

MARCH 18, 2009
WAYNESBORO, PA 17268
REGULAR MEETING

Council 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 – Benjamin Greenawalt, Jason Stains, C. Harold Mumma, Craig Newcomer, Charles McCammon and Ronald Martin

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)
Dave Martin, 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 March 4, 2009 regular meeting, as written. Councilman Greenawalt seconded. Councilman Martin noted his disagreement with wording on the discussion regarding Chief King's correspondence "requesting to interview the top four individuals ... with the intent to hire two replacement officers". He noted that Council agreed to interview, but did not agree to hire two more police officers at this time. President Newcomer commented that the minutes indicate it was the *Chief's* intent to hire two (2) officers – that doesn't mean Council agreed. Councilman Martin suggested that the statement be stricken so it is not construed that Council approved the hiring of two (2) additional officers. After confirmation from Chief King that that was indeed his intent, Mr. Newcomer suggested that the minutes be modified to read "his" (Chief King's) intent. A vote was called, and the motion passed 5-1 (Councilman Martin opposed).

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he will present the Committee's recommendations on hiring staff at the golf course for the 2009 season during the "voting" section of the meeting. Mr. Hamberger added that several will be subject to background checks being completed.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Martin reported that the Street Committee meeting originally scheduled for March 25th will be rescheduled to March 31st at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: Councilman Stains reported on several changes made by Comcast Cable to their channel line-up.

DOWNTOWN REVITALIZATION COMMITTEE: Council President Newcomer noted several items will be discussed later in the meeting.

FINANCE COMMITTEE: Councilman Greenawalt noted that he will give a report at Council's second meeting in April, when additional information will be available on the wage tax situation.

MAYOR'S REPORT: No report.

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to hire the following individuals as Pro Shop Attendants at the Municipal Golf Course – Dorothy "Jean" Kaiser, Jackie Kaiser, Goldie Scott, Larry Geesaman, James Huff, Taylor Lind and Julie Sewnarine. Councilman Stains seconded. Mr. Hamberger noted that these are part-time positions (approximately 20-30 hours/week). A vote was called and the motion passed unanimously.

Councilman Mumma made a motion to hire the following individuals as Summer Maintenance Workers at the Golf Course – Ralph Johnson, Nathan Kauffman, Jarred Knott, T.J. Andrew and Kenneth Stonebraker. Again, Mr. Hamberger noted that these are part-time positions. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin made a motion to approve a handicapped parking space at 713 S. Church Street. Councilman McCammon seconded; the motion passed unanimously.

UNFINISHED BUSINESS

AWARD BIDS FOR STONE AND PAVING MATERIALS: Mr. Hamberger made a recommendation to award "split" bids for the paving materials. Based on his recommendation, Councilman McCammon made a motion to award the bids for Superpave Wearing Course (FOB Plant) to Favetteville Contractors. Councilman Stains seconded. Discussion followed regarding the feasibility of running a truck to pick-up the materials, when there is very little difference in the delivered price. Mr. Hamberger noted that the state insists that bids be awarded to the lowest responsible bidder. A vote was then called, and the motion passed unanimously. Further, Councilman McCammon made a motion to award the bids for Superpave Wearing Course (Delivered), Superpave Base Course (FOB Plant and Delivered) and Cold Patch (FOB Plant) to Valley Quarries. Councilman Martin seconded; the motion passed unanimously.

Regarding stone bids, Mr. Hamberger again recommended a "split" bid. Accordingly, Councilman McCammon made a motion to award the #8 Stone (FOB Plant and Delivered), #57 Stone (FOB Plant), 2A Stone (FOB Plant) and 2RC Stone (FOB Plant) to St. Thomas Development; and the bids for #57 Stone (Delivered), 2A Stone (Delivered), 2RC Stone (Delivered) and Anti-Skid (FOB Plant and Delivered) to Valley Quarries. Councilman Greenawalt seconded. Councilman Martin reiterated his comment regarding any potential savings in picking up stone at a quarry west of Chambersburg. The motion then passed unanimously.

REVISED SIDEWALK ORDINANCE: Kevin Grubbs reported that Council members received a copy of the revised Sidewalk Ordinance. He noted that it was reviewed and modified by the Solicitor, and he is seeking Council's authorization to advertise it for adoption. Councilman McCammon made a motion

to authorize advertisement of the proposed ordinance. Councilman Martin seconded; the motion passed unanimously.

NEW BUSINESS

PLANNING COMMISSION ITEMS: *Councilman Martin recused himself from the meeting at this time, because he is the managing partner of West End Development.

Kevin Grubbs noted that the Waynesboro Planning Commission reviewed a plan by West End Development at their most recent meeting on March 9th. Specifically, the lot layouts were revised for Lots 22A thru 22F, 34 thru 39 and 92 thru 99. The Planning Commission recommended that Council approve the plan, contingent upon indicating the two (2) 10'x20' parking spaces required for each lot (which has been done). Councilman McCammon made a motion to approve the West End Development Plan, as recommended. Councilman Greenawalt seconded; the motion passed unanimously.

*Councilman Martin returned to the meeting.

Regarding the Memorandum of Understanding between Borough Council and the Franklin County Conservation District, Mr. Grubbs noted that the Planning Commission requested additional information concerning Section II, Item E (re: withholding any post-construction stormwater management plan approvals until the project has received approval from the Conservation District). Following clarification, they will provide a recommendation to Borough Council on the matter.

NEIGHBORHOOD BLOCK PARTY (ST. MARY'S EPISCOPAL CHURCH): Mr. Hamberger presented a request from St. Mary's Episcopal Church to hold a neighborhood block party on June 20th from 10 a.m. to 2 p.m. They are requesting that S. Broad Street (from E. Second Street to Pen Mar Street) be closed for their activities, which are being held in conjunction with Main Street's agenda of activities scheduled for that day. Councilman McCammon made a motion to approve the request. Councilman Greenawalt seconded. Mayor Starliper noted there have been no problems with this event in the past. The motion passed unanimously.

SUMMER JUBILEE REQUESTS: Brian Stum, President of the Waynesboro Summer Jubilee, forwarded correspondence regarding the activities planned for July 4th, including a 5-K Run at 8:30 a.m.; parade at 10:30 a.m.; free music, entertainment, food and activities all day during the Jubilee; and a fireworks display at dusk. They would like to use the south side of Main Street for the 5-K Run (and would request that no parking be permitted between Enterprise and Virginia Avenues and Main Street) and would like Virginia Avenue to be closed from 7 a.m. to 9 a.m. for staging. In addition, they are requesting permission to place a dumpster on the west side of S. Enterprise Avenue for trash control. Councilman McCammon made a motion to approve the requests, as outlined. Councilman Greenawalt seconded. Councilman Martin noted concern about blocking the entrances to CVS, and Mr. Hamberger stated that they normally coordinate with CVS for the events. (He will remind them in his letter to discuss the matter with CVS.) A vote was called and the motion passed unanimously.

PROPOSED IMPROVEMENTS TO LITTLE LEAGUE BALLFIELDS AT CLAYTON AVENUE: Mr. Hamberger presented two (2) drawings for proposed improvements at the Clayton Avenue ballfields. The first illustrates a walkway from Clayton Avenue to the ballfields between two (2) properties. This is an existing right-of-way (an unopened section of E. Sixth Street), and the Borough's Maintenance Department will do the work. Councilman McCammon made a motion to approve the request regarding a walkway. Councilman Stains seconded. Councilman Martin suggested that signs be posted at each end of the walkway requesting that the public use it and not walk on private properties. Councilman Mumma suggested that the matter be discussed with the property owners on both sides of the proposed walkway (and the Seventh Day Adventist Church). Councilman Martin noted he was

informed that the matter had already been discussed with them, and they had endorsed the proposal. A vote was called and the motion passed unanimously.

The second drawing showed improvements made to resolve a drainage problem at Clayton Avenue North (near the batting cages). A 6" pipe was installed to alleviate standing water on the field. Mr. Grubbs noted that he inspected the work and commented that this is a good improvement. Councilman Martin stated that he has since received a call from a neighbor complaining about the water run-off and flooding. Kevin Grubbs advised that he will monitor the situation during the next rain event.

REQUESTS FROM MAINSTREET WAYNESBORO, INC.: Mr. Hamberger read correspondence from Mainstreet Waynesboro, Inc. regarding their request for permission to start the flower beautification program, as well as support for the merchants' "Friday After Five" program. Councilman Stains made a motion to approve the requests regarding the flower beautification program, as outlined in their letter dated March 5th. Councilman McCammon seconded; the motion passed unanimously.

EASTER EGG HUNT AT MEMORIAL PARK (WAYNESBORO VOLUNTEER FIRE COMPANY): Councilman Martin presented a request from members of the Waynesboro Volunteer Fire Company for the use of Memorial Park on Saturday, April 11th, from 8 a.m. to 11 a.m., for their annual Easter Egg Hunt. Mr. Martin made a motion to approve the request. Councilman McCammon seconded; the motion passed unanimously. It was noted, however, that the Memorial Park is not reserved specifically for this event – and it may be used on a first-come, first-served basis.

WAYNESBORO GALA AUCTION REQUESTS: Councilman Martin presented requests from the Waynesboro Gala Auction to use the northwest corner of Center Square from 7 a.m. on Saturday, April 25th, until 12:00 p.m. on Sunday, April 26th, for the display of larger auction items. In addition, they request that "no parking" signs be provided (for use in front of the Eagles Club) to allow Matt Hurley Auctions to park their vehicles and unload/load their computer equipment for the event. Councilman Martin made a motion to approve the requests, as presented. Councilman McCammon seconded; the motion passed unanimously.

DISCUSS HOUSING STUDY: Mr. Hamberger noted that Council members reviewed and discussed the Community Housing Study at their workshop held at 6:45 p.m. (prior to this Council meeting). Suggestions should be given to Mr. Hamberger, who will forward them to Spotts/Stevens/McCoy for inclusion in the plan.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Frank Bittner, 842 Anthony Avenue – Mr. Bittner noted his appreciation for the Maintenance Department sweeping the streets, and asked if they recycle the stones collected during this process. Denny Benshoff replied that they do not, because there is too much trash in the mix. As Mr. Bittner lives adjacent to the Rotary Park, he informed Council members that use of the park has increased much since warmer weather has arrived. In light of the fact that bids were awarded for stone and paving materials, Mr. Bittner asked if "flowable backfill" is being used (since it was discussed several meetings ago). Denny Benshoff replied that it is not.

FOR INFORMATION ONLY

RIBBON CUTTING CEREMONY AT SENATOR RICH ALLOWAY'S NEW WAYNESBORO OFFICE (MARCH 20, 2009): Council members were invited to attend a ribbon cutting ceremony at Senator Alloway's new office on March 20th at 10 a.m.

PAY BILLS: Councilman Mumma made a motion to approve the payment of Voucher Lists VL-09-05 and 06. Councilman Greenawalt seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Lloyd Hamberger recommended that CDBG funding for the 2009 application be allocated as has been done in the past for handicapped accessibility, downtown renovations and street paving; and that the second required public hearing be held during Council's second meeting in April. Councilman Martin made a motion to advertise the proposed public hearing as such. Councilman McCammon seconded; the motion passed unanimously.

Councilman Martin suggested that the meeting pause briefly in order to remember Shirley Painter (wife of former Councilman and Mayor, Thomas Painter), who passed away last evening.

Councilman Martin advised that Landis Tool Company is under contract to local ownership. The property settlement is scheduled for this Friday.

Kevin Grubbs noted that discussion was held at the last meeting about painting the control and service cabinets for the new signalization program. He was contacted by a local businessman who was willing to paint the cabinets with black powder-coating for considerably less than was originally quoted (\$700 vs. \$7500). After discussion with the contractor on the project, it was agreed that they would ship the cabinets here for painting; however, he was notified just this week that the manufacturer cannot deliver the cabinets without the components already inside (and there is concern about painting the cabinets with the components inside). Accordingly, they will have to go back to their original plan for the manufacturer to do the powder-coating. Mr. Grubbs credited Harry Morningstar and David George (through Rebuilders Unlimited) for their efforts. It was noted that the Borough should send them a letter of appreciation.

Police Chief King reported that Sergeant Mike Bock returned to full-duty on March 5th, following his open heart surgery.

Councilman Greenawalt suggested that Council and the public recognize Frank Bittner for sweeping and cleaning-up the parking lot to the rear of Borough Hall. Applause was given.

Councilman Stains congratulated and thanked the Franklin County Drug Task Force (and the supporting police agencies) for the heroin bust in the Borough last week. Also, in light of suspicious activities reported in *The Record Herald* earlier this week, he suggested that the public remain vigilant and keep an eye out at night for their neighbors. He thanked members of the Police Department for their quick response to his residence the previous evening, as he was also a victim to that activity.

Councilman Mumma thanked the public for their attendance at the meeting.

Mayor Starliper also advised the public to be aware of their surroundings; and to call the Police Department if they see anything suspicious.

Council President Newcomer commended the police force for the "great job" during the recent drug bust. He noted that 1200 bags of heroin were removed from our town, which is a significant amount. Mr. Newcomer also informed the public that it is his intent to run a write-in campaign during the election for his seat on Council. He noted that there was a death in his family, and he was in Boston and missed the cut-off date for filing his petition.

Having no further business to discuss, the meeting adjourned at 8:13 p.m. on a Councilman McCammon/Councilman Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant