

FEBRUARY 21, 2007  
WAYNESBORO, PA 17268  
REGULAR MEETING

Council President Richard George 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 – Allen Porter, Jason Stains, Craig Newcomer, Richard George, Charles McCammon and Allen Berry

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Denny Benschoff, Maintenance Superintendent  
Ray Shultz, Police Chief  
Kevin Grubbs, Head of Engineering Services  
Dan Sheffler, Zoning-Code Enforcement Officer  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)  
Ron Flegel, Fire Chief

Mr. George welcomed the public in attendance.

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

**APPROVE MINUTES:** Councilman Porter made a motion to approve the minutes of the February 7, 2007 public hearing and regular meeting, as written. Councilman McCammon seconded; the motion passed unanimously.

**ACCEPT REPORTS:** Councilman Berry made a motion to accept the reports of the Code Enforcement and Fire Chief, as presented. Councilman McCammon seconded; the motion passed unanimously.

**COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Berry noted that the Personnel Committee reviewed performance evaluations for Christopher Eyler and Gary Zentmyer, both of which were satisfactory but required no action. Three (3) additional items will be presented for Council's vote later in the meeting.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** No report.

**STREET COMMITTEE:** No report.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** Councilman Newcomer noted that he will present information on the Facade Improvement Program (Item 9A) later in the meeting.

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

On February 9<sup>th</sup>, along with Borough Manager Hamberger, Councilman Porter and Officer Shawn Adolini, I attended the ribbon-cutting for Representative Todd Rock's office on E. Main Street.

On February 10<sup>th</sup>, I attended the Waynesboro Fire Company Volunteers' Annual Banquet; and, as always, we appreciate their volunteerism in the fire service. Of course, anytime you see one of these individuals, please say thank-you for their service."

**SOLICITOR'S REPORT:** No report.

**PUBLIC COMMENT - ITEMS ON AGENDA:** None.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Berry made a motion to remove Shawn Adolini from probationary status and promote him to Patrolman I. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint Amy Weber to Jacqueline Barlup's previous position on the Library Board; said term to expire on 02/01/2010. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to re-appoint Michael Snyder and Jill Thompson to their positions on the Library Board; said terms to expire on 02/01/2010. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint John W. Beck as an Alternate to Allison Kohler on the Renfrew Committee, Inc. Board of Directors. Councilman Stains seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**JOINT COMPREHENSIVE PLAN (DOWNTOWN STUDY CONTRACT):** Mr. Hamberger noted that the Contract for Professional Services with Spotts, Stevens and McCoy, Inc. (SSM) regarding the Downtown Component of the Joint Borough/Township Comprehensive Plan is in accordance with applicable rules and regulations and what was previously agreed upon. Councilman McCammon made a motion to approve the contract with SSM, as presented. Councilman Porter seconded; the motion passed unanimously.

**SCHOOL RESOURCE OFFICER:** Councilman Newcomer noted that a copy of Chambersburg's School Resource Officer (SRO) contract was obtained for review and discussion. Representatives met with School Board members the previous week to discuss funding, and it appears that there will be no costs incurred by the Borough for this purpose.

## **NEW BUSINESS**

**REVISED FACADE IMPROVEMENT PROGRAM GUIDELINES:** Mr. Hamberger noted that the changes made over the years to the guidelines for the Facade Improvement Program were codified and require Council's final approval. He added that Ed Geubtner (Mullin and Lonergan Associates, Inc.) reviewed and approved the prepared document. Councilman Porter made a motion to approve the revised Facade Improvement Program Guidelines, as presented. Councilman Stains seconded; the motion passed unanimously.

**SCHEDULE PROPOSED USE HEARING (2007 CDBG PROGRAM):** Mr. Hamberger noted that the public hearing held this evening, prior to the regular Council meeting, was the first of two required

hearings for the 2007 CDBG program. As the application deadline was moved back, he assumed that the second hearing could be held during Council's first meeting in April. Council concurred.

**STANDARD OPERATIONS MANUAL (FIRE DEPARTMENT):** Fire Chief Ron Flegel presented Council with a copy of the Waynesboro Fire Department's Standard Operations Manual. He noted that the original was drafted in 1998, and revisions to the document were recently completed. In accordance with the appropriate ordinance(s), Borough Council's final approval is required. Councilman McCammon made a motion to approve the Standard Operations Manual for the Waynesboro Fire Department, as presented. Councilman Stains seconded; the motion passed unanimously.

**REVISION OF EQUIPMENT RENTAL FEES (RESOLUTION NO. 2007-03):** Mr. Hamberger noted that the fees charged for equipment rental were reviewed and compared with neighboring municipalities. He presented proposed Resolution No. 2007-03 to adopt the new fees. Councilman McCammon made a motion to approve Resolution No. 2007-03, as presented. Councilman Stains seconded; the motion passed unanimously.

#### RESOLUTION 2007-03

WHEREAS, the Borough of Waynesboro, from time to time, finds it is necessary to adopt new fees for Borough services, and

WHEREAS, many of the enabling Ordinances permit adoption of fees by Resolution,

Complete copy on file at Borough Hall.

**NATIONAL PLAYGROUND SAFETY INSPECTOR CERTIFICATION:** Mr Hamberger reported that he received information from DCNR regarding a national certification course for Playground Safety Inspector. He recommended that an employee of the Borough attend this training, at a cost of approximately \$1,000. Washington and Antrim Townships have agreed to split the costs for this training; and if inspections are required in their municipalities, they will be billed at the employee's current hourly rate for the service. Councilman McCammon made a motion to authorize the training for an employee of the Borough (to be named at a future date). Councilman Newcomer seconded; the motion passed unanimously.

**FINAL REVISED SUBDIVISION - KLINE AND BRINING (TRITLE AVENUE):** Kevin Grubbs explained that the owners are revising the original subdivision for Lots #50 and 51 in Walnut Knolls Development by adjusting the center property line that divides each lot. The Franklin County Planning Commission reviewed the proposal and presented no comments; and it was recommended for approval by the Waynesboro Planning Commission, contingent upon the correction of several typographical errors (those have been completed). Councilman McCammon made a motion to approve the Final Revised Subdivision Plan Kline and Brining on Tritle Avenue, as presented. Councilman Porter seconded; the motion passed unanimously.

**FINAL LAND DEVELOPMENT PLAN - ABDELAZIZ LAHLOU:** Mr. Grubbs noted that Mr. Lahlou plans to convert the former John Wallace Restaurant at 81 W. Main Street to a hotel use. He was granted a special exception by the Zoning Hearing Board; and the Waynesboro Planning Commission recommended approval of the proposed plan (after revisions from his original plan for a Bed & Breakfast). Councilman McCammon made a motion to approve the Final Land Development Plan for Mr. Lahlou, as presented. Councilman Stains seconded; the motion passed unanimously.

**PROPOSED AMENDMENTS TO CURRENT ORDINANCES:** Melissa Dively noted that amendments to appropriate ordinances are being recommended as a result of recent issues dealing with the

definition of alleys and streets (in particular, the Locust Street situation). The modified definition would make it clear that when the public thru-way doesn't conform exactly to the street definition of a certain width, those public thru-ways are alleys. A list of ordained streets will be maintained by the Borough, and that list will constitute the definition of a street. The second change was requested to reduce the timeframe of the non-conforming use replacement period (all repairs shall be commenced within one year after the damage occurred and completed within two years). The third change would make it clear that signs that are attached or mounted on a building front shall not extend above the first story of the building. Councilman McCammon made a motion to authorize the advertisement of the proposed ordinance amendments (and to schedule a public hearing on the matter) as recommended by the Borough Solicitor. Councilman Porter seconded; the motion passed unanimously.

Kevin Grubbs also presented a proposed amendment to the Subdivision/Land Development Ordinance (No. 944), as recommended by the Waynesboro Planning Commission. He explained that any Subdivision/Land Development Plans submitted for review that require Water and/or Sewer Main Extensions shall be required to have all agreements approved by the Waynesboro Borough Authority prior to any final approval of the plans by the Waynesboro Planning Commission. Also, 20 copies of all plans shall be submitted (instead of the previous submission of 12 copies). In addition, all plans shall be submitted 30 days prior to the Planning Commission meeting (instead of 10). This will allow proper time for review by the Franklin County Planning Commission and for the developer/owner to attend any Waynesboro Borough Authority meetings to resolve any issues concerning water and sewer utilities. If adopted, these changes would become effective 60 days after the date of adoption. Councilman McCammon made a motion to authorize the proposed ordinance amendments (and to schedule a public hearing on the matter) as recommended by the Borough staff. Councilman Berry seconded; the motion passed 5-0 (Councilman Newcomer abstained).

#### **FOR INFORMATION ONLY**

**FCADC ANNUAL GENERAL MEMBERSHIP BREAKFAST MEETING (MARCH 1, 2007):** Council members received an invitation to attend the FCADC Annual General Membership Breakfast meeting to be held on March 1<sup>st</sup> at the Family Traditions Lighthouse Restaurant in Chambersburg. Those interested in attending were asked to contact Melinda Knott.

**PSAB'S "WAKE UP TO THE ISSUES BREAKFASTS":** Council members were also invited to the PSAB's "Wake Up to the Issues Breakfasts" on various dates throughout the months of February thru April. Anyone interested in attending was asked to contact Melinda Knott.

**CORRESPONDENCE RE: TRAFFIC PROBLEMS AT N. EAST AVENUE AND MAIN STREET:** Mr. Hamberger provided a copy of correspondence (and poem) from a resident of Washington Township regarding recent discussions on the traffic situation and controversial traffic light at the intersection of N. East Avenue and Main Street, for Council's review.

**REMINDER OF PSAB SPRING LEGISLATIVE CONFERENCE:** Mr. Hamberger reminded Council members to contact Melinda Knott if they would like to attend the PSAB Spring Legislative Conference to be held on March 18-20 in Grantville.

**ATI-LANDIS THREADING (APPLICATION TO RENEW AIR EMISSION PERMITS):** The Borough received required notification that ATI-Landis Threading has made application to the state of Pennsylvania to renew their air emission permits. A 30-day comment period applies.

**INDIVIDUAL INTERESTED IN SERVING ON RECREATION BOARD:** Mr. Hamberger provided information to Council regarding an individual who has expressed interest in filling the vacant position on the Recreation Board.

**PA BOROUGH COUNCILS ASSOCIATION CORRESPONDENCE:** Correspondence received from the PA Borough Councils Association was also forwarded to each Council member for review.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:**

Frank Bittner, 842 Anthony Avenue - Mr. Bittner referenced the recent lawsuit regarding a faulty swing at Memorial Park and a newspaper article which noted that no one from the Borough testified in the case – he asked why. He was advised that this was on the advice of the Borough’s attorney, however representatives of the Borough provided depositions pertaining to the case.

Mike Walters, 315 N. Grant Street - Mr. Walters remarked that the Borough’s plans to have an employee trained as a Playground Safety Inspector is a good idea. He requested that the Frick Credit Union be instructed to clear their sidewalk at their N. Grant Street property. President George noted that the matter will be addressed.

Ronald Martin, 66 State Road - Mr. Martin commented on the proposed amendment with regard to the submission of plans for review. He feels that these rules should apply to the larger developments, but exceptions should be granted for smaller ones. After further discussion, President George noted that Council will review the matter. Discussion ensued regarding ways to expedite the process, but Kevin Grubbs noted that the proposed amendments are in accordance with the Municipalities Planning Code (which all other municipalities adhere to). It was suggested that these concerns will be considered by Council during the public hearing proposed on the matter.

Harry Morningstar, Jr. and Carole Malin, representing MainStreet Waynesboro, Inc. - Mr. Morningstar noted that permission is being sought for several items in order to proceed with the downtown flower beautification program. The flower pot and bracket being proposed were displayed for Council’s review. He informed Council that a grant in the amount of \$11,000 has been obtained for the program, and a golf cart (equipped with water tanks) has been purchased for use in watering the flower baskets. The baskets will be watered early in the morning (from 5-8 a.m.), and they are requesting permission to drive the vehicle on the Main Street sidewalks (between Grant and Broad Streets). In addition, they are in need of a place to house the golf cart, and requested permission to utilize the Borough’s garage off of Alley #1. President George forwarded the requests to the Property Committee for review and recommendation at Council’s next meeting.

**PAY BILLS:** Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-07-03 and 04. Councilman Berry seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Newcomer thanked the Maintenance Department for their recent assistance with snow removal.

Mayor Starliper recalled that several months ago there was discussion regarding the removal of the flashing lights at Third and Walnut Streets, but they are still there. The Street Committee was requested to review the matter.

Mayor Starliper asked Mike Cermak (Accredited Services, Inc.) to provide an update on the status of 25, 27 and 29 E. Main Street. Mr. Cermak stated that the owner was given a 30-day notice to either present a plan for repair or demolish the buildings. Black and Associates presented proposed repair plans on February 12<sup>th</sup>, which are currently under review. He added that he has 30 days in which to either request additional information, approve the plans and issue the appropriate permit, or disapprove the plans and give instruction to demolish the buildings.

Mayor Starliper informed Council that he has received information from Police Chief Shultz that Patrolman Travis Carbaugh has expressed a desire to attend DARE training in March/April. (He

added, however, that he is not interested in the position of Student Resource Officer if that is approved by the Borough.) Councilman Newcomer made a motion to approve the requested training. Councilman Stains seconded; the motion passed unanimously.

Dan Sheffler reported that he has issued approximately 60-80 notices of violation for sidewalks which have not yet been cleared. If they are still snow-covered by Friday (February 23<sup>rd</sup>), he will proceed with the appropriate citations.

Kevin Grubbs asked about the status of his request (on recommendation by consultant Denny Black) to pursue having aerial photographs of the Borough done. It was noted that the Property Committee will discuss this matter at their upcoming meeting and will present a recommendation at Council's next meeting.

Solicitor Dively suggested that Council consider entering into an indemnification agreement with the various municipalities who have expressed a desire to participate in the certification of a Playground Safety Inspector. Council will take the recommendation under advisement.

Having no further business to discuss, the meeting adjourned at 8:21 p.m. on a Porter/McCammon motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant