

JUNE 3, 2009
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, Jason Stains, C. Harold Mumma, Craig Newcomer, Charles McCammon and Ronald Martin

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager

Kevin Grubbs, Head of Engineering Services

Melissa Dively, Solicitor (Salzmann Hughes, PC)

Denny Benshoff, Maintenance Superintendent

Dan Sheffler, Zoning-Code Enforcement Officer

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 May 20th regular meeting, as written. Councilman Greenawalt seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma gave a report on several performance reviews for approval and acceptance.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon reported that he is awaiting additional quotes on demolition of the golf course house.

STREET COMMITTEE: Councilman Martin reported that the following items were discussed at the most recent Street Committee meeting –

- Request for “No Parking” signs at 115-117 N. Broad Street – after discussion, the Committee recommended no signs.
- Request for crosswalk at Sixth Street and Clayton Avenue – Street Committee recommends against it, as handicapped ramp requirements would cause high costs.
- Complaint re: dumpster at 207 N. Broad Street – Code Enforcement Officer looking into the matter.
- Cameras at intersection to enforce traffic lights – staff to look into the matter.
- School parking issues and promises made to the Borough – parking around school to be placed on agenda for next meeting (public will be invited).

INTERGOVERNMENTAL COMMITTEE: Councilman Stains reported on some channel changes to Comcast.

DOWNTOWN REVITALIZATION COMMITTEE: Council President Newcomer stated that the downtown programs are progressing. Many compliments were voiced regarding the flowers and the upcoming paving on Main Street.

FINANCE COMMITTEE: Councilman Greenawalt reported that the financial situation is similar to last month's. He added that there was a \$4,000 increase in deed transfer taxes since last month.

MAYOR'S REPORT: Mayor Starliper reported that he participated in the Memorial Day parade and memorial services.

SOLICITOR'S REPORT: No report.

PUBLIC IN ATTENDANCE - ITEMS ON AGENDA:

Billie Finn, 203 Clayton Avenue - Mrs. Finn discussed the history of the abandonment of Myrtle Avenue from Third to Fourth Streets. After discussion of the situation, Councilman Martin asked if the petitioners were willing to indemnify the Borough against claims. Mrs. Finn stated that only the Morningstars were willing to indemnify. Mr. Greenshields discussed the reasons for abandonment and the Borough's liability to maintain, as well as public safety.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma recommended acceptance of the performance evaluation for Jody Sanders and a step increase to salary level 12C. Councilman McCammon made a motion to approve the recommendation. Councilman Greenawalt seconded; the motion passed unanimously.

Councilman Mumma made a motion to extend the probationary period for Scott Crum Jr. an additional three (3) months, and to re-evaluate him at that time. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma recommended hiring William Gonzales as a part-time Police Officer. Councilman Stains seconded; the motion passed unanimously.

Jennifer Eyler was unanimously hired as Pool Custodian (the first candidate declined employment) on a Mumma/Greenawalt motion.

Councilman Martin motioned to install a street light at the corner of Sunny Drive and Brown Street. Councilman Greenawalt seconded; the motion passed unanimously.

MEMORIAL PARK TREE PROJECT: Don McBride, President of the Memorial Park Board, was present to discuss the tree program at Memorial Park. Two (2) trees need to be removed due to poor condition and ill health. A total of 13 new trees (silver maples) will be planted. The Memorial Park Board is seeking minimum donations of \$300.00 per tree. Some donations have been received already, and two (2) trees were donated by a Council member.

SOUTH POTOMAC BELL TOWER AND ROOF: Kevin Grubbs provided Council with some information. Council will review and visit the site prior to the next Council meeting.

CDBG AND CDBG-R PROGRAMS: Councilman McCammon motioned to approve the 2009 CDBG and CDBG-R applications, and to adopt Resolution #2009-09. Councilman Greenawalt seconded; the motion passed unanimously.

RESOLUTION 2009-09

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) FUNDS AND AMERICAN RECOVERY
AND REINVESTMENT ACT FUNDS FOR FISCAL YEAR 2009

Complete copy on file at Borough Hall.

ACT 32 COMMITTEE: The Act 32 Committee will review and institute the county-wide wage tax collection program as required by Act 32 of the Commonwealth of PA. Councilman Mumma motioned to appoint Lloyd Hamberger as the Borough's representative to the Act 32 Committee, and to appoint Councilman Greenawalt as the alternate. Councilman Stains seconded; the motion passed unanimously.

MYRTLE AVENUE: Solicitor Dively explained in-depth the email the Borough received from Attorney Don Kornfield, which indicated all of the petitioners were willing to execute the indemnification agreement. This was apparently in error. After additional discussion, Councilman Mumma motioned to table the matter until the next meeting, at which time a decision on the matter will be rendered. Councilman Stains seconded.

Councilman Martin requested an executive session to discuss potential litigation. Council exited to an executive session at 8:25 p.m. and reconvened at 8:35 p.m.

Upon reconvening, a vote was called. Voting to approve the motion were Councilmen Mumma, Stains and Newcomer; voting nay were Councilmen Martin, Greenawalt and McCammon. Mayor Starliper voted in favor of approving the motion.

REIMBURSEMENT RESOLUTION: Due to PENNVEST deadlines, Council President Newcomer executed a Reimbursement Agreement with PENNVEST. Councilman Martin motioned to affirm the action and Councilman McCammon seconded; the motion passed unanimously.

RESOLUTION 2009-10

REIMBURSEMENT RESOLUTION FOR PROJECT COSTS
DATED
May 27, 2009

RESOLVED, The Borough of Waynesboro intends to use its General Funds, to finance on an interim basis, the costs of the South Potomac Street Stormwater Drainage Network which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the borrower, up to the maximum principal amount of \$6,300,000.00. This resolution is a declaration of official intent adopted pursuant to the requirement of Treasury Regulation Section 1.150.2.

Complete copy on file at Borough Hall.

CDBG FUNDS RE-ALLOCATION: Mr. Hamberger noted that the Borough needs to re-allocate portions of the 2005, 2006, 2007 and 2008 funds (see the attached form). A public hearing needs to be held. Council concurred and authorized the actions required.

PETITION OF SPECIAL RELIEF: Comcast (the Cable Company) is petitioning the Court to declare they have significant competition in the Waynesboro service area. This will remove them from

municipal regulation on rates. This is a moot point, as the Borough does not regulate their rates.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Delmos Oldham questioned his requirements to save records. Mr. Hamberger will research the matter.

COUNCIL AND STAFF COMMENTS: Chief King invited Council members to attend the Franklin County Crime Solvers' annual fundraiser at Dilly's in Chambersburg on June 6th from 12-3 p.m. He also presented information on a new police car – Council stated that, as it was budgeted, he may proceed to purchase a new vehicle.

Councilman Greenawalt asked for Council workshops again. Council declared the second meeting of July and August as workshops, starting at 7:00 p.m. A regular meeting will follow, if needed.

Mayor Starliper discussed the poor paving of Second Street. This will be discussed with the School District.

Councilman Martin urged Council to explore paving Welty Road.

Having no further business to discuss, the meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Lloyd R. Hamberger, II
Borough Manager/Secretary