

MARCH 15, 2006  
WAYNESBORO, PA 17268

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

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Denny Benschhoff, Maintenance Superintendent  
Dan Sheffler, Zoning-Code Enforcement Officer  
Kevin Grubbs, Head of Engineering Services  
D. Lloyd Reichard, II, Borough Solicitor  
Ray Shultz, Police 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 March 1, 2006 regular meeting, as written. Councilman Stains seconded; the motion passed unanimously.

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

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Berry reported that he will present recommendations from the Personnel Committee regarding the hiring of a Pool Manager and Assistant Manager(s), employee performance evaluations (one requiring action), and a resignation from the Recreation Board.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman McCammon informed Council that he, along with Councilman Porter and Borough Manager Hamberger, met recently with the owner of one of the “burned-out” properties on W. Main Street. He read a letter received from the owner’s attorney regarding their plan of action (which is to clear the inside and outside of all debris, to board-up the windows and entrances on the first floor, to sell the property and inform the buyers to take whatever action they choose to renovate or remove the structure within eight months). Mr. McCammon also noted that the owner of the “other property” desires to remove the existing structure and replace it with a “double-wide”.

**STREET COMMITTEE:** Councilman Porter reported that the Street Committee met the previous Monday and discussed the following items:

- New design for curbing in new developments – will continue to discuss
- Numerous complaints received regarding speeding and traffic conditions on N. East Avenue – will present a motion to erect “25 mph Speed Limit” signs

- Re-visited decision made at previous Council meeting regarding “No Left Turns” at Walnut/E. Main Streets – Committee agreed that motion passed should stand
- “Island” on W. Eighth Street (running from Potomac Street westward) has no curbing – Committee decided there is very little merit in installing curbs at that location, due to possible future breakage from truck traffic
- Damage to traffic signal at W. Main/Potomac Streets – the signal will be re-inspected to ensure that it is not an immediate problem
- Traffic on W. Third Street (adjacent to the Fairview Avenue Elementary School parking lot) when school is dismissed – several possible solutions have been discussed, but nothing has been done to solidify any changes

**INTERGOVERNMENTAL COMMITTEE:** No report.

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

“On March 3, 2006, along with members of Council and members of the Waynesboro Police Department, we attended the asset-building luncheon at the Savoy. The topic was Gang Activity in South Central PA. Troopers Ed Asbury and Angel Garcia, along with Officer Todd Dunkle of the Hagerstown Police Department, gave a very informative, interesting and enlightening talk on gang activity in the area. The bottom line on this presentation is, if you see anything that doesn’t look right, please call your local Police Department. You can be the eyes and ears of the community.”

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner asked for additional information on the style of curbing being considered, and questioned if it is similar to that installed at the entrance to the Rotary Park. Kevin Grubbs explained that the curbing installed at the Rotary Park is in conformance with the Borough’s current specifications. The type of curbing being considered is “rolled curbing” and he explained its benefit.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Berry made a motion to hire Brian McDowell as Northside Pool Manager, at a salary of \$7,000.00 for the 2006 season. Councilman Stains seconded; the motion passed unanimously.

Councilman Berry made a motion to hire Sarah Besecker and Allison Newcomer as Assistant Managers at Northside Pool, at salaries of \$9.00/hour. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry noted that he received favorable performance evaluations for Tom Brennan and Tom Simmers, however no action was required. He also received a favorable evaluation for Gary Zentmyer, and made a motion to approve a step increase for him (to Level 6 with 20 years’ experience). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to accept Mindy’s Wagaman resignation from the Recreation Board. Councilman Porter seconded; the motion passed unanimously. Mr. Hamberger was instructed to write a letter to her expressing Council’s appreciation for her past service.

Councilman Porter made a motion to establish a 25 mph speed limit on N. East Avenue, from E. Main Street northward to the Borough line; said speed limit to be posted accordingly. Councilman

McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to schedule a meeting to further discuss traffic concerns on N. East Avenue. Vice-President Newcomer suggested that that issue could be discussed at Council's upcoming workshop to be held on March 23<sup>rd</sup>. Councilman McCammon seconded; the motion passed unanimously.

### **UNFINISHED BUSINESS**

#### **RESOLUTION NO. 2006-03 (SUBMISSION OF 2006 CDBG PROGRAM APPLICATION):**

Councilman McCammon made a motion to authorize execution and submission of the 2006 CDBG program application. Councilman Porter seconded; the motion passed unanimously.

#### **RESOLUTION 2006-03**

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO  
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2006

Complete copy on file at Borough Hall.

### **NEW BUSINESS**

#### **APPLICATION FOR PARADE PERMIT (BROTHERS OF THE BRUSH, INC. - JULY 4, 2006):**

Councilman McCammon made a motion to approve the Application for Parade Permit for the July 4<sup>th</sup> parade, as submitted by the Brothers of the Brush. Councilman Stains seconded; the motion passed unanimously.

#### **AWARD BIDS (STREET RESURFACING CONTRACT, STREET RECONSTRUCTION CONTRACT, SODIUM HYPOCHLORITE AND POOL CONCESSION STAND):**

Mr. Hamberger noted that the low bidder for sodium hypochlorite was Aqua Chemical Supply, Inc.; and the only bidder for the pool concession stand rental was Della Koons (at 9% of gross sales). He recommended awarding these contracts, as presented. Councilman McCammon made a motion to award the contract for sodium hypochlorite to Aqua Chemical Supply, Inc., and the contract for the pool concession stand rental to Della Koons. Councilman Porter seconded; the motion passed unanimously.

Mr. Hamberger noted that Valley Quarries was the low bidder for the 2006 street reconstruction and resurfacing projects. Councilman McCammon made a motion to award the street reconstruction contract to Valley Quarries. Councilman Stains seconded; the motion passed unanimously. Councilman Berry then made a motion to award the street resurfacing projects to Valley Quarries also. Councilman Stains seconded; the motion passed unanimously.

**AGREEMENT WITH JOHN HANCOCK (PENSION FUNDS RELEASE):** Mr. Hamberger explained that John Hancock is requiring that this Indemnification Agreement be executed in order to release the funds deducted from the police officers' salaries to the new trustee assigned. Solicitor Reichard has reviewed and approved the agreement, and the matter has been discussed with the officers' union representative. Councilman McCammon made a motion to authorize execution of the agreement with John Hancock, as presented. Councilman Porter seconded; the motion passed unanimously.

#### **CONSIDER PROPOSED ORDINANCE NO. 1043 (ALLEY ABANDONMENT):**

Kevin Grubbs reiterated that the proposed ordinance was duly advertised in *The Record Herald* on February 28<sup>th</sup> and March 7<sup>th</sup> for consideration by Borough Council at tonight's meeting. Councilman McCammon

made a motion to adopt Ordinance No. 1043 for the alley abandonment, as presented. Councilman Porter seconded.

Bill Dick advised Council members that Waynesboro Hospital is willing to allow Mr. Yeakle to access his property from their parking lot, and agreed not to build anything across that area that would prohibit it. He added that there would be an approximate 6' step up to his property, but that is "not their problem".

A vote was then called on the motion and second currently on the floor. The motion passed 4-0 (Councilman Newcomer abstained).

### ORDINANCE NO. 1043

#### AN ORDINANCE VACATING A PORTION OF THE ALLEY EAST OF DICKINSON AVENUE ON REQUEST OF ALL PROPERTY OWNERS ABUTTING THAT PORTION OF THE ALLEY TO BE VACATED

Complete copy on file at Borough Hall.

**SCHEDULE HEARING FOR TOWN CENTER SIGN CHANGES:** Kevin Grubbs recommended that Council schedule a public hearing regarding Town Center sign changes for April 19<sup>th</sup>. Councilman Berry made a motion to schedule the hearing for April 19<sup>th</sup> at 7:00 p.m. Councilman McCammon seconded; the motion passed unanimously.

**PLANNING COMMISSION ITEMS:** Kevin Grubbs noted that the Waynesboro Planning Commission met on March 13<sup>th</sup>, at which time they recommended two (2) plans for approval: (1) Westwind Gardens - on Fairview Avenue between W. Second Street and Westview Avenue; and (2) Conca Subdivision on N. Church Street. He added that both met all requirements of the Subdivision/Land Development Ordinance.

Councilman McCammon made a motion to approve the Subdivision/Land Development Plan for Encore Developers at Westwind Gardens. Councilman Porter seconded; the motion passed unanimously.

Councilman McCammon made a further motion to approve the Subdivision/Land Development Plan for Conca on N. Church Street. Councilman Berry seconded; the motion passed unanimously.

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

Paul Ingelstad, 129 E. Second Street - Mr. Ingelstad noted his continued concern for Council's action on a zero-setback ordinance. Vice-President Newcomer noted that this matter will be discussed at the Downtown Revitalization & Finance Committee meeting on March 20<sup>th</sup>. Mr. Ingelstad also discussed the recent issue regarding streets vs. alleys and any development therein. He stated that, in his opinion, any development in alleyways is misguided. He encouraged developers to take advantage of the historic nature of many older buildings in Waynesboro and consider renovation.

Representatives of the Waynesboro Area Chamber of Commerce (Ronald Martin, Vice-President of the Board; Kelly McGahen, owner of Tranquillitea; Lisa Kline, owner of Nu Vogue; MaryBeth Hockenberry, Executive Director; and Bernie McGarity, owner of Subway) - Mr. Martin informed Council that they (several members of the Chamber and its Board) have formed a committee for the

purpose of promoting business in Waynesboro. They would like to have the opportunity to provide input for Council's consideration during their review of the sign ordinance, which will affect many businesses. Mr. Hamberger noted that input is encouraged, but review of the ordinance will probably start with the Planning Commission. He stated that he will inform Mrs. Hockenberry when the review process begins.

Darwyn Benedict, 612 N. Potomac Street - Mr. Benedict reported on discussions held at the Planning Commission's hearing pertaining to the definition of a street and alley. The Planning Commission will review the proposed development plan again at their meeting in April. In the meantime, as Locust Street is 12' wide, he suggested that Council consider making it one-way north to facilitate improved traffic flow. Mr. Hamberger noted that Council's workshop will be held before the Planning Commission meets again, and he suggested that Council members discuss the matter during that meeting. He recommended, however, that no action be taken until the Planning Commission's recommendations are received. Discussion ensued regarding the Planning Commission's authority in this matter. It was noted that they provide Council with recommendations on matters such as this, but the final decision lies with Council.

Stephen Monn, 126 W. Main Street - Mr. Monn suggested that Council members obtain and review the Borough's Zoning and Subdivision/Land Development Ordinances prior to making a decision on this matter.

Ben Newcomer - Mr. Newcomer suggested that Council consider assigning a police officer to work with the DARE program, due to the serious increase in drug use in the schools and community. Vice-President Newcomer noted that the most recently hired police officer has expressed much interest in the DARE program.

Caryl Stalick, 15 W. Third Street - Ms. Stalick mentioned the "gang graffiti" on the property at the intersection of W. Second and S. Church Streets, and questioned if it can be removed. Police Chief Shultz responded that there are no laws or ordinances which would require them to remove it, however the Borough can "strongly urge" them to. He added that the person responsible for painting the graffiti has been charged.

Valorie Dick, 426 Clayton Avenue - Mrs. Dick advised Council that there is graffiti at several locations in Memorial Park (tennis courts and restrooms), which has been there for some time. She noted that she would appreciate this also being removed.

Councilman Stains noted that the property at the intersection of S. Potomac and W. Second Streets is also defaced with graffiti. He stated that there are several other locations in the Borough which should also be cleaned up; and if the Borough intends to address one, they should address all.

William Kauffman, Mt. Airy Avenue - Mr. Kauffman stated that the house in question at S. Potomac and W. Second Streets is owned by his mother-in-law. The "graffiti" there began as a memorial for a relative who had died in a vehicle accident. He assured Council that he will address the issue with her.

Paul Ingelstad - Pursuant to comments earlier in the meeting regarding the fire-damaged properties on W. Main Street, Mr. Ingelstad suggested that Council consider strengthening their laws for property owners to "clean up" abandoned properties.

**MEETING REMINDERS:** Mr. Hamberger noted that Borough Council will hold a workshop on Thursday, March 23<sup>rd</sup>, at 7:00 p.m., in Borough Hall's first floor conference room.

In addition, Borough Council will hold its second "Town Meeting" on Wednesday, April 5<sup>th</sup>, at 6:30 p.m., in Borough Hall's second floor Council Chambers (prior to the first Council meeting of the

month). This is an opportunity for residents to present comments and/or suggestions on Borough-related topics.

Mr. Hamberger reminded Council members of the invitation to “Focus on Town Center Businesses” to be held on Thursday, March 23<sup>rd</sup>, from 7:30 - 8:45 a.m., at Tranquillitea. This meeting is sponsored by Main Street Waynesboro Inc. and the Greater Waynesboro Chamber of Commerce. RSVP’s are requested by March 21<sup>st</sup>.

### **FOR INFORMATION ONLY**

**REMINDER OF TRI-COUNTY BOROUGHS ASSOCIATION MEETING (MARCH 28<sup>TH</sup>)**: Mayor Starliper reminded Council members that Waynesboro is hosting the Tri-County Boroughs Association meeting on March 28<sup>th</sup>, beginning at 6:00 p.m., at the Elks Club. County Commissioner Warren Elliott and State Representative Pat Fleagle will be the speakers for the event. Those interested in attending were asked to contact Melinda Knott as soon as possible.

**MUNICIPAL NOTIFICATION (ENCORE DEVELOPERS, LLC - NPDES PERMIT)**: Mr. Hamberger noted that the notice Council received is self-explanatory.

**ADDITIONAL ITEMS**: Council members received correspondence from Shippensburg University regarding upcoming training opportunities. Mr. Hamberger instructed those interested in attending to contact Melinda Knott.

Mr. Hamberger noted that Renfrew Park has been reserved for the Borough of Waynesboro’s Employee Picnic on September 23<sup>rd</sup>.

Correspondence was received from A. D. Marble & Company regarding the Determination of Effect Report Addendum for the Route 16 Signalization and Intersection Project in Waynesboro. The report will be on public display at Borough Hall for thirty (30) days.

**PAY BILLS**: Councilman Stains made a motion to approve the payment of Voucher Lists VL-06 and 07. Councilman Berry seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS**: Councilman Berry thanked the public for their input and assistance offered at this meeting. He stated that “the more information we can get, the better chance we have of making a right decision”.

Councilman McCammon questioned if a vote will be taken on the Solicitor’s position. Vice-President Newcomer noted that Council will discuss this matter at their upcoming workshop.

Councilman Porter echoed Councilman Berry’s comments. He added that it is encouraging to find out that “non-Council members” are willing to take the time to express their views on Borough-related issues.

Mayor Starliper requested that the Street Committee follow-up periodically with PENNDOT on the issue of left-turn arrows on Main Street. Mr. Hamberger advised that he has spoken with Michael Lapano (PENNDOT), who assured him that they are in the process of reviewing each intersection for inclusion in their plans.

Kevin Grubbs reported that he has experienced difficulty locating posts for the “Free Parking” signs proposed to identify public parking lots. Those approved by the previous Council were fluted, but would be cost prohibitive. He has followed leads to Ken Shadle Aluminum, who can fabricate a sleeve

to fit over a standard sign post. Finials can be added to make the posts more decorative. He will attempt to obtain a sample for Council's consideration at their upcoming workshop.

Having no further business to discuss, the meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant