

SEPTEMBER 1, 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, C. Harold Mumma, Craig Newcomer, Wayne Driscoll, Ronald Martin and Jason Stains

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  
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)

**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 August 18<sup>th</sup> public hearing and regular meeting, as written. Councilman Stains seconded; the motion passed unanimously.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** No report.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Driscoll reported that plans are proceeding for the Dog Swim at Northside Pool on September 11<sup>th</sup>. He has prepared and distributed informational posters and is receiving many favorable comments regarding the upcoming event.

In addition, Mr. Driscoll advised Council that he spoke recently with Mike Rouzer (Golf Course Manager) about plans to empty/clean-up the former caretaker's house. His staff was very busy this summer with the constant watering schedule, but he will begin work on the property within the next several weeks.

**STREET COMMITTEE:** No report. Councilman Martin noted he will discuss items during the "voting" section of the meeting.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION COMMITTEE:** No report.

**FINANCE COMMITTEE:** No report.

**MAYOR'S REPORT:** No report. Mayor Starliper presented Mark King (for the Police Department) and Craig Newcomer (for Borough Council) with certificates of appreciation for their support and assistance during the recent motorcycle ride to benefit the National Fallen Heros Memorial.

**SOLICITOR'S REPORT:** Solicitor Sam Wiser provided Council members with copies of correspondence he mailed to the Waynesboro Area School District, as directed at a previous meeting.

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner commented on improvements at the golf course since Mike Rouzer became Manager (grass and weeds trimmed, trees cut down, stone wall straightened out, flower patch planted in front of the Pro Shop, fence along the picnic area). He stated that he and his staff deserve "a hand".

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Martin reported that he received a letter from Evan Williams, Assistant Superintendent of the Waynesboro Area School District, requesting that a "no parking" zone be established on E. Second Street from the middle school entrance west to the lower high school entrance at Enterprise Avenue to improve visibility. Instead, Mr. Martin made a motion to extend the existing "no parking" zone on E. Second Street for a total of 60' east and west at the middle school entrance, and 15' east of the crosswalk at Enterprise Avenue for a total of 60' at the lower high school entrance. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin reported that the Street Committee met at Adventures in Coffee regarding their request to make Hollinger Avenue one-way south. He stated the Committee does not recommend doing so, but made a motion to erect "no parking here to corner" signs, starting at the west curblineline of Hollinger Avenue and extending 40' west on Main Street; and to paint several (4) parking spaces west of that area so that people know they are permitted to park there. Councilman Driscoll seconded. Mayor Starliper expressed concern that this may set a precedent for other businesses, but discussion ensued regarding the unique circumstance at this location because of the east/west turning lane. A vote was called and the motion passed unanimously.

Councilman Martin made a motion to approve a request for a handicapped parking space at 148 W. King Street. Councilman Stains seconded. It was clarified that any individual with a handicapped plate or placard may park in a designated handicapped parking space. The motion passed unanimously.

Councilman Martin reported that he met recently with representatives of Waynesboro Hospital regarding the number of accidents experienced on N. Enterprise Avenue when vehicles back from their parking area onto Roadside Avenue. They are requesting a "no parking" zone on the east side of N. Enterprise from Main Street to Roadside Avenue, which involves nine (9) parking spaces. Councilman Martin made a motion accordingly. Councilman Greenawalt seconded; the motion passed unanimously.

**UNFINISHED BUSINESS**

**CONSIDER ORDINANCE FOR ADOPTION (PENNVEST BORROWING):** Mr. Hamberger advised that the proposed ordinance has been advertised in accordance with the laws of the Commonwealth of Pennsylvania, and authorizes the issuance of a general obligation note in the maximum amount of 6.3 million dollars. Councilman Greenawalt made a motion to adopt the ordinance, as presented. Councilman Stains seconded; the motion passed unanimously.

**ORDINANCE NO.**

AN ORDINANCE INCREASING THE INDEBTEDNESS OF WAYNESBORO BOROUGH, FRANKLIN COUNTY, PENNSYLVANIA BY DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION NOTE IN THE MAXIMUM PRINCIPAL AMOUNT OF

\$6,300,000.00 TO BE ISSUED TO THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (PENNVEST), PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT, TO PROVIDE FUNDS FOR A CAPITAL PROJECT THAT CONSISTS OF CONSTRUCTING, RECONSTRUCTING, RENOVATING, ALTERING, AND/OR IMPROVING CERTAIN PORTIONS OF THE BOROUGH'S STORMWATER SYSTEM, INCLUDING RELATED PAVING, MACADAMIZING, RECONSTRUCTION OR OTHER IMPROVEMENTS TO THE BOROUGH'S STREETS, ROADS, LANES, AND ALLEYS, AND PAYING RELATED COSTS, FEES AND EXPENSES; ACCEPTING A CERTAIN PROPOSAL FOR THE PURCHASE OF SUCH NOTE, AT PRIVATE SALE; SPECIFYING THE REALISTIC USEFUL LIFE OF SAID PROJECT; AUTHORIZING AND DIRECTING APPROPRIATE OFFICERS OF THE BOROUGH TO TAKE CERTAIN ACTIONS AND TO EXECUTE CERTAIN DOCUMENTS REQUIRED BY THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT; APPROVING THE SUBSTANTIAL FORM, MAXIMUM PRINCIPAL AMOUNTS, DATE, INTEREST MATURITY, AND SOURCES OF PAYMENT OF SAID OBLIGATION, SECURED BY THE GENERAL REVENUES OF THE BOROUGH AND PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THIS BOROUGH IN SUPPORT THEREOF; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND PROVIDING FOR REPEAL OF ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Complete copy on file at Borough Hall.

Kevin Grubbs provided an update on easements for the stormwater outfall project. Three (3) of the property owners are expected to sign agreements with the Borough within the week; he will meet with another property owner (whose property contains approximately 90% of the project) to answer some questions; Solicitor Wisner will meet with the owners of another property and their attorney to review the agreement and answer questions; and he has had difficulty contacting another individual who is currently dealing with a health issue. Mr. Wisner reported that a pre-bid meeting was held, and approximately 12 companies were represented. It was noted that bids will be opened on September 21<sup>st</sup> at 2:00 p.m. Councilman Martin requested that a copy of the attendance sheet for that meeting be provided to Council members.

## **NEW BUSINESS**

### **REQUEST FROM MAINSTREET WAYNESBORO INC. TO OFFER HAYRIDES DURING MARKET DAY EVENT (OCTOBER 2, 2010):**

A request was received from MSI to offer horse-drawn hayrides during their Market Day event on October 2<sup>nd</sup>. The proposed route would begin in the Susquehanna Bank parking lot, turn right on N. Church Street, left into the Evangelical Lutheran Church parking lot, left and then straight on Gay Street, and back into the Susquehanna parking lot. Councilman Driscoll made a motion to approve the request. Councilman Mumma seconded.

Concern was noted about Eagles Club patrons utilizing their rear entrance off Gay Street. Melissa Russ (MSI) explained that this route was chosen so additional streets did not need to be closed, as Main Street would already be closed for Market Day. She estimated that the hayrides would rotate the route 3-4 times per hour during the period of 9:30 a.m. to 3:30 p.m. After further discussion, Councilman Driscoll amended his motion to include that MSI obtain permission from Susquehanna Bank and Evangelical Lutheran Church for use of their parking lots and notify the Eagles Club of their proposed plans. Councilman Mumma seconded the amended motion; the motion passed unanimously.

**REQUEST FROM ST. ANDREW CATHOLIC SCHOOL RE: ANNUAL OKTOBERFEST FAMILY FUN DAY ACTIVITIES (OCTOBER 2, 2010):** St. Andrew Catholic School is requesting permission to close

Main Street from Broad Street to Clayton Avenue on October 2<sup>nd</sup> for their annual Oktoberfest activities (this is in conjunction with MSI's Market Day). Councilman Martin informed members that a letter is forthcoming from MSI regarding the use of Grove-Bowersox's parking lot by Post Office employees and patrons. This will allow for Main Street to be closed completely from Potomac Street to Clayton Avenue.

Discussion ensued regarding appropriate barricades for the street closure, and it was noted that those are borrowed from the Franklin County Department of Emergency Services. Chief King recommended that Council consider purchasing a trailer of barricades (24 or 32) in the future for the Borough's use. Several Council members agreed that this would also be beneficial to the Maintenance Department for use at their many work sites.

Councilman Driscoll made a motion to approve the request from St. Andrew Catholic Church, contingent upon receipt of a letter from MSI indicating that the Post Office is in favor of closing Main Street from Walnut to Broad Streets. Councilman Martin seconded; the motion passed unanimously.

**REQUESTS FROM MAINSTREET WAYNESBORO INC. FOR CHRISTMAS ACTIVITIES:** Mr. Hamberger presented requests from MSI for Christmas activities as follows –

- Erect a large Christmas tree on the Square in front of 8 W. Main Street
- Tree Lighting Ceremony (with closure of the Square) on November 19<sup>th</sup>
- Horse-drawn sleigh rides the night of the Tree Lighting Ceremony
- Yuletide Season activities (caroling, visits from Santa, retail promotions, etc.) along the sidewalks on December 4<sup>th</sup>, 11<sup>th</sup> and 18<sup>th</sup>
- Horse-drawn sleigh rides on routes/times to be determined at a later date

Councilman Greenawalt made a motion to approve the requests, as presented. Councilman Martin seconded. It was mentioned that the visits from Santa should be coordinated with the Santa House hours planned by the Waynesboro Business and Community Partnership. The motion passed unanimously.

**RE-DEVELOPMENT OF FORT RITCHIE/COPT MASTER PLAN (PUBLIC COMMENT PERIOD):** Mr. Hamberger noted that the Department of Defense is re-evaluating the 1998 Environmental Impact Statement regarding the proposed re-development of Fort Ritchie by COPT Property Management Services, LLC. COPT is requesting that Borough Council provide input on the re-development on two (2) levels – as a municipality and as individuals. He added that the 3,343 jobs proposed for the community are very much needed, and the re-development should be permitted to move forward. Mr. Hamberger requested Council's permission to write a letter of support for the proposed re-development. Council concurred.

**FRANKLIN COUNTY TAX COLLECTION BUREAU:** Mr. Hamberger reported to Council that the Franklin County Tax Committee voted to select the Chambersburg Area Tax Bureau as the Earned Income Tax collection agency for the County's municipalities. The ratio of collection costs will decrease over a 3-year period from 2.2% in 2011, to 2% in 2012, and 1.9% in 2013 (these costs are in excess of the previous charges by approximately \$90,000/year). Mr. Hamberger will serve on the executive committee to assist on the transition; and a meeting will be held the following day to re-organize the Chambersburg Board into a County Board. He reported that the municipalities voting in opposition to this action were Antrim Township, Washington Township, Greencastle School District and the Borough of Waynesboro; and added that these entities will be working vigorously for cost reductions.

**UPDATE - "THUNDER ON THE SQUARE"**: Leon Adler, Vice-President of the Waynesboro Business and Community Partnership, provided Council with an update on plans for the upcoming "Thunder on the Square" event to be held on September 18<sup>th</sup>. He noted that they are attempting to group similar types of bands at each club, which will help to minimize pedestrians crossing Main Street. They continue to desire that food vendors be permitted on both sides of the Square, and have obtained correspondence from Frank's Pizza indicating they have no problem with vendors in front of their establishment. They would like to display promotional signs/banners at several businesses, as well as directional signs to the parking areas. They will provide volunteers to assist with individuals crossing Main Street (they will wear appropriate safety vests and have been advised not to stop or direct traffic in any way). Mr. Hamberger reminded the group of the Borough's new "Jaywalking Ordinance", which requires pedestrians to cross in the marked crosswalks. Police Chief King noted that he has contacted PENNDOT and is attempting to obtain flashing signs to be utilized.

Councilman Martin made a motion to grant the requests, as discussed. Councilman Greenawalt seconded. Further discussion was held on the matter, and clarification on the matters for approval was given as follows:

- Food vendors to be located on both north and south sides of Main Street in Center Square
- Volunteers who are assisting people with crossing the street should direct them to use the available crosswalks
- Promotional signs for the event to be placed at various businesses throughout town (with the business owners' permission)
- Directional parking signs approved for erection

Councilman Martin amended his motion to approve the requests as further clarified. Councilman Greenawalt seconded; the motion passed unanimously.

**REQUEST RE: LIFE CHAINS (ST. ANDREW THE APOSTLE CATHOLIC CHURCH)**: Mr. Hamberger presented a request to hold Life Chains on October 3<sup>rd</sup> from 9:30 to 10:30 a.m. on the sidewalk in front of the St. Andrew Catholic Church, and from 2:00 to 3:00 p.m. in Center Square. He noted that this has been permitted in the past; and the public has a right to demonstrate, provided that the sidewalks remain open to pedestrians and vehicular traffic is not impeded in any way. Councilman Martin made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

### **FOR INFORMATION ONLY**

Mr. Hamberger noted that correspondence was received from Senator Rich Alloway regarding his opposition to forced local governments and mandatory consolidations.

Mr. Hamberger provided information to Council members regarding the upcoming Fall Planners Seminar on October 14<sup>th</sup> in Cumberland County. The seminar is sponsored by the Pennsylvania State Association of Township Supervisors, in conjunction with the Township Planning Association.

Council members are also invited to attend the Pennsylvania State Association of Boroughs' Fall Leadership Conference to be held in Gettysburg on October 15-17, 2010. Individuals interested in attending were asked to contact Melinda Knott. Councilman Martin made a motion to authorize the Borough Manager to attend, if he is available at that time. Councilman Greenawalt seconded; the motion passed unanimously.

**PAY BILLS**: Councilman Mumma made a motion to approve the payment of the Voucher List dated 08/20. Councilman Stains seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Mr. Hamberger reported that a tentative agreement has been reached with the Waynesboro Police Association. Copies of the updated contract should be available for execution at Council's next meeting.

Kevin Grubbs reported that the bump-outs on Main Street (at the Dollar General Store crosswalk) have been completed. The contractor, Waynesboro Construction, did an excellent job; and he is hopeful that these will make pedestrians utilizing the crosswalk safer.

Mr. Grubbs reported on the status of the use of illuminated street name signs. PENNDOT has approved APX as a vendor, and the signs can be installed as soon as the appropriate documentation is received.

Mr. Grubbs also advised Council members that he will meet the following morning with PENNDOT's Project Manager to discuss their plans regarding paving Grant and Main Streets. It is his understanding that the work will begin around September 15<sup>th</sup>, and they plan to complete Main Street before proceeding to Grant Street. It was clarified that the Main Street paving will extend from the Memorial Bridge to Mountain Gate Restaurant in Washington Township.

Downtown Manager Pat Fleagle reported that Adventures in Coffee re-opened this morning at 5:30 a.m.; and the News Agency will re-open again in the near future.

Mayor Starliper noted that the property at the corner of S. Potomac Street and Cemetery Avenue has been sold. As a lien was placed against that property previously for a housing rehabilitation loan, he suggested the matter be pursued to ensure the funds are returned. Mr. Hamberger advised that those type of liens expire after ten (10) years, and that time has lapsed.

Mayor Starliper reported on two (2) upcoming golf tournaments at the Municipal Golf Course – the Mayor's Tournament on 09/25 and the Waynesboro Volunteer Fire Company Tournament on 10/08.

Council President Newcomer requested that *The Record Herald* contact the Fire Chief regarding a mis-quote recently in an article regarding the Waynesboro Armory. He clarified that the Fire Company *is* still interested in the Armory property; they are simply exploring other avenues also. He added that Senator Alloway has been working diligently on the Armory project, and his efforts are very much appreciated.

Having no further business to discuss, the meeting adjourned at 8:38 p.m. on a Martin/Greenawalt motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant