

JANUARY 18, 2006
WAYNESBORO, PA 17268

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
Mike Benshoff, Maintenance Foreman/Assistant Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
D. Lloyd Reichard, II, Borough Solicitor
Ron Flegel, Fire Chief
Ray Shultz, Police Chief

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

SPECIAL PRESENTATION: Mayor Starliper presented former Mayor Louis Barlup with a U.S. flag (which was flown over the U.S. Capital on December 3rd) for his years of service to Waynesboro from January 18, 1989 to January 3, 2006.

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of the January 3, 2006 meeting, as written. Councilman Berry seconded; the motion passed unanimously.

ACCEPT REPORTS: Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer, Fire Chief and Police Chief, as presented. Councilman Stains seconded. President George requested that the Chief provide him with the percentage of alarms reported that were false. The motion then passed unanimously.

RULES OF ORDER: President George noted that no record could be found of Borough Council ever having adopted rules of order, and he recommended utilizing Roberts' Rules of Order. Councilman Porter made a motion to approve Roberts' Rules of Order as Council's official rules of order, as recommended. Councilman Berry seconded; the motion passed unanimously.

COMMITTEE ASSIGNMENTS: Council President George noted that his recommendations regarding committee assignments have been distributed to Council members, and he requested their approval. Councilman McCammon made a motion to approve the committee assignments, as proposed. Councilman Porter seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that action will be required on the following items –

- Shade Tree Commission re-appointment
- Appointment to Borough Authority

- Resignation from Civil Service Commission
- Appointment to Civil Service Commission

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman Porter reported that the Street Committee met on the previous Monday morning and discussed the following items –

- Sight distance problems at Park and Third Streets – two (2) intersection details were presented for consideration:
 1. Park Street and W. Ninth Street:
 - (A) “No Parking Anytime” on the south side of W. Ninth Street 40' (2 spaces) east of the intersection of Park Street
 - (B) “No Parking Here to Corner” on the north side of W. Ninth Street 20' (1 space) east of the intersection of Park Street
 2. E. Third Street and S. Broad Street:
 - (A) “No Parking Anytime” on the south and north sides of E. Third Street 60' (3 spaces) east of the intersection of S. Broad Street
- Bidding for 2006 Street Reconstruction Projects – recommending that the Borough Manager and Engineering Department be authorized to proceed with the bidding process
- Approval of standard for new traffic signals – proposal for poles similar to the existing street light poles

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: No report.

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

“It was my privilege to attend the holiday dinners of both fire companies prior to January 3, 2006. We do have a dedicated group of individuals who protect the Borough and surrounding area. If you see any of these individuals, thank them.

On January 5th, I was privileged to be the moderator at Summitview Elementary School for the fifth and sixth grade National Geographic Bee. This was open to all fifth and sixth graders, and the 10 finalists competed on that Thursday. The winner was Brittany Beene. She has taken a written test and hopefully will advance to the state finals.

On January 6th, I met with Representative Fleagle and Senator Punt to discuss items of importance to the Waynesboro area. Also on the 6th, I attended the ribbon-cutting for the Angel Hill Animal Sanctuary and Thrift Store.

On January 9th, I met with the Waynesboro Police Supervisors and Chief to gather their opinion on a number of items and situations.

On January 10th, I attended the meeting of the Fire Police at the Virginia Avenue Fire Company for the swearing-in of those individuals. Once again, we need to thank them for their services to the area.”

PUBLIC COMMENT - ITEMS ON AGENDA:

Amos Miller, 309 W. Sixth Street – Mr. Miller noted that he has read recent articles in the newspaper about scrolling signs and Council's plans to prohibit them. He commented on CVS Pharmacy's desire to install a scrolling sign (similar to the one already in place across the street). He feels that Council should update their rules and treat all requests the same.

Councilman Porter stated that the Borough's current Zoning Ordinance contains a section regarding sign regulations, which would allow such a scrolling sign if it advertised community events and was requested by a non-profit organization. Mr. Miller responded that, while he understands that, a person coming into town who is unfamiliar with those regulations may not understand. That is why he feels there should be one standard for all requests.

Councilman Newcomer noted that he has researched the matter and met recently with a CVS representative. He was discouraged to discover that the CVS sign request was voted on, and the ordinance was changed after their request was made. He feels that this is not the way that Waynesboro should be presented for future establishments.

President George noted that the Street Committee will discuss sign requirements at their next scheduled meeting.

Stephen Monn, 126 W. Main Street – (Mr. Monn served previously on Borough Council). For clarification purposes, he explained that CVS representatives were aware of the Borough's 1999 ordinance, which has always prohibited moving, scrolling, flashing and blinking signs. Their building plan included a sign plan, and was presented to the Planning Commission. They were told at that time that the sign was not permitted – it could be installed, but couldn't blink. CVS filed an appeal to the Zoning Hearing Board., who "backed up" the ordinance. He added that CVS knew the ordinance and they were given an answer prior to the start of construction. The law was not directed at CVS, nor was it changed "after the fact". The Borough is now looking at making the sign section of the Zoning Ordinance even clearer than before to alleviate confusion in the future. Mr. Monn also explained that the sign across the street (donated by the Rotary Club) was given a special variance because it is a community service sign by a non-profit organization. By the exact wording of the ordinance, that sign (as well) would not be allowed otherwise. Special attention was paid to the CVS sign because it was a commercial operation.

Amos Miller asked for an explanation of the objection to scrolling signs. Mr. Monn stated that it is his opinion that they detract from the historic character of the downtown and are a diversion to the attention of drivers.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to re-appoint Tom McCloud to the Shade Tree Commission; said term will expire on March 4, 2011. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to accept the resignation of Allen Porter from the Civil Service Commission. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint Benjamin Greenawalt to the Civil Service Commission; said term will expire on August 1, 2009. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to appoint William Pflager to the Waynesboro Borough Authority; said term will expire on January 1, 2007. Councilman McCammon seconded; the motion passed

unanimously.

Councilman Porter made a motion to establish a “No Parking Anytime” area on the south side of W. Ninth Street 40' (2 spaces) east of the intersection of Park Street and a “No Parking Here to Corner” on the north side of W. Ninth Street 20' (1 space) east of the intersection of Park Street; and further, a “No Parking Anytime” area on the south and north sides of E. Third Street 60' (3 spaces) east of the intersection of S. Broad Street. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to authorize the Borough Manager and Head of Engineering Services to proceed with bidding for the 2006 street reconstruction and resurfacing projects. Councilman Newcomer seconded; the motion passed unanimously.

Councilman Porter made a motion to approve the traffic light standards similar to the existing street light poles. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter reported that the Street Committee’s next meeting will be held on the Monday prior to the second Council meeting of the month (February 13th) at 9:30 a.m.

Councilman Berry made a motion to appoint C. Harold Mumma to the Zoning Hearing Board; said term will expire on January 1, 2007. Councilman Porter seconded; the motion passed 5-0 (Councilman McCammon abstained).

UNFINISHED BUSINESS

PARKING METER BID: Mr. Hamberger noted that Council had asked questions regarding the number of parking meters included in the bidding specifications. He stated that Kevin Grubbs has prepared a diagram indicating both the existing and proposed locations for the meters, adding that his estimate is close to the number of meters indicated in the bid information. Once the meters are examined more closely, however, there may be several more or less needed. Mr. Hamberger also noted that the new meters will be installed in the center of the downtown area, and the parking meters currently in those locations will be moved to S. Church Street and on Main Street west of Grant Street. He further explained that all mechanisms are being replaced, but not all of the housings. Councilman Porter then made a motion to award the bid for parking meters, housings and accessories to Duncan Parking Technologies, Inc. Councilman Newcomer seconded; the motion passed unanimously.

UNOVA TAX RE-ASSESSMENT: Mr. Hamberger noted that additional information had been provided to Council members regarding the Unova tax re-assessment and the reasons for it. Councilman McCammon made a motion to accept the proposed re-assessment. Councilman Berry seconded. Solicitor Lloyd Reichard provided additional information as further explanation. The motion then passed unanimously.

NEW BUSINESS

APPOINTMENT OF DIRECTORS AND ALTERNATES TO RCI: Mr. Hamberger presented correspondence from RCI and M&T regarding appointments to the RCI Board of Directors. He explained that the Borough appoints five (5) members, plus alternates; and the trustee (M & T) nominates three (3) members, plus alternates. They are requesting that these appointments be made by their meeting in April.

Councilman Berry made a motion to appoint the following individuals to the RCI Board –

Borough Appointments

Doug Tengler (alternate - Jacqueline Barlup)

Delmos Oldham (alternate - Richard Starliper)
David Hykes (alternate - Louis Barlup, Jr.)
*Seeking a replacement (and alternate) for Ardie Winters

M & T Bank Appointments

George Buckey (alternate - James Oliver)
John W. Keller (alternate - Willard Rahn)
Alice McCleaf (alternate - Richard Mohn)

Councilman McCammon seconded; the motion passed unanimously.

DISCUSSION RE: DOWNTOWN BUSINESS DISTRICT ZONE: Mr. Hamberger noted that the required public hearing was held, and comments were heard from Leroy Maxwell. Solicitor Lloyd Reichard explained the zero lot-line concept further, but noted that a potential ambiguity exists in the wording of the proposed ordinance. After discussion on the matter, Councilman Porter made a motion to request that the Planning Commission review the matter further and respond to Council's concerns. Councilman Newcomer seconded; the motion passed unanimously.

RETIREMENT OF POLICE CORPORAL: Mayor Starliper read a letter from Police Corporal Robert "Kirk" Heffernan, who plans to retire from the Police Department on May 13, 2006. Councilman McCammon made a motion to accept Mr. Heffernan's notice of retirement. Councilman Newcomer seconded; the motion passed unanimously.

President George directed the Borough Manager to forward a letter to Mr. Heffernan in appreciation for his years of service to the Borough.

PATROLMAN VACANCY: Mayor Starliper noted that Council had previously approved the hiring of Scott Sullivan as Patrolman for the Police Department, upon successful completion of physical and psychological examinations. Chief Shultz has since received information from Mr. Sullivan noting that he is no longer interested in the position. Accordingly, he is recommending that Council approve the hiring of Shawn Adolini, who scored second on the civil service examination. Councilman Porter made a motion to approve the hiring of Shawn Adolini, contingent upon his successful completion of physical and psychological examinations. Councilman Newcomer seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Michael Cermack, 135 E. Second Street (President of Accredited Services, who issues the Borough's building permits). On behalf of Accredited Services, Mr. Cermack presented a check in the amount of \$1,128.00 to the Borough, based on the number of building permits issued and the profitability of the company. Council President George thanked Mr. Cermak for the donation.

SUBDIVISION PLANS: Kevin Grubbs noted that Council members received information regarding a minor subdivision plan for Douglas Tengler at 133-135 Snider Avenue. The plan was reviewed by the Waynesboro Planning Commission, who recommended approval contingent upon the Zoning Hearing Board granting a variance for the encroachment for a sideyard setback. The Franklin County Planning Commission gave no comments. Councilman McCammon made a motion to approve the plan, as presented. Hearing no second, the motion died.

Two (2) other subdivision plans were also presented to Council for review, however it was the consensus of Council that they had not had sufficient time to review the plans. Councilman Porter then made a motion to table the subdivision plans presented. Councilman Stains seconded; the motion passed 5-0 (Councilman McCammon opposed).

FOR INFORMATION ONLY

REMINDER OF TRI-COUNTY BOROUGH ASSOCIATION MEETING (JANUARY 24, 2006): Mr. Hamberger reminded Council that the Tri-County Boroughs Association meeting will be held on Tuesday, January 24th, in Marysville. He and Mayor Starliper are planning to attend – additional members wishing to attend were asked to inform him as soon as possible.

INVITATION TO CHAMBER OF COMMERCE JANUARY MIXER EVENT (JANUARY 26, 2006): Mr. Hamberger also reminded Council of the upcoming Chamber of Commerce Mixer Event to be held on January 26th. Those wishing to attend were asked to contact Melinda Knott by January 20th.

INVITATION TO WAYNESBORO AREA BUSINESS EDUCATION & COMMUNITY FOUNDATION GOLF TOURNAMENT (AUGUST 25, 2006): Council members received an invitation from the Waynesboro Area Business Education & Community Foundation to participate in a Golf Tournament on August 25th. An e-mail address was provided for RSVP's.

UPDATE ON BUDGET AND TAX CHANGES: Mr. Hamberger reported that changes have been made to the 2006 budget, and the appropriate ordinances advertised for Council's consideration at their meeting on February 1st.

PAY BILLS: Councilman Newcomer explained the past procedure for paying bills, noting that Council approved voucher lists after the bills had already been paid. He is recommending that that procedure be modified, adding that the matter will be discussed further at the Finance Committee's meeting on January 30th.

DISCUSSION ON SUBDIVISION PLANS: Lee Royer noted that the subdivision plans discussed earlier in the meeting were submitted months ago. If Council wants to review the plans, he suggested that they be sent to Council when they are received and forwarded to the Planning Commission. This would alleviate additional waiting time for the parties requesting the subdivisions. President George noted that his comments are appropriate and Council will take them under advisement.

COUNCIL AND STAFF COMMENTS: Councilman McCammon discussed the need for the Borough's housing rehabilitation program to commence again. He explained that funds are given (a lien is placed on the property) to individuals who meet the appropriate income criteria to install new furnaces, new roofs, etc. The program has gone "by the wayside", but is much needed in Waynesboro. President George instructed the Property Committee to review the matter and provide Council with a recommendation. Former Mayor Barlup added that individuals utilizing the housing rehabilitation funding must own and occupy the property being rehabilitated. In addition, portions of the funds can be forgiven in certain circumstances.

Councilman Berry commented that it is nice to "see a crowd" in the audience, and thanked everyone for attending.

Councilman Stains thanked the public for attending the meeting, and thanked Michael Cermack for his company's generous donation.

Councilman Newcomer also thanked the public for attending, and thanked former Councilman Stephen Monn for providing insight regarding the CVS sign. He acknowledged the need for new businesses in Waynesboro; and suggested that turning down a sign for a business when there is a similar one across the street sends a bad message. Many new or potential businesses contact the last new business in a community, and this type of activity would give Waynesboro a bad name. He asked that the Street Committee keep these items in mind when reviewing the matter.

Mayor Starliper provided pictures with regard to a property he mentioned at the previous meeting. With regard to the synchronization of traffic lights, he also noted it is his understanding that all left turns from Grant to Second Streets will have their own individual turn lights. Mr. Hamberger noted he is unsure of that fact, but has requested additional information on the matter. Mr. Starliper also requested that the Street Committee consider prohibiting left turns at the intersection of Walnut and Main Streets.

Kevin Grubbs noted that the advertisement for 2006 street reconstruction projects to be funded by the Borough will appear in *The Record Herald* the following week. Bids will be opened on February 28th and provided for Council's consideration at their meeting on March 1st.

Mr. Hamberger also reported that he has contacted Congressman Shuster's office regarding the approval of CDBG funding for C. V. Avenue.

Kevin Grubbs clarified the Waynesboro Planning Commission's review procedures for plan submissions, adding that the three (3) plans discussed previously in the meeting were revised several times (mostly due to stormwater management conditions) over a period of time. Time extension requests were submitted and approved, and final approval was granted by the Planning Commission on Monday, January 16th (their meeting had been rescheduled from January 9th to that date).

Council President Richard George reiterated his appreciation to Michael Cermack for his contribution to the Borough.

Having no further business to discuss, the meeting adjourned at 8:26 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant