

FEBRUARY 1, 2012
WAYNESBORO, PA 17268
REGULAR MEETING

Council Vice-President Wayne Driscoll 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, Craig Newcomer, Darrel Potts, Wayne Driscoll and Michael Cermak (Council President Jason Stains was absent)

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, Salzman Hughes, PC (Borough Solicitor)
Jason Cohen, Assistant Borough Manager
Mark King, Police Chief

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 January 18, 2012 meeting, as written. Councilman Potts seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cermak reported that he received a favorable performance evaluation for Jay Mongan. No action was required.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll noted that the Property Committee will hold a meeting on Wednesday, 02/15, at 6:30 p.m. (prior to the Council hearings/meeting). Thereafter, their monthly meetings will be held at 6:30 p.m. on the third Wednesday of each month (prior to the Council meetings).

STREET COMMITTEE: No report. Councilman Potts announced that monthly Street Committee meetings will be held in Borough Hall on the fourth Wednesday of each month at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Newcomer reported that a Downtown Revitalization Committee meeting was held on 01/24; and their next meeting will be held on 02/14 at 9:00 a.m. A presentation regarding the northeast corner of Center Square will be made to Council in the near future.

FINANCE COMMITTEE: No report.

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

“On January 27th, I attended the Waynesboro Chamber’s Quarterly Breakfast at the Savoy. The FCADC and United Way of Franklin County presented the program.”

SOLICITOR’S REPORT: No report.

EXECUTIVE SESSION: Solicitor Wiser requested that Council hold a brief executive session for the purpose of discussing matters of litigation. Council adjourned to executive session at 7:34 p.m. and reconvened to regular session at 7:41 p.m.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Cermak reported that two (2) members’ terms on the Library Board will expire on 02/01. Clint Barkdoll has expressed a desire for reappointment, and Councilman Cermak made a motion for his reappointment to a term expiring on 02/01/2015. Councilman Greenawalt seconded; the motion passed unanimously. Mr. Cermak noted that Jason Piatt does not wish to be reappointed, and the Library Board is recommending Patricia Groff as his replacement. Accordingly, Councilman Cermak made a motion to appoint Patricia Groff to a term on the Library Board expiring on 02/01/2015. Councilman Greenawalt seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER ORDINANCE FOR ADOPTION (PLANNING COMMISSION MEMBERSHIP): Kevin Grubbs noted that the Waynesboro Planning Commission currently has nine (9) members, and Borough Council has shown an interest in decreasing its membership to seven (7). A proposed ordinance effecting this change was advertised on 01/23 in *The Record Herald*; and is offered for Council’s consideration at this time. Councilman Greenawalt made a motion to adopt the proposed ordinance, as presented. Councilman Cermak seconded; the motion passed unanimously. Solicitor Wiser explained that the two (2) soonest expiring terms will be eliminated – those ending in 2014 and 2015.

RENTAL INSPECTION ORDINANCE: Mr. Hamberger reported that he and the Solicitor have reviewed the Rental Inspection Ordinance proposed by the Rental Inspection Program Committee. Several changes were recommended (copies were provided to Council for review). Councilman Driscoll suggested that the item be forwarded to the Property Committee for further review and comment, adding that input/comments from other Council members would be welcomed. Mayor Starliper stated that the document should also be forwarded to PSAB, as they have staff specifically experienced/trained on this subject. Council concurred. Councilman Newcomer applauded members of the Rental Inspection Committee for their efforts thus far, adding that they have also offered to meet with Council to discuss their proposal.

FIRE ORDINANCE: Councilman Driscoll noted that Council received copies of proposed revisions to the current Fire Ordinance as suggested by the Fire Chief. Copies of the current Fire Ordinance (No. 984) will be provided for their comparison. He requested that Council forward any questions or comments to him for consideration; and they will proceed with adoption of the new ordinance within the next month or two.

Mr. Driscoll explained that the majority of the changes involve the modification from two (2) fire companies to one (1); from two (2) Deputy Chiefs to one (1) Deputy and one (1) Assistant; and elimination of the 20-mile radius requirement for the Deputy Chief’s employment.

APPOINT NEGOTIATIONS COMMITTEE: Councilman Driscoll noted that the Borough’s Negotiations Committee will consist of the following --

- **Council Representatives** - Benjamin Greenawalt, Michael Cermak and Wayne Driscoll
- **Staff Representative** - Lloyd Hamberger
- **Legal Counsel** - Salzmann Hughes, PC
- **Committee Advisors** - Mayor Richard Starliper and Chief Mark King

NEW BUSINESS

CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION MEETING: Mayor Starliper reported that the next meeting of the Cumberland-Franklin County Boroughs Association meeting is scheduled for 02/28 in Lemoyne. Speakers will be Senator Pat Vance and PSAB Vice-President Chris Cap. Those planning to attend should contact Melinda Knott (give choice of meal). Social time will begin at 6:00 p.m., with dinner at 6:30 p.m.

ORDAINING CROWN COURT: Kevin Grubbs noted that he provided Council members with a proposal to ordain Crown Court, with supporting documentation including a proposed ordinance, a deed of dedication, a Borough street map and a street drawing. This information has been reviewed and approved by the Solicitor. Councilman Newcomer made a motion to authorize the staff to proceed with advertising the proposed ordinance for Council's consideration at their 02/15 meeting. Councilman Greenawalt seconded; the motion passed unanimously.

Wayne Bartholow, a member of the public, mentioned that there are no street lights in the Crown Court development, which (he feels) is unsafe. Kevin Grubbs advised that this land development plan was approved prior to the ordinance requiring street lights in developments.

RIGHTS-OF-WAY AT RENFREW PARK: Mr. Hamberger explained that WTMA contacted the Borough several months ago regarding plans to make major upgrades to their wastewater conveyance and collection system, which entails the replacement of approximately five (5) miles of interceptor and trunk line with larger pipe. A portion of the construction area is located in Renfrew Park, and an easement will be required from the Borough (as the Borough owns the property). Pursuant to Council's instruction, WTMA has also contacted the Renfrew Board for their opinion.

Sean McFarland, WTMA Manager, was present to discuss the matter. Mr. McFarland noted that Council members received copies of the correspondence sent by WTMA to Renfrew and the Borough several months ago, as well as responses from RCI (Renfrew Committee, Inc.) and REC (Renfrew Executive Committee). Mr. McFarland explained the proposed project and its location at length, adding that they are hoping to minimize the impact to Renfrew Park. A draft of the proposed easement agreement was also provided for Council's review. They suggested that Sam Wiser contact WTMA's solicitor to work out details of the easement agreement.

It was noted that the entire construction project will take approximately one (1) year to complete. Mr. McFarland also addressed the procedure for dealing with any items of historic value which may be uncovered during excavation. Council voiced their support for the project.

YEAR-END OPERATING EXPENSES/COST OF COLLECTIONS AND PROPOSED BY-LAWS (FRANKLIN COUNTY AREA TAX BOARD): Jason Cohen provided Council members with a year-end financial statement for the FCATB (Franklin County Area Tax Bureau), which indicates that the year-end cost of collection was 2.18%. He also presented a copy of the proposed by-laws for the organization; and advised that, as a member of the By-laws Committee, he assisted in developing the draft. As such, Mr. Cohen recommended that he be authorized to vote for their approval on behalf of the Borough. Councilman Newcomer made a motion to authorize Mr. Cohen to vote for approval of the proposed FCATB by-laws, as presented. Councilman Greenawalt seconded; the motion passed unanimously.

APPOINTMENT TO RECREATION BOARD VACANCY: Mr. Cohen advised Council that the Recreation Board has recommended the appointment of Freddie Joy to fill a current vacancy, the term of which will expire on 12/31/2015. Councilman Greenawalt made a motion to appoint Freddie Joy to a term on the Recreation Board expiring on 12/31/2015. Councilman Potts seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Amos Miller, 309 W. Sixth Street - Mr. Miller discussed Council's recent decision to purchase a police car for \$38,000, even though the item had been excluded from the 2012 budget. He quoted information obtained regarding the current mileage and repair costs for the vehicle which is to be replaced – 2007 Crown Victoria, 116,000 miles, 2011 repair costs of \$4,131. Based on his mechanical background, Mr. Miller suggested that either the Borough's vehicle maintenance program is lacking or the vehicles are being abused, as it is not normal to see repair bills of this type on vehicles that are taken care of. Because there was a 2.7 mill tax increase included in the 2012 budget, he had assumed it was a "bare bones, must-have" budget. He then commented on his disappointment with Council for not being more prudent with taxpayers' dollars.

Council Vice-President Driscoll noted that Mr. Miller's comments were appreciated, but politely reminded him of the time limit allowed for citizens to speak. Councilman Newcomer then stated that the tax increase imposed was based solely on the need for upgrades in the Borough's stormwater collection system. Mr. Driscoll commented that the purchase of a new police car will not necessarily stop crime, but he feels that Council needs to support the Borough's Police Department by providing them with needed equipment. Councilman Cermak also thanked Mr. Miller for his input, noting that the maintenance program is something they should look into.

Charles Barnes, W. Eighth Street - Mr. Barnes questioned Mr. Grubbs on the required slope for sidewalks. Mr. Grubbs responded that, per the Borough's ordinance, they try to achieve a slope of 1/4" per foot. Mr. Barnes pointed out that the slope at the Red Roof Storage facilities on Sixth Street exceeds those limitations. Mr. Grubbs advised that they are aware of the situation.

Delmos Oldham, Tax Collector - Mr. Oldham reported that the new tax bills will be mailed out in the near future. Councilman Newcomer thanked Mr. Oldham for all he has done for the Borough.

FOR INFORMATION ONLY

CDBG AND RE-ZONING HEARINGS SCHEDULED FOR FEBRUARY 15, 2012: Mr. Hamberger reminded Council members that two (2) public hearings will be held prior to the next Council meeting (02/15) – at 7:00 p.m., regarding the 2012 CDBG program; and at 7:15 p.m., regarding GEOFAM's rezoning request.

UPDATE ON CEMETERY AVENUE/SOUTH POTOMAC PROJECT: Kevin Grubbs provided Council with an update on the Cemetery Avenue/South Potomac stormwater project. He noted that everything is done at the outfall; and there were no issues during the last big rain. Fencing has been installed, with the exception of the area near the south wall that had collapsed and is being rebuilt.

Mr. Grubbs noted that the bid advertisement for Phases 2 and 3 of the project has been forwarded to the newspaper. (He explained the scope of work for these phases.) He also noted that a re-design has been done and information will be provided in the bid documents regarding the exact location of rock, which will considerably decrease the contract costs.

PAY BILLS: Councilman Newcomer made a motion to approve payment of the Voucher Lists dated 01/25 and 01/30. Councilman Greenawalt seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Cermak thanked the public for their attendance at the meeting. He also thanked the staff for their efforts in preparing packets for the Council meetings, as the information included therein is very helpful and organized.

Chief Mark King reported that the Police Department will give a presentation during the upcoming Health Fair to be held on 03/17 from 7:30 a.m. to 11:00 a.m. In addition, they will participate with the DEA in holding another Prescription Drug Take-Back program at the Police Station on 04/28.

Councilman Greenawalt noted he was pleased with this evening's turnout. He thanked Amos Miller for his input, adding that a vehicle maintenance program should be considered.

Councilman Newcomer commented that he would still like to pursue the possibility of Council utilizing a consent agenda. He also thanked Mr. Miller for his comments.

Mayor Starliper reported that the PA State Mayors' Association is asking the PA Senate to consider expanding the option of a hotel room rental tax as a revenue source for all PA municipalities. He has forwarded a copy of the request to Senator Alloway for his consideration. Mr. Starliper also thanked Mr. Miller for his comments.

Councilman Driscoll noted his appreciation to Mr. Miller for the fact that he not only came to Council with an opinion, but also with an alternative plan. It was noted that a maintenance program should be implemented for all Borough vehicles (not just police).

Having no further business to discuss, the meeting adjourned at 8:35 p.m. on a Greenawalt/Cermak motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant