

MARCH 21, 2007  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Richard George called the regularly scheduled meeting of the Waynesboro Borough Council to order at 6:30 p.m. with the following in attendance:

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

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)  
Ray Shultz, Police Chief  
S. Leiter Pryor, Director of Borough Utilities  
Kevin Grubbs, Head of Engineering Services

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

Councilman Stains reported that he missed the last Council meeting due to the birth of his daughter (both mother and daughter are doing well); and he thanked everyone for their well-wishes.

**DISCUSSION WITH CONSULTING ENGINEER RE: AERIAL PHOTOGRAPHY:** Representatives from Dennis Black Engineering, Inc., Lee Zeger and Karen Wuest, were present to discuss the proposal for aerial photography in conjunction with their analysis of the Borough's storm sewer system.

Mr. Zeger explained that the aerial photography will show all inlets, sewer manholes, total elevations, etc., which will be beneficial to the accuracy of their analysis and helpful to the Borough for various other reasons. He noted that most boroughs in the area have done aerial photographs; and many more will be done in the future. As there is not a lot of room for development in the Borough, upgrades will not be required for probably 20-30 years. (Existing contours will be available, and data can be uploaded via the CADD system in the Engineering Department should there be any large developments proposed.)

Mr. Zeger noted that if the aerial photography is not done at this time, they (Dennis Black Engineering) will have to rely on USGS information obtained from the internet, and accuracy of calculations in their analysis would be affected. Councilman Berry clarified that this would mean additional costs on the Borough's part, since it would take longer for an analysis to be prepared; and Mr. Zeger agreed. Mr. Berry stated that Council could spend additional monies "one of two ways", but will need to decide how they would prefer to spend it.

Mr. Hamberger noted that the original quote for the storm sewer analysis was \$20,000. He questioned if any part of that quote provided for the mapping work. Karen Wuest stated that that was excluded; and added that the quote outlined that the Borough would "provide all required information". The Borough's current mapping is from the early 1980's, and provides information on street layouts, etc.; but more detailed information would provide for a more accurate analysis on the system.

Councilman Stains questioned the estimated time-line for this project – from commencement of the aerial photographs to final recommendations from Dennis Black Engineering. Mr. Zeger noted that, due to foliage growth, the aerial photography would have to be completed by spring. He estimated three (3) months for the mapping company to provide necessary information to Denny Black; and they could have their report/recommendations completed and forwarded to Council by September.

It was noted that the Borough would receive actual photographs in either 30 or 50 scale (whichever option they choose). Mr. Zeger explained that either option is accurate, but the 30 scale is much more precise. Kevin Grubbs stated his opinion that 30 scale would be best.

Mr. Grubbs reported that the original quote to process the entire Borough on a 30 scale was \$70,000. As this is a non-budgeted item, they contemplated doing just the section required for the analysis at this time (which is approximately 30% of the Borough). This would cost between \$22,000 to \$24,000. He explained that the entire Borough will be filmed, but the remainder could be processed at a later date. Councilman Newcomer asked if this will shorten the time-line for the project. Mr. Zeger noted that would depend on how fast the mapping company forwards the needed information to Mr. Black's office. Mr. Newcomer requested that Council's time concern be stressed; and Kevin Grubbs assured him that it would most likely "be quicker" than originally stated for the entire Borough. He added, however, that it is imperative to get on their schedule for April. President George replied that he intends to ask Council to make a decision on the matter at this meeting.

President George noted that Council will take a five (5) minute break before proceeding with the remainder of Council's regular meeting.

After a brief recess, Mr. George welcomed the public.

**APPROVE MINUTES:** Councilman McCammon made a motion to approve the minutes of the March 7, 2007 regular meeting, as written. Councilman Berry seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman Stains 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 three (3) items later in the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** Councilman Porter reported that the Street Committee met on March 12<sup>th</sup> and discussed the following items –

- Flashing lights at Third/Walnut Streets for an extended period of time
- Major construction (and resultant traffic problems) at Senior High School
- Traffic problem on S. Price Avenue

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** Councilman Newcomer noted that he will present a motion later in the meeting to authorize an item in the budget.

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

"I attended the PSAB's Spring Legislative Conference at Grantsville on March 19<sup>th</sup> and 20<sup>th</sup>.

This year they had five representatives and three senators from the PA General Assembly offer their perspectives on issues presented by Borough officials.

Attorney General Tom Corbett was also a speaker, along with Lt. Governor Catherine Baker Knoll.

An item that we may have concern about is the EMST and the clarification of income. Bill 218 is being presented; and at this point in time, they are trying to clarify what is earned income. SS and pension may be excluded.

I had the opportunity to speak with the Lt. Governor concerning jobs leaving PA.

Overall, it was a good conference."

**SOLICITOR'S REPORT:** Solicitor Melissa Dively reported that the School District's attorney is e-mailing a draft copy of a proposed Right-of-Way Agreement for Third Street for the Borough's approval. A copy will be forwarded to Council when she deems it acceptable.

**PUBLIC COMMENT - ITEMS ON AGENDA:** Dennis Little, a sludge hauling contractor, made his presence known to Council. He noted that he is available to answer any questions they may have when discussing the sludge hauling/land application bids.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Upon recommendation by the Recreation Board, Councilman Berry made a motion to hire the following individuals for the golf course:

Pro Shop Attendants - Dorothy "Jean" Kaiser, Zachary Rounceville, Jacklyn Kaiser and Harry Grove IV

Pro Shop Attendant/Golf Course - Howard McKean

Golf Course Maintenance Workers - Ralph Johnson, Jonathan Holmes, Nathan Kauffman and Jarred Knott

Councilman McCammon seconded; the motion passed unanimously.

After having received a successful performance evaluation for Tom Simmers, Councilman Berry made a motion to grant him a step increase to salary level 10D. Councilman McCammon seconded; the motion passed unanimously.

A successful performance evaluation was also received for Doug Layman. Accordingly, Councilman Berry made a motion to remove him from probationary status and place him on permanent status. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to remove the flashing lights at the four-way stop intersection of E. Third and Walnut Streets; and further, to replace the existing stop sign with a larger one (36") to increase visibility. Councilman McCammon seconded; the motion passed unanimously.

Due to construction at the High School and the problems they have had (and expect to have in the future), Councilman Porter made a motion to close E. Second Street to regular traffic, from Enterprise

to Virginia Avenues, throughout the period of construction (approximately 2 years). Councilman McCammon seconded. It was clarified that the street will only be closed to general traffic (not construction or school-related traffic) and detour signs will be erected to re-route traffic. Discussion followed regarding student parking and bus traffic. Councilman Porter stated it was the opinion of the school officials at their last meeting that it would be in the best interest of the overall project to close E. Second Street. Council members seemed in agreement, but noted their concern about the students. Mr. George stated that, once the site has been prepared, there is a chance of the street closing being alleviated (hopefully much sooner than completion of the entire project). Mayor Starliper questioned who will monitor/control the closed area. Mr. Porter commented that barriers will be placed at each end; and the school bus drivers will be advised to go around the barriers. In addition, Kevin Grubbs noted that signs indicating a detour will be erected prior to the affected area. This will be coordinated between the Borough and the contractor. A vote was then called, and the motion passed unanimously. President George asked when the closing will take place, noting he feels that it should occur soon. Council agreed.

Councilman Porter made a motion to establish a "No Parking" area on the west side of S. Price Avenue, from W. Main Street to the first alley south of W. Main Street. Councilman McCammon seconded; the motion passed unanimously.

Councilman Newcomer reported on a typographical error discovered in the 2007 budget. He made a motion to approve the listing of \$3,000 for the purchase of a trailer in the Liquid Fuels Account. Councilman McCammon seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**AWARD BIDS (STONE, PAVING MATERIALS AND SLUDGE HAULING/LAND APPLICATION):** Mr. Hamberger reported that the staff reviewed the bids for stone, and indicated the overall low bidder to be Valley Quarries. Councilman McCammon made a motion to award the stone bids to Valley Quarries accordingly. Councilman Stains seconded; the motion passed unanimously.

The staff also reviewed the bids for paving materials, and is recommending rejecting/re-bidding the bids to include an escalator clause. Councilman Berry made a motion to reject and re-bid the bids for paving materials. Councilman McCammon seconded; the motion passed unanimously.

Leiter Pryor reported that two (2) bids were received for sludge hauling/land application. After review and consultation with the Borough Solicitor, he recommends the bids be awarded to Dennis Little Enterprises. Councilman McCammon made a motion as such. Councilman Porter seconded; the motion passed unanimously.

**PROPOSALS FOR 2007 CDBG PROGRAM:** Mr. Hamberger advised that a second public hearing must be held for the 2007 CDBG program for the purpose of delineating proposed uses for the funds. He recommended proceeding with similar proposed uses as in the past (these can be modified at a later date, if needed). Councilman Porter made a motion to schedule a public hearing for the 2007 CDBG program for the next Council meeting (April 4<sup>th</sup>) at 7:00 p.m. Councilman McCammon seconded; the motion passed unanimously.

## **NEW BUSINESS**

**REQUEST FOR COUNCIL REPRESENTATIVE ON FRANKLIN COUNTY EMERGENCY SERVICE ALLIANCE:** Mr. Hamberger noted that the Borough's current representatives on the County's Emergency Service Alliance (Gary Summers and Trayer Stoops) are recommending that a member of Borough Council should also serve as a representative on the Alliance. President George asked Council members to consider the request, and to contact he or Mr. Hamberger if they are interested in

serving in this capacity. The matter will be placed on the agenda for the next Council meeting, and an appointment will be made at that time.

**AWARD BIDS (NORTHSIDE POOL CONCESSION STAND):** Mr. Hamberger reported that only one bid was received for rental of the pool concession stand – that being from the individual who operated it last year (Della Koons). Her proposal was for 9% of the gross sales, which is the same as last year's amount. Councilman Porter made a motion to award the 2007 pool concession stand contract to Della Koons. Councilman McCammon seconded; the motion passed unanimously.

**AUTHORIZE CDBG FUNDS (REFUSE CONTAINERS AND WALKWAY PAVING):** Mr. Hamberger noted that Council discussed the use of "Downtown Redevelopment" monies for refuse containers and paving a walkway at their recent Joint Committee meeting.

Councilman McCammon made a motion to utilize \$5,000 for the purchase of five (5) refuse containers (an additional one has been donated) for the downtown area. Councilman Berry seconded; the motion passed unanimously.

Councilman Newcomer made a motion to utilize approximately \$10,000-\$15,000 for paving a downtown walkway on the north side of Main Street. Councilman Porter seconded. Councilman McCammon stated his opposition to this project, adding that it "is a terrible waste of taxpayers' money" and "unnecessary". Mr. Newcomer replied that this is a part of downtown revitalization – and if Council is committed to bring people to the downtown, they "need to start somewhere". Mayor Starliper suggested that he would like to see the alley across the street (on the south side of Main Street) paved, however Mr. Newcomer noted that that project is not up for discussion. A vote was then called; and the motion passed 5-0, with Councilman McCammon opposing.

**BURNING PERMIT FOR SCHOOL PROPERTY:** Mr. Hamberger reported that he was contacted by the School District regarding a request to burn debris. He presented proposed Resolution 2007-04 for this purpose. Councilman Porter made a motion to approve the resolution, as presented. Councilman McCammon seconded; the motion passed unanimously.

#### RESOLUTION 2007-04

WHEREAS, Section V, Subsection 9 of Borough Ordinance No. 956, known as the "Air Pollution Control Ordinance of 1994", provides that Borough Council may from time to time adopt exceptions to the open burning prohibition in the Borough of Waynesboro by resolution, and

WHEREAS, the Borough of Waynesboro has determined that it is in the public interest to permit open burning from time to time by the Waynesboro Area School District, and

Complete copy on file at Borough Hall.

**SUMMER COUNCIL MEETING SCHEDULE:** Mr. Hamberger reminded Council members that, in years passed, Council has modified their summer meeting schedule to include only one (1) meeting per month. Councilman Porter made a motion for Council to change their meeting schedule to one (1) meeting per month during the months of June, July and August. President George suggested that his motion include verbiage to permit the President to call additional meetings at his discretion. Mr. Porter agreed to the amendment to his motion. Councilman McCammon seconded; the motion passed unanimously. It was agreed that meetings on the first Wednesday of those months will be canceled, but meetings on the third Wednesdays will be held.

**OTTERBEIN CHURCH LAND DEVELOPMENT:** Kevin Grubbs reported that the Waynesboro Planning Commission has reviewed the Land Development Plans for the Otterbein Church on S.

Welty Road and recommended two (2) minor elevation revisions. The Planning Commission also recommended approval of the plans by Borough Council, contingent upon completion of these revisions and final approval from the consulting engineer. Councilman Porter made a motion to approve the Land Development Plans for the Otterbein Church, contingent upon final approval from the consulting engineer. Councilman McCammon seconded; the motion passed unanimously.

**RECYCLING CENTER LAND DEVELOPMENT:** Kevin Grubbs noted that all required revisions to the Land Development Plans for a recycling center on E. Sixth Street were made and reviewed at the last Planning Commission meeting. The Planning Commission recommended approval by Borough Council, contingent upon the outcome of the variance hearing with the Zoning Hearing Board on March 29<sup>th</sup>. He explained that a variance is required for the ordinance's "junkyard" provision for a fence to be 50' off the property line or rear setback line, which would essentially expose a large portion of their loading area. He added that the plans meet all other requirements of the Subdivision/Land Development Ordinance, as well as the Zoning Ordinance. Prior to approval of the Land Development, however, Mr. Grubbs advised that Borough Council will need to schedule a public hearing for the conditional use ("junkyard"). Councilman McCammon made a motion to schedule a public hearing prior to Council's second meeting in April regarding this matter. Councilman Porter seconded; the motion passed unanimously.

**COLDSRING ESTATES - PHASE 7 - LAND DEVELOPMENT:** Mr. Grubbs presented a Land Development Plan for Coldspring Estates - Phase 7. Revisions were made to the original plans, thereby requiring revisions also to the Stormwater Management Plan. Those are currently being reviewed by the Borough's consulting engineer in light of the additional units planned. The Waynesboro Planning Commission recommended approval of Land Development Plans, contingent upon the recommendation for approval from the consulting engineer. Councilman McCammon made a motion to approve the Land Development Plans for Coldspring Estates - Phase 7, contingent upon final approval by the consulting engineer. Councilman Newcomer seconded; the motion passed unanimously.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:** None.

### **FOR INFORMATION ONLY**

**UPDATE ON STORM SEWER STUDY:** Kevin Grubbs noted that discussion was held previously regarding the possibility of conducting aerial photography to aid in the accuracy and efficiency of the consulting engineer's report/recommendations on the Borough's storm sewer system. He stressed the importance of accurate information, adding that the overall analysis "will take time". He also reported that the Engineering Department will work on additional visual inspections of the system again the following week.

Council President George suggested that Council discuss the proposal for aerial photography at this time, noting that it must be acted on now if it is going to be beneficial. Councilman Newcomer made a motion to approve the aerial photography in the area needed at this time (that which is being discussed with regard to the storm sewer study); and further, that the entire town be photographed for future use as needed. Councilman Porter seconded, but recommended the addition of the specific scale of photography in the motion. Councilman Newcomer agreed to amend his motion to include the choice of 30-scale photography. Councilman Porter seconded the amended motion. Councilman Berry then asked where the money for this work will come from. President George noted that the Borough Manager will present Council with several proposals which should not cause a significant impact on the budget. A vote was then called, and the motion passed unanimously.

**PAY BILLS:** Councilman Newcomer made a motion to approve the payment of Voucher List VL-07-07. Councilman McCammon seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Newcomer noted his pleasure that work is progressing “in the right direction” on the storm sewer study, adding that Borough crews will be working on the system in the interim (while awaiting the final analysis).

Councilman Newcomer also thanked Jim Zaiger, developer of Coldspring Estates, for “bringing such a nice area to town”. He commended him for his hard work and efforts at the site, for which he can be very proud.

Mayor Starliper reported that the Fraternal Order of Eagles presented the Police Department and its K-9 unit with a donation on March 17<sup>th</sup>. He thanked them for their generosity.

Mayor Starliper requested that the Property Committee review eminent domain laws with the Borough Solicitor with regard to the two (2) fire-damaged properties in the 500 block of W. Main Street. He suggested that there may be a possibility of taking these properties and re-selling them to private developers.

Mr. Hamberger requested that Council hold a brief executive session immediately following the meeting to discuss personnel issues.

Having no further business to discuss, the meeting adjourned at 7:34 p.m.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant