

MAY 6, 2009
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:40 p.m. (the meeting commenced immediately following Council's workshop which began at 6:15 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 Benschhoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
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 April 15th public hearing and regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman McCammon made a motion to approve the minutes of the April 16th public meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

ACCEPT REPORTS: Councilman McCammon made a motion to accept the reports of the Police Chief and Fire Chief for March, 2009. Councilman Greenawalt seconded; the motion passed unanimously.

APPOINTMENT OF NEGOTIATION COMMITTEE/POLICE STUDY COMMITTEE: President Newcomer noted that Tom Finucane will be legal counsel and chief negotiator for the Negotiation Committee, which will consist of Councilmen Martin, Mumma and Newcomer. He added that the Police Study Committee will be the same.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he will present several motions for hiring individuals during the "voting" section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon noted that the Property Committee is exploring the possibility of tearing down the caretaker's house at the Golf Course, and he would like Council's permission to obtain prices for the work. He will present a motion regarding the matter during the "voting" section of the meeting.

STREET COMMITTEE: Councilman Martin reported that the Street Committee met on April 29th and discussed the following --

- Someone hit a pole in the Rotary parking lot – Kevin Grubbs was asked to contact Allegheny Power to see if they would put pole-protect pads on. They advised that PENNDOT does that, and he placed a request with them
- Mr. Hamberger advised that a stop sign was needed at Grandview Avenue and Viewpoint Drive.
- Jake Brake Ordinance – Kevin Grubbs met with PENNDOT. A study will be conducted for sign placement and correspondence will follow regarding permission to place the signs. Mr. Grubbs noted that he has obtained crash data from Chief King and sent it to PENNDOT. The process will take approximately 60 days.
- Resident of New Hope Shelter requested that additional notices/signage be provided for street sweeping, as he received a ticket when he forgot to move his car. The Street Committee feels that the schedule is well noted and there is no need for additional signage, etc. They suggested that a copy of the schedule be posted on New Hope's bulletin board.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer noted that he will request a motion recommending moving forward with bids for the brick sidewalk project during the “voting” section of the meeting.

FINANCE COMMITTEE: Regarding tax revenues, Councilman Greenawalt reported that “some are ahead and some are behind”; and they will “take a hit” this month because rebates are going out. Accordingly, he recommended holding off on filling any employment vacancies until figures are available at the end of June.

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

“On April 27th, along with Councilmen McCammon, Newcomer and Mumma, I attended the annual dinner meeting of Mainstreet Waynesboro, Inc.

On April 28th, Borough Manager Hamberger, Councilmen Martin and Mumma, and I attended the Cumberland-Franklin County Boroughs’ Association meeting in Mechanicsburg. The topic was Act 32 and the impact it will have on boroughs.

On Sunday, May 3rd, I attended the Waynesboro Area YMCA’s re-dedication reception recognition of volunteers and donors, and also a tour of the facility.

On May 6th, I attended the presentation award of the Eva Stinger Clinical Nurses Award. This year it was presented to Barbara Gearhart. Congratulations.”

RETIREMENT PRESENTATION FOR OFFICER LYNN LOWMAN: Mayor Starliper presented Officer Lynn Lowman with his retirement badge and noted his appreciation for Mr. Lowman’s contribution to the Borough for 29 years. He, along with Chief King, thanked him for his service.

PRESENTATION OF SARGE’S BADGE (K-9): Mayor Starliper noted that they are “losing one, but gaining another” officer, and introduced Sarge (K-9) as the newest member of the Waynesboro Police Department, along with his handler, Corporal John Shindlecker. Sarge has completed the

appropriate training and was presented with his official badge. Corporal Shindledecker thanked the community and everyone who donated toward purchase of the K-9, as well as Council members for their support.

COMMENTS TO OFFICER LOWMAN: President Newcomer noted his heartfelt appreciation to Officer Lowman for his years of service, and added that the community is a better place because of him. Mr. Newcomer noted he was disheartened when he found out that Officer Lowman was retiring, as he is “one of the best officers this town has ever had”.

Councilman Martin noted that Officer Lowman can be very proud of his service to the community because he has “certainly made a tremendous impact”, and his work and efforts put forth are very much appreciated.

Councilman Mumma noted he remembers Officer Lowman in his “younger days” when he ran around with his children. He noted it is good to see “rambunctious” kids make something of themselves, and Officer Lowman has done a good job of that.

Borough Manager Lloyd Hamberger wished Officer Lowman much luck in the future.

Councilman Stains noted that he remembers years ago when Officer Lowman coached various sports, and has since had a very distinguished career with the Borough. Although he hates to see him leave, everyone knows when it is time to move on. Councilman Stains wished Officer Lowman success in his future.

Councilman McCammon advised Officer Lowman to “enjoy your retirement”.

Councilman Greenawalt also noted his hopes for an enjoyable retirement, adding “you have to wonder where all these years went”.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to hire Miles Nelson as Assistant Manager at Northside Pool, at a salary of \$9.00/hour (plus 15¢/hour for each year of service). Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Lifeguards for Northside Pool: Kiersten Bell, Hannah Sanders, Molly Sanders and Sarah Mitchell. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Cashiers for Northside Pool: Matthew Brinkman, Aaron Blair, Sarah Brown and Katherine Compher. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire Tiana Brown as Pro Shop Attendant at the Golf Course and Ronald Butts as Summer Maintenance Worker at the Golf Course. Councilman Stains seconded; the motion passed unanimously.

Councilman McCammon made a motion for authorization to obtain prices for demolition of the residence at the Golf Course. Councilman Martin seconded. Discussion ensued regarding future plans for the site – possibilities included a pavilion area or construction of another caretaker’s residence. President Newcomer clarified that Mr. McCammon will obtain price quotes for the demolition work and report back to Council; if the demolition is agreed on, another motion will be made at that time. A vote was called and the motion passed unanimously.

Councilman McCammon made a motion for authorization to repair the wall at the Golf Course. He suggested that the work could be done in-house, but Maintenance Superintendent Denny Benshoff stated he feels a lot of the wall will have to come down because it is “pushing”. He recommended that perhaps the wall could be removed when the house is demolished; and the bank could then be sloped and re-seeded. Councilman McCammon disagreed, noting that there is only a problem with one section of the wall and the remainder is stable. Hearing no second for Mr. McCammon’s original motion, Councilman Martin offered that he amend the motion for authorization to obtain separate price quotes on both replacing the wall and removing it (plus sloping and re-seeding). Councilman McCammon agreed on the amended motion. Aesthetics were then discussed; and Councilman McCammon stated he would like for the residence to be remodeled. Councilman Martin suggested that they obtain these price quotes and then the matter can be discussed further. He then seconded the amended motion which passed unanimously.

On a related matter, Councilman Martin suggested that he would like for Council to consider the possibility of “getting out of the golf course business” and soliciting bids for its operation. Council President Newcomer commented that the Recreation Board is currently looking into that scenario.

Councilman Martin noted that there is currently no stop sign at Grandview Avenue and Viewpoint Drive (coming out of the development). As these are private streets and the developer is responsible for signage in the development, Councilman Martin made a motion to erect a stop sign at this location and the developer be billed for it. Councilman Stains seconded; the motion passed unanimously.

President Newcomer asked for a motion to move forward with soliciting bids for the brick sidewalk paver project on two levels – (A) within the 12’ setback and (B) back to the buildings. Councilman Martin made the motion, provided that it extends from Walnut Street to Grant Street. Councilman Mumma seconded. Mr. Grubbs clarified that the bids will be based on square foot pricing and will include concrete curbing. A vote was called and the motion passed unanimously.

UNFINISHED BUSINESS

HOUSING STUDY: Mr. Hamberger noted that the Community Housing Plan was discussed previously by Council, but was never formally adopted. Councilman McCammon made a motion to adopt the Housing Plan (January, 2009 draft). Councilman Stains seconded; the motion passed unanimously.

RESOLUTION NO. 2009-08 (ADOPTING JOINT COMPREHENSIVE PLAN): Mr. Hamberger presented proposed Resolution No. 2009-08 adopting the Joint Comprehensive Plan. He noted that the Washington Township Supervisors have adopted an identical resolution, which is required in order to receive state reimbursement. Councilman McCammon made a motion to adopt Resolution No. 2009-08. Councilman Stains seconded; the motion passed unanimously. Mr. Hamberger advised that he will forward copies of the adopted resolution to the appropriate agencies.

President Newcomer stated that the Plan is only as good as the action Council takes, and he recommended they follow through to ensure its success. Mr. Hamberger reminded Council that they are mandated to revise the Zoning Ordinance and Subdivision/Land Development Ordinances within two (2) years; and suggested that the Planning Commission be charged with this task. He reiterated that the Borough can share uses with the Township, whereby maybe a use is not appropriate for one but is appropriate for the other. He will encourage the Planning Commission to coordinate the Borough’s zoning uses with Washington Township.

RESOLUTION NO. 2009-08

A RESOLUTION OF THE WAYNESBORO BOROUGH COUNCIL

ADOPTING THE JOINT COMPREHENSIVE PLAN OF THE
BOROUGH OF WAYNESBORO AND WASHINGTON TOWNSHIP,
FRANKLIN COUNTY, PENNSYLVANIA

Complete copy on file at Borough Hall.

NEW BUSINESS

HANDICAPPED RAMPS (FAIRVIEW AVENUE AND MAIN STREET): Kevin Grubbs provided Council with information regarding the installation of three (3) handicapped ramps at Fairview Avenue and Main Street. He reminded Council that LTAP conducted a safety walk-through regarding crosswalks in the Borough, and suggested that this crosswalk be moved to the top of the hill to provide more visibility. The crosswalk was moved when the other crosswalks were painted last summer, but handicapped ramps must also be installed on the north side and the east/west corners to bring it into conformance with ADA standards. An estimate of \$9,570.00 has been received. He suggested that this should be done prior to the next school year. Mr. Hamberger noted that he will check to see if Liquid Fuels funds can be used for this work. Councilman Martin made a motion to authorize the work to be done, provided that Liquid Fuels Funds can be utilized; and if not, the matter should be brought back to Council for further discussion. Councilman Stains seconded; the motion passed unanimously.

RESOLUTION NO. 2009-07 (ELECTRONIC ACCESS TO PENNDOT SYSTEMS): Mr. Hamberger explained that PENNDOT is mandating certain forms be filed online; and even though they are mandating it, they are requiring that the Borough sign an agreement. He presented proposed Resolution No. 2009-07 regarding the matter. Councilman Martin made a motion to adopt Resolution No. 2009-07, as presented. Councilman Stains seconded; the motion passed unanimously.

RESOLUTION NO. 2009-07

WHEREAS the Pennsylvania Department of Transportation and Borough of Waynesboro have agreed to use the **dotGrants** on-line reporting system to file the required Liquid Fuels forms annually; including but not limited to the MS-965, MS-329 and MS-999 forms.

Complete copy on file at Borough Hall.

ONE-MILE CHILDREN'S RUN FOR SUMMER JUBILEE: Mr. Hamberger read a letter received from the Summer Jubilee Committee outlining their request regarding this year's one-mile children's run to be held on July 4th. He stated that their letter indicated the run would begin at 8:30 a.m., but he received a subsequent call indicating an 8:00 a.m. start. Police Chief King noted that he will be meeting with Summer Jubilee representatives the following day to discuss the matter. Councilman McCammon made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

IDENTITY THEFT PREVENTION PROGRAM: Mr. Hamberger presented a proposed Identity Theft Prevention Program outline for the Borough of Waynesboro. He noted that this is mandated by the federal government and lists procedures to prevent identity theft determined to be appropriate through a risk assessment evaluation. Councilman Stains made a motion to approve the proposed program. Councilman McCammon seconded; the motion passed unanimously.

REPORT ON CROSSWALK PROGRAM: Chief King reported that the Waynesboro Police Department conducted crosswalk enforcement on April 23rd at various locations throughout the Borough, starting on N. Grant Street and along Main Street to Waynesboro Hospital. A total of 14 citations were issued to motorists between the hours of 9:15 a.m. and 2:24 p.m. In addition, the Smooth Operator Program is now called Aggressive Driving Enforcement – the Police Department

participated during the first quarter of 2009; and of 70 contacts with drivers, 45 were cited for speeding, 1 for careless driving, 3 for following too closely, 7 for traffic control signals and 4 for seatbelts (along with numerous other citations).

Mayor Starliper reminded the public that the fine for crosswalk violations is \$137.00. Councilman Martin noted that the crosswalk violations averaged three (3) per hour – that is a lot of violations in a short period of time. He commended the Police Department on their efforts.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Harry Morningstar, Jr., 205 Clayton Avenue - Regarding the downtown sidewalk issue, Mr. Morningstar asked if Main Street property owners can opt not to put sidewalk beyond the 12' right-of-way to their buildings (and put in grass, shrubbery, etc.). Mr. Grubbs noted the Borough's Sidewalk Ordinance addresses only the 12' legal right-of-way; beyond that is private property. Councilman Martin commented that issues regarding trees in that area need to be addressed.

Frank Bittner, 842 Anthony Avenue - Mr. Bittner questioned where the idea of demolishing the caretaker's house at the golf course originated. Councilman McCammon commented that no maintenance has been done there for quite some time, and it would be cheaper to tear it down and put in a new building than to remodel the existing home. President Newcomer noted this matter is being discussed, but no definite decisions have been made.

Mr. Bittner continued by asking if this was prompted by the comment made earlier regarding selling the golf course and getting out of the golfing business. Councilman Martin clarified that "no one said anything about putting it up for sale". He explained that he meant to lease it out to an individual to operate and maintain. The Borough would then receive a profit from it instead of breaking even or losing money. Mr. Bittner questioned what the golf course's financial status has been over the last several years. Mr. Hamberger responded that it "breaks even at best". President Newcomer noted that the Recreation Board is currently discussing the matter and will present a recommendation to Council for consideration and future discussion.

CIVIL SERVICE EXAMINATION - FIRE APPARATUS DRIVER: Mr. Hamberger read correspondence received from the Waynesboro Civil Service Commission regarding the recently scheduled examination for Fire Apparatus Driver. They note that there is only one (1) applicant who is qualified to take the examination; and they questioned if Council wants them to proceed. Councilman Martin noted that the examination was scheduled when Bill Hedrick thought he would be unable to return to work following a medical leave. He has since returned and they are at "full staff". Councilman Martin made a motion not to proceed with the examination. Councilman Greenawalt seconded; the motion passed unanimously.

PAY BILLS: Councilman Mumma made a motion to approve the payment of the voucher list dated 04/29. Councilman Stains seconded; the motion passed unanimously. He suggested that the other voucher list received this evening be deferred until their next meeting.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger thanked everyone involved in developing the Joint Comprehensive Plan, noting that a lot of work was put into the project.

Councilman McCammon reported that he attended an alumni breakfast with former classmates at the Mountain Gate Restaurant. These are held the first Wednesday of each month and anyone who attended the Senior High School (formerly East Junior High School) is welcome to attend.

Councilman Martin noted that he attended the forum Monday evening with the candidates running for Council seats. He was pleased to see the way the meeting was handled, and feels there are good quality personnel running for office.

Chief King asked if an executive session would be held this evening, as requested at the workshop prior to this meeting. Councilman Martin suggested that it be held before adjournment of the meeting.

Councilman Greenawalt thanked the public for their attendance at the meeting. He also suggested that Council hold an evening-long workshop once a month in the future.

Councilman Stains asked if Denny Benshoff could provide a timeframe when the maintenance crew would begin repainting crosswalks, as some of them are getting worn. Mr. Benshoff noted it will probably be a month or two, because they are busy now on the pool and will then start work on Center Square. He noted they will get to them as soon as possible, but cautioned if they are done too early they will need done again before school starts. It was noted that the summer help will be assisting with this project.

Councilman Stains asked about the progress on the Rotary parking lot, specifically regarding planting of the trees. Kevin Grubbs noted they will get to that as soon as possible – but after the pool and Square projects are done. He noted that Allegheny Power is currently working on installation of the perimeter lighting.

Councilman Mumma thanked the public for attending.

Mayor Starliper provided information to Borough Manager Hamberger regarding federal stimulus money through the American Recovery and Re-investment Act for eligible items such as transportation, housing and urban development, energy, water and police technology.

Mayor Starliper also advised that he has been receiving calls about weeds in town, and he requested that Council re-visit Dan Sheffler's request regarding revision of the Weed Ordinance.

President Newcomer concurred with Councilman Martin's comments regarding the candidates' forum, noting it provided a "fresh look" at politicians in our area. He also wished mothers a "Happy Mother's Day and thanked the public for attending this evening's meeting.

Council adjourned to executive session at 8:40 p.m. and reconvened to regular session at 9:13 p.m. Having no further business to discuss, the meeting adjourned at 9:14 p.m. on a McCammon/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant