

NOVEMBER 20, 2013
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Wayne Driscoll 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, Craig Newcomer, Darrel Potts, Wayne Driscoll, C. Harold Mumma and Michael Cermak

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
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Jason Stains, Assistant Borough Manager
Jim Sourbier, Police Chief
Dave Martin, Fire Chief

PLEDGE OF ALLEGIANCE: Mayor Starliper led those present in the Pledge of Allegiance.

EXECUTIVE SESSION: Council adjourned to executive session at 7:31 p.m. for the purpose of discussing legal matters. They reconvened to regular session at 8:01 p.m.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cermak noted that he will present several items during the “voting section” of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: President Driscoll discussed the following items --

1. The fence at Memorial Park has been removed, modified and re-installed; and the park is now ready for sledding.
2. It has been requested that Council consider eliminating funding for the Trinity parking lot from the 2014 budget. He doesn't feel this is a good idea, and would hope that a motion be made during the “voting section” of the meeting so the matter can be discussed and resolved.
3. Harry Morningstar has requested that the names of two (2) alleys surrounding his store be changed. Mr. Driscoll sees no problem with granting the request, and hopes that discussion can be held later in the

meeting regarding the matter.

STREET COMMITTEE: No report. Councilman Potts reported that the next Street Committee meeting will be held on 11/27 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report.

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

“On November 12th, along with Chief Sourbier, I attended the Fire Police meeting. Clifford Campbell Jr. was sworn-in as a new Fire Policeman. The meeting was short due to an accident that the Fire Police were at.

On November 13th, I attended the WBF meeting and then, as per the newspaper article, along with Mrs. Barlup, Mrs. Dick and Chief Sourbier, I accepted their donation for a safety koisk at Borough Hall in honor of former Mayor Louis Barlup.

On November 14th, I had the privilege to be the guest lecturer in Mrs. Stacy Henderson's Advanced Civics class. Thirty (30) students had questions that pertained to local government. Very good class of students.”

SOLICITOR'S REPORT: Pursuant to Council's approval at the last meeting, Solicitor Wisner provided Council members with a revised proposed Snow Shoveling Ordinance which will be advertised for Council's consideration at their next meeting.

Mr. Wisner noted that he has provided Mr. Hamberger with the proposed “Inter-municipal Radio Agreement”, which Council has already largely seen and approved. This agreement pertains to use of the County's radio system by the Borough's police officers and emergency responders. Subsequent to Council's original approval, several minor changes were made (which he explained); and the revised document is being presented for re-approval. He noted it is his understanding that the Chiefs of Police Association, the Fire Chiefs' Association, the municipal representative and the EMS representative to the Franklin County Radio Committee have all recommended approval of the revised document. Council concurred.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak made a motion to appoint Patsy Burns to the Waynesboro Fire Police roster. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Cermak made a motion to appoint Kristyn Benedict to the Zoning Hearing Board. Councilman Newcomer seconded; the motion passed unanimously. Mr. Hamberger noted that the term for this appointment will be clarified by he and the Solicitor, as it is one of two new vacancies created by a recent ordinance amendment.

Councilman Cermak made a motion to approve the creation of a position with the Maintenance Department entitled "Assistant Utility System Repair Technician", at a salary level of 7A. Councilman Potts seconded; the motion passed unanimously. Further, Mr. Cermak made a motion to appoint (re-classify) Jamie Shindledecker to that position. Councilman Mumma seconded; the motion passed unanimously.

Councilman Mumma made a motion to continue with the Trinity parking lot lease for another year, as it is already included in the proposed budget to be approved later in this meeting. He indicated that the lease amount is \$150/month and snow is plowed (not hauled away) when it accumulates to 4" or more. Councilman Cermak seconded. Councilman Greenawalt commented that, since the agreement's execution, the church is renting space to the Senior Citizen Center ... he feels that this increases the church's use of the parking lot, providing less spaces for the public. Discussion continued and President Driscoll called for a vote on the motion to continue the lease. The motion passed 5-1 (Councilman Greenawalt opposed).

Councilman Newcomer made a motion to grant Mr. Morningstar's request to re-name the alleys near his establishment. Councilman Cermak seconded. President Driscoll asked for a reiteration of his request, and Mr. Morningstar noted he would like to use a more attractive business address for GPS, mailing and delivery purposes. He is in the process of re-aligning the business and re-naming it to Schier's Furniture Market. He is requesting that Alley #1 North (two blocks from Church to Potomac Streets) be changed to "Schier's Way" and one block of Mulberry Avenue (north of Main Street) be changed to "Market Street". He agreed to bear all expenses for the name change (signage, etc.) It was suggested that it might be less confusing if the street names are changed for the entire length, and discussion ensued. Mr. Hamberger commented that if the name change is done for the entire length of the alley, residents who front the alley would have to be notified and make whatever changes are necessary to change their addresses (whereby, if only the portion that Mr. Morningstar is requesting is changed, he is the only one affected). It was also noted that approval will need to be obtained from the Franklin County Department of Emergency Services and the U.S. Postal Service. In addition, Solicitor Wisner noted that the name change would require the adoption of an ordinance. Councilman Potts stated it is the Street Committee's recommendation to only change the section requested by Mr. Morningstar. After a lengthy discussion by Council and various comments from the public in attendance, Councilman Newcomer made a motion to change the name of Alley #1 North to "Schier's Way", contingent upon the staff conducting a survey to determine how it will affect residents in the section from Franklin to Locust Streets. If negative comments are received from those property owners (or the Fire Department, Police Department, EMS or Solicitor), the name change will retract back to the section of the alley from Potomac to Church Streets. Further, the section of

the alley from the new street named "Schier's Way" to North Street will be re-named "Market Street". Councilman Cermak seconded; the motion passed unanimously.

WAYNESBORO HOSPITAL'S PROPOSED MEDICAL OFFICE BUILDING: Solicitor Wisner stated that the Waynesboro Hospital has submitted a plan for their proposed medical office building, which is dependent upon the Borough's agreement to vacate Prospect Avenue and two (2) unnamed alleys located on the property. This would involve an ordinance process, as well as a public notice process, and the abandonment of utilities (for which they have been directed to negotiate with the Waynesboro Borough Authority). As the development is somewhat complex, the Hospital has been asked to provide the Borough with a developer's agreement. Terms of the developer's agreement have been reached – the Hospital will provide an escrow amount that will cover all the Borough's costs for review of the development, drafting any documents necessary for the process, and taking care of any inspections and administrative items; a fee in lieu of a traffic study in the amount of \$15,000; a provision for an administrative fee of 1% of the total grant amount up to \$50,000 (with regard to the Borough's sponsorship of an RACP grant); and a fee in the amount of slightly over \$198,000 for transfer of the street properties (which equate to approximately 6/10 of an acre). The Borough will provide a quit-claim deed to the Hospital for those properties.

Mr. Wisner requested Council's approval of the developer's agreement, subject to one (1) outstanding issue ... the final bonding amount for the stormwater maintenance provision of the ordinance, which will need to be reviewed/approved by he and Mr. Grubbs. Councilman Newcomer made a motion to approve/execute the developer's agreement, in accordance with Mr. Wisner's recommendation; and to authorize the street/alley vacation process to be advertised. Councilman Mumma seconded; the motion passed unanimously.

AWARD BIDS - BIOSOLIDS HAULING/LAND APPLICATION: Mr. Hamberger noted that the Borough received bids for biosolids hauling/land application. The only bidder was Martin's Custom Farming, and Director of Utilities Leiter Pryor is recommending award to them. Councilman Greenawalt made a motion as such. Councilman Cermak seconded; the motion passed unanimously.

CONSIDER APPROVAL OF CONSENT AGENDA: Councilman Cermak made a motion to approve the Consent Agenda, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

**RESOLUTION FOR
COUNCIL MEETING OF NOVEMBER 20, 2013
"CONSENT AGENDA"**

WHEREAS, the Mayor and Borough Council have either previously discussed or considers certain agenda items to be of a routine nature; and

WHEREAS, items of the nature noted in the paragraph above generally meet with the consensus approval of the Mayor and Borough Council.

NOW, THEREFORE, on motion of Councilman _____, seconded by Councilman _____, by a vote of _____, it was resolved that the following items are approved by the Mayor and Borough Council:

Award of Contracts:

1. Hauling/Land Application of Biosolids (bids to be opened on 11/18)

Routine:

1. Approval of minutes - October 16, 2013 (regular meeting) and November 6, 2013 (regular meeting)
2. Accept reports of the Code Enforcement Officer, Police Chief and Fire Chief - October, 2013
3. Pay Bills - Voucher Lists dated 10/29 and 11/08 (and any others following preparation of this agenda)

Previously Discussed: N/A.

UNFINISHED BUSINESS

MEETING RE: RENTAL INSPECTION ORDINANCE: President Driscoll announced that the Rental Inspection Ordinance issue is “on hold” until after Council’s re-organization in January, at which time a new committee will be formed. Councilman Newcomer commented that he has held discussions with Council members and is satisfied with their intention to move forward with the proposed Rental Inspection Program. President Driscoll specified that the new committee will be directed to return a recommendation to Council for a vote by the first meeting in March.

WAYNESBORO GOLF COURSE LEASING: Mr. Stains noted that he presented Council members with deficit amounts for the Municipal Golf Course at the last meeting, along with a recommendation from the Recreation Board to solicit proposals for its lease, and asked for Council’s direction. Councilman Greenawalt made a motion to authorize advertisement of a Request for Proposals for lease of the golf course. Councilman Cermak seconded; the motion passed unanimously. Mr. Hamberger noted that the RFP’s will be sent out in early-December, for opening in mid-January.

2014 BUDGET: Mr. Hamberger noted that Council has held numerous budget meetings over the several last weeks, and a rough draft of the proposed 2014 budget was provided to them for review/approval. In addition, Mr. Hamberger recommended that Council’s 12/04 meeting be deferred until 12/11, and the 12/18 meeting be held if needed. Councilman Cermak made a motion to adopt the proposed 2014 budget and authorize its advertisement. Councilman Mumma seconded; the motion passed unanimously. Councilman Newcomer explained the process of developing a budget to the public, and commended Mr. Hamberger for his expertise in preparing and balancing the Borough’s budgets over the years.

Councilman Mumma made a motion to reschedule Council’s 12/04 meeting for 12/11, and to hold the 12/18 meeting as needed (at the call of the President). Councilman Newcomer seconded; the motion passed unanimously.

CLYDE STREET PROPERTY: Mr. Hamberger noted that the Borough now owns the property at 309 Clyde Street, and he requested Council's authorization to sell it. Councilman Greenawalt made a motion to authorize the staff to prepare documents for the sale of 309 Clyde Street. Councilman Mumma seconded; the motion passed unanimously.

NEW BUSINESS

REQUEST FOR TIME EXTENSION (GEOFAM, INC. LAND DEVELOPMENT PLAN):

Kevin Grubbs noted that a request was received from GEOFAM, Inc. for a 30-day time extension for their plan review (the 90 day review period will expire on 11/28), due to the extent of the stormwater management revisions which needed to be made. Councilman Greenawalt made a motion for approval. Councilman Cermak seconded; the motion passed unanimously.

PLANNING COMMISSION ITEMS: Kevin Grubbs noted that the Land Development Plan for Hometowne Homes (South End Villas on Old Mill Road & S. Church Street) met all requirements of the Zoning, Subdivision/Land Development and Stormwater Management Ordinances. The proposed developer's agreement has been provided to Council for review; and the financial security has been established with a local bank (copies of the bonding, in the amount of \$43,835, will be provided to the Borough as soon as all signatures have been obtained). Mr. Grubbs recommended approval of the Land Development Plan for South End Villas, contingent upon review/execution of the developer's agreement and receipt of the appropriate financial security (both items to be reviewed by the staff prior to final approval). Councilman Greenawalt made a motion to approve the South End Villas Land Development Plan, in accordance with Mr. Grubbs' recommendation. Councilman Cermak seconded; the motion passed unanimously.

ARTS IN THE PARK: Jason Stains reported that Council members met with John Divine, consultant for the Arts Alliance of Greater Waynesboro (AAGW) prior to this evening's meeting. Discussion was held at that time regarding several initiatives that the AAGW would like to undertake in an attempt to bring different art activities to the Waynesboro area. One of those activities he mentioned briefly was "Arts in the Park", and Paul Gunder was present to provide additional details on their first annual Arts in the Park to be held on September 13-14, 2014.

Mr. Gunder noted that the Arts Alliance has been very successful during the last year, and this event would be a continuation of their Destination Arts! event. He provided Council members with a drawing showing what they have in mind. The Arts Alliance is requesting permission to use Memorial Park on 09/13 and 09/14 to hold a juried art show with approximately 50-75 art vendors. Sponsorships will fund the event and vendors would pay to participate, but the event would be free for the public to attend. They feel that Memorial Park is a great area for such an event, as it is in the center of town and there would be no traffic issues since it is off Main Street.

Discussion followed regarding any play that would be scheduled for the baseball/softball fields at that time. Mr. Stains noted that most of the play is over by September, and the Recreation Board has not yet granted any approvals for 2014 use. Mr. Gunder added that they will take care of clean-up, and would like to rent 6-8 “porta-potties” for the event. The Arts Alliance will hire people to “police” the park overnight, and they are considering upgrading electricity at the location. Councilman Newcomer recommended that the matter be referred to the Recreation Board and Memorial Park Board for their review and recommendation to Council. Council concurred.

PUBLIC COMMENT - NON-AGENDA ITEMS: None.

UPDATE ON BRIMINGTON DEVELOPMENT: Kevin Grubbs provided a status report for work at the Brimington Development. All paving is completed and sidewalks are installed in the open areas. The concrete contractor still needs to do several small areas, West Penn Power will install electrical wiring in the conduit for 52 street lights, and signs will be installed for traffic control.

Solicitor Wisner commented that once the project is certified to be completed, he would hope that the property owner will cooperate and dedicate the completed roadways to the Borough. If the property owner fails to cooperate, however, the Borough will have to consider their options to gain control of those roadways. He noted that if the Borough doesn't have formal ownership of the roadways, snow removal will be an issue. He will discuss the matter further with Council after the dedication is formally requested and responded to by the property owner.

FOR INFORMATION ONLY

TOTAL BEVERAGE PROGRAM: Jason Stains reported that the current beverage contract with Pepsi has expired and proposals have been sought, however no proposals have been received as of this date. He anticipates receiving a proposal from Coca-Cola in the near future, but will continue to reach out to Pepsi (his telephone calls thus far have not been returned). He will report back to Council when additional information is available.

COUNCIL AND STAFF COMMENTS: Kevin Grubbs noted that the S. Potomac Street storm sewer project is progressing well. He asked the press to publicize the fact that the main entrance to the South Potomac Shopping Center (Parlor House) will be blocked off from 11-22 to 11/23 (access can be gained by using either the Eighth and Ninth Street entrances).

Scott Hershberger, Mainstreet Waynesboro, Inc., noted he has received good reviews on Waynesboro's segment on the “Discover Main Street PA” program. He can provide a link to the site for those who missed the original telecast. The Tree Lighting Ceremony in Downtown Waynesboro will be held on Friday (11/22) from 6:00 to 7:30 p.m. and the Holiday Parade is scheduled for Saturday (11/23) at 2:00 p.m. Mr. Hershberger added that some of the windows in downtown storefronts have been

decorated as part of the window-decorating contest for the Civitan's "Spirit of the Season".

As the Mayor reported earlier, Chief Sourbier announced that the Beneficial Club of Waynesboro paid in full for an emergency call box for the front of Borough Hall. After their donation was made, the American Legion did the same thing. He explained to them that funds had already been received for the call box at Borough Hall; and they advised that, as long as it was used for the project as described, they had no concerns about the physical location of the phone. Several proposed locations were discussed at the Department Heads' meeting, and the Fire Chief suggested the S. Potomac Street Fire Station (as people often go there during emergency situations). Perspective locations for the call box were viewed, and an appropriate place has been located. Chief Sourbier noted that they initiated a project for a single phone, but have garnered enough (through generous contributions in the community) to purchase and install two. Chief Sourbier noted his gratitude to those who contributed to the project, as he sees this as a significant investment in the safety and future of the community. Installation will be completed as soon as possible. Council concurred with the placement of a second call box at the S. Potomac Street Fire Station.

Councilman Greenawalt commended Chief Sourbier for his efforts in patrolling the downtown area. He also asked Fire Chief Martin for an update on the sale of the old parking meters – Mr. Martin noted that they have not yet been sold, as cataloging the parts is "quite an endeavor".

Councilman Newcomer thanked the public for their attendance and congratulated/thanked the newest Zoning Hearing Board member (Kristyn Benedict) for her interest in the community.

Councilman Potts wished everyone a "great Thanksgiving". Mayor Starliper echoed those sentiments.

President Driscoll noted his appreciation to those in attendance.

Having no further business to discuss, the meeting adjourned at 9:33 p.m. on a Cermak/Newcomer motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant