

OCTOBER 7, 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 Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Kevin Grubbs, Head of Engineering Services
Mark King, Police Chief

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

Council adjourned to executive session at 7:32 p.m. to discuss real estate issues and possible litigation. They reconvened to regular session at 8:05 p.m.

APPROVE MINUTES: Councilman Martin made a motion to approve the minutes of the September 16, 2009 regular meeting, as written. Councilman McCammon seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that he received a favorable performance evaluation for Leiter Pryor, however no action was required at this time. Several other items will be discussed later during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Martin discussed the following items --

- Tree on Elder Avenue – Green Arbor will replace the tree that was removed.
- Rotary parking lot lights – it is anticipated to be 2-3 weeks before Allegheny Power can begin installation.
- Cemetery outfall – DEP requested numerous items from Kevin Grubbs, and those have been provided/addressed. As no DEP approval has been granted at this time, no PENNVEST loans, grants, etc. can be pursued.
- Cleveland Avenue Extended (past W. Fifth Street) at the former Tosten property on the left-hand side – water outfall washes down the bank and across the road, and is “flooding out” the lady across the street. Kevin Grubbs and Denny Benshoff were requested to look at solutions (and costs) for correcting the problem.
- “Extra” traffic light at S. Potomac/Third Streets – Kevin Grubbs noted there will be a left-turn arrow at that location, as well as at Grant/Main Streets. Those will be “bagged” until

the system is totally “up and running”.

Councilman Martin noted that he will discuss several other items during the “voting” section of the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer commented that the Market Day event this past weekend was quite a success. He added it was “nice to see so many people downtown” and it was amazing to see how this town has changed in the last several years.

Kevin Grubbs reported that brick is being laid in the quadrants on the south side of Main Street, and the southwest quadrant was completed this afternoon. They will then work on finishing the southeast quadrant. The second crew completed the area by the Theater today; and when they are up to the Dollar General Store, the demolition crew will begin removing that portion of the sidewalk from Dollar General down to the Square. When the south side (across from Borough Hall) is completed to the Square, the demolition crew will begin the last portion. There will be one more curbing pour, and they hope to have it all completed by the first week of November.

Mr. Newcomer noted that he has been asked about the holes remaining in some of the bricks. Mr. Grubbs explained that when they first started using the polymuric sand in front of the Wayne Building, it was very hot and humid and the bricks hold a lot of moisture. The polymuric sand contains a binder which tightens up when moisture hits it, and it was sticking to the brick. That was manually cleaned off, and they contacted the company that manufactures the polymuric sand to determine a solution. They decided to try using a regular mortar sand with a binder that was a sealer. A test section was done, and this process proved to be better than the original. Accordingly, there is a section on the south side of Main Street (from the former Western Auto Store to the crosswalk) in which the mortar sand will be replaced by the polymuric sand. This will be taken care of in approximately two (2) weeks.

FINANCE COMMITTEE: Councilman Greenawalt reported on finances, as follows –

	<u>2008</u>	<u>2009</u>	<u>Difference</u>
Real Estate Tax	954,288	977,804	+23,516
Earned Income Tax	614,891	608,013	-6,878
OPT (EMST)	126,391	142,247	+15,856
Real Estate Transfer Tax	149,755	104,674	-45,081
Subdivision Fees	30,309	8,797	<u>-21,512</u>
TOTAL:			-34,099

Mr. Hamberger announced that the first budget meeting will be held the following night at 7:00 p.m.

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

“On September 22nd, I spoke to the scouts of Cub Pack 19 at the Evangelical Lutheran Church. They asked, among other things, how they can make a difference on Main Street.

On September 25th, I attended the Greater Waynesboro Chamber of Commerce Breakfast at Mountain Gate.

On September 26th, I participated in the WaynesboroFest's parade.

On September 29th, along with Councilman Mumma, I attended the Cumberland-Franklin County Boroughs Association meeting in Shippensburg. Doug Furness was the speaker, and gave us some insight on the PA budget.

On October 2nd, at Renfrew Park, I had the privilege to unite in marriage Christina Monn and Kevin Naugle. Wish them the very best.

On October 3rd, along with Senator Alloway, Fire Chief Martin and Council President Newcomer, I judged the chili cook-off and the scarecrow competition for Market Days and WaynesboroFest.

On October 6th, I spoke to the scouts of Cub Pack 97 at the Trinity Church. Both Cub Packs were working on their citizenship badges."

SOLICITOR'S REPORT: No report. Solicitor Dively noted she will make comments later in the meeting.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

James Davis, Eastern Regional Millwork Company – Councilman Martin introduced James Davis from the Eastern Regional Millwork Company, who is considering re-locating his factory in Waynesboro at D. L. George's building (former Lumber Yard) on Madison Avenue. Mr. Davis gave a brief history of his life and business, which began 12 years ago out of his two-car garage. Over the course of several years, his business has grown and shifted more toward commercial casework. He currently leases space from the former Blue Ridge Pipe & Nipple Works in Greenstone and employs 36 employees (at peak). The lease for his current property is "up", and he is gathering information to ensure that he is able to do what he wants to do at this location before he moves forward with his plans. Because they mainly manufacture commercial casework for schools, hospitals, hotel lobbies and condominiums, they utilize rather large equipment. Mr. Davis questioned if there are any time constraints on working hours, because any future expansion at this location would require the addition of a second shift (the hours of operation would be approximately 6:00 a.m. to 12:00 midnight). Dan Sheffler noted that would not be a problem, because it is located in an industrial zone. Mr. Hamberger suggested that Mr. Davis discuss his plans with Kevin Grubbs and Dan Sheffler; and Council members welcomed him to the Borough.

Harry Morningstar, Jr., 205 Clayton Avenue - On behalf of Mainstreet Waynesboro, Inc., Mr. Morningstar thanked Borough Council for their assistance with the WaynesboroFest activities this past weekend.

Additionally, Mr. Morningstar noted that he and Craig Mahrle own properties on the southeast and southwest corners of Main and Potomac Streets, both of which currently house new businesses. In an effort to benefit the community and these businesses, they would like to extend brick sidewalk around the corners on Main Street, possibly utilizing facade improvement grant monies (which provides for 50% reimbursement). GRC has extended the Borough's special pricing to them, provided that they receive approval to proceed before they "pull out of town" (approximately November 1st).

PUBLIC COMMENT - ITEMS ON AGENDA:

Amos Miller, 309 W. Sixth Street - Mr. Miller noted that he attended the Market Day celebration downtown this past weekend, which drew quite a large crowd. As there was limited parking, he parked

in the Rotary parking lot. While there, he observed that a tractor trailer was parked (utilizing 10-12 parking spaces). There are currently no signs prohibiting this, so he asked that the Street Committee consider posting some in the future. He added that he heard many similar comments from other individuals on the parking lot that day. President Newcomer agreed, noting that he also witnessed this. Discussion followed on the specific limitations, and Dan Sheffler suggested they consider including recreational vehicles also. Councilman Martin noted the matter will be discussed at the upcoming Street Committee meeting.

On a related matter, Councilman Greenawalt recommended that a letter be sent to Jim Bowersox thanking him for allowing the public to utilize his parking lot during these activities.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to hire Justin Wright as a part-time Police Officer, pending approval of the required examinations and evaluations. (He confirmed that Mr. Wright is Act 120 certified.) Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma made a motion to approve a step increase for Darryll Wagaman to salary level 10D. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to approve a step increase for Melinda Knott to salary level 11C. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to approve a step increase for Kevin Grubbs to salary level 17E. Councilman Stains seconded; the motion passed unanimously. Mr. Mumma added that Mr. Grubbs has done a “fantastic” job downtown with all the construction.

Councilman Mumma made a motion to approve a step increase for Gary Smith to salary level 10B. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma made a motion to remove Jay Mongan from probationary status and appoint him as a permanent employee at the Sewer Treatment Plant. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin noted that PENNDOT has quoted \$1,333.00 for the study and programming changes needed if Council wants a four-way pedestrian crossing at the intersection of Second/Mickley/Main; and he made a motion to proceed. Councilman McCammon seconded; the motion passed unanimously.

Councilman Martin made a motion to erect signs at the following locations: (1) several 25 mph speed limit signs on Park Street, from Ninth Street to Sunset Avenue; (2) three-way stop sign on Fifth Street at Hamilton Avenue; and (3) two stop signs and two 25 mph speed limit signs on Clayton Avenue at Ninth Street. Councilman McCammon seconded; the motion passed unanimously.

Councilman Martin noted that discussions were held in the past regarding discontinuing the use of mulch around the trees along Main Street, because of the constant maintenance it requires. Large stones are out of the question, but they would like to consider using small decorative stones or ground-up bricks (which only come in red). Discussion followed regarding the use of grates, but Kevin Grubbs commented the price was too high (\$140.00 each). President Newcomer suggested that samples be available for Council’s perusal before a decision is made. The matter will be discussed further at the next meeting.

Councilman Martin stated that vehicles have been speeding in the alley behind Gold’s Gym (off Third Street, heading north). Councilman Martin made a motion to install two (2) rows of water-retention

devices in the alley approximately 15' and 50' off Third Street. Councilman Mumma seconded; the motion passed 5-1 (Councilman McCammon opposed).

Councilman Martin requested that Kevin Grubbs update Council on issues at the Rotary parking lot. Mr. Grubbs reported that the perimeter lighting has been updated, which made a “big difference”. The existing light posts will be removed within the next week or so, and the Maintenance Department will put in new anchor bolts so the five (5) new street lights can be installed. The contractor has been sanding the joints in the walkways on the north and south sides of Mulberry Avenue, and sealer has been applied. With regard to the parking lot and due to the higher volume of traffic in the area, there has been some considerable wear on the border. Approximately \$80,000 has already been spent on this project, but for an additional \$7,000, the contractor can apply up to four (4) coats of tinting to extend the life by five (5) years (this must be done before sanding and sealing). He added that this will need to be maintained continually. Councilman Martin made a motion not to spend additional money for this project, but to have the contractor complete the initial work and proceed with finishing the landscaping, etc. Councilman McCammon seconded. Council President Newcomer noted his disagreement. He requested that Council table the matter for discussion at future budget meetings and/or workshops. Kevin Grubbs stated that the main entrances off Gay Street are showing more wear because of the cars turning into the parking lot. He suggested that the blacktop could be re-heated and “looped over” to create a radius on each side (which would cost an estimated \$1,300 more). Mr. Grubbs was requested to review details of the contract, and the matter will be discussed further at the budget meeting the following evening. Councilman Martin withdrew his motion and Councilman McCammon withdrew the second.

Councilman Martin reported that the Maintenance Department will begin paving the following alleys in the near future:

- Alley west of N. Franklin Street, which runs from Commerce Street to Fairmount Avenue
- Alley between W. North Street and King Street, which runs from C.V. Avenue to N. Grant Street
- Alley between S. Potomac Street and Park Street, which runs from Seventh Street to Eighth Street
- Alley between S. Potomac Street and Park Street, which runs from Sixth Street to Seventh Street
- Alley between Chestnut Street and S. Broad Street, which runs from E. Fifth Street to E. Sixth Street
- Alley between E. Fifth Street and E. Sixth Street, which runs from Ringgold Street to S. Broad Street

UNFINISHED BUSINESS

SCHOOL DISTRICT AGREEMENT: Solicitor Dively advised that she has been working on a draft of a lease agreement with the School District for the driveway overlay over a section of the unopened street that is currently Third Street. She is hoping to get a draft copy to their Solicitor within the next week or so, but asked that Council consider directing the Zoning Officer to issue an extension to the occupancy permit (paragraph 2 contained a trigger date of 45 days from the date of the first day of the school term for action to be taken to bring about a resolution of the issues that were previously discussed between the School District and the Borough). She recommended that another thirty (30) days from that date would be fine. Councilman Mumma made a motion to direct the Zoning Officer to extend the occupancy permit for thirty (30) days from its natural expiration date of October 14th. Councilman Martin seconded; the motion passed unanimously.

NEW BUSINESS

REQUEST FOR HOMECOMING PARADE (WAYNESBORO AREA SENIOR HIGH SCHOOL STUDENT COUNCIL): Mr. Hamberger noted that the Mayor received a request from the WASHS Student Council requesting permission to hold a Homecoming Parade on October 23rd. Councilman McCammon made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

REPEAL 1996 BOCA CODE: Zoning-Code Enforcement Officer Dan Sheffler noted that when the UCC was enacted in 2004, it allowed for any code “on the books” prior to July 1, 1999 to remain if it was more stringent than the UCC. Accordingly, the 1996 BOCA Code (which was adopted in May, 1998 and was more stringent than the new Code) remained in effect. Mr. Sheffler and Mike Cermak (Accredited Services) now feel that it would be best to utilize the 2006 UCC (which will be 2009 shortly), except for Chapter 27- Electrical of the 1996 BOCA Code. Mr. Hamberger suggested that Mr. Sheffler and Mr. Cermak provide the Solicitor with pertinent information to prepare an appropriate ordinance.

BUDGET MEETING SCHEDULE: A schedule of the upcoming budget meetings was provided to Council members in their meeting packets.

CHRISTMAS PARADE: Mr. Hamberger presented the annual request from the Chamber of Commerce regarding their upcoming Christmas parade to be held on November 21st at 2:00 p.m., and assistance from the Borough’s maintenance crew to hang decorations for the holiday season. Councilman McCammon made a motion to approve the request, as presented. Councilman Stains seconded. Concern was noted about Turkey Hill be blocked during the event, but Mayor Starliper stated that the parade staging will be on C.V. and patrons can utilize their entrance off Main Street. On a related matter, Councilman Greenawalt noted that the Post Office was blocked on Saturday (during the Market Day festivities) – in years past, he noted that the events stopped at Walnut Street. This will be discussed with Mainstreet Waynesboro, Inc. prior to next year’s event.

THON REQUEST FOR CANISTER SOLICITATION: Mr. Hamberger explained a request received from THON (The Penn State IFC/Panhellenic Dance Marathon), an organization that raises funds to conquer pediatric cancer. They are participating in four canning weekends throughout the year, and would like to solicit funds through canister solicitation in Waynesboro’s many intersections and sidewalks. Code Enforcement Officer Dan Sheffler commented that the Borough has no regulations forbidding this type of event, and no permits are required because they are not selling anything; but added that they are required to adhere to the PA Vehicle Code. Concern was noted that no sidewalks and/or entrances to businesses be blocked. Because the request was received on short notice, President Newcomer suggested that the matter be reviewed further before a response is given.

FOR INFORMATION ONLY

2009 FRANKLIN COUNTY MUNICIPAL SUMMIT (OCTOBER 16, 2009): Council members were invited to attend the 2009 Franklin County Municipal Summit, sponsored by the Franklin County Board of Commissioners, on October 16th, at 8:00 a.m., in the Chambersburg Recreation Center. Those interested in attending were asked to contact Melinda Knott.

PAY BILLS: Councilman Mumma made a motion to approve payment of the Voucher Lists dated 09/21, 09/22 and 09/24. Councilman Greenawalt seconded. Councilman Martin questioned why there were several payments made to Craig Friedly Potter & Moore Insurance. Mr. Hamberger noted that there was one (1) check issued, but distribution of the funds came from several different accounts. Mr. Martin asked if bids were ever solicited for insurance coverage. Mr. Hamberger noted that only workmens’ compensation is “put out” for bid.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted that a long-time, valued employee of the Borough, Jim Valentine (who retired from his position as Director of Engineering Services several years ago), passed away yesterday morning. Graveside services will be held on Friday at 2:00 p.m., and Mr. Hamberger requested Council's approval to close Borough Hall from 1:30 to 3:30 p.m. to allow employees to attend. Councilman Martin made a motion to approve the request. Councilman Stains seconded; the motion passed unanimously.

Denny Benshoff reported that the roof on the building behind Borough Hall (which was purchased from Bonded Applicators several years ago) is leaking and will need repaired. Mr. Benshoff was asked to obtain a cost estimate for discussion at the budget meeting the following evening.

Denny Benshoff also noted that his crew will begin blacktopping in the Square (water ditches) the following Monday.

On behalf of the staff, Kevin Grubbs thanked Council members for allowing them to attend Jim Valentine's service.

Councilman Stains requested that the Street Committee look at tractor-trailer traffic on King Street between Grant and N. Church Streets. Councilman Martin noted it is his understanding that this is the route used by delivery trucks for Furniture Market. It was suggested, perhaps, that truck traffic could be limited to local deliveries only.

Councilman Mumma thanked Kevin Grubbs (and all other staff members involved) for keeping the downtown project "moving along". He also thanked Mainstreet Waynesboro, Inc. for their efforts with the Market Day event; and commented on the "tremendous" Marine Corp concert this past weekend at the High School.

Mayor Starliper requested that the Street Committee review Ordinance 226.1 with regard to skateboarding/bicycling in the Borough. The ordinance only pertains to certain streets, but he would like to see skateboarding/bicycling prohibited on all Borough streets. Concern was noted also regarding the use of motorized wheelchairs on the roadways.

President Newcomer noted that Senator Alloway and Congressman Shuster had dinner at *The Hoover House* with several area constituents on Market Day. There was a lot of good conversation about state and federal money because of what we have been doing in downtown Waynesboro ... they are very interested in finding more money to help our town. He added he feels there are "positive things coming to the Borough on the federal and state levels in the future because of what we are doing now".

Having no further business to discuss, the meeting adjourned at 9:26 p.m. on a McCammon/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant