

MAY 2, 2007
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Richard George called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:45 p.m. with the following in attendance:

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

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benshoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Solicitor (Salzmann Hughes, PC)
Ray Shultz, Police Chief
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 April 18, 2007 public hearing and regular meeting, as written. Councilman Porter seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Newcomer noted that, in Councilman Berry's absence, he will report on several matters later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Porter noted that the Street Committee's May meeting was held this evening prior to the public hearing/regular meeting of Borough Council. One item discussed at the meeting was in regard to Council's consideration of utilizing S. Mulberry Avenue as a walkway instead of vehicular thoroughfare. This possibility is being considered, but no formal recommendation will be given at this time. In addition, Mr. Porter will present a motion regarding Third Street (between Myrtle Avenue and the school parking lot) later in the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer noted that Kevin Grubbs provided information and estimates for a proposed brick-stamped sidewalk downtown. Grant funding will be sought through Congressman Shuster's office and Senator Punt's office for the project.

Mr. Newcomer noted that he attended the recent Mainstreet Waynesboro, Inc. meeting as Council's new representative. The committee members were very receptive, and he is anxious to work with them on their upcoming projects. He will discuss the proposals regarding downtown walkways with them at their next meeting.

Councilman Newcomer also reported that Mr. Hamberger and members of the office staff visited a municipality in Woodstock, Virginia to view software in-use which is being considered for Waynesboro. Mr. Hamberger noted that the software seemed to be user-friendly, and he will continue discussions with the supplier regarding customization for the Borough's particular needs (including fund accounting, which is required of Pennsylvania municipalities).

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

“On April 19th, along with Chief Shultz and Councilman Newcomer, I attended the Franklin County Drug Task Force Breakfast in Chambersburg.

Also on the 19th, Borough Manager Hamberger, Councilmen Newcomer, McCammon and Porter, and I attended Mainstreet's Annual Dinner Meeting.

On the 21st, I attended the Waynesboro Ambulance Squad's Dinner and Awards Banquet; and, as always, we owe a debt of thanks to these individuals.

On the 24th of April, along with Borough Manager Hamberger and Councilmen George and Porter, I attended the Tri-County's meeting in Greencastle.”

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Newcomer made a motion to approve hiring the following individuals for Northside Pool –

Lifeguards - Caroline Unger, Allyson Fridinger, William Smith and Elizabeth Farmer

Cashier - Rachel Schuler

Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to approve the installation of a handicapped parking space at 24 W. Fourth Street. Councilman Stains seconded; the motion passed unanimously.

Councilman Porter made a motion to permit the temporary and exclusive use of the portion of Third Street from Myrtle Avenue to the school parking lot by the Waynesboro Area School District. Said temporary use is to provide a bridge to the formal execution of a right-of-way agreement; and the Borough reserves the right to revoke this temporary permit at any time. Councilman McCammon seconded; the motion passed unanimously.

UNFINISHED BUSINESS

DIRECTIONAL SIGNS FOR NEW DEVELOPMENTS: Mr. Hamberger noted that he assumes that the minutes accurately reflect what was decided by Council at the last meeting regarding directional signs for new developments (as the minutes were approved without modification). Accordingly, he reminded Council that they will still need to indicate the number of units required for this to “kick in” for the long-term system. Council should review the matter and discuss it further at their next Joint Committee meeting.

NEW BUSINESS

PENNSYLVANIA DAY OF PRAYER (MAY 3, 2007 AT 12:00 NOON): Mr. Hamberger noted that correspondence was received from Bill Schuit regarding the Pennsylvania Day of Prayer to be held on May 3rd at 12:00 noon. (Specific prayer requests were requested to be forwarded to him.) A crowd will gather on the steps of Borough Hall at that time to pray specifically for the community of Waynesboro. Those interested in participating were invited to attend.

APPROVE 2004 CDBG MODIFICATIONS: Councilman Porter made a motion to authorize the appropriate Borough officials to execute the necessary documents for modifications to the 2004 CDBG budget, as discussed at the public hearing held earlier this evening. Councilman Newcomer seconded; the motion passed unanimously.

BUILDING CODE APPEALS BOARD: Mr. Hamberger noted that, several years ago, Borough Council adopted the Uniform Construction Code. A Building Code Appeals Board was also established at that time, however the staff has been unable to find in their records that this was formally approved. Accordingly, he offered proposed Resolution No. 2007-08, which provides for a five-member Appeals Board. Councilman McCammon made a motion to adopt Resolution No. 2007-08, as presented. Councilman Newcomer seconded; the motion passed unanimously.

RESOLUTION 2007-08

WHEREAS, the Borough of Waynesboro has adopted Ordinance No. 1021 conforming to the Pennsylvania Construction Code, and

WHEREAS, Ordinance No. 1021 provides for the creation of an Appeals Board,

Complete copy on file at Borough Hall.

Mr. Hamberger further noted that the existing members of the Appeals Board have agreed to continue serving in this capacity. Accordingly, Councilman Newcomer made a motion to affirm that the Appeals Board will consist of the following members: Larry Garver, James Valentine, Herb Sandifer, James Rock and Ira "Bud" Mickley. Councilman Porter seconded; the motion passed unanimously.

Councilman McCammon opened discussion on the appeal fee charged (\$200.00). He noted that there are no costs involved (as in the Zoning Hearing Board for stenographers and attorneys), and he feels that this fee should be eliminated. Kevin Grubbs noted that the Uniform Construction Code requires that appeal hearings be advertised, the costs of which should be paid by the appellant and not the taxpayers. Mike Cermak, Accredited Services (who issues building permits for the Borough), noted that many municipalities' appeal fees are even higher. He strongly urged Council to maintain the fee as a deterrent to flagrant appeals. Councilman McCammon disagreed, and made a motion to eliminate the \$200.00 appeal fee. Hearing no second, the motion died.

FACADE IMPROVEMENT PROGRAM APPLICATION (66 W. MAIN STREET): Mr. Hamberger referenced a Facade Improvement Program application for 66 W. Main Street (owned by Martin Investment Group). The application has been approved by the Design Review Committee and is presented for Council's final approval. The Borough staff has reviewed the application and determined "no adverse effect"; and the application has been forwarded to the state for the required historic review. Mr. Hamberger recommended approval, subject to final comments on that review. Councilman Stains made a motion to approve the application in accordance with the Borough Manager's recommendation. Councilman Porter seconded; the motion passed unanimously.

Mayor Starliper questioned if it would be appropriate to suggest this program to property owners who need improvements to their downtown buildings. Council felt it would be appropriate, and suggested that the Downtown Manager (Carole Malin) would be the appropriate individual for this task. She noted her willingness to make people aware of the program.

AWARD BIDS (RANDOM CURB AND SIDEWALK): Mr. Hamberger noted that bids for random curb and sidewalk have been received, and he recommended that the sole bidder be awarded the contract. Councilman Newcomer made a motion to award the random curb and sidewalk bids to Ray Eyler. Councilman Stains seconded; the motion passed 5-1 (Councilman McCammon opposed).

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Darwyn Benedict, 16 S. Mulberry Avenue - Mr. Benedict asked Council for their reasoning in considering closing S. Mulberry Avenue. Councilman Newcomer explained that the suggestion was made, and they make an attempt to consider all suggestions. Mr. Benedict also proposed that a professional study be conducted to determine if this change will benefit the downtown and make it thrive.

Harry Morningstar, Jr., 205 Clayton Avenue - Mr. Morningstar requested that the alleyway on the north side of Main Street be street-printed while Council considers its options for the alleyway on the south side. It was clarified to Mr. Morningstar that the project has already been approved, and preliminary outreach to minority contractors has begun. It is anticipated that bids for that project will be opened in July.

FOR INFORMATION ONLY

REMINDER OF UPCOMING EVENTS (MAINSTREET WAYNESBORO, INC.): Council members received a reminder of the Mother's Day weekend events planned by Mainstreet Waynesboro, Inc. (flower and bake sale), as well as the upcoming Car/Truck Show on June 23rd.

REMINDER OF PSAB ANNUAL CONFERENCE (JUNE 24-27, 2007): Mr. Hamberger reminded Councilmen of the upcoming PSAB Annual Conference to be held June 24-27th. Those interested in attending were asked to contact Melinda Knott as soon as possible.

Mr. Hamberger requested that Council hold a brief executive session after the regular meeting this evening for the purpose of discussing personnel negotiations.

PAY BILLS; No voucher lists were submitted for payment.

COUNCIL AND STAFF COMMENTS: Councilman Stains reminded everyone that discussion on particular suggestions (for example, considering closing S. Mulberry Avenue) are being held for the success of the entire town – there should be no feeling of “us vs. them” when changes are deliberated. In addition, he was disheartened by a statement made during the Street Committee meeting held earlier, that a resident witnessed the law being broken but didn't want to report it. He encouraged everyone to take appropriate steps toward fighting crime – report such incidents to the police and let them handle it. Residents need to “stand up for the good of the Borough”.

Mayor Starliper noted that Council approved a Family Sick Leave Policy for non-uniformed, full-time employees at the last meeting. As the policy provides for leave to assist a spouse and minor children, he feels that this discriminates against single employees. Mr. Starliper suggested that this policy be modified (perhaps) to include parents and siblings. The matter will be discussed further at Council's next Joint Committee meeting.

In light of upcoming prom and graduation events (and parties thereafter), Mayor Starliper urged individuals to be aware of (and report, if necessary) any drinking/driving incidents.

Kevin Grubbs noted that an oversight was made during the Street Committee meeting, and he presented information regarding a parking situation at an apartment complex on Hamilton Avenue (between Second and Third Streets). He explained the difficulty experienced when cars are parked up to the driveway entrance, due to the narrowness of Hamilton Avenue. He suggested that a “no parking zone” be established 10' north of the driveway entrance and 5' south of the driveway entrance to alleviate these problems. Councilman Porter stated that he thought this was approved in the past, but no signs have been erected. Councilman Newcomer made a motion to re-affirm Kevin Grubb's suggestion for this location. Councilman Porter seconded; the motion passed unanimously.

Kevin Grubbs noted that the Turkey Hill Market at C.V. Avenue and W. Main Street is currently under review by the Waynesboro Planning Commission. PENNDOT had originally proposed the installation of a turning lane at the entrance to Turkey Hill for vehicles traveling east, but is now also proposing an additional turning lane at the intersection of C.V. Avenue and Main Street. This second turning lane would interfere with the larger radius to be installed at the northwest corner of the intersection, which would defeat the Borough's purpose of purchasing property from the Gsells for a larger turning radius. Mr. Grubbs requested Council's permission to correspond with PENNDOT about the Borough's concerns at this location. Councilman Newcomer made a motion to approve Kevin Grubbs' recommendation, as presented. Councilman Stains seconded; the motion passed unanimously.

Kevin Grubbs provided an update on the aerial photography – the area was flown on April 20th, and they are working on titling and printing at this time. The photos will be forwarded for review by the Borough and the consulting engineer. It will be determined which areas need to be processed for use in the analysis regarding flooding in the area. Once the photos are available for his use, the consulting engineer can complete his study (which should be done by mid-summer). Mr. Grubbs also noted that he has only received one (1) response from property owners on W. Fifth Street with regard to backflow preventors. He will order and install that one, and will continue to pursue the matter with the other property owners who experienced problems in the past. Mr. Grubbs stated that sand bags are in place at 404 N. Potomac Street, which is a low-lying area that also experiences problems with flooding. Grade work will be done at the location, in hopes of raising the sidewalk/curb area to a maximum height of 8". He will submit a proposal to Council regarding this work for their approval. In addition, the property owners are pleased with the swale work completed on Prices Church Road. No problems have been experienced since the work was done.

Police Chief Shultz thanked Councilman Stains for his comments regarding the need for business and property owners to get involved in reporting crimes. The Police Department is fortunate to have 20 police officers, but assistance from the public is still necessary in order to put a stop to the problems. He reported that all abandoned vehicles which were reported to be illegally parked on the Rotary lot (except one) have been removed.

Harry Morningstar, Jr. briefly informed Council that the hanging baskets of flowers have been installed on the light posts downtown.

Council then adjourned to executive session at 8:32 p.m. They reconvened to regular session at 8:58 p.m. and adjourned at 8:59 p.m. on a McCammon/Porter motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant

