the next meeting.

President Newcomer noted that members of the public received a copy of Council's current committee listings with tonight's agenda, and advised that Councilman Greenawalt has been named as Chairman of the Finance Committee.

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

“On February 19<sup>th</sup>, along with Borough Manager Hamberger and Councilmen Martin, Mumma and Greenawalt, I attended the breakfast hosted by the Waynesboro, Greencastle and Mercersburg Chambers and featuring Representative Bill Shuster as the speaker.

On February 21<sup>st</sup>, along with Councilmen Greenawalt and McCammon, I attended the Fire Company's Annual Banquet.

On February 24<sup>th</sup>, along with Borough Manager Hamberger and Councilmen Mumma, Martin, Greenawalt and McCammon, I attended the Cumberland-Franklin County Boroughs Association meeting.

On March 4<sup>th</sup>, Representative Rock, Magistrate Larry Pentz, and myself discussed the DUI problems in the area of enforcing and convictions.”

**SOLICITOR'S REPORT:** Melissa Dively advised that, since Council's last meeting, further information was requested to be filed on the PENNVEST application. Councilman Martin commented that additional engineering drawings were requested on Wednesday (and were required to be delivered by Friday afternoon), adding that Denny Black and the Borough staff worked diligently to provide the needed items.

President Newcomer announced that Council had held an executive session at 7:00 p.m. (prior to this Council meeting).

**PUBLIC COMMENT - ITEMS ON AGENDA:** None.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma reported that he received a favorable performance evaluation for Tom Brennan, and made a motion to grant a step increase for him to salary level 13C (\$19.76/hour). Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma noted that he received correspondence from Chief Mark King regarding his request to interview the top four (4) individuals on the current civil service list, with his intent to hire two (2) replacement officers. Discussion followed regarding the approved allotment of officers for the Police Department. Chief King noted that their allotment is 21 (which includes the School Resource Officer). At present, he is looking to replace Lynn Lowman and Michael Broas (Robert Stansfield is currently serving in Iraq). Councilman Martin noted he is “greatly concerned” about the Borough's income and budget. Franklin County is looking at cutting all departments by 8%; and he noted that transfer taxes may not be coming in as usual, and wage taxes will be down because of businesses downsizing and eliminating overtime. He requested that the Finance Committee meet to review the Borough's current financial situation and report back to Council. Mr. Hamberger stated that he has asked the department heads to “hold off” on major purchases that are not absolutely necessary, and he should have a better perspective on the situation when end-of-year figures are available (he

anticipated that will be by the end of April). President Newcomer explained that wage taxes should be “up” this year, because various other municipalities owe monies back (and those funds should be collected this year). He added that the Borough has budgeted for 20 officers, and an individual has been hired as a requirement of the School Resource Officer program. Discussion followed on a clarification of use of the SRO during the summer months when school is not in session. It was noted that the contract will be reviewed regarding this matter. Taking the SRO out of the equation, Councilman Martin clarified that the Police Department would like to hire (replace) two (2) officers. Potential costs for MOPEC certification were discussed, and it was noted that one of the individuals is already certified and has been working for the Department part-time. Mr. Martin suggested that the Personnel Committee review the matter to see if any positions can be combined to cut costs. President Newcomer suggested that the first step in this process would be for the Finance Committee to review the Borough’s financial situation with regard to the budget.

Councilman Mumma also noted that he received correspondence from Fire Chief Dave Martin regarding hiring a fifth Fire Apparatus Driver. Since Ron Flegel’s retirement (Tinker Rowe was hired as his replacement) and Bill Hedrick’s extended medical leave, the Department has been without a fifth driver for 12 of the last 14 months. During daytime hours, it has become a serious problem to find qualified drivers for the apparatus. Councilman Mumma made a motion to authorize the Civil Service Commission to conduct an examination for the position of Fire Apparatus Driver. Councilman Greenawalt seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**SIDEWALK ORDINANCE:** Kevin Grubbs noted that Council members received a draft copy of the modified Sidewalk Ordinance for review. Several additional items need to be included since the Street Committee’s last meeting, and a final version should be delivered to Council next week for review. If any further additions or changes need to be made, he requested that Council advise him as soon as possible.

**ABANDONMENT OF PORTION OF MYRTLE AVENUE:** Kevin Grubbs stated that Council received a copy of the proposed ordinance for abandonment of a portion of unopened Myrtle Avenue between Third and Fourth Streets, as well as a drawing labeled “Exhibit A” which outlines two (2) right-of-ways within Myrtle Avenue (the existing water line and the 18” storm sewer). Councilman McCammon made a motion to authorize advertisement of a public hearing regarding the ordinance for the second meeting in April. Councilman Martin seconded; the motion passed unanimously.

**SUB-RECIPIENT AGREEMENT (NEW HOPE SHELTER):** Mr. Hamberger explained that, several years ago, Borough Council authorized use of CDBG funds for some items at the New Hope Shelter. The only item approved by the state, however, was funding for operation of their bus for a year or so. As the Shelter has been closed several times over the last several years, the staff didn’t follow-up on the required Sub-Recipient Agreement. Mr. Hamberger noted that this is a requirement for any organization that receives money from the CDBG program, indicating their agreement to follow the stated guidelines or to pay back the monies utilized. Mr. Hamberger has requested quotes for the insurance costs for operating the bus, but those have not yet been received. He added, though, that they will not spend close to the \$7,000 originally requested. Councilman Martin recommended that this matter be tabled until firm costs have been obtained. Council agreed.

**ADDITIONAL PENNVEST ENGINEERING:** Mr. Hamberger noted that Councilman Martin discussed this matter earlier in the meeting. He commended Denny Black’s staff for getting the additional drawings done, and President Newcomer credited Council members who “pulled this all together” last year when issues/concerns regarding the engineering were being dealt with. Since the engineering study has been completed, he is hopeful that Waynesboro will be one of the first to receive funding since their project is “shovel ready”. Councilman Martin asked if there is anything else they should be working on to satisfy PENNVEST. Solicitor Dively replied that it would be hard to guess what they

might want. She added, however, that many of the applications submitted do not have this extent of engineering work supplied.

**SCHEDULE MEETING RE: HOUSING STUDY PLAN:** This was done earlier in the meeting – a workshop has been scheduled for Wednesday, March 18<sup>th</sup>, at 6:45 p.m. (prior to the next Council meeting).

## **NEW BUSINESS**

**APPLICATION FOR PARADE PERMIT FROM COMBINED VETERANS COUNCIL (MAY 25, 2009):** An Application for Parade Permit has been received from the Combined Veterans Council for the Memorial Day parade on May 25<sup>th</sup>, beginning at 9:00 a.m., at C.V. Avenue. Councilman Greenawalt made a motion to approve the request. Councilman McCammon seconded; the motion passed unanimously.

**TRAFFIC LIGHT AT N. EAST AVENUE AND MAIN STREET:** Mr. Hamberger reported that he has corresponded with Washington Township regarding their willingness to go 50/50 to apply for a grant for a traffic light at N. East Avenue and Main Street. They have responded that they are willing to do so. With Council's permission and authorization, Mr. Hamberger and Mike Christopher will arrange a meeting with Senator Alloway and Representative Rock to discuss the matter. Councilman Martin made a motion to authorize the Borough Manager to proceed. Councilman Greenawalt seconded; the motion passed 5-1 (Councilman McCammon opposed).

**AWARD BIDS FOR RANDOM CURB/SIDEWALKS, STONE AND SODIUM HYPOCHLORITE:** Mr. Hamberger recommended that award of the stone bids be deferred until the next meeting. Councilman McCammon made a motion to table the matter. Councilman Stains seconded; the motion passed unanimously.

Mr. Hamberger recommended that the bids for random curb and sidewalk be awarded to Ray and Betty Eyler; and the bids for sodium hypochlorite be awarded to Aqua Chemical Supply. Councilman Martin made a motion as such. Councilman Greenawalt seconded; the motion passed unanimously.

**SCHEDULE PUBLIC HEARING FOR JOINT COMPREHENSIVE PLAN (RECOMMEND APRIL 16<sup>TH</sup>):** Mr. Hamberger suggested that a public hearing (with Washington Township) be scheduled for Thursday, April 16<sup>th</sup>, at 7:00 p.m., to discuss the Joint Comprehensive Plan. Council concurred. Copies of the final plan will be distributed to Council members for review.

**MEMORANDUM OF UNDERSTANDING (FRANKLIN COUNTY CONSERVATION DISTRICT):** Mr. Hamberger noted that the staff has met with representatives of the Franklin County Conservation District regarding their proposed Memorandum of Understanding. They (along with Washington Township staff) have concerns and will meet to discuss them further. The matter is also on the Waynesboro Planning Commission's agenda for their next meeting. A report will be forthcoming to Council on their recommendations.

## **STREET COMMITTEE ITEMS**

- 1. No Parking Signs – Gay Street, E. Second Street and Enterprise Avenue:** Councilman Martin noted that since the parking lot at the former CVS store on S. Broad Street has been closed off, many more cars have been parking on S. Broad Street, making it more difficult to see vehicles traveling there before exiting off Gay Street at Attorney Tim Misner's office and the Brownhouses. The Street Committee is recommending placing "No Parking Here to Corner" signs 20' back from each side (north

and south) at this intersection. Also, cars are parking on Enterprise Avenue at the north side of Second Street and blocking the gate entrance at the Sewer Pumping Station. They are recommending placing “No Parking Here to Corner” signs on Enterprise Avenue 50’ from that intersection. Councilman Martin made a motion to approve these recommendations. Councilman Stains seconded; the motion passed unanimously.

2. **Welty Road Grant:** Mr. Hamberger reported that he has been working with Congressman Shuster’s staff on a grant application for renovations to Welty Road in the amount of \$260,000. That application was submitted today, and included letters of endorsement from the Franklin County Planning Commission, Waynesboro Planning Commission, Franklin County Area Development Corporation, Washington Township Supervisors and Otterbein Church.
3. **Jake Brake Ordinance Update:** Councilman Martin suggested that Council members review the draft ordinance submitted to them by Solicitor Dively for discussion at the next meeting.
4. **Update on Storm Drains (Center Square):** Kevin Grubbs noted that he met with an engineer from Dennis Black Engineering to review the final design plan for the Center Square piping. The Highway Occupancy Permit has been submitted to PENNDOT, and they are currently waiting on its approval. J. D. Eckman (PENNDOT’s contractor) has noted their willingness to work with the Borough in any way possible – if the Borough is working on the drains while they are working in the Square, that will not be a problem. Mr. Grubbs added that he spoke recently with Bruce Dreisbach with regard to adding electrical conduit in the Square area for a PA system (and Council will receive a copy of a plan at their next meeting). Councilman Martin requested that cost estimates also be provided at that time. Solicitor Dively asked about the status of the Corp of Engineers’ permit. Mr. Grubbs noted that Denny Black submitted the last of the requested revisions approximately two (2) weeks ago. It is anticipated that approval should be granted shortly. With regard to work on Cemetery Avenue, Mr. Grubbs added that he and the solicitor will need to work on several minor land acquisitions. They will meet in the near future with the affected property owners regarding these matters.

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

Bruce Dreisbach, Mainstreet Manager - Mr. Dreisbach presented Council members with a copy of their new Business Recruitment brochure. One of the key objectives of MSI is economic development – bringing new businesses to town and helping existing businesses to expand (not just on Main Street, but also to potentially develop brownfield space in the Borough). He noted that, when asking a business to come to Waynesboro, you are selling the entire community; and that’s what this brochure hopes to do. They have had very good response so far by individual investors, investor groups from Washington/Baltimore to Carlisle, five (5) restaurant owner/operators looking at two (2) spaces on Main Street, and some other projects where people are interested in bringing in businesses to add foot traffic and meet significant needs in the community. Councilman Martin asked for clarification on the term “brownfield space”, and Mr. Dreisbach explained that these are parcels of ground zoned Industrial that don’t currently have anything on them. Defense contractors, for example, are very interested in relocating businesses to areas such as these. He added that the media has been very helpful and supportive in supporting their endeavors to attract new businesses.

Frank Bittner, 842 Anthony Avenue - Mr. Bittner noted an interesting title on a 2001 article in a paper published by the Chamber of Commerce – that being, “Our Community Depends on its Citizens”. He felt that title was very significant; and following along with Mr. Dreisbach’s comments, even though there have been many improvements in Waynesboro, there are still some “stony” parts. He mentioned

several of those, including: (1) soccer field damage, (2) cemetery damage, (3) skatepark damage, and (4) graffiti around town. Although these are negative aspects of the community, he admitted he can offer no solutions for those problems.

### **FOR INFORMATION ONLY**

**REMINDER OF CDBG PUBLIC HEARING (MARCH 18<sup>TH</sup> AT 7:15 P.M.):** President Newcomer reminded Council and the public of the CDBG public hearing scheduled for March 18<sup>th</sup> at 7:15 p.m.

**ANTIETAM HUMANE SOCIETY'S 2<sup>ND</sup> ANNUAL GOLF TOURNAMENT (APRIL 24<sup>TH</sup>):** Council members received an invitation to attend the Antietam Humane Society's 2<sup>nd</sup> Annual Golf Tournament on April 24<sup>th</sup> at the Waynesboro Country Club.

**RENOVATIONS TO MEMORIAL PARK:** Mr. Hamberger noted that an application was made last year to renovate portions of Memorial Park, but unfortunately those grants are very competitive and the application was not approved. However, they plan to try again. A state consultant will meet with him next week to review the previous application and offer suggestions on being more competitive in this process. A public meeting is required to be held in order to obtain public input, and the Waynesboro Recreation Board has scheduled that meeting for Thursday, March 12<sup>th</sup>, at 7:00 p.m. Mr. Hamberger reiterated the Recreation Board's recommendations as follows: (1) completing circuit for walkway, (2) improve safety at children's areas, (3) additional plantings, and (4) fence at the ballfield.

**PAY BILLS:** It was noted that a voucher list was just provided to Council at this evening's meeting, and they deferred its approval until their next meeting so that members will have an opportunity to review it thoroughly.

**COUNCIL AND STAFF COMMENTS:** Councilman McCammon noted that, at the last meeting, the positions of Council President and Vice-President were "overturned" by Councilman Stains. He commented that Mr. Stains has "missed a lot of time and he has been paid, just like the rest of us".

Police Chief Mark King advised Council and the public that Waynesboro Hospital's Health Fair will be held on Saturday, March 7<sup>th</sup>, from 7:30 to 11:00 a.m., at the Senior High School's gymnasium. The Waynesboro Police Department, along with the PA State Police, will be present to promote alcohol awareness.

Borough Manager Hamberger thanked the Police Department for their investigative work (and witnesses who came forth) on a hit/run accident involving Borough property at the intersection of Myrtle Avenue and Third Street several weeks ago. The perpetrator was located, and a bill has been submitted to him for the damages.

Councilman Greenawalt provided copies of the Waynesboro Fire Department's annual report, which was presented at their recent awards dinner/banquet. Special note was made of the \$200,000+ in grants received by the Department this past year. Mr. Greenawalt also thanked the Maintenance Department for their assistance in relocating the sign at Ninth and Potomac Streets, as it was not visible coming into town.

Councilman Mumma noted his pleasure to see many members of the public in attendance.

Mayor Starliper noted that he has discussed several aspects of the upcoming 225<sup>th</sup> anniversary celebration of Franklin County over the past several weeks. The Greencastle Chamber of Commerce and Greencastle Borough have placed the 225<sup>th</sup> logo on their letterhead, and prices have been

obtained for adding the logo to Waynesboro Borough's letterhead also – \$32.00 for 500, \$40.00 for 1,000 and \$64.00 for 2,000. It was estimated that 1,000 (2 reams) will be adequate for the remainder of this year. Councilman Greenawalt made a motion to approve the request as presented by the Mayor. Councilman Martin seconded; the motion passed unanimously.

President Newcomer thanked the public for their attendance.

Having no further business to discuss, the meeting adjourned at 8:35 p.m. on a McCammon/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant