

AUGUST 15, 2007  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled Council meeting to order at 7:14 p.m. with the following in attendance:

Borough Council Members – Allen Porter, Jason Stains, Richard George, Craig Newcomer, Charles McCammon and Allen Berry

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Denny Benschoff, Maintenance Superintendent  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)  
Ron Flegel, Fire 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 July 18, 2007 regular meeting and the July 26, 2007 special meeting, as written. Councilman Berry seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer and Fire Chief for the month of July, 2007; and the Police Chief's Report for the months of January, June and July, 2007, as presented. Councilman Stains seconded; the motion passed unanimously.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Berry noted that he will have several items for discussion during the "voting" section of the agenda.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** Councilman Porter reported that the Street Committee met on August 6<sup>th</sup> and discussed the following items --

- Closing/opening of E. Second Street in front of the High School – it was agreed that the School District should be responsible for controlling traffic when buses are being loaded and unloaded, and the street should remain open at all other times. Mr. Porter will attend the School District's meeting regarding transportation issues the following Monday morning.
- Traffic control at the rear of the Eagles Club – the feasibility of installing a stop sign in the alley at the crosswalk leading from the rear exit of the Eagles Club was discussed, however it was felt that this might create a false sense of security for pedestrians. The

Committee feels that the speed bumps previously approved by Borough Council should be re-installed, and a motion will be made as such.

- Complaints about sight distance at an exit of Waynesboro Mall – complaints have been received about the location of a tree at one of the Waynesboro Mall exits and the fact that it blocks the sight of motorists attempting to exit the mall. The Committee is recommending that the tree be relocated (Lloyd Hamberger has found a place for the relocation), and a motion will be presented as such.
- Complaints about vegetation growth in alleys – Code Enforcement Officer Dan Sheffler has been sending out notices for these violations.
- Request for 25 mph speed limit sign on Philadelphia Avenue between Second and Third Streets – the Committee is recommending approval of this request.
- Request for upgrade of the alley between Frick and Tritle Avenues – Mr. Porter and Denny Benshoff have viewed the area; and due to the steepness at the south end and the possibility of hitting rocks, it was recommended that the north end be upgraded to the property where the individuals live who made this request.
- Request for parking space on Rotary parking lot for Ora “Chuck” Morningstar’s warehouse – Mr. Morningstar has requested a lease agreement with the Borough similar to the one that Harry Morningstar has at the Trinity Lot for the Furniture Market. The Committee will review the matter further.
- Stop sign on Ninth Street out of Rotary Park – the need for a stop sign on Ninth Street at the entrance to the Rotary Park was noted. Due to the urgency of this request, the appropriate sign has already been installed.
- Request for painting of centerline on S. Broad Street – a motion will be forthcoming later in the meeting.

**INTERGOVERNMENTAL COMMITTEE:** Councilman Stains presented information received from Comcast regarding a new channel line-up.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** Council President Newcomer reported that they have found a location for the first “Welcome to Waynesboro” sign (on Route 997, north of town) The property owners (Pratt Court) have given permission for the sign to be located on their property, and have offered to landscape it. The sign will be erected in the near future.

Mr. Newcomer also reported that S. Mulberry Avenue has been paved, and Laurel Asphalt will complete the stamping and coloring the following week. Mr. Hamberger added that there was some concern from an adjoining property owner regarding his parking lot, however that matter has been resolved to his satisfaction.

Mr. Newcomer noted that he will present information later in the meeting regarding a proposed “Appreciation Dinner” for the Borough’s employees.

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

“On July 30<sup>th</sup>, Councilman Porter and myself attended the ribbon-cutting and grand opening of the First National Bank of Mercersburg’s Waynesboro branch on N. Grant Street.

On the 4<sup>th</sup> of August, presentations were given to Stephen Larsen, Joshua McFerren and Joshua Sanders for their reaching a milestone in their scouting careers. All three scouts achieved the Eagle rank.”

Mayor Starliper reported that the Police Department is in the process of replacing their 9mm handguns with 40-caliber handguns. Due to trade-ins, there will be no out-of-pocket cost to the Borough for the weapons and holsters.

He also reported that they are pursuing the possibility of placing a trailer at the Maintenance Center property to be utilized by Franklin County law enforcement agencies during emergencies. Liability insurance is being currently reviewed. He added that this will be a big advantage to the area (and southern Franklin County).

Mr. Hamberger informed Council and the public that Mayor Starliper has been appointed as a member of PSAB’s Awards Committee.

**SOLICITOR’S REPORT:** Solicitor Melissa Dively noted that, at their last meeting, the Waynesboro Planning Commission recommended Council’s adoption of the proposed ordinance addressing temporary directional signs. She will provide a copy of the ordinance for advertisement.

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

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Berry noted that he received a letter of resignation from Patrolman Bryan Teets, effective August 1<sup>st</sup>. Councilman Porter made a motion to accept Mr. Teets’ resignation. Councilman Stains seconded; the motion passed unanimously.

Councilman Berry made a motion to grant a step increase for Mike Benschhoff (to salary level 15B). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry noted that a successful evaluation was received for Robert Cole, however no action was necessary.

Councilman Berry made a motion to approve a step increase for Clint Martin (to salary level 10D). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to approve a step increase for Melinda Knott (to salary level 10E). Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to re-install speed bumps at the rear of the Eagles Club. Councilman George seconded. Councilman McCammon voiced his opinion that these are not needed, because people “won’t stop anyway”. Councilman Porter agreed that they won’t stop for pedestrians, but added that the speed bumps will slow them down. It was noted that the location of the speed bumps will be coordinated with the Club’s manager. A vote was called, and the motion passed 5-1 (Councilman McCammon opposed).

Councilman Porter made a motion for a centerline to be painted on S. Broad Street from Main to Third Streets. Councilman George seconded; the motion passed unanimously.

Councilman Porter made a motion to approve the relocation of an “offending” tree in front of the Susquehanna Bank at the Waynesboro Mall to a property at the intersection of Grant and Main

Streets (where a tree was destroyed in a vehicular accident some time ago). Councilman Stains seconded; the motion passed unanimously.

Councilman Porter made a motion to affirm the installation of a stop sign at the entrance to the Rotary Park at the corner of Ninth Street and Anthony Avenue. Councilman Stains seconded; the motion passed unanimously.

Councilman Porter made a motion to install 25 mph speed limit signs on Philadelphia Avenue between Second and Third Streets. Councilman George seconded; the motion passed unanimously.

Council President Newcomer noted that the Borough received a sizable refund from its insurance company, and the Finance Committee is recommending holding an Employee Appreciation Dinner with a portion of the money. Councilman Porter made a motion to proceed with plans for the event. Councilman Berry seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**PROPOSALS FOR APPRAISAL SERVICES:** Mr. Hamberger stated that proposals have been received for appraisal services for the former “dump” property on Ridge Avenue. He recommended that Ausherman Brothers be awarded the contract for the appraisal. Councilman George made a motion as such. Councilman Stains seconded; the motion passed unanimously.

## **NEW BUSINESS**

**REQUEST FOR CHRISTMAS PARADE AND TREE LIGHTING CEREMONY (GREATER WAYNESBORO CHAMBER OF COMMERCE):** Mr. Hamberger presented requests from the Chamber of Commerce for a Christmas parade (at 4:00 p.m.) and a Tree Lighting Ceremony (from 5:30 p.m. to 8:00 p.m.) on December 1<sup>st</sup>. Councilman Stains made a motion to approve the activities, as outlined in their correspondence to Council dated July 17<sup>th</sup>. Councilman Porter seconded; the motion passed unanimously.

**REQUEST FOR “MARKET DAY” (MAINSTREET WAYNESBORO, INC.):** Mr. Hamberger presented a request from Mainstreet Waynesboro, Inc. for “Market Day” on October 6<sup>th</sup>. During the activities that day, Main Street (from Potomac to Broad Streets) will be closed to vehicular traffic beginning at 8:00 a.m. Councilman Porter made a motion to approve the events for “Market Day” along Main Street from Potomac to Broad Streets.

Carole Malin, Downtown Manager, commented that the second part of their request was to place two (2) banners regarding the event over Main Street (as was done last year). Councilman Porter amended his motion to include approval for the banners. Councilman Berry seconded the amended motion.

Discussion ensued regarding the need for additional space if more vendors are secured, and Councilman Porter made a second amendment to his motion that Mainstreet Waynesboro, Inc. work with the Police Chief and Fire Police (and inform Council if there is a need for additional space) – if need be, the closing can be expanded to Grant Street. Councilman Berry seconded the second amendment.

With regard to placement of the banners, Kevin Grubbs explained the difficulties experienced last year with wind, and recommended that separate pole masts be erected for these banners. PENNDOT officials have noted no problem with the request; and he will discuss the matter with Allegheny Power and report back to Council at the next meeting.

A vote was then called, and the amended motion passed unanimously.

**FACADE IMPROVEMENT PROGRAM APPLICATIONS:** Mr. Hamberger presented three (3) applications for the Facade Improvement Program for Council's consideration.

- 6 Mulberry Avenue – Mr. Hamberger explained that this request is for the facade on Ora "Chuck" Morningstar's proposed new building to replace the one that was destroyed by fire. DCED is currently reviewing the matter – if they approve it, Council would have to decide if they wish to include the facade of a new building, as the current regulations indicate it is the intent to rehabilitate facades on existing buildings. Mr. Hamberger recommended that this matter be deferred until Council's next meeting.
- 32-34 W. Main Street and 76-68 W. Main Street – Mr. Hamberger noted that these were discussed at Council's recent Joint Committee meeting. The Design Review Committee has approved the applications, but he suggested "holding off" until the paving on S. Mulberry Avenue is completed to determine how much 2007 money is left.

Council members concurred with Mr. Hamberger's recommendation to defer these matters until their next meeting.

**PLANNING COMMISSION ITEMS:** Kevin Grubbs presented the following items for Council's consideration, pursuant to the Planning Commission meeting held the previous Monday –

- Condo Units at Fourth Street/Ridge Avenue (Myers/Miller) - Mr. Grubbs noted that Council previously approved this Land Development Plan, contingent upon approval of the proposed Homeowners' Association agreement. The agreements were reviewed by Solicitor Dively – several changes were requested and have been made to her satisfaction. Accordingly, Council can now execute the final plans.
- Walnut Knolls - Lots #5-9 and #100-105 – Mr. Grubbs noted that this is a revised layout plan for Walnut Knolls for the above-mentioned lots. The plan has been reviewed and recommended for approval by the Waynesboro Planning Commission. The Franklin County Planning Commission has also granted approval. Councilman Porter made a motion to approve the revised lot layout plan for Walnut Knolls, as presented. Councilman George seconded; the motion passed unanimously.
- Hometown Homes (South End Villas) at S. Church Street/E. Ninth Street/Old Mill Road – Mr. Grubbs noted that preliminary approval was granted to Hometown Homes in October of 2006. The Subdivision/Land Development Ordinance requires that final plans be submitted within 12 months (which Interfaith Housing, the new owner, has done) and the Waynesboro Planning Commission has recommended approval. Councilman George made a motion to approve the Land Development Plan for South End Villas, as presented. Councilman Porter seconded; the motion passed unanimously.
- Mr. Grubbs added that the Planning Commission would like to make amendments to the current Stormwater Management Ordinance with regard to design requirements. Consulting engineer Denny Black is currently reviewing the matter and will present recommendations for Council's consideration.

**TRANSFER OF WATER PLANT PICK-UP TRUCK TO FIRE DEPARTMENT:** Mr. Hamberger noted that this was discussed at Council's previous Joint Committee meeting. The Waynesboro Borough Authority replaced the Water Plant's 4WD truck, and the Fire Chief requested permission for the vehicle to be transferred to the Fire Department for use as a brush truck. The WBA has approved this

transfer. Councilman Porter made a motion to transfer the 4WD vehicle from the Water Plant to the Fire Department, as discussed. Councilman Stains seconded; the motion passed unanimously.

Also, Mr. Hamberger noted that the Fire Department's Capital Replacement Committee has located a buyer for the former brush truck (chassis), and they are requesting that the vehicle be given to them to sell. Councilman Porter made a motion to give the vehicle in question to the Fire Department's Capital Replacement Committee to sell. Councilman Stains seconded; the motion passed unanimously.

### **PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:**

Ronald Martin, 66 State Hill Road – Mr. Martin questioned the amount of the insurance refund received (which was mentioned with regard to the Employees' Appreciation Dinner"). Mr. Newcomer replied that it was in excess of \$100,000. Mr. Martin suggested that Council consider giving employees a monetary bonus in lieu of the dinner. Mr. Newcomer noted that his suggestion could be discussed, but the Finance Committee felt that a dinner would be a nice gesture.

Mr. Martin also requested clarification on approval of the Land Development Plan submitted by Myers/Miller for the condominium units on Fourth Street/Ridge Avenue. Mr. Grubbs explained that the plan was approved previously by Council, contingent upon approval of the Homeowners' Association agreements.

Carlene Willhide, Executive Director of the Chamber of Commerce – Ms. Willhide stated that she read the newspaper article regarding the Planning Commission's comments to Waynesboro Hospital representatives regarding their need to submit some type of plans for their planned expansion prior to any approvals being granted for streets/alleys to be vacated, etc. She is hopeful that the Planning Commission and Council are in support of the Hospital's expansion and wanted to be sure that the appropriate message is relayed to the community, but the tone of the article was very negative. She understands that plans are required in order to move forward, and she reinforced the community's need for the Hospital in Waynesboro. President Newcomer noted that he has since met with Hospital representatives – they fully understand the Planning Commission's request and plan to provide the required drawings at their next meeting. Mr. Newcomer added that the Borough is very much supportive of the Hospital and its planned expansion, and will continue their cooperative relationship with the Hospital throughout the process.

Ronald Martin commented that he was in attendance at that Planning Commission meeting, and feels that the newspaper article was poorly written. Stephen Monn agreed, adding that the discussions were not accurately conveyed. Ms. Willhide noted that she felt all along that the article had not been written correctly.

Carole Malin, Downtown Manager for Mainstreet Waynesboro, Inc. – Ms. Malin updated Council on several upcoming activities/events for the downtown area.

- WALKERS OF WAYNESBORO – Ms. Malin reported that 50+ people have joined this group of walkers. The Promotions Committee would like to invite others to join them on a walk scheduled for Tuesday, August 28<sup>th</sup>, beginning at 7:00 p.m., in Center Square. They will walk the Main Street route between Fairview and Clayton Avenues.
- Downtown Flowers – Ms. Malin noted that the hanging flower baskets were in place for 2 ½ months, but have been removed (the flowers were "not doing well" in the extreme heat of August). Because there was such an interest in having flowers downtown, however, they have decided to replace the summer flower baskets with "mums" for fall. They will be in place from August to the end of September, and will be taken down in time for the scarecrows to go up.

- Sunday Serenade – Ms. Malin noted that Mainstreet Waynesboro plans to begin a new program called “Sunday Serenade” on one (1) Sunday per month, starting in August. For the first several months, the event will be held at the 1912 Hoover House, and will include music and food as a way of encouraging people to enjoy a Sunday evening on Main Street. The first Sunday Serenade has been scheduled for August 26<sup>th</sup>, from 4-7 p.m. She added that noise should not be an issue, and they will inform neighbors of the Hoover House of their plans.
- Fall Flower and Bake Sale – a Fall Flower and Bake Sale has been planned for September 14<sup>th</sup> and 15<sup>th</sup> to raise money for the Walkers of Waynesboro.

Carroll Woodring, C & S Builders – Mr. Woodring asked which Code (Borough or State) regulates building permit requirements in the Borough of Waynesboro. He described a recent incident on Main Street where he was replacing a non-weight bearing post at a property. The property owner received a “threatening” telephone call from Accredited Services, noting that the building would be condemned/closed (due to unsafe conditions) if the post was not replaced within a certain time period. Mr. Woodring noted he fails to see the urgency in the matter, as this was just a “dummy” post – in fact, he contacted Chambersburg (who abides by the State Code) and was told that a permit would not be required because he was replacing an existing post. He suggested that a list be published in the newspaper delineating what projects require building permits to alleviate future confusion. Discussion also ensued regarding the cost paid for building permits. In addition, Mr. Woodring quoted Item #7 on the building permit form which states that Accredited Services is not responsible for anything that the inspector inspects. He feels that Accredited Services should stand behind their work if they are inspecting jobs for the Borough.

Mike Cermak, Accredited Services, noted that some of Mr. Woodring’s statements are incorrect. He noted that the “State law is the State law”, and Accredited Services will continue to enforce the law as it is written. If a resident/contractor has a problem with a decision made by the inspector, they have the right to take the matter before the Board of Appeals (who can override any decision except regarding accessibility).

Discussion followed regarding Mr. Cermak’s certifications, and Council President Newcomer suggested that a special meeting be arranged to discuss these issues further. Councilman McCammon requested that Council hold an executive session following this meeting.

## **FOR INFORMATION ONLY**

**INVITATION TO INDUSTRY APPRECIATION DINNER (FRANKLIN COUNTY AREA DEVELOPMENT CORPORATION):** Council members received an invitation to attend the Franklin County Area Development Corporation’s annual Industry Appreciation Dinner to be held on Thursday, September 6<sup>th</sup>, at The Orchards Restaurant in Chambersburg. Those planning to attend were requested to inform Melinda Knott no later than August 24<sup>th</sup>.

**PAY BILLS:** Councilman Stains made a motion to approve the payment of Voucher Lists VL-07-21, 22 and 23. Councilman Berry seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Berry thanked the individuals who volunteered to take care of the downtown hanging baskets, noting that he received many positive comments about them.

Councilman Stains asked for the status on the “Watch Children” signs in the vicinity of Northside Pool. He was informed that they have been erected.

Councilman Stains stated that discussions have been held regarding crosswalks in the Borough and pedestrian safety. He was visiting the Hershey, PA area recently and observed crosswalks with sensor lights in the street – he added that they really “caught his eye” when someone stepped into the crosswalk and the lights flashed. He suggested that Council consider these in conjunction with the Main Street and Center Square projects next year.

Councilman Stains also reported that he received a call from an individual who does metal-detecting at Renfrew, etc. and wanted to know if this is permitted in the Borough. Mr. Hamberger replied that, generally, this is discouraged because of the holes that are dug to retrieve “found” items. As Renfrew Park has a lot of “wild” area, this is not a real problem there.

Councilman George also thanked the individuals who watered the flowers downtown, and stated his support of the Hospital on every issue in the past brought before Council. He added that the Planning Commission’s request was not extreme at all, and feels certain that the Hospital will cooperate in providing some form of plan in the future for review.

Mayor Starliper reminded residents that schools will be back in session shortly, and there are a number of crosswalks (some with crossing guards and some without) where children will be crossing. He noted that many students have been observed to “defy” traffic to stop, and the District’s Superintendent will address this situation with each of the schools. He feels that parents and motorists should be aware of these incidents.

Mr. Starliper also noted his disappointment in the responses received from area residents on the survey mailed out recently (as part of the Joint Comprehensive Plan project with Washington Township). He feels that one of the questions on the survey should have been, “what are we doing right and how do we improve on it?”

Mayor Starliper also reported that, since June, he has been trying to make arrangements for a young man to attend a Council meeting to receive a presentation for his achievements. He read a statement on the certificate he plans to present to Terrell Rickard, in recognition of his outstanding junior year at WASHS and his achievements during the most recent Track and Field season (including Mid-Penn Conference Champion, District III Champion, WASHS records in the High Jump, and winning of the gold medal in the State PIAA High Jump).

Maintenance Superintendent Denny Benschhoff informed Council that the storm sewer is in on Fifth Street, as well as the backflow preventor valves; and the centerline has been painted on Third Street (west of Fairview Avenue).

Fire Chief Ron Flegel noted that the annual carnival is over – they suffered several setbacks in the fundraising event (extreme heat, mechanical problems and rain), which “hurt”. He thanked Council members for their help and support.

Chief Flegel thanked Council for their decisions regarding the former and future brush trucks – he noted that there is a buyer for the 1979 unit previously used, and the former Water Plant vehicle will serve their needs well.

Council President Newcomer thanked Mainstreet Waynesboro, Inc. for “all they do”. The projects and activities have been very well-received by the community, and this “makes Council look good too”.

Council adjourned to executive session at 8:25 p.m. They reconvened to regular session at 8:33 p.m., and announced that a special Council meeting has been scheduled for Wednesday, August 29<sup>th</sup>, at 7:30 p.m., in the second floor Council Chambers of Borough Hall.



Having no further business to discuss, the meeting adjourned at 8:37 p.m. on a Stains/McCammon motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant