

SEPTEMBER 3, 2008
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, C. Harold Mumma, Craig Newcomer, Charles McCammon and Ronald Martin (Jason Stains was absent)

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
Dan Sheffler, Zoning-Code Enforcement Officer

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 August 20, 2008 public hearing and regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported on the following items --

- A favorable evaluation was received for Brad Martin – recommendation is to remove him from probationary status
- A favorable evaluation was received for Ray Wagaman – no action required
- A favorable evaluation was received for Robert Cole – no action required
- Notice was received of Mechanic's resignation (Maintenance Center) – a motion will be made to accept the resignation during the "voting" section of the meeting

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon discussed the crosswalks being painted in town, and questioned why the one at N. Church/North Streets was included. He stated that painting the crosswalks in this manner (yellow/white solid striping) will cost a lot to maintain. Kevin Grubbs noted that that crosswalk was painted because of the high traffic flow on N. Church Street. Several members voiced their opinion that, even though this practice will involve a lot of maintenance, it is worth it if it saves even one (1) life.

STREET COMMITTEE: Councilman Martin noted that he has several items to discuss during the "voting" section of the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer noted that a meeting was held with representatives from Mainstreet Waynesboro, Inc. regarding downtown parking restrictions, and the matter will be discussed by the Planning Commission. He suggested that members of the public who would like to give input or be involved in that process attend the next Planning Commission meeting. In addition, Mr. Hamberger stated that the Planning Commission will review the final drafts of the Joint Comprehensive Plan and Downtown Study at their meeting on Monday evening, and a public meeting will be held on September 23rd for public comment.

FINANCE COMMITTEE: Councilman Mumma noted that he will present a motion during the “voting” section of the meeting.

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

“On August 8th, at Renfrew Park, I performed the marriage of Tammy Martin and Michael Romito. I wish them the best.

August 9th, at Five Forks Church, an Eagle Scout Award was presented to Gregory Brewster, son of George and Debra Brewster. Also on August 9th, Eagle Scout Awards were presented at the Trinity UCC to Larry Markins, son of Mr. and Mrs. Larry Markins, and Daniel Motz, son of Mr. and Mrs. Peter O’Neil. Congratulations to all three for a job well done.

On August 23rd, at Renfrew Park, I performed the marriage of Caitlin Making and James Kuykendall. I wish them the best.

On August 26th, along with our School Resource Officer Travis Carbaugh, I attended the Asset Building Luncheon, with Dr. Gary Smit as the speaker on the topic “Integrating Character Education into the Life of School and Community”. As a side note, I have participated in this program at Mowrey Elementary School.”

SOLICITOR’S REPORT: Melissa Dively noted that she will address items under “Unfinished Business” later in the meeting.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to remove Brad Martin from probationary status. Councilman McCammon seconded; the motion passed unanimously.

Councilman Mumma made a motion to accept the resignation of Clint Martin as Mechanic with the Maintenance Department. Councilman McCammon seconded; the motion passed unanimously.

Councilman Mumma made a motion to authorize advertisement for a new Mechanic. Councilman McCammon seconded; the motion passed unanimously.

Councilman Mumma made a motion to increase the mileage reimbursement for the Borough Manager from \$90.00/month to \$150.00/month (anything over 25 miles in one trip is to be reimbursed at the current IRS rate). Councilman Martin seconded; the motion passed unanimously.

Councilman Martin made a motion to erect 25 mph signs on S. Church Street from Main Street to Cemetery Avenue. Councilman McCammon seconded; the motion passed unanimously.

In response to a request from the School Board, Councilman Martin made a motion to erect three (3) signs for bus loadings at the Fairview Avenue Elementary School (on the Third Street side). Councilman McCammon seconded; the motion passed unanimously.

Councilman Martin made a motion that parking at the former Landis Tool Company be parallel only (on the south side of E. Sixth Street, from Clayton Avenue to Church Street), effective in 10 days. Councilman McCammon seconded; the motion passed unanimously.

Councilman Martin noted that “no parking” on the west side of Myrtle Avenue from Second to Third Street is now in effect, except for permitted parking for residents only. Parking placards are available by application at the Police Department (two/house + two visitors/house).

UNFINISHED BUSINESS

CONSIDER TRAFFIC ORDINANCE FOR ADOPTION: Mr. Hamberger noted that this proposed ordinance incorporates all changes made to the Traffic Ordinance in the last several months. It has been duly advertised and is available for Council’s consideration. Councilman McCammon made a motion to approve the proposed ordinance. Councilman Greenawalt seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NOS. 688, 845, 899, 955, 965 AND 1034 OF THE BOROUGH OF WAYNESBORO, AS AMENDED, PRESCRIBING TRAFFIC AND PARKING REGULATIONS IN THE BOROUGH OF WAYNESBORO, PRESCRIBING PENALTIES FOR VIOLATION AND REPEALING CERTAIN PRIOR ORDINANCES.

Complete copy on file at Borough Hall.

TRINITY HOUSE TAX APPEAL: Solicitor Melissa Dively noted she advised Council at their last meeting that Franklin County was going to take the lead in litigation on behalf of the municipalities affected by the Trinity House tax appeal. She has since received correspondence from Shawn Myers (the County’s solicitor) advising that the appraiser they wish to hire will bill \$3,500 for the initial report and \$5,500 for the full report. This would be paid by the three taxing authorities (School District, Borough of Waynesboro and Franklin County), based on a percentage of the monies they each receive. Councilman Mumma made a motion to participate in the sharing of this cost, based on Solicitor Dively’s recommendation. Councilman Martin seconded; the motion passed unanimously.

NEW BUSINESS

BANNER FOR ST. ANDREWS: Kevin Grubbs reported that he received a request from the St. Andrews Catholic Church to place a banner across Main Street (in front of the church) for their 100-year celebration. He has received a Certificate of Insurance, as well as a letter of approval from Allegheny Power to utilize their poles. Accordingly, Mr. Grubbs prepared a resolution for Council’s authorization to install the banner. Councilman McCammon made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

RESOLUTION 2008-18

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO AUTHORIZING THE INSTALLATION OF ONE (1) DOUBLE-SIDED BANNER ACROSS

MAIN STREET (S.R. 16)

Complete copy on file at Borough Hall.

FRICK COMPANY CREDIT UNION: Kevin Grubbs reported that Council received a proposal and drawings from the Frick Company Credit Union, at the corner of C.V. Avenue and King Street, to put in seven (7) parking spaces along the south side of their building. This will require a driveway entrance onto C.V. Avenue. A concrete driveway apron, with approximately 65' of new curbing, is proposed (and would extend from the existing sidewalk to one of the sidewalks coming out of the building). Their plan will go to the Planning Commission for review, but falls under the new land development regulations which leaves it up to Council to decide if they will be required to put in sidewalk and/or curb (they currently have curb only). . As the C.V. Avenue construction is well underway, Mr. Grubbs suggested that a decision be made now in order to keep the project moving.

Councilman Martin noted that he would like to review the matter further. He feels that the sidewalk should go from the property line, across the front of the building on C.V. Avenue, and up King Street to the handicapped parking space. The building's owner stated that the Credit Union is equipped with a handicapped entrance (with doorbell) near the handicapped parking space. Another handicapped parking space will be provided in their new parking area, where there is a concrete walk and entrance to the building.

Discussion regarding the matter ensued. Kevin Grubbs noted that a grass plot is required between the curb and sidewalk area, so the sidewalk issue can be worked out at a later date. The issue regarding the depressed curb and driveway entrance, however, should be decided soon, so the same contractor for C.V. Avenue could do the work. It was noted that Council would like to have additional time to review the sidewalk issue prior to making a decision, so the matter should go to the Planning Commission and back to Council, following normal approval procedures.

Councilman Martin then made a motion to grant permission to the Frick Company Credit Union to install depressed driveway entrances for a potential parking lot at a later date. Councilman Greenawalt seconded; the motion passed unanimously.

LAND DEVELOPMENT PLAN (SAM CAMPBELL): Kevin Grubbs presented a proposed Land Development Plan for Sam Campbell for ten (10) units at Mt. Airy Avenue and Locust Street. The plan was presented to the Planning Commission with a sketch plan, and to the Zoning Hearing Board for several variances. One of the variances was denied for encroachment on the front setback (30' is required, and the original encroachment was 28'). Mr. Campbell has reduced the planned encroachment on Mt. Airy Avenue to 15' and is proposing to widen Locust Street to provide better access. Even though the matter must go before the Planning Commission and Zoning Hearing Board, Lee Royer asked for Council's feelings on the matter. He added that they feel this plan is a lot safer than the original submitted.

President Newcomer noted that Council cannot make any decision on the matter until it has gone before the Planning Commission and Zoning Hearing Board. Solicitor Dively advised that councilmen could certainly write letters of support, if they so desired; and they could offer support, as a body, by putting it in their minutes.

POLICE VACANCIES: This item was deferred until a later date.

TENNIS COURTS AT MEMORIAL PARK: Mr. Hamberger reported that portions of the surface of the tennis courts at Memorial Park are coming up. To preclude larger costs in several years, it was recommended that those areas be patched for a price of \$1,600. He noted that there is money in the budget that could be utilized for this purpose, because the proposed fence work was not done this year due to the grant application (if the grant is received, the work will be done next year). Councilman

Martin made a motion to have the appropriate work performed. Councilman Greenawalt seconded; the motion passed unanimously.

PUBLIC MEETING TO BE SCHEDULED RE: JOINT COMPREHENSIVE PLAN (SEPTEMBER 23, 2008): Mr. Hamberger noted that, as part of the Waynesboro Planning Commission's regular meeting on September 8th, they will hold a final review of the proposed Joint Comprehensive Plan. The documents will be displayed on the Borough's website, and a joint meeting of the Waynesboro Planning Commission and Washington Planning Commission will be held for public input on September 23rd. The two Boards (Washington Township Supervisors and Waynesboro Borough Council) are also invited to attend. The two Planning Commissions will then take the public comment into account, have the plan finalized and forwarded to Waynesboro Borough Council and the Washington Township Supervisors for their action.

Mr. Hamberger added that the two Planning Commissions have been working on this plan for approximately 16 months. As it is now in the final stages, these meetings will be the last time the public will have an opportunity to give input on the matter. He requested that the press "get the word out" that these meetings are the time for the public to voice their opinions. The meetings are scheduled for September 8th at 7:30 p.m. and for September 23rd at 7:00 p.m., in Borough Hall's second floor Council Chambers. Councilman Martin requested that copies of the final draft be provided to Borough Council for review.

STORMWATER ENGINEERING IN CENTER SQUARE: Pursuant to some questions from contractors bidding on work in the Square, members of the Street Committee and Borough staff met with PENNDOT officials. Answers were provided on procedures to be followed, and their commitments as to what they will do and won't do regarding drainage in the Square. They noted that there will be no paving of Main Street this year – the only paving involved will be directly related to the Square and traffic light projects. Accordingly, the drainage work will need to be done in coordination with the contract.

Dennis Black Engineering provided a price quote of \$17,000 to prepare the appropriate engineering plan. Kevin Grubbs noted that he has reviewed the current contract with Dennis Black regarding stormwater analysis, and this work is not within the realm of that analysis. Mr. Hamberger agreed that the analysis is conceptual, and this plan would be for the actual construction. Councilman McCammon questioned if the Borough's Engineering Department would be able to do this design work, and Kevin Grubbs noted strongly that it should be left to the professionals who are specifically trained in this work.

Upon suggestion by President Newcomer, Councilman Mumma made a motion to defer the matter until Council's next meeting. Councilman Martin noted his opinion that the work should be "put out" for other engineers to review, and perhaps costs could be reduced. Solicitor Dively noted that she would like to review the contract with Dennis Black Engineering to see if it contains provisions that the work product is presented with proprietary rights of the engineer. President Newcomer noted his opinion that having one engineer working on matters for the Borough puts Council in a "very peculiar situation". He feels that, perhaps, they should "shop around". Mr. Grubbs was instructed to inform Mr. Black that Council is not pleased with the price and he was requested to "sharpen his pencil". Councilman Martin also requested that Mr. Grubbs provide him with a list of engineers certified in hydraulics.

Councilman Mumma noted it is his understanding from the meeting with PENNDOT, that once the design work has been completed, there is a good chance that they will provide the drainage valve required if the Borough's crew does the work.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Frank Bittner, 842 Anthony Avenue - Mr. Bittner asked that Council members imagine driving east through town, through Wayne Heights, seeing several billboards with flashing signs; and he quoted an excerpt from a murder-mystery he read recently entitled *Next*. He explained that there is a gentlemen in the book who is trying sell some advertising to people in London, and he provides some “choice” words about Americans as follows: “American businesses spend more in advertising than any other country in the world. But what I wish to draw your attention to is the sheer volume of commercial messages as you see them here, arranged in space along the motorway; and every vehicle driving past has its radio on, sending out even more commercial messages. In point of fact, it is estimated that Americans listen to 3,000 messages every day – or what is more probable, they don’t listen to them. Psychologists have determined that the sheer volume of messages creates a kind of anesthesia which becomes ingrained over time. In the saturated media environment, all messages will lose impact.”

Harry Morningstar, Jr. 205 Clayton Avenue - Mr. Morningstar, Chairman of Mainstreet Waynesboro, Inc.’s Design Review Committee, was present. Due to Council’s recent action for a reduction in the number of trees to be planted at the Rotary parking lot, they now have a surplus of trees and would like to offer them to the community to further the Main Street Program. He suggested that they could be used on the west end of town, if Council is interested. Discussion followed regarding the planting and maintaining of the trees. It was noted that the Borough’s crew normally plants and maintains them (with help from the Shade Tree Commission and Mainstreet Waynesboro, Inc., who coordinate volunteer efforts to have the trees lightly trimmed and mulched). Planting requirements were discussed. Mr. Grubbs noted that a 4x4' area is required – and much of the sidewalk west of Fairview Avenue is only 4' wide. Either way, Mr. Hamberger noted that the trees can’t be planted this year because the Maintenance Department is too busy with other projects. It was suggested that this matter be reviewed further by the Street Committee and Shade Tree Commission, and Council will discuss it at a later date.

FOR INFORMATION ONLY

UPDATE ON C.V. AVENUE, HANDICAPPED CURB PROJECT AND CDBG PAVING PROJECTS:

Kevin Grubbs reported that work on C.V. Avenue is progressing well. Excavation and under-cutting has been done from Main Street to North Street, and new inlets will be set on Friday. Kee-Ta-Quay will begin to set string-line and proceed with the curbing work next week. There was some delay due to having poles relocated, however most of those have been put in place – four (4) more remain to be done at the lower end of the project. Mr. Grubbs reported on some legal issues regarding easements which need to be settled before the utility lines can be moved.

Mr. Grubbs reported that 62 handicapped ramps have been replaced and brought up to PENNDOT standards. The project has been completed.

Mr. Grubbs noted that a Notice-to-Proceed has been issued for the CDBG paving projects, which consist of N. Broad Street from Mt. Airy Avenue to St. Andrews Drive, and E. North Street from N. Broad Street to N. Church Street. There was a slight delay in receiving the required documents from the contractor, however the paving will not take long to complete.

UPDATE ON LIQUID ASPHALT COST: Kevin Grubbs informed Council that he received information from the PA Asphalt Paving Association indicating that the price for liquid asphalt dropped in September (which will result in approximately a \$4.00/ton savings). He noted that the base-coat will be placed in C.V. Avenue in September, and the top-coat should be applied in October. Hopefully the decreased prices will continue.

REQUESTS FROM MAINSTREET WAYNESBORO, INC. AND GREATER WAYNESBORO AREA CHAMBER OF COMMERCE RE: 2008 CHRISTMAS ACTIVITIES:

Mr. Hamberger presented requests from Mainstreet Waynesboro, Inc. and the Chamber of Commerce regarding 2008 Christmas activities. He explained that they plan to place a large single tree in one quadrant of the Square and hold the Tree Lighting Ceremony on November 21st at 6:00 p.m. (which would involve closing Main Street). They will play seasonal music along Main Street from 10:00 a.m. to 6:00 p.m. each day following the Tree Lighting Ceremony until the day after Christmas. Councilman McCammon made a motion to approve the requests, as presented. Councilman Greenawalt seconded. Mayor Starliper requested that they contact the Police Department and Fire Police regarding assistance from their personnel. The motion passed unanimously.

PAY BILLS: No bills were presented for Council's approval.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger commended the Borough's Engineering Department for their hard work, as they are currently involved in three (3) large projects.

Councilman Martin commended Leiter Pryor and Gordon Cruickshanks for their accomplishments and DEP award received at the conference in University Park.

Police Chief Mark King noted that Franklin County Crime Solvers paid \$1,000 for information which led to an arrest in the vandalism incident recently at Burns Hill Cemetery. As they support the community in this respect, he requested that Council and staff support them at their 4th Annual Chicken BBQ and Yard Sale on Saturday, September 13th, from 8:00 a.m. to 3:00 p.m., to be held at Dilly's Restaurant Outside Deck in Chambersburg, PA.

Councilman Greenawalt noted that Council has deferred several items until their next meeting, and he suggested holding a workshop to discuss the items further. Council members agreed, and President Newcomer suggested it be held prior to the next Council meeting at 6:30 p.m.

Mayor Starliper noted that vines need to be removed from a tree located at Main and Grant Streets. Mr. Hamberger stated that the Maintenance Department will take care of it. Mayor Starliper also encouraged everyone to hang an American flag outside in remembrance of 09/11/2001 (with a spotlight on it at night). As a side-note, Councilman Mumma reported that lights will be installed to illuminate the flag at the new Rotary Park. The appropriate permits have been received, and a donation has been received for the light – the only cost to the Borough would be wiring and use of a ditch-witch.

Having no further business to discuss, the meeting adjourned at 8:55 p.m. on a McCammon/Mumma motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant