

APRIL 18, 2007
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Richard George called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:15 p.m. with the following in attendance:

Borough Council Members – Allen Porter, Jason Stains, Richard George, Allen Berry, Charles McCammon and Craig Newcomer

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Kevin Grubbs, Head of Engineering Services
Ray Shultz, Police 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 April 4, 2007 public hearings and regular meeting, as written. Councilman Porter seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that he will present motions on several items later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon reported that the four (4) year time limit for repair/replacement of the burned out properties in the 500 block of W. Main Street will be “up” on May 17th.

STREET COMMITTEE: Councilman Porter noted that he will present information regarding the placement of handicapped ramps (where sidewalks cross streets and alleys) later in the meeting. Recommendations have been received from the Engineering Department; and funding is being pursued through the CDBG program.

INTERGOVERNMENT COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer reported that the Committee is still working on sidewalk improvements for downtown.

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

“On April 17th, I attended the PSAB’s session on Police Civil Service. This workshop was attended very well and was also very secured (as there were a number of Police Chiefs there with sidearms). I have given the Borough Manager copies and a CD of the meeting to share with the Civil Service Board.”

Mayor Starliper also gave an update on former Sergeant Robert “Kurt” Heffernan’s progress following a recent stroke. On Council’s behalf, President George wished the best for his recovery.

SOLICITOR’S REPORT: Solicitor Melissa Dively informed Council that she attended a two-day Municipal Law program this past weekend, presented by the Pennsylvania Bar Association. A number of matters discussed there were applicable to issues pending for Waynesboro; and she will direct comments regarding those matters to individual staff members, as appropriate.

PUBLIC COMMENT - ITEMS ON AGENDA: Councilman Berry noted that an excellent performance evaluation was received for Terry Barkdoll. Accordingly, he made a motion to grant him a step increase to salary level 10C. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry also received a favorable evaluation for Stanley Pryor. He made a motion to grant Mr. Pryor a step increase to salary level 7E. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry stated that he received correspondence from the Library Director regarding the resignation of (and replacement for) board member Jill Thompson. He made a motion to appoint Margaret Rovelstad to fill the unexpired term which expires on February 1, 2010. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to establish a salary for Assistant Pool Managers of \$9.50/hour (plus \$.10/hour for each year served as Assistant Manager). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to approve hiring the following individuals for Northside Pool, as recommended by the Recreation Board:

Assistant Pool Manager - Sarah Besecker

Lifeguards - Amanda Hykes, Jordan Sanders, Hannah Sanders, Molly Sanders, Jared Mummert, Jordan Reed, Kelby Reed, Jared Rhodes, Ali Doub, Matt Hinojos, Emily Doescher, Shelby Smith, Hunter Proctor and Kevin Wishard (subject to final certification)

Cashiers - Joanna Smith, Courtney Kistler, Erica Compher, Abby Schuler and Rachel Stoops

Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry noted that Councilman McCammon has resigned from his position as Council’s representative on Mainstreet Waynesboro, Inc., effective immediately. Accordingly, Mr. Berry made a motion to appoint Councilman Craig Newcomer to serve as Council’s new representative. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint Jeffrey Stovall to a vacant position on the Zoning Hearing Board (said term to expire on January 1, 2008). Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter referred to a drawing prepared by the Engineering Department showing proposed locations of handicapped ramps to be installed along W. Second and W. Third Streets (he invited the public to view the drawings after the meeting). Councilman Porter made a motion to approve the project to be funded by CDBG monies. Councilman McCammon seconded. It was clarified that the project will be completed this year. A vote was then called, and the motion passed unanimously. Mr. Hamberger added that bids for the work will be opened on May 14th and considered for award at Council's meeting on May 16th. A public hearing will be held on either May 2nd or May 16th to discuss the transfer of funds in the CDBG program budget.

ZONING HEARING BOARD MEMBERS: Councilman McCammon noted that, with the recent appointment to the Zoning Hearing Board, there is now a full board. He is recommending (and made a motion as such) to appoint two (2) alternates to serve on the Board in the event that a primary member is unable to attend a meeting and to ensure there is a quorum present. Councilman Newcomer seconded. Councilman Porter noted, however, that members of the Zoning Hearing Board cannot serve on any other board or be an employee of the Borough. Mr. McCammon noted that he will seek individuals to serve in this capacity. A vote was called, and the motion passed unanimously.

UNFINISHED BUSINESS

AWARD BIDS (2ND RE-BID - PAVING MATERIALS): Mr. Hamberger noted that bids for paving materials were opened earlier that day. The staff has reviewed the bids and is recommending that Fayetteville Contractors be awarded the bid for Superpave Wearing Course and Base Course, and Valley Quarries be awarded the bid for Cold Patch. Councilman Porter made a motion to award the bids for Superpave Wearing Course and Base Course to Fayetteville Contractors, in accordance with the staff's recommendation. Councilman Berry seconded; the motion passed unanimously. Further, Councilman Berry made a motion to award the bids for Cold Patch to Valley Quarries. Councilman Stains seconded; the motion passed unanimously.

CONSIDER REVISED ORDINANCE (SUBDIVISION/LAND DEVELOPMENT ORDINANCE): Kevin Grubbs noted that the Solicitor is recommending tabling this item for further review, in light of information learned at the Municipal Law program she attended. Revisions may need to be made to the proposed amendment regarding water and sewer main agreements. Accordingly, Councilman Newcomer made a motion to table the matter for further review. Councilman Berry seconded; the motion passed unanimously.

REVISION OF NORTHSIDE POOL RULES: Mr. Hamberger noted that there was discussion (and a rule modification) last year regarding children in the pool during adult swims. Councilman Newcomer met with the Recreation Board recently to discuss this matter, and they are recommending the following be adopted as Rule #11:

“A designated pool break, not to exceed fifteen (15) minutes, may be observed each hour at the discretion of the Manager on-duty. During this time, the pool will be cleared of everyone except adults (age 18 and over) and children (age 4 and under), who must be under the direct supervision of an adult – with a maximum of two (2) children per adult. The Manager on-duty will designate the area of the pool that is to be utilized by the supervised children with adults. This time is set aside for the adult and child(ren) to practice pool safety and etiquette in a quieter scenario.”

Councilman Stains made a motion to approve the modified rule, as presented. Councilman Berry seconded. Councilman Newcomer asked for clarification on the phrase “at the discretion of the Manager on-duty”. Mr. Hamberger explained that the pool break is at the direction of the Manager (i.e. during less busy times, no break is needed). A vote was then called and the motion passed unanimously.

DIRECTIONAL SIGNS FOR NEW DEVELOPMENTS: Mr. Hamberger noted that Council discussed a request to permit developments “off the beaten path” to erect directional signs at their recent Joint Committee meeting. The Solicitor was requested to provide a draft revision to the advertising sign ordinance to allow developers to advertise the location of their developments, in certain limited circumstances, without application of all of the restrictions set forth in the new advertising sign ordinance.

Ms. Dively provided Council with a draft revision of the advertising sign ordinance for beginning discussion on the matter. She explained her recommendations and answered questions regarding the enactment of a moratorium regarding directional signs for new developments that meet the following criteria:

- A sign which offers information providing the direction to premises which do not have frontage along certain high traffic streets as herein designated, within the Borough, whereon an approved residential real estate development is located or is being located, which development is approved for excess of _____ units (to be determined by Council), and which sign is located off said premises.
- A temporary directional sign may not exceed 10 s.f. for double-sided (5 s.f. per face).
- A temporary directional sign may not exceed 3 feet in height.
- A buffer yard shall be required between the temporary directional sign and any adjacent lots equal to the normal setbacks for that district.

Council President George suggested that Council consider the moratorium, which would provide adequate time for review/recommendations by the Planning Commission and consideration by Council. Solicitor Dively advised Council that the Municipalities Planning Code gives 180 days for municipal curative amendments; and she suggested that that would be a recognized maximum period for approval of an amendment to the Zoning Ordinance.

Based on the Solicitor’s recommendations, Councilman McCammon made a motion to establish a 180-day moratorium regarding directional signs for new developments at this time. Councilman Porter seconded; the motion passed unanimously.

Mr. Hamberger noted that this matter will be discussed by the staff and Planning Commission, for further review by Council at their next Joint Committee meeting.

Further discussion ensued regarding the size requirement for real estate signs. Ronald Martin noted that his current signs are more than 10 s.f. (he suggested that Council consider 12 s.f.), but Dan Sheffler stated that the current Zoning Ordinance permits a maximum of 6 s.f. for these signs. President George noted that the 10 s.f. stated will remain; and if a modification needs to be made, they will consider that at a later date.

ENVIRONMENTAL REVIEW (C.V. AVENUE AND E. SECOND STREET PROJECTS): Mr. Hamberger reported that Council reviewed price quotes to conduct an environmental review for the C.V. Avenue and E. Second Street projects at their last Joint Committee meeting. He recommended that the contract be awarded to Triad Engineering, Inc., based on their price of \$3,845.00. Councilman Newcomer made a motion to award the bid for an environmental review to Triad, in accordance with the Borough Manager’s recommendation. Councilman Stains seconded; the motion passed unanimously.

MODIFICATION OF SICK LEAVE POLICY FOR NON-UNIFORMED EMPLOYEES: Mr. Hamberger noted that this matter was discussed at Council's Joint Committee meeting. He suggested adding the following (similar to union contracts) to the non-uniformed employees' sick leave policy:

"Family Sick Leave. Employees shall be permitted to use, each year, not more than sixteen (16) hours of earned sick leave for the purpose of assisting a sick member of their immediate family (spouse and minor children). This benefit is on a calendar-year basis and may not be carried over."

Councilman McCammon made a motion to approve the policy modification regarding Family Sick Leave, as presented by the Borough Manager. Councilman Porter seconded; the motion passed unanimously.

NEW BUSINESS

REQUESTS FROM SUMMER JUBILEE COMMITTEE (JULY 4, 2007): Mr. Hamberger reviewed requests from the Summer Jubilee Committee for their festival to be held on July 4th. The day will begin with a 5-K Run at 8:30 a.m.; parade (sponsored by the Brothers of the Brush) at 10:30 a.m.; a full day of free music and entertainment, plus a variety of foods and activities; concluding with the annual fireworks display beginning at dusk.

They are requesting permission to use Main Street for the 5-K Run, to close Virginia Avenue between 7-9 a.m. (as in the past), to place a large dumpster on the west side of S. Enterprise Avenue; and to install a water tap on the fire hydrant across from the Waynesboro Hospital for the day. Councilman Stains made a motion to approve the requests for the Summer Jubilee Committee as outlined in their correspondence dated April 2, 2007. Councilman McCammon seconded. Mayor Starliper reported that he and Police Chief Shultz will meet with representatives of the Committee to discuss any impact the closing of Second Street will have on coordination of these activities. The motion then passed unanimously.

PLANNING COMMISSION ITEMS: Kevin Grubbs presented a proposed Land Development Plan for a recycling center on E. Sixth Street. As stated at the public hearing held earlier, the Waynesboro Planning Commission recommended approval of the plan to Borough Council; and the Franklin County Planning Commission reviewed the plan and had no comments. In addition, a variance was approved by the Zoning Hearing Board for setback relief for a proposed fence along Sixth Street; and all conditions under the Conditional Use section of the Zoning Ordinance have been incorporated in the Land Development Plan. Councilman McCammon made a motion to approve the Land Development Plan for the Recycling Center on E. Sixth Street, as presented. Councilman Berry seconded; the motion passed unanimously.

STREET SWEEPING: Mr. Hamberger noted that Council discussed the Borough's fee for street sweeping when done for private industries. The staff has checked with various other communities, and is recommending charging \$50.00/hour plus labor costs (approximately \$20.00/hour) for the operator, which is comparable with the \$75.00 fee charged by the Borough of Chambersburg. Councilman McCammon made a motion to approve revision of the Borough's street sweeping fee to \$50.00/hour (plus labor costs for the operator), as presented by the Borough Manager. Councilman Stains seconded; the motion passed 5-1 (Council President George opposed).

REQUEST FOR PERMISSION TO USE ROTARY LOT (FIRE DEPARTMENT CARNIVAL): Mr. Hamberger noted that the Fire Department's Carnival Committee is requesting permission to use the Rotary parking lot for their annual carnival scheduled for August 6th thru August 11th. They would like to close the upper half of the parking lot at 5:00 p.m. on Friday, August 3rd, and the remainder of the

lot on Saturday, August 4th, at 11:00 p.m. for set-up. Councilman Stains made a motion to approve the Carnival Committee's request. Councilman Berry seconded; the motion passed unanimously.

REQUEST TO HOLD BAKE/PLANT SALE (MAINSTREET WAYNESBORO, INC.): Mr. Hamberger received a request from Mainstreet Waynesboro, Inc. (Downtown Manager Carole Malin) to hold a bake and plant sale in conjunction with the Downtown Retailers' Mother's Day Celebration on Friday, May 11th and Saturday, May 12th. The bake sale will be located in front of Susquehanna Bank, and the plant/flower sale will be located on the street beside M & T Bank. Councilman Stains made a motion to approve the request as described. Councilman Porter seconded; the motion passed unanimously.

CONTRACT WITH FIRE APPARATUS DRIVERS' ASSOCIATION: Mr. Hamberger noted that Council received a copy of the proposed contract executed by the Fire Apparatus Drivers' Association. Councilman McCammon made a motion to authorize execution of the document by the appropriate Borough officials. Councilman Berry seconded; the motion passed unanimously.

RECORD HERALD READING PROGRAM: Mayor Starliper presented a Proclamation to Dennis Shockey, Advertising Manager at *The Record Herald*, who perceived an idea to help improve the reading program at the Fairview Avenue Elementary School. *The Record Herald's* reading program has continued for the past ten (10) years by providing financial help/supplies and encouraged employees to volunteer as reading tutors. Mr. Shockey explained the program and mentioned several highlights, adding that it is his ultimate goal for the program to be implemented at various elementary schools throughout the Waynesboro Area School District. Council President Richard George congratulated Mr. Shockey on a "job well done".

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Darwyn Benedict, 16 S. Mulberry Avenue – Mr. Benedict questioned if a decision had been made by Council to close S. Mulberry Avenue (and if so, when?) President George replied that that matter is in "discussion phase only". He invited Mr. Benedict, and any other interested parties, to attend the next Street Committee meeting to be held at 6:30 p.m. on May 2nd (prior to the next Council meeting) to discuss the matter.

Mr. Benedict then questioned why all the new "Free Parking" signs have been located on S. Church Street, Walnut Street, etc. (directing traffic away from S. Mulberry Avenue). He again asked if the decision had already been made to close S. Mulberry Avenue. Kevin Grubbs explained that the signs were intended to be placed on "more accessible streets"; and President George commented that this was not a preliminary to the closing of Mulberry Avenue.

Mr. Benedict stated that discussion has been held in the past about encouraging patrons to park in the Rotary parking lot. He noted that there are cars parked on the lot that are not licensed or inspected and/or are on jackstands, as well as debris from a neighboring property. The lot is not attractive, and a walkway (which has been suggested) will not resolve the problems that exist there at the present time.

Merle Biser of Biser's Furniture, 72 W. Main Street (Rear) – Mr. Biser noted his concern about the utility pole at the Elks Club in the middle of the parking lot. Delivery trucks have a very difficult time maneuvering around the pole. He was told several years ago that it would cost approximately \$1,500 to move the pole and it was not pursued further. As the pole has been hit many times, he requested that someone look at it again. Councilman Porter noted that he will look at the pole prior to the next Street Committee meeting, and the matter will be discussed at that time. Mr. Biser also remarked about the proposal to close S. Mulberry Avenue off to vehicular traffic for a pedestrian walkway, noting that this thoroughfare is the main entrance to the Rotary parking lot off Main Street. President George

instructed Kevin Grubbs to research the matter regarding the pole and report back on his findings at the Street Committee meeting.

FOR INFORMATION ONLY

REMINDER OF CENTRAL TRI-COUNTY BOROUGH'S ASSOCIATION MEETING (APRIL 24, 2007): Mr. Hamberger reminded Council of the upcoming Central Tri-County Boroughs' Association meeting to be held on April 24th in Greencastle. Those interested in attending were asked to contact Melinda Knott immediately.

INVITATION TO ANNUAL SPRING MEETING OF THE FRANKLIN COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS: Council received an invitation to attend the Annual Spring Meeting of the Franklin County Association of Township Officials to be held on Wednesday, May 30th, at the Marion Volunteer Fire Department's Activities Center. RSVP's are requested no later than Friday, May 4th.

INVITATION FROM WAYNESBORO AREA SENIOR HIGH SCHOOL'S ART DEPARTMENT SHOW: Invitations were handed out for Council to attend the Waynesboro Area Senior High School's Art Department show to be held on Saturday, May 5th.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-07-10 and 11. Councilman Porter seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Stains offered his copy of information on unlicensed vehicles located in the Rotary parking lot (provided by Darwyn Benedict) to Police Chief Shultz, and requested that his Department investigate the allegations.

Mayor Starliper reminded those in attendance that, in light of the tragic shooting this week at Virginia Tech, everyone needs to be aware of their surroundings and the people around them. He noted that something of this nature can happen anywhere.

Kevin Grubbs provided Council with an update on the progress of the storm sewer analysis. The consulting engineer has been in contact with the aerial photography company to determine their exact schedule on the project, and additional inspections on the storm sewers will be done since the weather has now improved. Council had approved the purchase/installation of backflow preventers on W. Fifth Street, however only one (1) property owner has confirmed their approval for the device to be installed – that equipment will be installed in the near future.

Mr. Grubbs also reported that the engineering staff will conduct a crosswalk survey on Main Street the following week; and the design/field work for the C. V. Avenue project will also be completed shortly.

Council President Richard George commended and congratulated the residents of Cold Spring Estates on the order and cleanliness of their properties. He observed this recently during a walk, and invited those in attendance to visit their development.

Having no further business to discuss, the meeting adjourned at 8:09 p.m. on a McCammon/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant