

AUGUST 4, 2010
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:43 p.m. (He noted that Council held an executive session prior to the meeting to discuss a personnel issue.) The following were in attendance:

Borough Council Members – Jason Stains, C. Harold Mumma, Craig Newcomer, Wayne Driscoll and Ronald Martin (Benjamin Greenawalt was absent)

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschhoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Mark King, Police Chief

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

APPROVE MINUTES: Councilman Stains made a motion to approve the minutes of the July 7th workshop and regular meeting, as written. Councilman Mumma seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that the Recreation Board has discussed and is in support of a “Dog Swim” at Northside Pool on September 11th from 1-4 p.m. (the weekend after the pool closes) to raise funds and public awareness for the proposed dog park. Participants will be asked to give a \$10.00 donation, and the Antietam Humane Society will also conduct a food drive. Final details will be forthcoming at the next Council meeting, but Mr. Driscoll wanted to ensure that Council is “okay” with the idea. He added that the Recreation Board discussed the proposal at length at their previous meeting (specifically regarding cleanliness, dog hair, etc.) and they noted no major problems. Hagerstown will be contacted, as they hold a similar event on an annual basis.

STREET COMMITTEE: Councilman Martin reported that the base coat has been finished on E. Second Street; and the overlay projects on King and Garfield Streets have been completed. In addition, Kevin Grubbs received approval from PENNDOT for the lighted street signs from APX; and Star Electric will meet with Mr. Grubbs and Herr Signals regarding coordinating the lighting of the signs. Mr. Grubbs also received approval to do the bump-outs on Mulberry Avenue without a PENNDOT inspector on-site (thanks to Representative Rock). Also, one (1) solar light is being fabricated as a prototype for the crosswalks.

Councilman Martin added that he will present one (1) item during the “voting” section of the meeting.

INTERGOVERNMENTAL COMMITTEE: Councilman Stains noted that he has heard complaints from residents regarding the new digital boxes issued through Comcast. He recommended that they continue to call Comcast; and if necessary, they will send a technician out to resolve the problem.

DOWNTOWN REVITALIZATION COMMITTEE: President Newcomer noted that the Committee will meet on August 9th at 10:00 a.m. in the second floor conference room of Borough Hall.

FINANCE COMMITTEE: No report. Mr. Hamberger reported that Councilman Greenawalt has had another procedure and will be unable to attend the County Tax Committee meeting the following day.

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

“On July 24th, I attended the PFCU annual meeting at the Green Grove Gardens.

On August 3rd, along with Police Chief King, Fire Chief Martin, Borough Manager Hamberger, Councilman Newcomer and various personnel from the Police Department and County and State Government, I attended the National Night Out at Memorial Park. All indications are it was a success; and many thanks to Kim Green who organized the event. Also thanks to the various vendors and sponsors who helped make this a success.”

SOLICITOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Martin advised that Harry Morningstar, Jr. attended the previous Street Committee meeting to request that the weekly street sweeping along Main Street be extended to include the first block of N. Potomac Street and one (1) block of S. Potomac Street (along his property). Mr. Martin stated that he is not favor of granting this request, because this is not done at other intersections such as Grant, Church, Walnut and Broad Streets. It was noted that side streets are swept twice a year. No motions were made by Council and the issue died.

UNFINISHED BUSINESS

PAVING AT E. SECOND STREET AND RECOVERY ACT STREETS UPDATE: Councilman Martin reported on these projects during the Street Committee Report, but Kevin Grubbs provided additional updates on the E. Second Street project – the handicapped ramps were installed earlier this week, and the topcoat will be placed shortly. The projected completion date is August 13th.

UPDATE ON PENNVEST PROJECT: Mr. Hamberger noted that the staff is currently working on specifications for the stormwater project, and he anticipates advertising for bids in approximately two (2) weeks (for a bid opening on approximately September 20th). He requested Council's permission to postpone the second meeting in September until September 22nd so the bids can be tentatively awarded at that time.

Mr. Hamberger explained the requirements regarding solicitation of Disadvantaged Business Enterprise (DBE) contractors in PA, adding that the prime contractors must also adhere to these requirements for subcontractors. A pre-bid meeting will be scheduled when instructions regarding these requirements will be reviewed with potential bidders.

Councilman Martin added that the PENNVEST award is a loan, which will result in payments of approximately \$30,000/month (roughly 5.5 tax mills); and Council needs to make a decision regarding formal acceptance of their offer. Councilman Mumma made a motion as such. Councilman Stains seconded; the motion passed unanimously.

ALTERNATE ENERGY SUPPLIER: Mr. Hamberger requested that the matter be deferred until Council's next meeting, as he has another supplier who would like to provide a price quotation.

NEW BUSINESS

REQUESTS FROM MAINSTREET WAYNESBORO INC.'S PROMOTION COMMITTEE FOR 6TH ANNUAL MARKET DAY (OCTOBER 2, 2010): Mainstreet Waynesboro, Inc. has requested permission to hang banners on the light posts along Main Street from the first week of August to October 2nd to advertise for their Annual Market Day to be held on October 2nd from 9:00 a.m. to 4:00 p.m. They would also like to close Main Street on that day from Potomac to Broad Streets (from 7:30 a.m. until 4:45 p.m.), which is their standard request. In addition, they would like permission for the public to utilize the restrooms outside Borough Hall during the event.

Councilman Martin made a motion to approve their requests with one (1) variation – he mentioned the “havoc” last year at the Post Office, and suggested that the street closing exclude the portion of Main Street from Walnut to Broad Streets. Melissa Russ (MSI) agreed. Mention was also made that St. Andrews usually holds their Oktoberfest celebration at the same time as Market Day. Even though their request has not yet been received, Kevin Grubbs noted the PENNDOT permit issued usually extends to Clayton Avenue to accommodate their activities. Councilman Stains seconded; the motion passed unanimously.

PROPOSED RESOLUTION NO. 2010-07 ADOPTING FEES FOR REQUESTS FOR DEVELOPMENT PERMIT VERIFICATION UNDER THE PERMIT EXTENSION ACT (ACT 46 OF 2010): Solicitor Wisner explained that proposed Resolution No. 2010-07 is in relation to Act 46 (the Permit Extension Act), whereby any development permits (Land Use Permits, Land Development Plan approvals, Demolition Permits, etc.) are automatically extended if they were set to expire anytime between when the Act was passed through January 1, 2013. The Act provides that a developer can come to the Borough and request verification of whether or not they have such a permit and when it is due to expire. The Act also provides that the Borough can charge a fee of up to \$100 for a residential permit and up to \$500 for a commercial permit for that verification, in order to recover their costs for extensive review/research on the part of the municipality. Councilman Martin requested that the matter be deferred, as he would like to obtain additional information prior to making a decision. Council concurred.

PROPOSED RESOLUTION NO. 2010-08 RE: OPPOSITION TO HOUSE BILL 2431 AND SIMILAR LEGISLATION: Mr. Hamberger presented proposed Resolution No. 2010-08, as recommended by the Pennsylvania State Association of Boroughs. He noted that this resolution opposes House Bill 2431 and similar legislation which would eliminate local government. Councilman Martin made a motion to adopt proposed Resolution No. 2010-08. Councilman Stains seconded; the motion passed unanimously.

RESOLUTION 2010-08

WHEREAS, the only accountability in a larger form of government would be through a county-wide election, meaning residents of one community could control the outcome of an entire election rendering the vote of residents of other smaller communities virtually meaningless;

Complete copy on file at Borough Hall.

ROTARY PARKING LOT REQUEST: Councilman Martin passed out drawings and Jack Scott, Treasurer of the Waynesboro Area Human Services Council, presented their request. He provided an overview of their current services, and noted they are looking to expand their offerings of assistance to the community. In addition, Jane Burke of their organization noted their current building is under foreclosure.

Councilman Martin explained his proposal to place a new building on the southeast corner of the Rotary parking lot, to the rear of the properties that face Second Street. This would result in the loss of approximately 14 parking spaces. The Borough would continue to own the ground and Human Services would own their building; however if they would cease at some time in the future, the building would revert to the Borough. This would be a central location and would provide easy access for their clientele.

Discussion followed. It was noted that Council should obtain the Rotary Club's opinion of this concept, as they originally donated the property to the Borough. Should the property owners be contacted? What about parking for the businesses located in the vicinity? Councilman Mumma mentioned that a business owner had previously requested dedicated parking spaces in another corner of the parking lot, and Council rejected their proposal. Mayor Starliper also questioned if the grant utilized for improvements on the lot would restrict what is done there. It was the consensus of Council that additional information is needed.

Further discussion ensued regarding the cost of the building. Mr. Scott noted that their organization has limited funds, but an anonymous donor has offered them a low-interest loan to cover the cost of the building. He added that they would not be able to afford a new building if they had to purchase the land.

Parking was also discussed. It was estimated that at least five (5) cars would be parked at the establishment at any given time during their normal hours of operation (Monday thru Friday, 9:00 a.m. to 12:00 and 1:00 p.m. to 3:30 p.m.). It was noted that most of their clients would walk to the facility. .

Several councilmen voiced support of the organization, but they agreed that additional information is needed before they make a decision to allow them to proceed. It was suggested that Council members view the site before the next meeting. Kevin Grubbs will mark off an outline of the building to aid them visually.

DOG SWIM AT POOL: Councilman Driscoll noted this matter was mentioned earlier in the meeting. Additional information will be provided at Council's next meeting.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

REMINDER OF HEARING RE: UNIFORMED CONSTRUCTION CODE (UCC) ORDINANCE: Mr. Hamberger reminded Council that a public hearing on the UCC Ordinance will be held at the next meeting at 7:30 p.m.

UPDATE ON COUNTY TAX BOARD: Mr. Hamberger reported that he and Mike Christopher will attend the County Tax Board meeting the following day. Interviews with several tax bureaus will be held and recommendations will be made. He added that the Borough's tax collector will no longer collect EIT or LST starting next year.

PAY BILLS: Councilman Mumma made a motion to approve the payment of Voucher Lists dated 08/02 and 08/04. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger commended the Mayor and Police Chief on the National Night Out event held the previous evening. Chief King noted that its success was in part due to the community and their generous donations. Donors included the Quincy Township Supervisors, American Legion, Rutters, Target and the Waynesboro Fire Department; and volunteers included Larry Pentz and his staff and the Mayor. He added that Senator Alloway and Commissioner Thomas also attended.

Councilman Mumma thanked everyone for attending this evening's Council meeting.

Mayor Starliper added that much of the success of the National Night Out could be attributed to Kim Green, as she coordinated the entire event. He thanked everyone for their support.

Having no further business to discuss, the meeting adjourned at 8:51 p.m. on a Martin/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant