

MAY 26, 2010
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 – Benjamin Greenawalt, C. Harold Mumma, Craig Newcomer, Wayne Driscoll and Ronald Martin (Jason Stains arrived late)

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
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Mark King, Police Chief
Dave Martin, Fire 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 May 5, 2010 workshop, public hearing and regular meeting, as written. Councilman Mumma seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he will present several items during the “voting” section of the meeting. He received a favorable performance evaluation for Jody Sanders, but no action was required.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll noted that he will meet with Golf Course Manager Mike Rouzer, Denny Benshoff and Lloyd Hamberger regarding the coordination of efforts to begin clearing out the former caretaker’s house at the golf course. In addition, he reported that the Recreation Board recommended removal of the stone wall and red storage shed; and he will present this item during the “voting” section of the meeting for Council’s approval. Mr. Driscoll noted that he has been attending recent Recreation Board meetings; and, in the future, will be acting as a liaison with the Recreation Board on a regular basis. Discussion was held at their last meeting regarding the proposed dog park, and the Board is “100% behind it”. Councilman Driscoll has received price quotes for fencing, and will make a motion to proceed with private fundraising for the project. He added that he has received many comments from the public regarding the dog park – they are very interested in it and seem to want it to happen.

STREET COMMITTEE: Councilman Martin reported on the following items --

- A pre-bid meeting was held for the E. Second Street Reconstruction Project. Bids will be opened on June 1st at 4:00 p.m. Several contractors are interested.
- Streets scheduled for overlay with CDBG money this year are N. East Avenue, Hawbaker Avenue and St. Andrews Drive.
- PENNDOT has forwarded a lengthy reimbursement agreement for the crosswalk light pilot program. Solicitor Dively reviewed the document and noted it is a standard PENNDOT form which cannot be negotiated. A resolution is required for its adoption.

*Councilman Jason Stains arrived at 7:35 p.m.

- State will pay for one (1) handicapped ramp at Fairview Avenue, but the Borough will need to pay for the other.
- Bump-outs at Mulberry Avenue have been approved by PENNDOT, but the Borough will bear the costs.
- Permit approved by PENNDOT for the existing crosswalk on Main Street at the Hospital.

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

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

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

	<u>May</u>	<u>YTD Total</u>	<u>Difference (from last year)</u>
Real Estate Tax	407,477	868,441	+34,621
Earned Income Tax	158,895	364,355	+1,441
OPM	2,673	46,837	-47,754
Real Estate Trans. Tax	15,882	Not reported	-21,262
Subdivision Fees	4,756	8,887	+5,893

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

“On May 8th, I had the privilege at Renfrew Park of uniting in marriage Wanda Busick and Roy Straley. We wish them the very best.

On May 10th, at the Waynesboro Area Middle School, I was once again involved in the WABEC-sponsored Adventures in Learning Program. It seems that each year the students are better prepared for this experience.

On the 10th, I also had the privilege of swearing in the new Waynesboro Volunteer Fire Department. As you know, this Borough and any other Borough could not survive without them, and this group of individuals is giving of their time and talents to the Borough.

On May 18th, along with Administrative Assistant Melinda Knott and Councilman Driscoll, I attended the re-opening celebration of the Tranquillitea.”

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA:

Frank Bittner, 842 Anthony Avenue - Mr. Bittner asked the official name of the Borough's golf course. Council President Newcomer stated it is "Waynesboro Municipal Golf Course".

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma noted that this matter was addressed several meetings ago, but action was not taken. Accordingly, he made a motion to approve the following appointments to the Renfrew Committee, Inc. (RCI) Board –

Nominated by the Borough

Directors: Douglas Tengler (Alternate - VACANT)
David Hykes (Alternate - Wayne Martz)
Allison Kohler (Alternate - John Beck)
VACANT (Alternate - Allen Porter)

Nominated by the Trustee (M & T Bank)

Directors: George Buckey (Alternate - James Oliver)
John W. Keller (Alternate - Virginia Rahn)
Alice McCleaf (Alternate - Richard A. Mohn)

Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire Rachael Sanders as a Lifeguard at Northside Pool. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire A. Brandtin Holscher as a Summer Maintenance Worker with the Maintenance Department. Councilman Stains seconded; the motion passed unanimously.

The need for additional Summer Maintenance Workers was discussed. As two (2) full-time employees of the Maintenance Department are off for several months with various issues, it was noted that additional employees will be needed over the summer. Councilman Mumma made a motion to authorize Denny Benschhoff to hire two (2) additional Summer Maintenance Workers, as needed. Councilman Martin seconded; the motion passed unanimously.

Councilman Driscoll made a motion to proceed with private fundraising for the proposed dog park at Northside Park. (He noted this has been endorsed by the Recreation Board.) Once completed, the park will be turned over to the Borough for its care and maintenance. Councilman Stains seconded. Solicitor Dively was questioned about any requirements for the solicitation of funds (she noted there were none). Discussion ensued regarding dog waste at Rotary Park, since that is the only park where dogs are currently permitted. Denny Benschhoff noted that some waste has been found, but it has been minimal. Councilman Driscoll explained that dogs are permitted (on leashes) in Rotary Park, but the dog park will be a finished-off area where dogs run free and the owner is responsible to pick up. It will not be a place where people are walking through on a general basis. Further, a disposable bag system will be provided at the dog park for owners' use in cleaning up after their dogs (which is not provided at Rotary Park). Councilman Martin commented that he is in favor of the dog park if the Maintenance Department isn't required to mow and clean up after the dogs. Councilman Driscoll noted that much of the area will be mulched and will not need to be mowed; and, most likely people who utilize the park will help to keep it clean. A vote was called, and the motion passed 5-1 (Councilman Martin opposed).

Councilman Martin noted that Council received correspondence from Fire Chief Dave Martin, Police Chief Mark King and Emergency Management Coordinator Hans Bader suggesting that a “Unified Command” be established during the Summer Jubilee activities. The Unified Command will be based out of the Waynesboro Police Trailer which will be located at the Jubilee. Outside the trailer will be a canopy where the public can report a person missing, an item lost, or they can bring found property to this location. Specifically, they plan to park emergency vehicles in one location near the Jubilee on Virginia Avenue from E. Second Street to the alley beside the firehouse; and request this area be blocked off or continued to be blocked off after completion of the Firecracker 5K Run. Councilman Martin made a motion to support their recommendation. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin noted that the Street Committee was requested to approve the erection of a sign indicating that Second Street changes from one-way to two-way at Myrtle Avenue, as it may be confusing at this location to out-of-town motorists. Councilman Martin made a motion to erect the requested sign. Councilman Greenawalt seconded. It was suggested that when the yellow centerline is newly painted, this may also help the situation. A vote was called and the motion passed unanimously.

By request of a resident on Strine Avenue, Councilman Martin made a motion to authorize the Maintenance Department to place blacktop (leftover from another project) at the rear of his property as a water-control diversion device. Councilman Mumma seconded; the motion passed unanimously.

Mayor Starliper reminded Council members that a decision needs to be made regarding the color to be utilized for painting crosswalks (since PENNDOT will no longer allow the use of yellow). Kevin Grubbs clarified that the lines must be white; coloring (if any) is for the imprint. Councilman Martin noted, for the record, that pedestrian accidents in crosswalks stopped when they began to use yellow and white. However, because of PENNDOT’s requirement, he made a motion to utilize white paint only for the crosswalks. Councilman Driscoll seconded; the motion passed unanimously.

UNFINISHED BUSINESS

PROPOSED PEDESTRIAN CROSSWALK ORDINANCE: Kevin Grubbs noted this was discussed by Council at their last meeting, and the Solicitor was requested to research potential liability issues with regard to areas where there is no crosswalk and a jaywalker is struck. After a brief explanation, she stated that the level of liability would be “fairly low” regardless of the ordinance. It was also noted that this ordinance is basically for the downtown (Town Center). Councilman Martin made a motion to authorize advertisement of the proposed ordinance for adoption. Councilman Greenawalt seconded; the motion passed unanimously.

UNIFORM CONSTRUCTION CODE (UCC) ORDINANCE: Mr. Hamberger noted that Council was asked to forward questions they may have regarding the proposed ordinance. The issue of whether or not plywood roof sheathing is considered “structural” was discussed at length. Councilman Martin made a motion to table the matter until the next meeting so the issue can be adequately researched. Councilman Stains seconded; the motion passed unanimously. Mike Cermak provided answers to several questions regarding the need for permits for replacing components in outside HVAC units (no), as well as relocating water lines (yes). President Newcomer requested that the staff review the sheathing issue; and the item will be placed on the agenda for discussion at the next meeting.

PRAYER AND SPEECHES FOR USA (LYNN GRAHAM): Mr. Hamberger reported that he toured several locations in the Borough with Mr. Graham, but he was advised that they will hold the event at Red Run Park.

WAYNESBORO RUNNING, INC.: Police Chief Mark King noted that he met recently with Bob Correll (Waynesboro Running, Inc.) and a representative of the Fire Police. A modification to their proposed route was suggested (for safety of the runners), and Mr. Correll will present the change to his committee for approval. A second meeting (no date has been set yet) will then be held to proceed in the planning stages. He will report back at a later date.

NEW BUSINESS

2010 STREET PAVING PROJECTS: Mr. Hamberger noted that the YMCA has requested permission to use Northside Pool for their swim team practices during the summer (from 7-9 a.m.) This has been permitted in the past, with certain stipulations. A copy of the agreement from several years ago was forwarded to the YMCA, and the matter was discussed with the Recreation Board (they are in favor of negotiating the matter). Councilman Martin made a motion to approve the request, provided that an agreement can be developed which is acceptable to the staff and Solicitor. Councilman Stains seconded; the motion passed unanimously.

NATIONAL NIGHT OUT (MEMORIAL PARK AREA): Mayor Starliper noted that plans are underway for a "National Night Out" event for the entire community on August 3rd at Memorial Park. The Recreation Board has reviewed and supports the event. To provide a sufficient area for all activities planned, they are requesting that Memorial Park Drive, from Walnut to S. Broad Streets, be closed from 5:30 - 8:30 p.m. Various activities are being coordinated, including Antietam Dairy ice, emergency vehicles/personnel, K-9, obstacle course, finger-printing/photographs, DJ, guest speakers, kick ball games, and drug and alcohol prevention information will be distributed. Councilman Martin made a motion to approve the request, as presented. Councilman Stains seconded; the motion passed unanimously.

PROPOSAL TO EXTEND BID LIMITS: Mr. Hamberger explained that there are currently Bills proposed in the House and Senate regarding extending the current bid limits for municipalities from \$10,000 to \$18,000 or \$25,000. Councilman Martin made a motion to authorize the Borough Manager to write a letter in support of these proposed Bills. Councilman Greenawalt seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOUR-WAY STOP AT SECOND/MICKLEY/MAIN: Kevin Grubbs was questioned about the status of the four-way stop at the intersection of Second/Mickley/Main Streets. He replied that he has not yet received the revised permits or official notification from PENNDOT regarding the turn-over of the traffic signals. Nothing can be done until those documents are received.

PAY BILLS: Councilman Mumma made a motion to approve the payment of the Voucher Lists dated 05/05 and 05/20. Councilman Stains seconded; the motion passed unanimously.

Council adjourned to executive session at 8:35 p.m. They reconvened to regular session at 9:20 p.m.

MEDICAL REVIEW PHYSICIANS: Councilman Mumma made a motion to appoint Waynesboro Internal Medicine Associates, 1051 E. Main Street in Waynesboro, as the Borough's medical review physicians for Workmens' Compensation, Heart and Lung Act, and other employee health-related issues as requested. Councilman Martin seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted his appreciation to Council for their understanding and support the previous week so he could tend to a family matter.

Councilman Driscoll commented again on the plywood sheathing issue, noting it is a matter of interpretation. He also noted he is looking forward to Northside Pool's opening.

Denny Benshoff reported on the maintenance crew's efforts at the pool, adding that it is "looking great".

Kevin Grubbs asked if he is permitted to advertise bids for the three (3) paving projects mentioned earlier in the meeting. Council concurred. In addition, he noted that the next Council meeting has been rescheduled from June 2nd to June 9th ... the E. Second Street bids are due on 06/01 and it is noted in the contract documents that the bids will be awarded on 06/02. Solicitor Dively advised that it is permissible to send an addendum noting a change in the award date. Council added that there has been no change in the Council meeting schedule for July.

Police Chief King reminded Council members (and the public) of the Franklin County Crime Solvers' BBQ fundraiser on June 5th, from 12:00 to 3:00 p.m., at Dilly's in Chambersburg.

Councilman Stains questioned the status of the four-way stop at the intersection of Franklin and Commerce Streets, which was approved by Council several meetings ago. Kevin Grubbs noted that the Engineering Department will work on that project in the near future. Councilman Stains also asked if reflectors could be used in the crosswalks (instead of a varying color). Mr. Grubbs responded that those must be installed as part of the lighting system. He did, however, state that he is pursuing lighted crosswalk signs which can be utilized. He will review the matter and report back to Council.

Mayor Starliper advised that West Virginia recently adopted a law that police officers are not required to see a person behind the wheel of a vehicle in order to charge them with DUI. He noted this may be coming to Pennsylvania.

President Newcomer thanked Council and the public for their support during his father's recent accident.

Having no further business to discuss, Councilman Martin made a motion to adjourn the meeting at 9:29 p.m. Councilman Greenawalt seconded; the motion passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant