

MARCH 2, 2011
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, C. Harold Mumma, Craig Newcomer, Wayne Driscoll and Ronald Martin (Jason Stains was absent)

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschoff, Maintenance Superintendent
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 February 16, 2011 meeting, as written. Councilman Mumma seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that he received a favorable performance evaluation for Gary Zentmyer, however no action was required. He will present another item during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Martin noted that he has several items to discuss for informational purposes, and will discuss several others during the “voting” section.

The Street Committee held a meeting on 02/28 at 9:00 a.m., during which time Police Chief King spoke regarding the upcoming Builders’ Show and the steps being taken to provide transportation via the trolley car. He noted that the Maintenance Department should be commended for their efforts on snow clean-up during the recent storm(s), and asked for an update from the staff regarding the purchase of traffic barricades. Kevin Grubbs advised that they could not be purchased under the state contract, so bid specifications have been prepared for advertisement and opening on 03/31. Mr. Grubbs also reported that the Engineering Department has issued approximately 24-30 sidewalk notices to property owners on Fairview Avenue (when they have completed the entire street, there may be approximately 10 more). Discussion followed regarding the procedure followed when a property owner fails to do the work, and Mr. Grubbs noted he will report back to Council if/when this needs to be pursued.

Councilman Martin advised that Nancy Mace contacted him earlier this evening regarding the walk light at the intersection of Mickley Avenue/Main Street/Second Street, and he asked for an update on

the situation. Kevin Grubbs reported that the light was previously pedestrian-exclusive, but was changed when the traffic lights were upgraded based on findings from the traffic study conducted at that time. A letter was sent to the traffic engineers, but he was told that the Borough would be required to conduct a traffic study to prove that that intersection warrants a pedestrian-exclusive crossing. Kevin Grubbs noted that the engineers hired by PENNDOT have stated that there is sufficient area between Roadside Avenue and the intersection in question that a pedestrian-exclusive light would not affect the traffic flow. Councilman Martin requested Council's permission to pursue the matter further and report back at the next meeting. No objections were voiced.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Council President Newcomer reported that the Committee met the previous day and held discussion regarding the revitalization of various downtown areas in conjunction with the Joint Comprehensive Plan. MSI has established a plan-of-action, and information on their plans will be forwarded to Council members in the next meeting packets.

It was also noted at that meeting that property owners and residents should be encouraged to sweep and clean their sidewalks in preparation for the visitors coming to town for the Franklin County Builders' Show to be held on March 11-13. The Maintenance Department will be sweeping the streets the end of this week and on Monday and Friday mornings weekly thereafter. Downtown Manager Pat Fleagle noted that the downtown merchants were also advised recently of the importance of this.

FINANCE COMMITTEE: No report.

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

“On February 19th, along with Councilman Greenawalt, I attended the 1st Annual Banquet of the Waynesboro Volunteer Fire Department. I had the privilege of presenting the Fire Police of the Year Award and assisting with the Firefighter of the Year Award.

On February 22nd, with Borough Manager Hamberger and Councilmen Mumma and Newcomer, I attended the CFCBA meeting in New Cumberland. The speakers were Shelly Houck of the PA Boroughs' Association and John Thomas, a member of the Chesapeake Bay Commission. Both were very enlightening.”

SOLICITOR'S REPORT: Solicitor Wiser provided Council with an update on the PENNVEST project. A request was made for a “phased closing” to be allowed for funds received, however they denied the request. Accordingly, in order to issue the Notice-to-Proceed for the contractor (D. H. Martin) to begin work on Phase I, interim financing will be required in a sufficient amount to cover Phase I. The staff is recommending the following project schedule for Council's consideration:

- Upon Council's approval - issue Notice-to-Proceed to D. H. Martin for Phase I
- July, 2011 - let bids for Phases II and III
- September, 2011 - open bids for Phases II and III
- December, 2011 - Phase I completed
- January 1, 2012 - issue Notice-to-Proceed for Phase II
- May, 2012 - Phase II completed
- June, 2012 - issue Notice-to-Proceed for Phase III
- June, 2013 - Phase III completed

Mr. Wiser continued. The anticipated closing date for the PENNVEST project is October. At that closing, the Borough would be able to reimburse the interim financing. Council had authorized a Tax

Anticipation Note at the beginning of the year; and the staff would seek to utilize the same tool to line-up interim financing for Phase I. The strategy would be to go to Susquehanna Bank to see if they would honor the previously agreed upon rates for the \$300,000, plus an additional \$675,000 in order to get Phase I completed by the end of the year. Those funds would be reimbursed with PENNVEST proceeds. Some additional costs would be incurred, but this is the only way to get the project started now. (Mr. Wisner added that the Borough has already received two (2) 30-day extensions from D. H. Martin.) A formal resolution (much like the Tax Anticipation Note done previously) will be presented at the next meeting, but Council's approval is needed prior to discussing rates with the banks for the short-term financing.

Councilman Mumma made a motion to authorize the incurring of an additional \$675,000 in interim financing (that would be taken out by the PENNVEST funding when the closing occurs). Councilman Greenawalt seconded. Discussion ensued regarding any risks of PENNVEST funding being halted; but Mr. Wisner explained that PENNVEST funding is a secured, revolving loan program and he is very comfortable that the funding will be there. Mr. Hamberger stated that none of the \$300,000 was used; and by "piggybacking" off that, there would be very little additional costs involved. A vote was called and the motion passed unanimously.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma received a favorable evaluation for Tom Brennan. He made a motion to grant a step increase for him to salary level 13E. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin noted that there is currently \$20,000 budgeted for the "Skin Patch Program" for alleys. Rather than do alleys, Councilman Martin made a motion to utilize the money for the Borough's crew to pave the parking lot and driveway at Northside Pool. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Martin made a motion to authorize the advertisement for bids for the following four (4) streets, subject to the determination by DCED that they are eligible for the CDBG program:

- King Street (N. Grant Street to N. Potomac Street)
- St. Andrews Drive (from N. Broad Street to the end)
- N. Broad Street (from Hawbaker Avenue to the Borough line)
- Hawbaker Avenue (from Mt. Airy Avenue to Harbaugh Avenue)

Councilman Greenawalt seconded. Councilman Mumma voiced concern about the increased truck traffic on King Street as a result of the upcoming Cemetery Avenue project. Discussion also ensued regarding the possibility of rebidding if prices should go down. Mr. Wisner noted that they can be rebid (prior to award), provided that the advertisement states the bids can be rejected for any and all reasons. In addition, an escalator/de-escalator clause will be included in the contract. A vote was called and the motion passed unanimously. (**Councilman Mumma abstained because King Street is in front of his property.*)

UNFINISHED BUSINESS

BOROUGH STREET SURVEYS: Mr. Hamberger noted that the Borough has, in the past, surveyed streets to determine if they will qualify for the CDBG program. The aforementioned streets being bid do not need to be surveyed, because they are in a block group that is considered to be low/moderate income. There are streets throughout the Borough, however, that are not in a block group (or census tract) that is considered low/moderate income. A tentative list of streets will be prepared and surveys will be conducted to determine if they may be considered eligible. He explained the procedure for

surveying – a survey form will be mailed out to each occupied dwelling unit on the street, and a personal visit will be required for the residences which do not return their survey forms. Mr. Hamberger requested that the press alert the public of the survey process to be conducted by the Borough, and they should only provide information to Borough officials (himself, Jason Cohen or Kevin Grubbs) who possess a proper Borough identification card.

In addition, Mr. Hamberger advised that DCED has recommended that the second public hearing for the 2011 CDBG program be postponed until a final allocation is provided, along with an application submission deadline.

NEW BUSINESS

ORDAINING OF FRICK AVENUE AND TRITLE AVENUE (APPROVAL TO ADVERTISE ORDINANCE): (**Councilman Martin recused himself, as he is the owner of Walnut Knolls, the property in question.*)

Kevin Grubbs presented a proposed ordinance to ordain/open for public use Frick and Tritle Avenues in the Walnut Knolls Development. The ordinance has been reviewed and approved by the Solicitor for advertisement on March 8th and consideration by Council on March 16th. Councilman Greenawalt made a motion to authorize the appropriate advertisement for this proposed ordinance. Councilman Driscoll seconded; the motion passed unanimously. Mr. Hamberger added that, once these streets have been accepted by the Borough, their mileage will be included for Liquid Fuels funding.

BOROUGH TELEPHONE SYSTEM: Jason Cohen noted that he provided Council with information explaining the results of a study of the Borough's telephone system and services. His findings indicate that, by streamlining the existing phone services through CenturyLink and eliminating all non-essential services, they will save up to \$900/year. In addition, he has been talking with Comcast ... and based upon their proposal for services, a savings of up \$4,100/year could be realized. Several locations (such as pumping stations) that require only basic telephone services would continue to be served by CenturyLink at a cheaper rate. Altogether, these changes could result in a total savings of up to \$6,000/year. CenturyLink has requested that their "special pricing team" be given an opportunity to quote (perhaps a better deal than Comcast), and he expects to hear from them by the following week.

Mr. Cohen requested Council's approval to switch some of the telephony services to Comcast, if CenturyLink is not able to return with a deal that will save more than Comcast. Councilman Martin made a motion as such. Councilman Mumma seconded. Mr. Cohen explained that the Police Department would have to maintain their existing main line through CenturyLink because of their direct connection to County Dispatch to provide for 9-1-1 dispatch calls. (Comcast is unable to offer that service, as well as data and always-open lines.) He added that the rates will be locked for the three-year term of the contract. A vote was called and the motion passed unanimously.

MEMORIAL DAY PARADE REQUEST (COMBINED VETERANS COUNCIL): A request was received from the Combined Veterans Council for the Memorial Day Parade to be held on 05/30, beginning at 9:00 a.m. Councilman Greenawalt made a motion to approve the request. Councilman Martin seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Edwin Schildt, Sr., 25 N. Potomac Street (Apt. 115) - Mr. Schildt noted his appreciation to Mr. Hamberger and Kevin Grubbs for their assistance in providing information when he was injured during the Main Street reconstruction project. In addition, he voiced disagreement with a recent letter in *The Record Herald* placing blame on the Police Department for accidents involving pedestrians on Main Street. He noted that he has personally witnessed people crossing Main Street without looking for

oncoming cars, as well as motorists being pulled over and cited for not stopping for pedestrians in crosswalks. In addition, the Police Department does an excellent job with traffic coordination for events and large loads traveling through town; and Chief King has always been pleasant and helpful in his dealings with Mr. Schildt. Lastly, Mr. Schildt noted that the brick sidewalks are much easier than other sidewalks to maneuver with his power chair. He stated that many times Council is made of aware of the negative things, but they should also be told about the positive.

CONSULTING SERVICES - REVIEW OF ZONING ORDINANCE AND SUBDIVISION/LAND DEVELOPMENT ORDINANCES: Councilman Martin asked if the Planning Commission has begun their review of the Joint Comprehensive Plan. Kevin Grubbs noted that professional consulting services are necessary in order to properly implement the Comprehensive Plan, and Mr. Hamberger noted that CDBG administrative funds can be utilized for this purpose. RFP's have been mailed out, and Mr. Grubbs will report back on the proposals he receives. President Newcomer clarified that this would be for re-writing the Zoning Ordinance and Subdivision/Land Development Ordinance to align with the Comprehensive Plan.

ELECTRONIC BILL PAY: Councilman Martin asked about progress (if any) on the electronic bill pay program. Jason Cohen noted that he met today with the programmer from Dallas Data. He anticipates that Caselle will be "up and running" for the utility billing functions by 04/01. Once that is implemented (and all the "bugs" are out), the next step is to implement the online bill pay aspect. They have already been in contact with a company that fully interfaces with the accounting software with respect to accounts receivable, general ledger and individual utility accounts. In addition, he and Leiter Pryor participated in a conference call yesterday with PLGIT, who has partners who provide merchant services. He stated that their goal continues to be July 1st for electronic bill pay to be available. Mr. Hamberger added that they will be taking a road trip in two (2) weeks to Pottsville, where they have implemented this program.

On a similar matter, it was noted that telephone numbers for all Councilmen will be posted on the Borough's website in the near future.

FOR INFORMATION ONLY

REMINDER OF FRANKLIN COUNTY AREA DEVELOPMENT MEETING (MARCH 10, 2011): Mr. Hamberger reminded Council members of the March 10th FCADC meeting.

REPORT ON FRANKLIN COUNTY AREA TAX BUREAU: Jason Cohen reported that a concise and productive meeting was held the previous week, during which 20 of the 25 municipal representatives were in attendance. The committee approved issuing an RFP for Solicitor Services. In addition, a committee was appointed to address any inconsistencies with the by-laws since the new non-political subdivisions are now on-board. He anticipates that proposals will be reviewed at the April meeting; and hopefully, a Solicitor will be appointed at that time.

REPORT ON CUMBERLAND-FRANKLIN COUNTY BOROUGH ASSOCIATION MEETING: This matter was addressed during the Mayor's Report. Mr. Hamberger noted that the individual who spoke on the Chesapeake Bay Initiative was very learned and approached it with a common-sense point of view. President Newcomer agreed.

PAY BILLS: Councilman Mumma made a motion to approve the payment of the Voucher List dated 02/22. Councilman Martin seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Martin extended best wishes to Fire Chief Dave Martin for a speedy recovery following his recent surgery.

Mayor Starliper noted that, several meetings ago, Chief King requested that vendor fees be increased for individuals selling balloons, etc. during parades. The Mayor urged Mr. Hamberger to discuss the matter with Chief King so that new fees can be in effect before May 1st (if possible).

Mayor Starliper reported that the Police Department has applied to the Franklin County Department of Emergency Services for five (5) AED's for the patrol cars.

Mayor Starliper made Council aware that they will be pursuing the purchase of a new police cruiser within the next several months.

President Newcomer thanked the public for their attendance.

Having no further business to discuss, the meeting adjourned at 8:57 p.m. on a Greenawalt/Driscoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant