

JANUARY 16, 2008
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
Dan Sheffler, Zoning-Code Enforcement Officer
Denny Benschhoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ray Shultz, Police Chief
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 January 7, 2008 meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

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

COMMITTEE APPOINTMENTS: Council President Newcomer announced the appointment of various Council committees as follows –

Personnel - Harold Mumma
Property and Public Safety - Charles McCammon and Benjamin Greenawalt
Street - Ronald Martin
Intergovernmental - Jason Stains
Downtown Revitalization - Craig Newcomer
Finance - Harold Mumma

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that two (2) candidates were interviewed for the vacant position on the Planning Commission. Action will be taken later in the meeting regarding this matter.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Martin reported that the Street Committee met at 9:30 a.m. today and discussed the following items --

- Rotary parking lot signs will be in on Friday. Denny Benschhoff was requested to erect them on Monday.
- 2008 CDBG street projects were reviewed, as follows:
 - St. Andrews Drive (N. Broad Street west to the end)
 - N. Broad Street (Harbaugh Avenue north to the Borough line)
 - Garfield Street (Eden Avenue to Brown Street)
- Work on Welty Road will commence this year. Approximately \$65,000 is available toward the project (total cost of approximately \$180,000). They will widen the road, add shoulders and place a base coat. Mr. Hamberger noted that he met with a representative of the PA Infrastructure Bank; and there is the possibility of getting a short-term, low-interest loan (which could be paid back with Liquid Fuels Funds) to do the entire project this year.
- Final recommended changes on C.V. Avenue will be sent in for state approval. The project should be completed this year.
- Proposal to make it mandatory that any contractors who open a street (to repair gas or sewer lines, etc.) would use flowable backfill in the ditches. Mr. Martin explained that flowable backfill is “slush concrete”. Mr. Hamberger noted that an ordinance change would be required in order to make this change. He will discuss the matter with the Solicitor and they will prepare an ordinance for Council’s consideration sometime in February. Cost differentials were discussed, and Mr. Martin noted that this is considerably more expensive.
- Possible request that the Hospital consider a donation or reimbursement to the Borough for monies spent on N. Enterprise Avenue and a portion of Prospect Avenue since they have agreed to abandon them for the upcoming expansion project. Kevin Grubbs reported that \$185,000 and \$180,000, respectively, were spent on rebuilding the streets in recent years.
- Possibility of making N. East Avenue one-way north, due to the dangerous sight distance at the hill on Main Street when turning left or right and the plan for 450 houses to be built off Stottlemeyer Road (which will create a lot of additional traffic). Traffic would be directed to the traffic light at the intersection of Roadside Avenue and Main Street at Virginia Avenue or a new four-way stop at Sunnyside Avenue and Main Street, as visibility will be better there. Mr. Martin noted that public input should be requested. A public input session will be held at Council’s next meeting.
- Crosswalks with handicapped accessibility on N. Grant Street at Brown and Commerce Streets - Kevin Grubbs noted that the depressed ramps and appropriate signs will be installed as soon as weather permits.
- Request from Nancy Funk regarding parking difficulties on Myrtle Avenue - Mr. Martin suggested that yellow paint be used to mark either side of the driveway entrances along Myrtle Avenue. Louis Barlup, a resident of Myrtle Avenue, noted that the students have no other place to park and he feels that they are very considerate of the driveway entrances. He also stated that he doesn’t want yellow paint on his sidewalk.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: No report.

MAYOR’S REPORT: Mayor Starliper reported that he “swore in” the Waynesboro Fire Police for 2008.

SOLICITOR’S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA:

Frank Bittner, 842 Anthony Avenue – Mr. Bittner reminded Council to consider the construction project planned by the Otterbein Church when making upgrades to Welty Road. Kevin Grubbs reported that the road is being widened by adding 5' shoulders to the existing width.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma suggested that Allen Porter and Doyle Helfrick be appointed to the Waynesboro Planning Commission; and the appropriate ordinance amendments be prepared to increase the number of members from five (5) to seven (7). The Solicitor asked for time to research the matter to determine the proper procedure for this modification.

Councilman Martin made a motion to offer to paint 5' on either side of the driveway entrances on Myrtle Avenue, upon request of the property owners. Councilman Greenawalt seconded. Discussion followed regarding the fact that this action is non-enforceable and used to encourage courtesy from the high school’s students. President Newcomer noted his concern about the appearance if only some of the property owners wish to have their curbs painted. Several suggestions were made, including the issuance of an announcement at the school for students to comply and pressure-sensitive fluorescent strips as a temporary measure at Mrs. Funk’s driveway. Councilman Martin amended his motion, instructing the Borough Manager to write a letter to property owners on Myrtle Avenue to ask if they favor the curb painting or not (and advising them that the police cannot enforce this measure). Councilman Mumma seconded; the motion passed unanimously.

AWARD BIDS - DUCTILE IRON PIPE: Mr. Hamberger reported that L/B Water was the low bidder for ductile iron pipe. Accordingly, Councilman Mumma made a motion to award the bids for ductile iron pipe for 2008 to L/B Water Service. Councilman Martin seconded; the motion passed unanimously.

UNFINISHED BUSINESS

REQUEST FOR RESOLUTION OF SUPPORT (LaRouchePAC): Mr. Hamberger noted that, at the request of Council, he researched House Resolution No. 418 and spoke with Representative Todd Rock, Senator Terry Punt and the PSAB. He explained his findings, adding that they are hesitant to get involved with making requests of the federal government on a local level. Council concurred.

LAND USE PERMIT FEE: Mr. Hamberger noted that discussion was held at the last meeting regarding preparation of a resolution to increase Land Use Permit fees from \$25.00 to \$100.00. Information was obtained from various commonwealths regarding their fee schedules, and Richard Rose provided some recommendations. Councilman Martin suggested that the Code Enforcement Office should support itself; and accordingly, he made a motion to include the following fees in Resolution No. 2008-01, with said fees to be effective on Friday, January 18th.

Commercial		
• First \$2,000	-	\$20.00
• Over \$2,000	-	Add \$2.00 per each \$1,000 in value
Patios and Decks	-	\$50.00
New Homes	-	\$250.00
Additions		
• With Footers	-	\$125.00

• Without Footers	-	\$50.00
Sheds	-	\$50.00
Garages	-	\$125.00
Pools		
• Above Ground	-	\$50.00
• In-Ground	-	\$125.00
Small Items not listed above	-	\$50.00

Councilman McCammon seconded; the motion passed unanimously.

RESOLUTION 2008-01

WHEREAS, the Borough of Waynesboro, from time to time, may change fees charged for Borough services, and

WHEREAS, the applicable enabling ordinances permit adoption of fees by resolution,

Complete copy on file at Borough Hall.

SCHOOL RESOURCE OFFICER: Mr. Hamberger reported that he has received information from the Waynesboro Area School District regarding their interest in proceeding with the concept of a School Resource Officer. They have prepared a rough draft for a grant proposal, which has been forwarded to Council. The deadline for submission of the grant application is January 25th. Mr. Hamberger noted that a Memorandum of Understanding between the School District and the Borough is also required. Discussion ensued regarding details which need to be worked. It was noted that the officer would be an employee of the Borough, but the School District would pay for 10 months' of their benefits (the remaining 2 months would be paid by the Borough, at a cost of approximately \$6,000).

Councilman McCammon made a motion "not to get involved with this at all". The motion died for lack of a second. President Newcomer suggested that a special meeting be held between Council and the School Board prior to the application deadline in an attempt to work out the details of this matter. Councilman Martin made a motion as such. Councilman Stains seconded; the motion passed 5-1 (Councilman McCammon opposed). Mr. Hamberger recommended that the meeting be scheduled for Wednesday, January 23rd. Further discussion on the matter followed. As the School District has agreed to prepare the grant application, Councilman Martin requested that a copy be provided to Council by January 21st for review before their meeting.

REQUEST TO INSTALL TEMPORARY ADVERTISING SIGN (Lions Club): Mr. Hamberger noted that he received a request from the Lions Club to install a temporary sign at 705 E. Main Street to advertise their annual Sausage and Pancake Breakfast to be held on February 16th. Councilman McCammon made a motion to approve their request. Councilman Stains seconded; the motion passed unanimously.

REQUEST TO HOLD EASTER EGG HUNT AT NORTHSIDE PARK (FAITH UNITED METHODIST CHURCH): Mr. Hamberger received a request from the Faith United Methodist Church to hold their annual Easter Egg Hunt at Northside Park on March 15th from 12-3 p.m. He noted that this has been done in years past, with the understanding that the park is not "reserved" for the event. Councilman McCammon made a motion to approve the request. Councilman Greenawalt seconded; the motion passed unanimously.

"PAINT THE TOWN PURPLE" REQUEST (GREENCASTLE RELAY FOR LIFE): A request was received from the Greencastle Relay for Life (a cancer fundraiser) to place purple bows with

information regarding the event on the parking meters along Main Street. Councilman Mumma made a motion to approve their request, in accordance with their letter dated January 8th. Councilman Martin seconded; the motion passed unanimously.

RESOLUTION NO. 2008-02: Mr. Hamberger noted that bank signature cards are required to be executed by the President and Vice-President of Council. Accordingly, he will prepare the appropriate document as Resolution No. 2008-02. Councilman McCammon made a motion to approve the bank signature card as Resolution No. 2008-02. Councilman Stains seconded; the motion passed unanimously.

PLANNING COMMISSION ITEMS: Kevin Grubbs noted that the Waynesboro Planning Commission held their monthly meeting on Monday, January 14th. Informational packets regarding the following matters were distributed to Council –

- Land Development Plan (Green Street Enterprises) – duplex units on the east side of Park Street, north of Fourth Street. The plan meets all requirements of the Subdivision/Land Development Ordinance. Franklin County Planning Commission has reviewed the plan and submitted no comments. The Franklin County Conservation District reviewed the Erosion and Sedimentation portion of the plan and deemed it “adequate”. A variance has been obtained from the Zoning Hearing Board; and accordingly, the Waynesboro Planning Commission has recommended approval. Councilman McCammon made a motion to approve the Land Development Plan for Green Street Enterprises, as submitted. Councilman Greenawalt seconded; the motion passed unanimously.
- Land Development Plan (Walnut Acres) – development adjacent to the Borough (west of West End Development at Frick/Tritle Avenues) in Washington Township. The plan has been reviewed by the Waynesboro Planning Commission, with concern noted about stormwater. The information they requested was received from the Township; and accordingly, they recommended approval. Councilman McCammon made a motion to approve the Land Development Plan for Walnut Acres, as submitted. Councilman Greenawalt seconded. The motion passed 5-0 (Councilman Martin recused himself from discussion and voting on this matter.)
- Revisions to Stormwater Management Ordinance – Kevin Grubbs noted that the Borough’s consulting engineers have recommended revisions to the Borough’s current Stormwater Management Ordinance to make it more restrictive. They feel that developers need to retain stormwater on-site longer and release it at a slower, more controlled rate. After review of the proposed amendments, the Planning Commission is recommending that Council proceed. Councilman McCammon made a motion to proceed with amending the Stormwater Management Ordinance, as recommended by the Planning Commission. Councilman Greenawalt seconded.

Councilman Martin noted that the requirements would apply to construction of new or additional impervious or semi-pervious surfaces in excess of 2,500 s.f., but he suggested it be 1,000 s.f. Kevin Grubbs noted that, eventually, DEP will require it to be 1,000 s.f.

A vote on the matter was called. The motion passed 5-1 (Councilman Martin opposed).

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Frank Bittner, 842 Anthony Avenue - Mr. Bittner questioned if the aerial survey of floodplain areas which began several months ago has been completed (he conveyed that he witnessed two gentlemen surveying on his street recently). Kevin Grubbs stated that they may have been spot-checking elevations, as the study is in the final stages of completion at this time. Mr. Bittner also mentioned the newly-posted sign at the Borough's Sewer Plant indicating that only authorized personnel may enter the gates. Mr. Hamberger explained that this is a safety and security measure (which is also the case at the Borough's Water Plant). In addition, Mr. Bittner reiterated his suggestion that a Treasurer's Report be provided and/or posted for the public's view. Councilman Mumma, Chairman of the Finance Committee, noted that he "will work on" that suggestion. Finally, Mr. Bittner suggested an ambiguity in the proposed land use fees with regard to sheds vs. smaller items (i.e. storage units). Council noted they will attempt to clarify the matter; but regardless, the fee is the same (\$50.00).

Stephen Monn, 126 W. Main Street - Mr. Monn asked if the Solicitor had made a determination on the matter regarding appointments to the Planning Commission, which was discussed earlier. Upon review of the matter, Solicitor Dively advised that a change in the number of members may be made by ordinance. Councilman Mumma then made a motion to appoint Doyle Helfrick and Allen Porter to the Waynesboro Planning Commission, effective upon adoption of an ordinance to be adopted at the next Council meeting (which is before the next Planning Commission meeting). Councilman Martin seconded; the motion passed unanimously.

Rick Monn, Iroquois Trail (Washington Township) - Mr. Monn noted that he served on Washington Township's committee which reviewed the Sign Ordinance. As a resident of the Waynesboro area, he voiced concern about what happens to the downtown in the future. The area should not be "run amuck" of signs, and Waynesboro's character may be lost with flashing signs. He suggested that input be obtained from the Chamber of Commerce, as the needs and rights of all business people need to be considered. He suggested that a committee be established to review the matter in-depth prior to making any changes. He agreed that something needs to be done about the deterioration of downtown Waynesboro, but Council needs to be cautious about how they move forward. Kevin Grubbs noted that preliminary discussion on the matter was held at the Planning Commission's last meeting; and he will provide information under consideration to Carole Malin and Carlene Willhide for their review and input.

Carlene Willhide, Executive Director of the Chamber of Commerce - Councilman Martin asked for specific information regarding the "flashing sign" in front of the Chamber's office. Ms. Willhide advised that it changes every 3 seconds; and, to date, there have been no accidents at that location because of the sign. She suggested that the Sign Ordinance be reviewed for consistency, as well; and cited examples such as the requirement for business signs to be flush vs. extending.

Carole Malin, Downtown Manager - Ms. Malin stated she has no comments at this point, but Main Street, Inc. would like to give input regarding the Sign Ordinance before any changes are made. She feels that the creation of a committee including downtown property and business owners to review the matter "makes sense".

Discussion followed regarding the Downtown Business District recently created, which is Main Street from Grant to Broad Streets and ½ a block north and south. Councilman Martin suggested that Council consider amending that back to Walnut Street.

Don Kauffman, 306 W. Seventh Street - Mr. Kauffman noted concern about the Borough's requirements for new construction with regard to square footage and sideyard setbacks. There are a lot of smaller lots in the Borough which could be utilized, but they don't meet the appropriate codes. Kevin Grubbs mentioned that those requirements are designed for new developments and don't suit (necessarily) for older lots. He suggested that Mr. Kauffman attend the Borough/Township's Joint Comprehensive Plan Study Group meeting the following Tuesday at 7:00 p.m. to discuss this matter for inclusion in their plans for future development. Code Enforcement Officer Dan Sheffler also noted

that square footage doesn't matter if the lot was "of record" prior to 1991 and the construction is within the appropriate setbacks.

FOR INFORMATION ONLY

Council members were invited to attend the Waynesboro Fire Department's upcoming Awards Banquet". RSVP's are requested by February 4th. In addition, information regarding various training sessions was distributed. Anyone interested in attending was asked to inform Melinda Knott as soon as possible.

Council President Newcomer advised that, following correspondence with Land & Mapping Services regarding the Borough's request for a discount, they have agreed to discount their bill by 2.5%.

Mr. Newcomer also noted that he has contacted Quincy Home regarding the possibility of receiving a contribution from them for the Borough's assistance in obtaining a low-interest loan (he read information from Council's 07/18/07 meeting minutes regarding the matter). A meeting has been arranged with Quincy Township officials to discuss the matter further. He added that there was some question whether Quincy Home had provided a "thank you" to the Borough; and he clarified that correspondence to that effect was received from their Board of Directors.

COUNCIL AND STAFF COMMENTS: Councilman McCammon commented that, several months ago, his "name was taken in vain" over a letter. The matter has been reviewed by the Solicitor, and he asked that it be cleared publicly. Upon request by the Council President, Solicitor Dively reported on her investigation of the matter. She determined Mr. McCammon had created a document using an old business card that had the Borough's name on it (from when he was a Borough employee), but that the letter in question was not sent on official Borough stationery. Councilman McCammon asked the newspaper to "make a big deal" of the findings, "like they did when they crucified him" previously. Councilman Mumma suggested that he "get over it" and stop "harassing people". Heated discussion ensued. President Newcomer deemed both councilmen "out of order" and closed the discussion.

Councilman Martin questioned if a response had been heard from Quincy Township regarding fire protection. Mr. Hamberger reported that he sent them a letter after Council's last meeting, but will call to remind them that a prompt response is requested.

Denny Benshoff advised that the convex mirror at N. Church Street and Alley #1 has been replaced.

Dan Sheffler clarified that the new Land Use Permit fees will take effect on Friday morning, and reminded the public that the permits expire after six (6) months.

President Newcomer introduced the new Fire Chief, Dave Martin. Chief Martin noted that his past few days have been very busy, but productive.

Councilman Greenawalt thanked Denny Benshoff for taking care of a leaf complaint he received last week.

Mayor Starliper noted that representative appointments to the Emergency Services Alliance are still required (they are presently Trayer Stoops and Gary Summers). Former Fire Chief Ron Flegel felt it would be appropriate for a member of Council and perhaps a Deputy Fire Chief to be appointed. Mr. Newcomer noted that he will be providing Council with a letter requesting their feelings of interest with regard to various committees, and this matter is on that list.

Mayor Starliper requested a change in the Police Department's budget since Officer Chappell has left the Department. He would like to transfer \$30,000 of the \$40,400 in salaries for the purchase of a

new vehicle, and \$8,000 for a part-time administrative individual. It was noted that Council will review and discuss the matter at their next meeting.

Since the Borough is considering a School Resource Officer, the officer assigned to that task will need to be replaced. Accordingly, Mayor Starliper requested that Council authorize the Civil Service Commission to advertise for the position of Police Officer. Councilman Martin made a motion to authorize the Civil Service Commission to advertise an examination for the position. Councilman Mumma seconded; the motion passed unanimously.

Mayor Starliper noted that the previous Street Committee had received a request regarding tractor trailer traffic on N. Potomac Street from King Street to the Borough line; and he requested that the new committee review the matter.

Mayor Starliper read a notice of retirement from Police Chief Ray Shultz, effective May 2, 2008. Councilman McCammon made a motion to accept the notice. Councilman Greenawalt seconded; the motion passed unanimously. Further, the Mayor requested that Chief Shultz and the Borough Manager meet to discuss the appropriate advertisement for a new Chief.

Having no further business to discuss, the meeting adjourned at 9:17 p.m. on a McCammon/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant