

APRIL 21, 2010
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, 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

Melissa Dively, Borough Solicitor

Dave Martin, Fire Chief

Mark King, Police Chief

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

APPROVE MINUTES: Councilman Stains made a motion to approve the minutes of the April 7, 2010 regular meeting, as written. Councilman Mumma seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report. Councilman Mumma noted he will present items during the "voting" section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that he was invited by Pat Crouse to look at the area where the outfall flows at Cemetery Avenue. He will discuss several items regarding this matter with Council in the future. Mr. Driscoll also noted that progress is being made on the proposed dog park. It appears that Phase 1 of the park will be funded privately, as several citizens have already made informal pledges to assist with the start-up. He will discuss this with the Recreation Board at their meeting next week.

STREET COMMITTEE: No report. Councilman Martin will present several items during the "voting" section of the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Council President Newcomer noted the Committee's next meeting is scheduled for Tuesday, April 27th, at 9:00 a.m., in Borough Hall.

Kevin Grubbs reported that the brick work is almost completed on the north side of Main Street. They are currently working on the cut-ins, and should be totally done next week. Several items still need to be completed on the south side. In addition, work is "coming along well" on the Rotary parking lot. Sanding and sealing should be done on Friday, which will set-up over the weekend; and the parking lot will be re-opened next week.

FINANCE COMMITTEE: Councilman Greenawalt provided information on finances, as follows –

	<u>2010 (to date)</u>	<u>Difference (from last year)</u>
Real Estate Tax	383,782	+83,000
Earned Income Tax	146,329	-14,654
OPT (EMST)	44,164	-5,746
Real Estate Transfer Tax	25,097	-21,262
Subdivision Fees	3,856	+1,673

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

"On April 11, 2010, I attended the Pennsylvania Army National Guard "Freedom Salute Ceremony" at the new South Mountain Readiness Center. Two highlights were the American Legion from Gettysburg receiving an award and our own Eagles Club, Inc. received an award for their contribution to Battery B1st BN 108th Field Artillery Unit. Our congratulations to the Eagles Club.

On April 15th, along with Manager Hamberger and Councilmen Martin, Mumma and Newcomer, I attended the Governor's Award Luncheon for Local Government Excellence.

On April 19th, along with Manager Hamberger and Councilmen Mumma and Newcomer, I attended Mainstreet's Annual Dinner Meeting."

Mayor Starliper also reported that he and Council members will hold a joint meeting with the Washington Township Supervisors the following evening at 6:00 p.m. at the Parlor House Restaurant.

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 for Northside Pool –

Lifeguards - Kiersten Bell, Molly Sanders, Stephanie Stachmus, Adam Heebner and Morgan Jackson

Cashiers - Abigail Schuler, Shelby Smith, Jacob Smith, James Miller, Samantha Pryor and Kelsey Stoops

Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma noted that one (1) of the two (2) Assistant Pool Managers hired at a previous meeting has declined the position. Accordingly, he made a motion to appoint Andrew Dinterman as Assistant Manager. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to remove Lyle James Paul Williams from probationary status and advance him to Patrolman I (\$20.25/hour), effective April 12. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma read a letter from Jerry Hartman, President of the ATH&L Fire Company, indicating that after many (38) years, Richard Jones is retiring from his position as Fire Police Captain. He made a motion to accept the resignation notice, but instructed the Borough Manager to prepare a letter acknowledging Mr. Jones' dedication to the community. It was noted that special recognition (perhaps a plaque) would also be in order. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin noted that he e-mailed information to Council regarding proposed changes to the traffic patterns at Clayton Avenue, Ninth Street and Old Mill Road, which would utilize Ninth Street as a straight-thru truck route. Following much discussion and clarification (and several attempted motions), Councilman Martin's final motion was as follows:

- Reverse the stop signs at the intersection of Ninth Street and Clayton Avenue to stop southbound traffic coming from Clayton Avenue, instead of stopping east and westbound traffic along Ninth Street
- Remove the stop sign for westbound traffic entering Ninth Street from Old Mill Road, and add a "No Left Turn" sign at the intersection
- Add a stop sign for eastbound traffic on Ninth Street at Old Mill Road

Councilman Stains seconded; the motion passed unanimously.

UNFINISHED BUSINESS

UNIFORM CONSTRUCTION CODE (UCC) ORDINANCE: Mr. Hamberger noted that copies of the proposed UCC Ordinance were distributed to Mike Cermak (Building Inspector) and Council members at the last meeting, however he has received no input and/or questions. If no comments are received before the next meeting, he will place the ordinance on the agenda for authorization to advertise it for adoption. Councilman Martin noted that he has some questions; and after further discussion, it was agreed that Council would hold a workshop at 6:30 p.m. prior to the next Council meeting to discuss this (and other matters) further.

REVISED RULES AND REGULATIONS (CIVIL SERVICE COMMISSION): Mr. Hamberger presented proposed revisions to the Rules and Regulations of the Civil Service Commission, as recommended by the Commission. Councilman Greenawalt made a motion to approve the modifications, as presented. Councilman Mumma seconded; the motion passed 5-1 (Councilman Martin opposed). Mr. Hamberger noted that the official amendment document will be prepared for execution at Council's next meeting.

PROPOSED PEDESTRIAN CROSSWALK ORDINANCE: Kevin Grubbs noted that Council members received copies of the proposed Pedestrian Crosswalk Ordinance at their last meeting. He explained that this will establish rules and regulations for pedestrians with regard to traffic control devices and crosswalks. Mr. Grubbs asked for comments and/or suggestions; and if there were none, he requested Council's approval to authorize the ordinance for adoption at the next meeting. Councilman Martin made a motion for such. Councilman Driscoll seconded. Discussion ensued regarding potential problems, as well as potential liability if there is no such ordinance. Solicitor Dively agreed that this ordinance would give the Borough "a level of protection" in such instances. A vote was called and the motion to advertise the ordinance for adoption passed unanimously.

EXECUTE QUINCY TOWNSHIP FIRE SERVICES AGREEMENT: Mr. Hamberger noted that Council authorized preparation of the final Fire Services Agreement with Quincy Township at their last meeting. After a minor change to language in the document, the Quincy Township Supervisors have executed and returned it for the Borough's execution. Councilman Stains made a motion to authorize the appropriate officers to sign the document. Councilman Martin seconded; the motion passed unanimously. It was clarified that the term of the agreement is two (2) years.

NEW BUSINESS

STARLIPER SUBDIVISION/LAND DEVELOPMENT PLAN: Kevin Grubbs noted that the Planning Commission reviewed and approved the revised Starliper Subdivision/Land Development Plan at their meeting on April 12th, contingent upon the following: (1) concrete curb be installed along W. Main Street; (2) agreements for access, easement and utility right-of-ways; and (3) second signature for owner's certification be added on page #1. He noted that items #2 and #3 have been completed. The contractor's engineer continues to request that Council waive the requirement for curbing, based on factors presented at Council's last meeting. Councilman Stains made a motion to approve the Subdivision/Land Development Plan, minus the portion requiring curbing. Councilman Greenawalt seconded; the motion passed unanimously.

Council President Newcomer commented that it is not proper protocol for an engineer to ask for Council's decision on a matter before the Planning Commission has voted on its approval; and he requested that Mr. Grubbs relay this message. Councilman Martin explained that the mix-up occurred because the Planning Commission had originally referred the matter to the Street Committee for their review and recommendation. Mr. Grubbs added that the developer (and his engineer) simply wanted Council to be aware that they were trying to get the curbing requirement waived, much of which had to do with the upcoming Route 16 paving project.

REQUEST FROM SUMMER JUBILEE RE: FIRECRACKER 5K RACE (JULY 3, 2010): Mr. Hamberger presented the annual request for the Firecracker 5K Race to be held on July 3rd. Mayor Starliper requested that they be instructed to contact the Police Chief and Fire Police regarding traffic control. Councilman Stains made a motion to approve the request, contingent upon their contact with the Police Chief and Fire Police. Councilman Greenawalt seconded; the motion passed unanimously.

REQUEST FROM WAYNESBORO RUNNING, INC. RE: ROAD RACE/FUN WALK (SEPTEMBER 18, 2010): This item was deferred until Council's next meeting. In the meantime, representatives of Waynesboro Running, Inc. will be asked to contact the Police Chief and Fire Police also.

TOTAL BEVERAGE PROGRAM: Mr. Hamberger noted that the Borough's contract for a total beverage program with Coca-Cola has expired; and proposals were requested from various companies. He reported that the proposals were to be received on April 19th, but several representatives requested additional time. (He confirmed that the timeframe originally provided was quite "slim".) The proposals will now be received on April 26th; and he requested permission from Council for he and President Newcomer to grant tentative approval to the highest bidder. Council can then give final approval at their next meeting. Councilman Martin made a motion to approve the request presented by Mr. Hamberger with regard to the total beverage program for the Borough. Councilman Greenawalt seconded; the motion passed unanimously.

FACADE IMPROVEMENT PROGRAM APPLICATION (BROCKMANN): Mr. Hamberger presented a Facade Improvement Program Application for Ernst Brockmann, at 22-26 W. Main Street. The Design Review Committee approved the application in December, but it was not presented to Council until now because the work couldn't be done until the weather improved. Councilman Martin made a motion to approve the application. Councilman Greenawalt seconded. It was clarified that the Facade

Improvement Program will match funds (50%) up to \$10,000; and the bid must be awarded to the lowest bidder. The motion passed unanimously.

MAIN STREET TREE REPLACEMENT: Kevin Grubbs reported that he and Denny Benshoff will participate in a walk-thru with Tom McCloud to view various trees that are in need of replacement downtown and on the Rotary parking lot. Additional trees will be planted west of Frick Avenue to Tritte Avenue in the fall.

DOCUMENTS REQUIRED FOR PENNVEST APPLICATION: Mr. Hamberger reported that the PENNVEST application process will be forthcoming. He presented proposed Resolution 2010-04 (which authorizes the application) and the Letter of Responsibility for Council's approval. Councilman Mumma made a motion to approve both. Councilman Martin seconded; the motion passed unanimously.

RESOLUTION NO. 2010-04

BE IT RESOLVED, that the Borough Council of the Borough of Waynesboro shall be, and the same hereby are authorized to submit a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST), substantially in the form presented at this meeting for the purpose of financing/partially financing the construction, rehabilitation and/or extension of the water/sewer system. Appropriate officers of the Governing Body are hereby authorized to execute all certifications and documentation required in connection with the application.

Complete copy on file at Borough Hall.

REQUEST RE: PRAYER AND SPEECHES FOR THE USA (LYNN GRAHAM): Mr. Hamberger presented correspondence from Lynn Graham, who is requesting that citizens of the surrounding area be permitted to utilize Center Square (or other designated area) in coordination with July 4th activities, in order to pray for and hear patriotic and spiritual speeches regarding the USA. Concern was noted by Council regarding the feasibility of closing off the Square when so many other activities are going on, and it was suggested that the retreat area at Memorial Park might be more appropriate for these activities. Council members agreed to table the matter for further discussion at the next meeting.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Harry Morningstar, Jr. - Mr. Morningstar introduced Alex Ivan, owner of the new Barber Shop located at 110 W. Main Street. Mr. Ivan noted that his family barber shop offers high-quality barbing at reasonable prices. He gave a brief history of barbing, and noted that his shop will provide patrons a place where they can "get away" from the busy world. A ribbon cutting ceremony will be held on April 30th at 12:00 noon; and any service will cost just \$1.00 during the "Strolling Saturdays" event on May 1st. Council welcomed Mr. Ivan to downtown Waynesboro.

FOR INFORMATION ONLY: Mr. Hamberger noted that he received a reply to his correspondence to Representative Goodman in regard to the weighted voting issue.

In addition, Mr. Hamberger reported that the Waynesboro Area Senior High School will hold a Building Dedication/Open House on May 2nd from 2-4 p.m. Council members are invited to attend.

PAY BILLS: Councilman Mumma made a motion to approve payment of the Voucher Lists dated 04/08 and 04/20. Councilman Stains seconded. Councilman Martin reiterated his opinion that bids should be requested for insurance coverage. The motion to pay the bills passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Driscoll noted that he will be unable to attend the joint meeting with Washington Township Supervisors the following evening, as he will be hosting a Chamber mixer/open house at his new business located at 310 W. Main Street from 5-7 p.m. He added that renovations of the building, which he has been working on for two (2) years, have finally been completed.

Councilman Martin made a motion to authorize scheduling the second required CDBG hearing for May 5th, at 7:15 p.m. (prior to the next Council meeting). Councilman Stains seconded; the motion passed unanimously. Mr. Hamberger noted that Council is proposing to utilize the funds for the following activities: downtown revitalization in the amount of \$10,000, street improvements in the amount of \$136,812, and administrative costs in the amount of \$32,226.

Councilman Martin reported that, following a meeting with Erik Genga of Mullin & Lonergan Associates, he and Mr. Hamberger rode around town and discussed various areas which they may be able to qualify for the use of CDBG funding. He will take the initiative on this project by volunteering to conduct door-to-door financial surveys which are required in order to determine qualification. A follow-up report will be given to Council as the project progresses.

Discussion followed regarding the need for handicapped ramps. In addition to those required on Fairview Avenue (at the crosswalk on W. Main Street), Mr. Hamberger noted that more will most likely be done later in the year.

Denny Benshoff reported that the pool resurfacing project has been completed. The pool and has been filled with water, and is "up and running".

Councilman Greenawalt again stated his feeling that Council should set aside one (1) night per month to hold workshop meetings. This would provide additional time to review various items such as insurance bids, etc.

Mayor Starliper reported that the PA Mayors' Association is sponsoring "One For Our Troops", which would be a red/white/blue fireworks display (following the usual annual event) as a "salute to the troops" by PA citizens in various communities. He will contact local organizers to pursue this matter further.

President Newcomer mentioned that today is Administrative Professionals Day, and he thanked Melinda Knott for "everything she does for us and the Borough".

In addition, Mr. Newcomer mentioned recent developments that took place and led to locating the body of a local girl who had been missing from the Waynesboro area for 15 years. During that time, her family and friends had been hoping and praying that she would be found alive and well. Mr. Newcomer publicly acknowledged Chief Mark King's tenacity in this case. Had it not been for his dedication to the case and expertise in the field, they may not have been able to experience closure in this situation. He commended Chief King on a job well done. Those in attendance stood and applauded Chief King for his efforts.

Having no further business to discuss, the meeting adjourned at 8:52 p.m. on a Greenawalt/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant