

OCTOBER 6, 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
Dan Sheffler, Zoning-Code Enforcement Officer
Mike Benshoff, Maintenance Foreman
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Mark King, Police Chief

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

APPROVE MINUTES: Councilman Martin made a motion to approve the minutes of the September 23, 2010 meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he received three (3) favorable performance evaluations (for Larry Freeman, Gary Smith and Darryll Wagaman), however no action was necessary.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that progress on the proposed Dog Park is moving forward. Donations continue to come in (\$1,000 was received recently from the Cermak family), and fundraising efforts continue. He will meet the following day with representatives from Perry Fence Company to discuss dimensions for the park and obtain a price quote.

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

Councilman Martin reported that, in order to comply with PENNDOT’s standards, the Borough will need to update various street signs to an engineering-grade reflective type. Kevin Grubbs noted that this will make the signs more visible in various weather conditions. The engineering staff will conduct an inventory over the winter months to determine how many signs will need to be replaced, adding that they will begin with stop and speed limit signs. The current deadline for compliance is 2012, but he has heard that that may be extended to 2017.

Councilman Martin noted that he provided Council with Kevin Grubbs’ recommendations regarding streets that are in need of attention. He estimated costs for this list are in excess of \$2 million. This matter will be discussed during Council’s upcoming budget meetings. Mayor Starliper requested that

Council also consider making repairs to the alley beside the Library, as it is severely deteriorated (which is hard on the police cruisers).

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Downtown Manager Pat Fleagle reported that everything went well during the Market Day activities. The weather cooperated, the chili cook-off was quite popular, the Oktoberfest was well monitored and received (with no incidents to report), and the vendors were very pleased with the business. He stated that they are looking at adding even more activities next year ... but for now, MSI is ready to move on to Christmas and the Yuletide Celebration.

FINANCE COMMITTEE: No report. Councilman Greenawalt noted that budget meetings will begin the following evening at 7:00 p.m.

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

“On September 26th I had the privilege of presenting an Eagle Scout award certificate to Connor Weibley of Boy Scout Troop #19, Evangelical Lutheran Church. Connor was the 25th Boy Scout in the Mason-Dixon Council to receive this award in 2010. Congratulations to Connor.

On October 2nd I gave the opening remarks at the 6th annual Market Days downtown.

Also on October 2nd, I participated in the charter ceremony for the newly-formed Waynesboro Area Civitan Club. They had 27 members signed as charter members. We wish them the very best in their endeavors as a service organization.”

SOLICITOR'S REPORT: Solicitor Sam Wiser noted that the Borough is in need of obtaining appraisals for certain properties as part of the stormwater outfall project. He has met with William G. Bowen, an appraiser from Hagerstown, MD, who is very qualified and MAI designated. Mr. Wiser advised that no bids are required, as this is for a professional service. Mr. Bowen presented a quote of \$4,500 for the necessary appraisals. Councilman Martin made a motion to approve the expenditure and move forward, adding that it is “very sad and disheartening that after three (3) years of working so hard, we have to do this”. Councilman Mumma seconded; the motion passed unanimously.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Martin recommended that a “No Parking Here to Corner” sign be erected at the corner of Ninth Street and Anthony Avenue, which will be a benefit when there are large gatherings at the Rotary Park. Kevin Grubbs interrupted Mr. Martin, however, noting that he would prefer placing a stop sign on Anthony Avenue at Ninth Street. He added that this will take care of the parking situation, because parking is prohibited within 30 feet of a stop sign. Councilman Martin then made a motion to erect a stop sign on Anthony Avenue at Ninth Street. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin noted that he received a request to remove the handicapped parking space for Lois Woodring at 125 W. North Street, as she no longer resides at the property. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin presented a request for a handicapped parking space from Shirley Ketterman, 117 S. Potomac Street, as well as a request that the \$75.00 fee be waived due to her financial and medical needs. Councilman Martin made a motion to approve the request (including waiver of the

fee), as presented. Councilman Greenawalt seconded. Discussion then followed regarding the Borough's policy for handicapped parking space fees; and it was noted that if a fee is waived for one person, it would set a precedent for others. It was suggested that there are agencies who could assist with the fee, or the individual could make payments. Councilman Martin then amended his motion to approve the request and erect the appropriate sign(s) upon payment of the \$75.00 fee. Councilman Greenawalt seconded; the motion passed unanimously.

UNFINISHED BUSINESS

BID RESULTS FOR STORM DRAIN PROJECT: Mr. Hamberger reported that David H. Martin Excavating, Inc. is the apparent low bidder for the project. The consulting engineer has reviewed the bid, and legal counsel is in the process of reviewing it; and it is their recommendation to tentatively approve the bid subject to all appropriate MBE/WBE reviews/approvals and submission of the necessary bonding. Councilman Mumma made a motion in accordance with the Borough Manager's recommendation. Councilman Martin seconded.

Councilman Martin requested that the motion be amended to indicate that no change orders be permitted on the project. Kevin Grubbs advised that a project of this size will most likely have some change orders. Solicitor Wisner suggested that the motion be amended to include that any and all change orders would be subject to review and approval by Borough Council. It was also noted that the contract includes a delay/penalty clause to address any unmet deadlines. Councilmen Martin and Mumma agreed to the motion being amended pursuant to the Solicitor's recommendation. The motion passed unanimously.

NEW BUSINESS

AGREEMENT RE: ACT 32 FRANKLIN COUNTY TAX COLLECTION: Mr. Hamberger explained and presented a proposed agreement which will change the name of the Chambersburg Area Wage Tax Board to the Franklin County Area Tax Board, and will incorporate all municipalities. He added that the agreement also calls for "one man/woman, one vote", which he feels is the most fair way to proceed. Accordingly, he recommended approval of the proposed agreement. Councilman Martin made a motion to approve the agreement regarding Act 32 Franklin County Tax Collection. Councilman Stains seconded; the motion passed unanimously.

REQUEST FROM CHAMBER OF COMMERCE RE: CHRISTMAS PARADE: Mr. Hamberger read a letter from the Chamber of Commerce requesting assistance of the Borough to hang wreaths and lighted garland on the light posts during the week of November 15-19; and to close Main Street and Center Square for the Tree Lighting Ceremony on November 19, and the Christmas Parade on November 20 at 2:00 p.m. Councilman Mumma made a motion to approve the requests, as presented. Councilman Driscoll seconded; the motion passed unanimously.

WASHS HOMECOMING PARADE: Mayor Starliper presented information regarding the WASHS Homecoming Parade to be held on October 15. The proposed parade route has been changed as follows: staging in the Summitview Elementary parking lot, and traveling west on Second Street to the entrance behind "D" wing. Fire Police assistance will be needed at Summitview, Enterprise Avenue and the "D" wing entrance. Councilman Greenawalt made a motion to approve the request, as presented. Councilman Martin seconded. Chief King stated that the fire police have agreed to assist, adding that this route is easier and safer than in the past. The motion passed unanimously.

FRANKLIN COUNTY COUNCIL OF GOVERNMENTS MUNICIPAL AUCTION: Mr. Hamberger explained that this is an annual event. He has asked the department heads to provide information on surplus items they would like to sell ... those are included on the list provided to Council. Councilman Martin made a motion to approve the sale of the items listed. Councilman Mumma seconded. Mayor

Starliper suggested that the proceeds from sale of the items should be returned to the respective departments. The motion then passed unanimously.

Solicitor Wisner commented that if any of the items are valued over \$1,000, Council must approve sale of the item(s) by resolution. Mr. Hamberger noted that a resolution will be prepared to authorize the sale of the entire list of items. Councilman Martin made a motion to approve the appropriate resolution. Councilman Stains seconded; the motion passed unanimously.

RESOLUTION 2010-11

WHEREAS, the Franklin County Council of Governments will hold their annual COG Municipal Auction on October 20 and 21 at the Marion Auction Service, and

Complete copy on file at Borough Hall.

Mayor Starliper noted that, instead of borrowing traffic barricades from Franklin County as in the past, the Police Department would like to purchase 15-32" natural and 15-32" orange barricades, at a cost of \$8,038. He suggested that the Borough's maintenance, water and sewer departments be requested to share in the cost in exchange for using the barricades. Councilman Mumma made a motion to approve the purchase. Councilman Stains seconded; the motion passed unanimously. Mr. Hamberger mentioned that they may be required to obtain three (3) competitive bids if the barricades are not on the State contract.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

TRICK-OR-TREAT NIGHT (OCTOBER 28, 2010 - 6 TO 8 P.M.): Mayor Starliper recommended that Trick-or-Treat Night in the Borough be held on Thursday, October 28th, from 6-8 p.m. Councilman Martin made a motion as such. Councilman Driscoll seconded; the motion passed unanimously.

INVITATION TO ASSET BUILDING LUNCHEON (OCTOBER 12, 2010): Council members received an invitation to the Asset Building Luncheon sponsored by Waynesboro Area Communities that Care and the Rotary Club of Waynesboro. The luncheon will be held on October 12th from 11:30 a.m. to 1:00 p.m. at the Waynesboro Country Club. Mayor Starliper and President Newcomer noted that they plan to attend.

PAY BILLS: Councilman Mumma made a motion to approve the payment of Voucher Lists dated 09/28, 09/29 and 09/30. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Kevin Grubbs noted that the Waynesboro Planning Commission meeting originally scheduled for October 11th has been rescheduled to October 18th, due to the Columbus Day holiday.

Mr. Grubbs also reported that PENNDOT is requesting a letter of approval for Center Square from the Borough. (He added that they are mainly concerned with the Borough's acceptance of, and agreement to maintain, the brick sidewalk.) He is not in favor of providing the acceptance letter, though, because of the damages being caused to the sidewalk as a result of oversize loads being re-directed from Interstate 81. He advised that the brick in the northeast quadrant, as well as the junction box for the traffic lights, is being pushed down below the curb. Further discussion ensued, and Councilman Martin made a motion to authorize correspondence to PENNDOT thanking them for what they have done. The letter should also state that the Borough is still waiting for the traffic lights to be turned over to

them, and they have been experiencing damage to the finished product due to oversize loads being shipped into the Square of Waynesboro from their project on Interstate 81. Councilman Stains seconded; the motion passed unanimously.

Councilman Greenawalt asked for an update on the School District's extension of Third Street. Mr. Hamberger advised Council that information on that matter will be forthcoming in the future.

President Newcomer noted, for the record, that Council held an executive session prior to the regular meeting this evening to discuss a personnel matter.

Having no further business to discuss, the meeting adjourned at 8:20 p.m. on a Driscoll/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant