

JANUARY 21, 2009
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:17 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, Jason Stains, C. Harold Mumma, Craig Newcomer, Ronald Martin and Charles McCammon

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Mark King, Police Chief
Dave Martin, Fire 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 January 7th regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

ACCEPT REPORTS: Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer, Police Chief and Fire Chief, as presented. Councilman Martin suggested that the motion be amended to exclude the Police Chief's Report, as it was just received this evening. Councilman McCammon agreed to amend his motion. Councilman Martin seconded the amendment; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that he received a favorable evaluation for employee Doug Whittington, but no action was required. He will discuss several other items during the "voting" section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon read a letter received from Senator Rich Alloway regarding his search for new office space. He anticipates moving from his current office in Borough Hall to 237 E. Main Street in March. Councilman Martin requested that the Property Committee consider utilizing the vacant office as an additional conference room and the secretarial office as the Mayor's office.

STREET COMMITTEE: No report. Councilman Martin noted that the next Street Committee meeting will be held on Wednesday, January 28th, at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: No report.

MAYOR'S REPORT: No report.

SOLICITOR'S REPORT: Melissa Dively reported that Salzman Hughes is "moving along" with the applications for funding for the Cemetery Avenue Stormwater Management Project through the Commonwealth Financing Authority and PENNVEST, and both applications will be submitted prior to the final dates. In addition, Mr. Hamberger noted that an initial introductory conference will be held with PENNVEST officials on Tuesday of next week. Councilman Martin requested that the Borough Manager also contact Congressman Bill Shuster to see if any additional funds are available, as he has heard that several other townships and boroughs have already put in their requests. Ms. Dively added that letters of support will be forwarded to all elected state officials as part of the funding application process.

PUBLIC COMMENT - ITEMS ON AGENDA:

Frank Bittner, 842 Anthony Avenue - Mr. Bittner noted that the mens' restroom on the second floor is in need of janitorial services.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma reported that he received a favorable evaluation for Dan Sheffler, and he made a motion to grant a step increase to salary level 10E (\$17.74/hour). Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma noted that he has received correspondence from Renfrew Committee, Inc. and M & T Bank regarding nominations for RCI Directors/Alternates. He made a motion to approve nominations by the Borough, as follows:

Directors: Douglas Tengler (Alternate - Jacqueline Barlup)
David Hykes (Alternate - Louis Barlup, Jr.)
Allison Kohler (Alternate - John Beck)
Edgar Hykes (Alternate - Allen Porter)

Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a further motion to approve nominations by the Trustee (M & T Bank), as follows:

Directors: George Buckey (Alternate - James Oliver)
John W. Keller (Alternate - Virginia Rahn)
Alice McCleaf (Alternate - Richard A. Mohn)

Councilman Stains seconded; the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER DOWNTOWN PARKING ORDINANCE FOR ADOPTION: Councilman Martin made a motion to adopt the proposed ordinance regarding downtown parking regulations. Councilman McCammon seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA BY AMENDING ORDINANCE 937, AS AMENDED, THE ZONING ORDINANCE, REGARDING OFF-STREET PARKING FOR ALL DISTRICTS EXCEPT TOWN CENTER DISTRICT AND ADDING AN ADDITIONAL SECTION TO PROVIDE FOR OFF-

STREET PARKING IN THE DOWNTOWN BUSINESS DISTRICT IN THE BOROUGH OF
WAYNESBORO.

Complete copy on file at Borough Hall.

CONSIDER NON-UNIFORMED PENSION PLAN ORDINANCE FOR ADOPTION: Mr. Hamberger noted that the proposed ordinance regarding updates to the Non-Uniformed Pension Plan to be in conformance with IRS regulations has been advertised for Council's consideration at this meeting. Councilman McCammon made a motion to adopt the ordinance as presented. Councilman Martin seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 1022 AND ORDINANCE 1075 WHICH ADOPTED THE BOROUGH OF WAYNESBORO MUNICIPAL EMPLOYEE PENSION PLAN AS AMENDED AND THE 2006 COMPLIANCE AMENDMENT, IN ORDER TO COMPLY WITH THE PENSION FUNDING EQUITY ACT OF 2004, PENSION PROTECTION ACT OF 2006, AND THE FINAL REGULATION ISSUED UNDER THE INTERNAL REVENUE CODE SECTION 415 EFFECTIVE AS PROVIDED IN THE AMENDMENT.

Complete copy on file at Borough Hall.

CONSIDER POLICE PENSION PLAN ORDINANCE FOR ADOPTION: Mr. Hamberger noted that the proposed ordinance regarding updates to the Police Pension Plan to be in conformance with IRS regulations has also been advertised for Council's consideration at this meeting. Councilman McCammon made a motion to adopt the ordinance as presented. Councilman Stains seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 1076 WHICH ADOPTED AND AMENDED THE BOROUGH OF WAYNESBORO POLICE PENSION PLAN AS AMENDED ALONG WITH THE 2006 COMPLIANCE AMENDMENT AND NOW AMENDING THE PLAN, IN ORDER TO COMPLY WITH PENSION FUNDING EQUITY ACT OF 2004, PENSION PROTECTION ACT OF 2006, AND THE FINAL REGULATION ISSUED UNDER INTERNAL REVENUE CODE SECTION 415 EFFECTIVE AS PROVIDED IN THE AMENDMENT.

Complete copy on file at Borough Hall.

NEW BUSINESS

RESOLUTION RE: H20 PA AND PENNVEST PROGRAMS: Mr. Hamberger presented proposed Resolution 2009-01, which authorizes Craig Newcomer or C. Harold Mumma to execute all documents with the Commonwealth Financing Authority to facilitate and assist in obtaining a requested grant in the amount of \$3,550,000. Solicitor Dively clarified that grant monies are available (up to 50% of the project), and the municipality would have to provide matching funds (which is the basis of the request for PENNVEST funds). Councilman Martin made a motion to approve Resolution 2009-01. Councilman McCammon seconded; the motion passed unanimously.

RESOLUTION NO. 2009-01

A RESOLUTION OF THE BOROUGH OF WAYNESBORO TO AUTHORIZE THE APPLICATION FOR ASSISTANCE FROM THE COMMONWEALTH FINANCING AUTHORITY

Complete copy on file at Borough Hall.

Mr. Hamberger also presented proposed Resolution 2009-02, which authorizes the appropriate individuals to execute documents for the PENNVEST application. Solicitor Dively added that PENNVEST encourages municipalities to request the full amount, because you could still be considered for a loan even if you don't get the grant funding. Councilman Martin made a motion to approve Resolution 2009-02. Councilman McCammon seconded; the motion passed unanimously.

RESOLUTION NO. 2009-02

A RESOLUTION OF THE BOROUGH OF WAYNESBORO TO AUTHORIZE THE APPLICATION FOR ASSISTANCE FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

Complete copy on file at Borough Hall.

REVIEW PROPOSED ORDINANCE RE: TAX COLLECTOR: Mr. Hamberger stated that Council had authorized the Solicitor to prepare a proposed ordinance approving an increase of 1/10% in the tax collector's fee, as he had requested at their last meeting. Solicitor Dively noted that the rate cannot be raised during the existing term, so this increase would go into effect after election/re-election of the tax collector for 2010. Councilman McCammon made a motion to advertise the proposed ordinance for consideration at Council's next meeting. Councilman Greenawalt seconded; the motion passed unanimously.

DOWNTOWN LIGHTS: Mr. Hamberger noted that comments/complaints had been voiced regarding a difference in illumination of the new vs. existing street lights downtown. He has discussed the matter with Allegheny Power – they explained that the new lights originally burn brighter than the lumens they are designed for; they then reach a burn-in level and deteriorate over a 2-3 year period. Accordingly, the older lights are less bright because they are reaching the end of their life cycle. They are scheduled for replacement in 2009, and Allegheny Power has agreed to replace them as soon as possible (in February or March).

NORTHSIDE POOL PERSONNEL: Mr. Hamberger reported that the Recreation Board has recommended hiring Brian McDowell as Pool Manager for the 2009 season, at a salary of \$7,500/season. Councilman Mumma approved their recommendation. Councilman Stains seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Amos Miller, 309 W. Sixth Street - Mr. Miller advised Council members that, at times, it is difficult to hear them during public meetings. He requested their consideration of this matter.

FOR INFORMATION ONLY: Mr. Hamberger reminded Council members that the next meeting of the Cumberland-Franklin County Boroughs' Association will be held in Greencastle on February 24th. Individuals wishing to attend were asked to inform Melinda Knott.

In addition, Council members received an invitation from the Waynesboro Volunteer Fire Department to attend their annual dinner/dance on February 21st. Again, they were asked to contact Melinda Knott if they plan to attend.

Mr. Hamberger noted that information was received from the PA Borough Councils Association regarding their annual meeting to be held March 22-25. He encouraged Council members to consider attending. Councilman Martin then made a motion that the Borough reimburse expenses for the Mayor and Borough Manager to attend the PSAB conference. Councilman Greenawalt seconded; the motion passed unanimously.

Correspondence was received from Dr. William Burcher, Interim Director at Waynesboro New Hope Shelter, regarding their Open House to be held on January 24th. RSVPs are requested.

Councilman Martin noted that he provided information in Council's packets regarding a DCED Economic Program for new jobs. He stated that he doesn't think this is something the Borough needs to attend, as they can get assistance through the Franklin County Area Development Corporation in this regard.

Mr. Hamberger also noted that a draft of the Community Housing Plan has been received. He will forward copies to Council members early next week.

PAY BILLS: Councilman Mumma noted that Check Nos. 1000, 1016, 1017, 1018 and 1020 are to be voided; and he made a motion to approve the payment of Check Nos. 1019 to 1022 and 1001 to 1015. Councilman Greenawalt seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted that the Maintenance Department cleared the streets and alleys in a timely manner during the recent snowstorm. He also noted that the cold weather is slowing them down on the outside projects (mainly because digging is much more difficult).

Councilman McCammon reported that there have been ongoing problems with the clock tower lights. He would like to pursue purchasing four (4) wall-washers, which would be more stationary. He will report back to Council with additional information.

Councilman Martin requested that the staff and Solicitor continue working on a "jake-brake" ordinance – and hopefully have a draft available for review at the upcoming Street Committee meeting. Kevin Grubbs commented that the engineering staff has been working on paperwork required for the grant applications, and some of the other projects have been "stalled" as a result. Councilman Martin asked that he continue looking at alleys for abandonment.

Solicitor Melissa Dively noted that she was directed by Council to look at a Nuisance Ordinance. She will prepare some draft suggestions for their review.

Fire Chief Dave Martin announced that the Fire Department was notified that they have received another grant, in the amount of \$53,000, to be used to replace the Air Cascade system, air compressor, fill station for air tanks at the station and rescue air bags. Money was also received for training. Councilman Martin asked how much grant money has been obtained over the last year, and Chief Martin replied, "over \$200,000". Councilman Martin commended him and the staff on their tremendous efforts.

Councilman Greenawalt asked how the Police Department's new "chase policy" is coming along. Police Chief Mark King noted that it has been approved and implemented. Discussion ensued on the approval process. It was noted that the Mayor approved it, but Councilman Martin stated he would like to know what the policy is. He will view a copy of the policy in the Chief's office and discuss it further at the next Council meeting.

Councilmen Mumma and Newcomer thanked members of the public for their attendance.

Frank Bittner reported that the light for the flagpole has been installed at the Rotary Park. They are currently waiting for the electrical company to install the meter in the box, and for a flag.

Having no further business to discuss, the meeting adjourned at 7:49 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant