

SEPTEMBER 16, 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  
Dan Sheffler, Zoning-Code Enforcement Officer  
Denny Benshoff, Maintenance Superintendent  
Kevin Grubbs, Head of Engineering Services  
Mark King, Police Chief  
Dave Martin, Fire Chief  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)

**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 September 2, 2009 regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer, Police Chief and Fire Chief, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma noted that he will present three (3) items during the “voting” section of the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman McCammon reported that he has only been able to obtain one (1) price quotation for removal of the caretaker’s house at the Golf Course.

**STREET COMMITTEE:** Councilman Martin noted that he will present several items during the “voting” section of the meeting also. The Street Committee’s next meeting will be held on Wednesday, September 30<sup>th</sup>, at 9:00 a.m.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Stains reported on several channel changes being made by Comcast, effective October 5<sup>th</sup>.

Mr. Hamberger also added that the Franklin County Council of Governments meeting was held earlier this day, during which time the swine flu and H1N1 virus were discussed. They are considering offering vaccinations at the Borough Office so employees don’t have to make arrangements at their doctor’s office and/or wait in line. He and Mike Christopher will coordinate the program. In addition, he

stated that the first meeting of the Wage Tax Special Committee will be held on October 29<sup>th</sup> at 7:00 p.m. (Councilman Greenawalt and Mr. Hamberger will attend.)

**DOWNTOWN REVITALIZATION COMMITTEE:** Items will be discussed later in the meeting.

**FINANCE COMMITTEE:** No report.

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

“On September 9<sup>th</sup>, I participated in the 225<sup>th</sup> Franklin County Anniversary Parade in Chambersburg.

On September 10<sup>th</sup>, along with Borough Manager Hamberger and Councilmen Mumma, Greenawalt and McCammon, I attended the FCADC's 23<sup>rd</sup> annual Industry Appreciation Dinner at the Green Grove Gardens.

On September 12<sup>th</sup>, I had the privilege of uniting in marriage, at the chapel on Penn State Mont Alto Campus, Dawn Wilson and David Eaton II. I wish the new couple the very best in their life together.”

**SOLICITOR'S REPORT:** Solicitor Dively stated that the School District's solicitor has asked if Council would be interested in negotiating a long-term lease for the area of the driveway (approximately 22') indicated on the Land Development Plan that was approved. Specific details would be worked out if Council is willing. Council members agreed for the Solicitor to move forward on the matter.\*(SEE MOTION LATER IN THE MEETING.)

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

**PETITION RE: FIRE APPARATUS DRIVERS' UNION:** Mr. Hamberger noted that he received a petition from the Pennsylvania Labor Relations Board indicating that the Fire Apparatus Drivers have requested to form a union. Tom Finucane is currently out of the office, but will provide instruction as to how to proceed when he returns.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Mumma made a motion to hire Mike Rouzer as Golf Course Manager/Groundskeeper, effective when all clearances have been received, at a salary of \$38,385 (less 5% during one-year probationary period). Performance reviews will be conducted at 6, 9 and 12 months; and he would be eligible for any cost-of-living adjustment given in January, 2010. Councilman Stains seconded; the motion passed unanimously. Mike Forney, Chairman of the Recreation Board, noted his appreciation for Council's support in the hiring process; and Council President Newcomer added that the Recreation Board's assistance is also greatly appreciated.

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

Councilman Mumma made a motion to approve a step increase for Mike Benshoff to salary level 15C. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire Jill Welch as a special labor attorney. Councilman Martin seconded; the motion passed 5-1 (Councilman McCammon opposed).

Councilman Martin made a motion to establish a four-way stop at the intersection of Commerce and Franklin Streets; and, further, to install two (2) 25 mph speed limit signs on N. Franklin Street. Mr. Martin noted that the Street Committee feels this is a very dangerous situation, with vehicles speeding in the area where they are young children playing. Kevin Grubbs added that a traffic study will be required for the four-way stop, and Councilman Martin amended his motion to indicate that establishment of the four-way stop would be subject to the traffic study being conducted. Councilman Stains seconded; the motion passed 5-1 (Councilman McCammon opposed, adding that S. Broad Street is a “racetrack” also.)

**N. EAST AVENUE TRAFFIC LIGHT:** Councilman Martin noted that there have been articles in the newspaper recently regarding the traffic light at N. East Avenue, and records from previous meetings have been reviewed. Since Council will need to borrow money for various unexpected (and unbudgeted) items, he suggested that they consider borrowing additional funds for their half of this traffic light. He made a motion that the Borough borrow money for their 50% of the proposed traffic light at N. East Avenue and Main Street, and request that Washington Township also fulfill their portion of obligation for the light. Councilman Greenawalt seconded.

Councilman Mumma stated that the newspaper articles have indicated that Washington Township feels this light is the sole responsibility of the Borough. He trusts that this was a misunderstanding, because the Borough received a letter/agreement that the Township and Borough would each pay 50% of the costs. Before agreeing to borrow the money, however, he suggested that the Township’s participation be confirmed.

For the record, President Newcomer stated that the Borough held a meeting to discuss their plans for making N. East Avenue one-way. Approximately 20-30 Washington Township residents attended and gave their comments at that meeting. After their comments were heard, a motion was made that costs of the light be split 50/50. Two (2) Washington Township Supervisors were present and agreed to the 50/50 split.

Councilman Martin clarified that N. East Avenue is a Borough street, but it is “Township traffic”. Lloyd Hamberger and Mike Christopher have discussed this matter at length, but Mr. Christopher has indicated that the Township doesn’t have money available.

Discussion ensued and President Newcomer recommended that if the Township isn’t willing to split the costs for the light, then the Borough could revert back to their original plans for making N. East Avenue one-way. Proposed costs were also discussed. Kevin Grubbs estimated it would cost “at least \$100,000” for a two-way option; a four-way option could be added later, with additional costs being borne by the developer on the south side. He also noted that PENNDOT would be required to perform another traffic study.

Councilman Martin amended his motion to authorize the Engineering Department to request that PENNDOT conduct a traffic study with regard to the possibility of proceeding with a traffic light at the intersection of N. East Avenue and Main Street. Councilman Greenawalt seconded the amended motion; the motion passed 5-1 (with Councilman McCammon opposing). Councilman McCammon commented that he is “opposed to anything that pertains to that traffic light out there”.

**SOLICITOR’S REPORT (Continued):** Ms. Dively stated that she would prefer to have a motion to support potential solution of the issue of the School District by way of a long-term lease, as discussed earlier in the meeting. Councilman Martin made a motion as such. Councilman Greenawalt seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**UPDATE ON DOWNTOWN SIDEWALK AND CENTER SQUARE PROJECTS:** Kevin Grubbs reported that much brick has been laid in the sidewalk areas, and things are going smoothly. The storm sewer project in the Square is complete, and the Borough's maintenance crew did a "wonderful job". Conduit for the speaker system was also placed around the Square for future use. Work will begin shortly in the southeast quadrant of the Square, but will come to a "stand-still" for approximately a week to allow the brick pavers to get caught up. During that time, J. D. Eckman will work on installing the new traffic signal posts. (All "old" equipment will be removed when the "new" is put in place.) Sidewalk work continues on the west end of town from Dollar General to Cleveland Avenue. Several large trees were required to be removed and everything seems to be progressing well. Mr. Grubbs anticipates that the sidewalk project will be completed by the first part of November.

Councilman Martin noted that he has heard a lot of favorable comments from residents about the Maintenance and Engineering Department's hard work on these projects. On a related matter, Councilman Mumma commended Police Chief King and Maintenance Superintendent Benshoff (as well as the Fire Department and other staff) for their assistance in directing the truck that was stuck recently in Center Square.

Council President Newcomer asked if any response has been received from M & T Bank based on Council's motion at their last meeting. Kevin Grubbs commented that, thanks to the assistance of MSI's Downtown Committee, they have executed the right-of-way agreement for brick sidewalk back to their building. Dick Rose (a member of MSI) added that M & T Bank has also given verbal commitment to contribute toward the brick sidewalk.

**DOWNTOWN TRAFFIC LIGHTS (STRAPS AND HOLDERS):** President Newcomer distributed pictures of the traffic lights purchased for downtown. He noted that the work done by Herr Signal Company on the lights is "bizarre ... atrocious" (with regard to the metal straps/holders and boxes on the outside of the poles). Pictures of the traffic signals in Gettysburg were also distributed, where they utilized conduit on the inside of the poles for the electrical wiring. He added that the poles are made hollow for that reason, so they are more aesthetically pleasing; and he suggested that Council instruct the Borough Manager to halt (and alter) the work being done by the contractor. Mr. Hamberger stated that he has already contacted Mike Lapano (PENNDOT) to obtain an estimate to mount the electrical equipment in conduit inside the poles.

Additionally, Mr. Hamberger noted that when this matter was discussed previously, Council opted to paint the controller cabinets only ... not realizing what it was going to look like. President Newcomer read an excerpt from the February 18<sup>th</sup> meeting minutes when this was decided, as follows: "Mr. Hamberger noted that the other matter of consideration is painting some of the equipment ancillary to the street lights. As the decorative poles are historic in architecture, 4' stainless steel cabinets adjacent to those would not be aesthetically pleasing. Council was provided a list of items that could be painted (and the costs thereof), but he recommended that the controller boxes and base be painted (at a minimum) for \$5,000. Councilman Martin made a motion to spend \$7,500 to paint the control phase motor and the service cabinets." Mr. Newcomer noted he feels that Council's intent was for the poles to be black, whether they voted on the straps or not.

Following further discussion, Councilman Martin made a motion to authorize Mr. Hamberger to move forward with discussions on correcting the "strap issue" on the signal posts. Councilman Mumma seconded; the motion passed unanimously. Several options were mentioned, but President Newcomer added he would prefer utilizing the conduit as a first option. Council concurred.

**FOUR-WAY PEDESTRIAN CROSSING AT SECOND STREET/MICKLEY AVENUE/MAIN STREET:** Councilman Martin requested that Mr. Grubbs provide Council with an update on the four-way pedestrian crossing at Second Street/Mickley Avenue/Main Street. Kevin Grubbs noted that he received an e-mail from PENNDOT advising that if the Borough wants to go with a dedicated

pedestrian crossing at that intersection, it would be totally up to them ... however there will be some delays. They noted that once the pedestrian button is pushed, everything will go to red and traffic in all directions will be at a stand-still for 25 seconds. Mr. Grubbs stated he doesn't feel that this will create a problem for eastbound traffic, but the westbound traffic may "back up some" during peak times. He doesn't feel that this will affect downtown Waynesboro, as this intersection is a good distance from the next signal at Virginia Avenue. Councilman Mumma made a motion to proceed with making this intersection a four-way pedestrian-exclusive crossing. Councilman Martin seconded; the motion passed unanimously.

## **NEW BUSINESS**

**ROTARY PARKING LOT:** Kevin Grubbs noted that discussion was held at the last meeting regarding prep work needed at the Rotary parking lot. Later that week, the contractor visited the site and brought some tinted sealer (which is very inexpensive) that matches the color there now. He added sand and applied the sealer (to demonstrate what it would look like) and it looked very nice. They viewed the entire area and noted that the walkways have a lot of wear (in fact, some of the surface is quite scarred). Grouting and sealing (anything that is brick-stamped) is included in the original contract with Craig Paving.

Mr. Grubbs stated that, in the alley that is traveled the most (in the vicinity of the Dry Cleaners on Gay Street), the blacktop is worn off and will need to be re-stamped. He explained that there is a lot of traffic in that alley, and the continual starting and stopping (combined with the fact that water lays in this low area), has caused this to occur. The contractor recommended a new re-coating product, which would cost an additional \$1.80/s.f. (two coats are recommended) for use in that area and two of the entrances into the parking lot. He stated that the product is supposed to last five (5) years, but Mr. Grubbs will request a written warranty to that effect.

Council was provided with approximate cost estimates for their consideration. Mr. Grubbs will forward accurate measurements for further review.

**ANTIETAM HUMANE SOCIETY'S "WALK FOR THE ANIMALS" FUNDRAISER (OCTOBER 11, 2009):** Mr. Hamberger presented a request from the Antietam Humane Society for their annual "Walk for the Animals" to be held on October 11<sup>th</sup>. Councilman Greenawalt made a motion to approve the request. Councilman McCammon seconded; the motion passed unanimously.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:** None.

**ARMORY BUILDING:** Councilman Martin requested that Fire Chief Dave Martin provide Council with an update on the fire companies' tour of the Armory building. Chief Martin noted that a lot of potential was seen during their initial visit, and a secondary visit will be scheduled in the near future. A joint meeting of the fire companies will then be held on the last Monday of September to determine if there is an interest to pursue ownership of the property. He stated that there is a lot of interest in the ground (which could be utilized for various fundraising events), but the building raises a lot of questions. Additional information will be obtained regarding the historical part of the building which will need to be kept intact; and asbestos in the building also needs to be considered. They feel the building could be utilized "quite a bit the way it is", but they are more interested in the ground. Chief Martin noted that annual grant monies are available for projects such as this, but they must be shovel-ready when the application is made. Chief Martin noted that he will keep Council apprised of the fire companies' decision.

**POLICE COVERAGE AT HIGH SCHOOL:** Councilman Martin questioned the Mayor and Police Chief Mark King about the reason for two (2) police cars to be staged at the high school every morning and afternoon. Chief King replied that there have been a lot of problems there in the past, and they are

trying to ensure that the vicinity is covered to the best of their ability. He added that they “are not ignoring any other calls”. Councilman Martin further questioned how many tickets have been issued (or if any fights have been broken up) by their presence there in the mornings and afternoons. Chief King responded that he believes in “omnipresence” as a deterrent. Councilman Martin commented that he wished “they would spend half as much time on enforcing red light running and crosswalk violations” as is spent at the high school “watching kids”.

**PAY BILLS:** Councilman Mumma made a motion to approve the payment of the Voucher List dated 09/10. Councilman Stains seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Mr. Hamberger congratulated the Engineering and Maintenance Departments on the “great job” they have done on the downtown projects. Councilman Greenawalt noted concern about “holes” in the sidewalk in front of the former Trust Company Building. He trusts that the situation will be resolved before someone gets hurt. Kevin Grubbs noted that he is looking into the matter.

Councilman Mumma thanked Kevin Grubbs, in particular, for “keeping things organized” with regard to the downtown projects; as well as everyone involved in the “stuck truck episode” in Center Square.

Mayor Starliper noted that Council members received information from PSAB regarding their 100<sup>th</sup> anniversary in 2011. They are asking for posters/pictures and maps of our Borough (various departments, staff, etc.) by December 1<sup>st</sup> of this year. He suggested that Frank Bittner be contacted to see if he has any archived photographs that could be submitted.

Mayor Starliper also advised that the Police Department is being proactive on crosswalk issues. He and Chief King will be personally visiting retail establishments along Main Street from Grant Street to Clayton Avenue to request that they provide brochures for their patrons promoting “Stop for Pedestrians/Yield at Crosswalks/Save a Life”.

Councilman Mumma drew Council’s and the public’s attention to a recent “Letter to the Editor” regarding the Hospital’s planned closing of their Oncology Clinic and Cardiac Rehabilitation Unit. He noted concern about what else might be closed down in an attempt to save money. He suggested that residents encourage them to keep these important facilities in the community as a convenience to the residents.

President Newcomer reminded Council members of the upcoming Cumberland-Franklin County Boroughs Association meeting on September 29<sup>th</sup>. Individuals interested in attending were asked to inform Melinda Knott.

President Newcomer also reported that he has patronized the new restaurant downtown, The Waynesburger, and described it as “awesome”.

Having no further business to discuss, the meeting adjourned at 8:32 p.m. on a McCammon/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant