

JULY 26, 2006
WAYNESBORO, PA 17268
SPECIAL MEETING

Council President Richard George called the special meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

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

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Ray Shultz, Police Chief
Ron Flegel, Fire Chief
S. Leiter Pryor, Director of Borough Utilities

WELCOME: Mr. George welcomed the public in attendance, as well as Councilman Porter (who has been “under the weather” lately).

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

FLOODING/STORMWATER ISSUES: President George noted that comments will be heard from the public first; then comments will be heard from Borough personnel; and finally, Council will consider the information received and formulate a plan of action.

Steve Bumbaugh, 832 Maple Street - Mr. Bumbaugh spoke on behalf of he & his wife Susan, Russell Weikert, and Carroll & Robyn Davis. He distributed a booklet to Council which was prepared outlining their concerns.

Mr. Bumbaugh began by stating that Mr. Weikert has lived in his residence since 1981, the Bumbaughs in their residence since 1986, and the Davises in their residence since 1997. They have experienced four (4) home floodings since 2003, the most severe of which was on June 26th of this year. Over the years, there have also been many “near misses” of stormwater threatening their homes by flooding into their yards.

Mr. Bumbaugh referenced a letter addressed to the Borough from Dennis Black Engineering dated September 27, 2004, noting that a 1985 study they conducted found that “the existing stormwater duct under Church Street was inadequate for the design flow capacity”. However, no improvements were performed by the Borough after this recommendation; and more and more run-off water has been added to an already inadequate system. The same letter recommended that adjacent landowners be informed about the unstable banks for parking and mowing. To date, however, no one has received such a letter.

Gabions were then installed in 1986 or 1987 from S. Potomac Street to Maple Street, and mostly failed to do their job due to improper installation. The ditch from Potomac Street to Maple Street has become an overgrown, debris-filled mess. Since 1986, nothing has been done to the ditch until a road-widening project was undertaken and three 48" corrugated pipes were added under S. Church Street

and the voids filled with concrete. Mr. Bumbaugh again referred to Dennis Black's letter dated 09/27/2004, which stated that the addition of these pipes to the end of the duct reduced the flow capacity 81%. He also mentioned an article in *The Record Herald* regarding flooding in the south end of town, which quoted Kevin Grubbs as stating that "about two-thirds of water run-off in the Borough eventually makes it way into the storm sewer drain that runs by the Davis' home".

Mr. Bumbaugh offered several suggestions from his group:

For Immediate Relief ...

1. Remove box drains from Maple and Church Streets, even if it means closing the streets so water can escape and cause no further destruction. This could be done very cost-effectively utilizing Borough employees and equipment.
2. Remove all vegetation and trees from both sides of the ditch and maintain it on a regular basis.

As a Solution ...

1. Option #2 (from Kevin Grubbs' letter to Borough Council) is a move in the right direction, with some improvements.
2. At the July 17th Planning Commission meeting, Mr. Weller's suggestion of a concrete aqueduct/canal would be promising, with proper engineering and design.

Mr. Bumbaugh noted that the group can no longer withstand the personal and financial losses sustained as a result of these flooding events. They are outraged that a design deemed to be inadequate in 1985 was further reduced by 81% in 1999. They are also outraged that their complaints and concerns have been primarily ignored; and that the solutions and recommendations received from engineering professionals have been ignored or worsened. They are hopeful they can trust Council's sound judgment and expect their immediate response for corrective action. They also requested that a meeting be arranged in the near future to discuss the matter further.

Richard George complimented Mr. Bumbaugh on his presentation, which was very precise and well done.

Danny Blount, 807 Pine Grove Drive - Mr. Blount thanked Council for the opportunity to voice his concerns. He described the location of his home and the flow of stormwater in the area. A swale in his rear yard directs water to a collection basin (with an 18" pipe underground) which empties into the Antietam Creek. When it rains heavily, dirt and debris is carried through the swale and collects in the basin. During the last storm, the pipe and basin filled completely and overflowed into his back yard and basement. Additionally, neighbors upstream have been using the swale as a dumping area (for tree branches and building materials), which are then carried to neighboring yards downstream.

Mr. Blount noted that Kevin Grubbs has visited the site several times to discuss possible solutions. Immediate solutions would be to clean out the swale, make it larger, and add larger stones for drainage. In addition, something also needs to be done upstream to slow the water down and address problems with run-off and soil erosion.

Dick Rose, 118 W. Fifth Street - Mr. Rose noted his appreciation to Council for arranging this special meeting to give residents an opportunity to speak about the problems which occurred recently during the heavy rains. A letter was forwarded to Council previously describing these problems in detail.

Mr. Rose described sanitary sewer back-ups which have occurred in the past, primarily in the 100 block of W. Fifth Street. In the last storm, every home on the block had a back-up (of some sort) in their homes. A pronounced sewer odor still exists in the area at the present time.

In addition, several homes experienced difficulty with stormwater back-up. As he understands the storm sewer system, everything seems to converge at this location. He noted that the pipes fill completely at times, lifting the manhole plates, and water pours into their yards, etc. He has lived in his home 19 years and can recall this happening 6-10 times. He feels that the storm sewer system is not large enough to handle the flow (especially with the increased construction in the area). In addition, the storm sewer pipes in the grass alley behind his home, running east/west, have not been properly maintained.

Mr. Rose described the steps he is in the process of taking to elevate the area around his pool and garage, in hopes of alleviating future problems at his property – it will cost him thousands of dollars for this “fix”. He understands that the Borough is not legally obligated in this regard, but he feels it is unfair that the property owners should have to fix the problem. He recommended that the Borough engage private, independent contractors to review their infrastructure system – especially in light of the growing population and increased number of housing units. Short-term solutions should be addressed for now, but long-range planning should also be looked at. He suggested that funding be pursued such as that utilized for the street rehabilitation projects currently underway.

Bill Ramsey, 122 W. Fifth Street - Mr. Ramsey noted that he has lived at his residence for 14+ years, during which time he has experienced at least five (5) sewer back-ups. Every one of the eight houses on his block has a problem with sewer back-up, which is a real health issue. He urged Council to look at the situation for a possible solution.

Joe Shepherd, 412 S. Potomac Street - Mr. Shepherd has lived at his residence since 1991. He raised concerns regarding safety for vehicles and/or children in the area when these pipes fill up and the lids are raised. He added that damages experienced by the residents are devastating, including one gentleman whose basement filled with water to the rafters. He agreed with some of the recommendations given by Mr. Rose and urged Council to do something in the near future.

President George stated that Kevin Grubbs has provided Council with some initial feedback and recommendations; and he requested that he review that information again, considering the comments heard this evening. A response should be available for Council’s review at their August 16th meeting. At that time, Council will arrange a meeting with the residents to review and evaluate his recommendations to devise a plan for Council’s action. Copies of Kevin Grubbs’ recommendations will be forwarded to those individuals who “signed in” at this meeting. In addition, Councilman Newcomer noted he will hand-deliver the information to concerned individuals in his ward. Of course, financial aspects of any corrective action will also need to be reviewed. He added that some of the clean-up work will begin as soon as possible.

SCHEDULE HEARING CONTINUANCE AND JOINT COMMITTEE MEETING: Mr. George noted that, because the Planning Commission was not able to address several issues at their last meeting, Council’s August meeting will be changed from August 9th to August 16th. (The Planning Commission’s August meeting will be held on August 14th.) A public meeting will be held at 6:45 p.m. with residents of N. East Avenue, the re-zoning hearing for 405 N. Grant Street will be continued at 7:30 p.m., and the regular Council meeting will follow thereafter.

PERSONNEL ACTIONS: Councilman Berry noted that he received a recommendation from Fire Chief Flegel to hire Robert Biesecker as a Fire Apparatus Driver. Accordingly, he made a motion to appoint Mr. Biesecker to the position. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry noted that he received performance evaluations, all of which were satisfactory, for the following individuals: (1) Stanley Pryor - no action required; (2) S. Frank Stine; and (3) Peggy Martin. Councilman Berry made a motion to remove S. Frank Stine from probationary status, and place him on permanent status at Level 5 (\$11.12/hour). Councilman McCammon seconded; the motion passed unanimously. Councilman Berry also made a motion to remove Peggy Martin from probationary status, and place her on permanent status at level 5A (\$11.24/hour). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint Thomas J. Finucane as the Borough's arbitrator for the police and fire contract negotiations. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint Stephen Monn to the Waynesboro Planning Commission, effective immediately. Councilman Porter seconded; the motion passed unanimously. It was noted that Mr. Monn will fill the unexpired term of Richard Sherwin.

Councilman Berry reported that he received a letter from Kim Shockey resigning her position on the Planning Commission, effective September 1st. He made a motion to accept her resignation, with appreciation noted for her years of service. Councilman McCammon seconded; the motion passed unanimously. Mr. Hamberger was instructed to send a letter to Mrs. Shockey noting Council's remarks.

Councilman Berry made a motion to appoint George "Steve" Waltz to the Waynesboro Planning Commission, effective September 1st. Councilman Stains seconded; the motion passed unanimously.

Councilman Berry acknowledged receipt of a letter of resignation from Vicki Carty, Water Treatment Plant Technician.

DESIGNATION OF AGENT (FEMA/PEMA DISASTER RELIEF): Mr. Hamberger noted that he attended a meeting with representatives from FEMA and PEMA, and was informed that the Borough is eligible for disaster relief. Council will need to adopt a resolution designating Lloyd Hamberger as "agent", and authorizing him to execute the appropriate documents for the application for funding. Accordingly, proposed Resolution No. 2006-08 was presented for Council's consideration. Councilman Newcomer made a motion to adopt Resolution No. 2006-08. Councilman McCammon seconded; the motion passed unanimously.

DESIGNATION OF AGENT
RESOLUTION NO. 2006-08

BE IT RESOLVED by Borough Council of the Borough of Waynesboro that Lloyd R. Hamberger, II, Borough Manager, is hereby authorized to execute for and in behalf of the Borough of Waynesboro, a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

Complete copy on file at Borough Hall.

PRESENTATION OF ITEMS FROM PLANNING COMMISSION MEETING: Kevin Grubbs noted that several plans were reviewed by the Waynesboro Planning Commission at their meeting held on July 17th, all of which were recommended for approval by Borough Council. These plans were also approved by the Franklin County Planning Commission.

1. SUBDIVISION - 30 S. CHURCH STREET (STAR APARTMENTS)

Councilman McCammon made a motion to approve the subdivision plan, as presented. Councilman Berry seconded; the motion passed unanimously.

2. SUBDIVISION - COLD SPRING ESTATES (LOTS 170-171, PHASE 9)

Mr. Grubbs noted that the lot line was adjusted by less than 1'. Councilman McCammon made a motion to approve the subdivision plan, as presented. Councilman Berry seconded; the motion passed unanimously.

3. SUBDIVISION - COLD SPRING ESTATES (LOTS 176-177, PHASE 9)

Mr. Grubbs noted that this is also for adjustment of a lot line. Councilman McCammon made a motion to approve the subdivision plan, as presented. Councilman Porter seconded; the motion passed unanimously.

4. SUBDIVISION - COLD SPRING ESTATES (LOTS 91 & 100, PHASE 3B)

Mr. Grubbs noted that there had been some question about lot frontage and setback requirements, and revisions were made accordingly. Four (4) lots were changed to open space lots, and residual was added to the rear of existing lots. Lots 91 & 100 were originally planned for two units, but will be subdivided for single-family dwellings. Councilman McCammon made a motion to approve the subdivision plan, as presented. Councilman Porter seconded; the motion passed unanimously.

5. SUBDIVISION - SNOWBERGER CUSTOM HOMES (LOTS 1 & 2 - FRICK AVENUE)

Mr. Grubbs explained that, when these units were built, one side extended into the setback by a cantilever. This re-subdivision will adjust the lot line to allow for that extension. Councilman McCammon made a motion to approve the subdivision plan, as presented. Councilman Porter seconded; the motion passed unanimously.

6. LAND DEVELOPMENT - YMCA

Mr. Grubbs noted that the YMCA is planning to make renovations and additions to their existing building. A variance regarding parking spaces was granted by the Zoning Hearing Board, and the Waynesboro Planning Commission recommended approval of the plan at their meeting on July 17th. No comments were noted from the Franklin County Planning Commission; and the plan meets all requirements of the Borough's ordinances. Councilman McCammon made a motion to approve the Land Development Plan, as presented. Councilman Newcomer seconded; the motion passed unanimously.

7. RE-ZONING REQUEST - 64 E. SECOND STREET (GC TO RM)

Mr. Grubbs reported that a request for re-zoning was received for 64 E. Second Street (from GC to RM). The petition was presented to the Waynesboro Planning Commission for review on July 17th, at which time they recommended that Council proceed. The request has also been forwarded to the Franklin County Planning Commission; but their response has not yet been received. If satisfactory comments are received from the County Planning Commission, Mr. Grubbs noted that he will schedule a hearing for Council's first meeting in September. Council concurred.

PUBLIC COMMENTS:

Ronnie Martin, 66 State Road - Mr. Martin requested release of his bonding for West End Development (Phase I), and acceptance of the bonding for Phase II and paving for Phase I. Kevin Grubbs noted that the bonding requirements for Phase II have been satisfied, and the matter is currently under review of the Borough Solicitor. Regarding release of the bonding for Phase I, Council

will act on that matter during their meeting on August 16th. (He explained the pertinent timelines with respect to this release, as outlined in the Borough's Subdivision/Land Development Ordinance.)

President Richard George noted that the Negotiating Committee will hold a brief meeting immediately following this Council meeting. He thanked the public for their attendance and input/comments.

Having no further business to discuss, the meeting adjourned at 8:26 p.m. on a McCammon/Newcomer motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant