

JUNE 15, 2011
WAYNESBORO, PA 17268
REGULAR MEETING

Council President C. Harold Mumma 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, Jason Stains, C. Harold Mumma, Wayne Driscoll and Ronald Martin

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
Jason Cohen, Assistant Borough Manager
Mark King, Police Chief
Dave Martin, Fire Chief

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

APPROVE MINUTES: Councilman Greenawalt made a motion to approve the minutes of the June 1st meeting, as written. Councilman Martin seconded; the motion passed unanimously.

ACCEPT REPORTS: Councilman Greenawalt made a motion to accept the reports of the Code Enforcement Officer and Fire Chief, as presented. (The Police Chief's Report was not available.) Councilman Stains seconded. Clarification was made on the report of building permits from Accredited Services – the permits for the new dwellings on Mt. Airy Avenue were issued last year, but the amounts listed in the May report were for the fire suppression systems (which were inadvertently missed previously). The motion then passed unanimously.

COMMITTEE ASSIGNMENTS: Copies of the new Committee assignments were provided to Council members (changes were shown in italics).

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Stains noted that he received a favorable performance evaluation for Richard Doll. No action was required.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that the stone wall at the golf course has been removed and grass planted. Clean-up work continues around the former caretaker's house; and it will be secured until a decision is made about what to do with it in the future. The Northside Dog Park has been open now for three (3) weeks, and use of the park is increasing. Certain rules need to be more clearly displayed, which he will take care of. Favorable comments have been voiced, and people seem to be enjoying the park. Lack of water is a concern; but he suggested that access to water may be provided next year. Councilman Driscoll added that he is gathering volunteers to build some benches for the perimeter of the dog park. Council voiced no objections.

STREET COMMITTEE: Councilman Martin noted that the staff is considering a request for a “right turn only” at the intersection of Alley #1 North and N. Church Street. Accident data will be reviewed and the Street Committee will report back to Council at a later date. Mr. Martin reported that the Maintenance Department will begin crosswalk and centerline painting next week. Additional items will be presented during the “voting” section of the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Newcomer noted that the next Downtown Revitalization Committee meeting will be held on 06/21 at 9:00 a.m. In addition, he requested that Council schedule a workshop to discuss the Rental Inspection Program.

FINANCE COMMITTEE: Councilman Greenawalt reported that transfer taxes have been lagging, but the other taxes are coming in similar to last year.

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

“In my last report, I failed to mention that the sons of the American Legion and the Combined Veterans Council donated the plaque that will be on the memorial wall.

On June 2nd, I attended the Greencastle Chamber of Commerce’s mixer at Tower Bank.

On June 8th, I was invited and attended the Child Development Center dedication at Letterkenny Army Depot, named in honor of Sgt. Richard J. Tieman.

On June 9th, along with Borough Manager Hamberger; Councilmen Greenawalt, Martin and Mumma; and Chamber Director Carlene Willhide, I attended the Franklin County Comprehensive Plan meeting.

On June 14th at the Fire Police meeting, I swore in the newest member, Peggy Green.”

After having attended the County’s Comprehensive Plan meeting, Mayor Starliper suggested that a joint meeting be held between the Washington and Quincy Township Supervisors, Waynesboro Area School Board and Borough Council to discuss each entity’s progress/status regarding their respective projects.

Mr. Starliper noted that the Borough is currently engaged in a multi-million dollar stormwater project in the south end of town, and there is an ordinance on record which prohibits depositing grass clippings in the street (there are a number of storm drains that are completely covered). He requested that violators be reported to either the Police Department or Code Enforcement Office so that appropriate action can be taken.

SOLICITOR’S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Martin made a motion to approve the request for a handicapped parking space at 17 Cleveland Avenue. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin made a motion to establish a “no parking” area on the west side of Clayton Avenue 40’ north and south of the intersection at E. Sixth Street. Councilman Greenawalt seconded. Kevin

Grubbs advised that this will not adversely affect the property owners at this location with regard to parking. The motion passed unanimously.

Councilman Martin made a motion to establish a “No Parking Here to Corner” area on both sides of E. Sixth Street 40' west from Clayton Avenue, which will coincide with the previous motion. Councilman Greenawalt seconded. It was noted that all property owners in this area have off-street parking. The motion passed unanimously. It was stated that parking sometimes becomes an issue during events at the Clayton Avenue ballfields; and on a related matter, Councilman Newcomer mentioned that the Waynesboro Youth League will be hosting the “last leg” of the Little League World Series (which is held in Williamsport, PA). This will be a “big thing” for Waynesboro, and will bring many people to the area during the tournament.

At the staff’s suggestion, Councilman Martin made a motion to establish a “No Parking Here to Corner” area on the east side of Fairview Avenue 25' north and south at the intersection of W. Second Street. Councilman Stains seconded; the motion passed unanimously.

UNFINISHED BUSINESS

PA INFRASTRUCTURE BANK UPDATE: Mr. Hamberger reported that he has had preliminary discussions with representatives of the Pennsylvania Infrastructure Bank, and he plans to meet with them on 06/17 to obtain further information. He added that they will not permit the Borough to refinance the residual amount currently owed. Councilman Martin commented that he has talked with two (2) local banks who will consider the same loan terms at 1.65%.

NEW BUSINESS

PLANNING COMMISSION ITEMS: Kevin Grubbs reported that the Waynesboro Planning Commission met on 06/13. At that meeting, several plans were reviewed and recommendations were made to Borough Council as follows --

- Otterbein Church, S. Welty Road - Otterbein Church presented a sketch plan for the proposed church, parking lot and recreational fields along S. Welty Road. (The revised plan has been downsized considerably from the original plan, which was approved on 04/04/07). As part of the early stages of the design phase, Ryan Clark of Triad Engineering asked if Council will be requiring a Traffic Study Impact Report. It was noted that Otterbein Church currently holds three (3) services (at 8:00 a.m., 9:20 a.m. and 10:45 a.m. each Sunday morning), with a total attendance of approximately 800. Their proposed plan includes a seating capacity of 800 and 545 parking spaces. Councilman Newcomer commented that this is not a housing development and would not involve a major influx of traffic; and accordingly, he doesn’t feel it should be mandatory for the church to provide a Traffic Study Impact Report. Councilman Martin suggested that the Street Committee review the matter at their meeting on 07/05 and report back to Council with their recommendation. Kevin Grubbs confirmed that this is an unofficial submission at this point, and there is no required time line involved.
- 107 N. Broad Street - Margaret Spangler, 107 N. Broad Street, has three (3) existing tracts and is proposing to develop one (1) into a parking lot. Upon approval of the plans, the parking lot will be sold to Sidney Creager, who owns a building/business at N. Broad/North Streets. The plan was reviewed by the Waynesboro Planning Commission and the Franklin County Planning Commission, and clarification was made that this is a Subdivision Plan, not a Land Development Plan. A variance was granted by the Zoning Hearing Board because parking facilities are considered a special exception in an RM zone. It was noted that a non-building waiver is Included with the plan; and if the lot

would be blacktopped in the future, it would have to meet all requirements of the Stormwater Management Plan. Discussion followed regarding run-off from the gravel parking lot; and Councilman Martin made a motion to approve the Subdivision Plan, contingent upon the installation of a small berm on the south side of the lot to protect the house next door from water run-off. Councilman Greenawalt seconded; the motion passed unanimously.

- Memorial Park Land Development Plan - The Borough of Waynesboro's Recreation Board is proposing upgrades to Memorial Park, including additional connecting walking paths, new fencing around the large ballfield and addressing handicapped accessibility issues. Although the additional walkways will be in excess of 2,500 s.f. of new impervious area, a Stormwater Management Design Report is not required because of the large percentage of open green space (and the additional blacktop walkways will have little or no affect to the current run-off rates into the existing stormwater system). The Waynesboro Planning Commission recommended Council's approval. Councilman Martin made a motion to approve the Memorial Park Land Development Plan. Councilman Newcomer seconded; the motion passed unanimously.
- Proposed Amendment to Subdivision/Land Development Ordinance #944 - Borough Council requested an amendment under Article VIII, Subsection VIII-2 "Improvements According to Approved Plat" as follows –
 - a) All public improvements shall be installed within two (2) years or prior to development of 60% of the lot or lots.
 - b) An extension of one (1) year may be requested from Borough Council.

The Planning Commission also requested a change in the second paragraph from "Head of Borough Engineering Services" to "Director of Engineering", because the Borough does not have a new definition for "Head of Borough Engineering Services" in the SALDO.

Councilman Martin made a motion to proceed with adoption of the proposed amendments to the Subdivision/Land Development Ordinance. Councilman Newcomer seconded; the motion passed unanimously. Kevin Grubbs clarified that Council's authorization to advertise the proposed amendment for adoption is required. Councilman Martin amended his motion as such. Councilman Newcomer seconded the amended motion; and the motion passed unanimously.

PRESENTATION TO OFFICER TRAVIS CARBAUGH: Mayor Starliper requested that Officer Travis Carbaugh come forward. Officer Carbaugh was chosen by PENNDOT as the 2010 award recipient for Engineering District 8 for his outstanding participation in and contributions to the Aggressive Driving Program.

REQUESTS FOR SUMMER JUBILEE: Police Chief King presented a joint request from Fire Chief Dave Martin, Emergency Management Coordinator Hans Bader and himself to close Virginia Avenue from E. Second Street to the alley beside the firehouse on 07/04 for the purpose of establishing a Unified Command location at the Summer Jubilee. He explained that the Unified Command will be based out of the Waynesboro Police Trailer, where the public can report a person missing, and an item lost or found. This will allow the Waynesboro emergency services to respond more efficiently and to work and communicate better with one another. All emergency vehicles will be parked in this area following completion of the Firecracker 5K. Councilman Greenawalt made a motion to approve the request. Councilman Stains seconded. Access to the rear of the homes along Virginia Avenue was

mentioned. Chief King noted that he will contact the residents to ensure they have no difficulty with this plan. The motion then passed unanimously.

REQUEST TO FIRE SIGNAL CANNON: A request was submitted to Council for permission to fire a signal cannon on a 40 and 8 engine during the July 4th parade. It was noted that this will be approximately the noise of a 12-gauge shotgun; and they generally try to fire the cannon when small children are not around. After further discussion, Councilman Greenawalt made a motion to approve the request. Councilman Martin seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Patrick Burns, 14020 Buchanan Trail East - Mr. Burns questioned the procedures followed at Borough Hall for presentation of the American flag over the Memorial Day weekend. Mayor Starliper clarified that the flag was placed at half-mast on Saturday morning at the request of the Governor, and the Mayor requested it remain there until Tuesday morning in honor of the soldier from Greencastle who was killed in Afghanistan.

Mr. Burns also noted his concern regarding the lack of parking behind the library for patrons. He stated that the four (4) staff members at the library use half of the library's parking spaces, and patrons are forced to use the metered parking spaces along Main Street. The matter was referred to the Property Committee for review.

Harry Morningstar, Jr., 205 Clayton Avenue - Mr. Morningstar reiterated the clean-up projects completed downtown recently, thanks to a volunteer group from South Mountain. He added that a larger group will be here the following week and will plant the granite name plates for tree donors in the Square. He asked if Council had made a decision on his request several meetings ago for them to paint the Victorian-style light poles downtown. Liability issues were discussed, and Mr. Hamberger stated he cannot recommend that this be done. Mr. Morningstar asked for other suggestions from Council. Fire Chief Martin stated that he could use some help at the fire station, and Councilman Driscoll stated he could use help with the benches being built for the dog park.

Discussion followed, prompted by Patrick Burns, regarding upkeep of the sidewalks downtown (there are certain areas where weeds are growing and/or the walks need swept). Mention was also made of the "Tito's Tacos" property across from the library (and the brown wrapper covering the storefronts being an eyesore). Downtown Manager Pat Fleagle stated that the rent is being paid, but he is not sure where opening of the business stands. Councilman Newcomer added that he spoke recently with a family who had moved from the area years ago and returned for a visit. They were very pleasantly surprised with the changes in Waynesboro and were "in awe" of the downtown.

UPCOMING SPECIAL MEETINGS: President Mumma requested that Mr. Hamberger schedule a joint meeting with the Washington Township Supervisors, Quincy Township Supervisors and the Waynesboro Area School District to discuss joint projects for the future.

President Mumma announced that a workshop has been scheduled to discuss the proposed Rental Inspection Program on 07/20 at 6:00 p.m. Councilman Martin noted that he would like to see as many property owners as possible in attendance. Copies of recommendations from the Rental Inspection Program Committee will be displayed on the Borough's website for those interested in reviewing them prior to the meeting.

FOR INFORMATION ONLY

UPDATE ON PEDESTRIAN EXCLUSIVE CROSSWALK (SECOND, MICKLEY & MAIN): Mr. Hamberger noted that the Borough and Washington Township have both submitted letters of support

to PENNDOT for the pedestrian exclusive crosswalk at this location, however additional information may be needed (including a new traffic study). Councilman Martin stated that Representative Todd Rock has assisted on this project in the past, and he will be contacted again for additional assistance.

RECORD HERALD PARKING LOT: Mr. Hamberger noted that he discussed termination of the lease agreement for *The Record Herald* parking lot with Publisher Pat Patterson. He agreed, but requested that the Borough patch the existing holes, sweep the lot and re-paint the lines prior to termination. This work should be done in August or September and the agreement can then be terminated. Council concurred.

TRINITY PARKING LOT: President Mumma noted that several representatives met on 06/14 at Trinity Church to discuss the parking lot situation. Another meeting has been scheduled for 08/09 at 5:00 p.m.

STORAGE OF OLD TIRES: In response to a complaint heard at a recent Council meeting, Councilman Driscoll reported that he, Lloyd Hamberger and Jason Cohen visited the site and talked with the proprietor. He was very open and cooperative, and agreed to make attempts to have the tires picked up by customers in a shorter period of time. In addition, discussions were held regarding the way in which the tires are stored. A sample ordinance dealing with this type of situation has been provided to the Property Committee. They will review the proposed ordinance further and provide a recommendation to Borough Council.

PAY BILLS: Councilman Stains made a motion to approve payment of the Voucher List dated 06/10. Councilman Greenawalt seconded; the motion passed unanimously.

EXECUTIVE SESSION REQUESTED: President Mumma noted that Council will hold an executive session to discuss a personnel issue following the regular meeting.

COUNCIL AND STAFF COMMENTS: Councilman Driscoll lightheartedly made mention that Councilmen should be more courteous with the use of their cell phones during public meetings.

Jason Cohen provided Council with copies of the proposed draft application for tractor-trailer parking, as well as an example of the permit that will be issued. Any suggestions or comments should be addressed to him. Signs for the parking are “on order” and should arrive in approximately 2-3 weeks.

Mr. Cohen also reported that the ability to take credit cards for utility payments is “on track” for August. A proposal will be drafted for the Waynesboro Borough Authority’s approval this month; and following their recommendation, information will be brought back to Council in July for final approval.

In addition, Mr. Cohen reported that the overall operations at Northside Pool have been going well to date. There was an issue with the freezers in the concession area, and one of them required replacement (at a cost of \$1,300). He added that there were also minor maintenance issues with joints in the pool – these have been addressed by the Maintenance Department for the season and will be re-visited at the end of the season (as well as some other cosmetic issues in the tiling).

Police Chief King reported that he had a surprise audit from the Attorney General’s Office the previous day regarding Megan’s Law notifications done last year. There were no problems with the Department’s records.

Downtown Manager Pat Fleagle applauded Council’s efforts to schedule a joint comprehensive meeting. During that meeting, he requested that the action plan included in the Joint Comprehensive Plan be reviewed for viability and priorities for the future. He feels this would be a good starting point for discussion at the meeting. President Mumma requested that Mr. Fleagle make efforts to attend.

Councilman Greenawalt requested clarification on time constraints for the placement of trash at curbside for collection. Mr. Hamberger requested the press remind residents that trash is to be placed out after 5:00 p.m. on the day prior to collection. He added that rules regarding trash collection are included on the Borough's website.

Councilman Stains commented that the flower baskets downtown look very good, and he thanked the volunteers who water them daily for their efforts. He suggested that large planters could be added throughout the downtown area in the future (similar to the one in front of the MSI office). Pat Fleagle added that that planter was donated by Harry Morningstar, Sr.

In addition, Councilman Stains noted that a moped has been parking on the sidewalk/ramp in front of Jackson-Hewitt on E. Main Street. He asked about the law in this regard. Chief King stated that he investigate the matter.

Mayor Starliper reported that National Night Out this year will be held on 08/02, and he requested that permission be granted to hold it at Northside Park/Pool that evening from 6-9:30 p.m. The Recreation Board has recommended approval. As was done last year, the Fire Department has agreed to provide refreshments. Councilman Greenawalt made a motion to approve the request. Councilman Martin seconded; the motion passed unanimously.

Council then adjourned to executive session at 9:04 p.m. They reconvened to regular session at 9:43 p.m. and adjourned at 9:43 p.m. on a Driscoll/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant