

MAY 3, 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
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Ray Shultz, Police Chief
Ron Flegel, Fire Chief
Denny Benschhoff, Maintenance Superintendent

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

EXECUTIVE SESSION: Council went into executive session at 7:31 p.m. for the purpose of discussing a legal matter, and reconvened to regular session at 7:50 p.m.

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of April 5, 2006 (Town Meeting and Regular Meeting) and April 19, 2006 (Regular Meeting), as written. Councilman Berry seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry reported that interviews will be scheduled with two (2) individuals who are interested in the vacant position on the Planning Commission. In addition, he will present a motion to hire six (6) individuals as Cashiers and three (3) individuals as Lifeguards at Northside Pool.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: No report. Councilman Porter noted that the next Street Committee meeting will be held on Monday, May 15th, at 9:30 a.m.

INTERGOVERNMENTAL COMMITTEE: Councilman Stains reported that the current Fire Service Agreement with Washington Township expires the end of 2006. A meeting to discuss the matter will be arranged with Washington Township representatives.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer noted that information has been received from the Borough's consulting firm (Mullin and Lonergan Associates, Inc.) regarding a situation which resulted when Council removed the residential properties from the Main Street Facade Improvement Program. A policy to address Harry Morningstar's requests is being prepared for Council's review.

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

“On April 21st, I had the privilege of marrying Veronica Kennedy and William Coolbaugh. I wish them the very best.

Also, if you saw the Sunday edition of *The Morning Herald* on April 23rd, four individuals from the Waynesboro area were featured as “making a difference”. They were our own Fire Chief, Ron Flegel, Tania Fernandez, Richard Caudell (who operated The Lunch Place, and Natalie Newcomer (our Councilman Craig Newcomer's mother). Our congratulations to all who make a difference.

With that in mind, my congratulations and thanks to the individuals who helped catch the attempted robbery suspect at the Waynesboro Food and Fuel Convenience Store on April 23rd.”

SOLICITOR'S REPORT: No report. Melissa Dively noted that she is still working on Council's request from the last meeting regarding enforcement of property violations.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to affirm the hiring of the following individuals as Cashiers at Northside Pool: Erica Compher, Joanna Smith, Katie Staubs, Courtney Kistler, Abby Schuler and Paige Tanner. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to affirm the hiring of the following individuals as Lifeguards at Northside Pool: Stephen (Alex) Schroer, Shelby Smith and Emily Bock. Councilman Porter seconded. Mr. Hamberger reported that there are currently 17 lifeguards on staff for this season, but they are hoping for several more. He added that the pool will be adequately staffed, even with the 17. A vote was then called; the motion passed unanimously.

Council President George noted that two (2) individuals have expressed interest in the current vacancy on the Waynesboro Planning Commission. He suggested that Council hold interviews with these individuals prior to the next Council meeting (Wednesday, May 17th, beginning at 7:00 p.m.) Council concurred.

UNFINISHED BUSINESS

ALLEY ABANDONMENT (E. NINTH STREET TO OLD MILL ROAD): Kevin Grubbs noted that, after speaking with Melissa Dively, it is his understanding that the ordinance for vacation of the alley can be advertised for consideration at Council's June 7th meeting. Melissa Dively explained that the information she provided at the last meeting pertained to streets/alleys that have been ordained and opened for public use. However, as this alley was never opened, notice simply needs to be given to the public that the road will be vacated. It was noted that the proposed ordinance will be advertised as soon as it has been finalized.

NEW BUSINESS

ORDINANCE NO. 1044 (ZONING AMENDMENT - TOWN CENTER SIGNS): President George noted that this proposed ordinance was discussed earlier during the public hearing; and he asked if Council wished to take any action at this time. Council agreed that the matter should be referred to the Property Committee for review and recommendations at their next meeting.

ORDINANCE NO. 1045 (CURBING MODIFICATIONS): Mr. Hamberger presented proposed Ordinance No. 1045, which will permit the use of alternate curb styles for new developments in the Borough. He explained that, following adoption of this ordinance, a resolution will be adopted to outline the types of curbs permitted. Councilman Porter made a motion to adopt Ordinance No. 1045, as presented. Councilman Stains seconded; the motion passed unanimously.

ORDINANCE NO. 1045

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 588, AN ORDINANCE REGULATING SIDEWALKS AND CURBS: PROVIDING FOR THE PAVING, REPAVING, REPAIRING, CURBING AND RECURBING OF THE SAME; PROVIDING FOR LINES, GRADES, ROUGH GRADING, MATERIALS AND SPECIFICATIONS; REQUIRING MAINTENANCE IN A SAFE CONDITION; REGULATING CURB BOXES, BASEMENT WELL DOORS, CROSS GUTTERS OR CHANNELS, OVERHEAD WATER CONDUCTORS, CURB CUTS, DRIVE ENTRANCES AND INTERSECTION RADII; PROVIDING FOR NOTICE TO PAVE, REPAVE, REPAIR, CURB OR RECURB AND FOR WORK TO BE DONE BY BOROUGH AT EXPENSE OF PROPERTY OWNER; AUTHORIZING ISSUANCE OF STOP ORDERS; DEFINING NUISANCE AND PROVIDING PENALTIES AND REPEALER. EFFECTIVE AUGUST 15, 1966, ENACTED INTO AN ORDINANCE AUGUST 3, 1966, AS AMENDED.

Complete copy on file at Borough Hall.

CURB RESOLUTION: Kevin Grubbs presented proposed Resolution #2006-07, which was mentioned by Mr. Hamberger during the previous discussion on Ordinance No. 1045 and will specify the use and type of design of slant curbs to be permitted in new developments. Solicitor Dively suggested a minor modification to the wording in the proposed resolution to read: "Pursuant to Ordinance No. 588 of the Borough of Waynesboro, the Curb Specifications are amended to add the following Slant Curb Specifications as set forth in Exhibit A, attached hereto and incorporated by reference herein." Councilman McCammon made a motion to approve Resolution #2006-07, as modified by the Solicitor. Councilman Porter seconded; the motion passed unanimously.

RESOLUTION 2006-07

WHEREAS, the Borough of Waynesboro, from time to time, may change specifications for regulating sidewalks and curbs, and

Complete copy on file at Borough Hall.

HEALTH REGULATIONS: Mr. Hamberger explained that the Borough is currently operating under the State's "old" regulations because the previous Health Officer was planning to retire. Kay Barkdoll, the new Health Officer, has achieved her certification; and the Health Board feels that Council should authorize the enforcement of Chapter 46 of the State's Health Regulations. Councilman McCammon made a motion as such. Councilman Newcomer seconded; the motion passed unanimously.

BILLBOARD RESOLUTION: Pursuant to action taken by Council at their last meeting, Solicitor Melissa Dively prepared proposed Resolution #2006-06 which will declare certain provisions in the Zoning Ordinance substantively invalid and propose the draft of a curative amendment. She added that she has provided samples from other jurisdictions for review by the Planning Commission to determine appropriate uses of off-site advertising in specific zoning districts. Councilman McCammon made a motion to approve Resolution #2006-06, as presented. Councilman Porter seconded; the motion passed unanimously.

RESOLUTION 2006-06

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO AUTHORIZING DECLARING CERTAIN PROVISIONS OF THE ZONING ORDINANCE OF THE BOROUGH OF WAYNESBORO SUBSTANTIVELY INVALID AND PROPOSING THE DRAFT OF A CURATIVE AMENDMENT TO PERMIT AND REGULATE THE USE OF OFF-SITE ADVERTISING IN SPECIFIC ZONING DISTRICTS

Complete copy on file at Borough Hall.

ABANDONMENT OF A PORTION OF GRANDVIEW AVENUE AND UNOPENED ALLEY (RONALD MARTIN):

Kevin Grubbs reported that the Borough received a petition to vacate a portion of the proposed extension of Grandview Avenue (northeast of the existing Blue Chip on N. Grant Street). He noted that a Land Development for the property will be forthcoming. Mr. Grubbs explained that the extension was never ordained or opened, however there are several utility right-of-ways and easements through that portion (for sewer, storm sewer and gas).

Councilman McCammon made a motion to proceed with the appropriate procedures to prepare for abandonment of this alley. Solicitor Dively clarified the procedure required. Councilman Porter seconded; the motion passed unanimously.

PETITION FOR REZONING PROPERTY LOCATED AT 405 N. GRANT STREET (RONALD MARTIN):

Kevin Grubbs explained that the Borough has also been petitioned to consider rezoning the property at 405 N. Grant Street – it is currently zoned Medium Density-Residential (RM) and they are proposing to change it to General Commercial (GC). It was noted that the matter must go before the Planning Commission, who will hold a public hearing, etc. regarding the matter. Councilman McCammon made a motion to forward the request to the Planning Commission for review. Councilman Berry seconded; the motion passed unanimously.

REQUEST TO LEASE PROPERTY AT THE REAR OF 405 N. GRANT STREET (RONALD MARTIN):

In addition, Kevin Grubbs noted that Mr. Martin is looking to lease a portion of the area to the rear of the property at 405 N. Grant Street from the Borough, however the exact area is yet to be determined. Mr. Martin noted that he would like to lease 20', but Mr. Grubbs explained that he will need to review the amount of encroachment prior to giving a recommendation to Council. President George suggested that Mr. Martin and Mr. Grubbs work together regarding the matter.

POLICE NEGOTIATIONS: Mr. Hamberger noted that he has received a request from the Waynesboro Police Association regarding negotiations for their contract which expires the end of 2006. The Borough's Negotiating Committee will arrange a meeting to begin discussions with the group in the near future. In the meantime, Mr. George asked that all Council members receive a copy of the current contract.

SUMMER COUNCIL MEETINGS: Mr. George noted it has been a tradition of Council that, during the months of June, July and August, only one (1) meeting is held per month. Following discussion on the matter, Councilman Porter made a motion to establish the following summer meeting schedule: meetings will be held on June 7th, July 12th, and August 9th. The regular meeting schedule on the first and third Wednesday of each month will resume in September. Councilman Berry seconded; the motion passed unanimously.

QUESTION REGARDING SLANT CURB: Ronald Martin asked for clarification on the proper procedure to request use of the slant-type curbing in the West End Development. Kevin Grubbs stated

that this style of curbing was adopted, in particular, for use in the West End Development, as well as the Brimington (Hollengreen Farm) Development; and he has no objections for its use at either of these locations. Councilman Porter made a motion to authorize the new style of curbing in both the West End Development and the Brimington (Hollengreen Farm) Development. Councilman Berry seconded; the motion passed unanimously.

CONTRACT AWARD – JOINT COMPREHENSIVE PLAN: Mr. Hamberger informed Council that he has received correspondence from DCED regarding their award of the grant for the Borough/Township Joint Comprehensive Plan. He has reviewed and accepted the terms and conditions of the \$36,200 grant, and will work with Washington Township on issuing an RFP for consultants in July or August.

SIDEWALK SALES: Mr. Hamberger read a request from Michael Cermak, Jr. for downtown merchants to hold a sidewalk sale on Saturday, July 1st, from 9:00 a.m. to 4:00 p.m. He has no objections to the request, but noted that the staff cannot grant permission for encroachment in the public right-of-way. Councilman Porter made a motion to approve the request, as presented. Councilman Berry seconded; the motion passed unanimously.

FRANKLIN COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS’ SPRING MEETING: Mr. Hamberger noted that Council received an invitation to attend the Franklin County Association of Township Officials’ Annual Spring Meeting to be held on Thursday, May 25th, at 6:00 p.m., in the Mont Alto Volunteer Fire Department’s Activities Center. RSVP’s should be provided to Melinda Knott by May 12th.

GAS SITE CLEAN-UP AT UNOVA INDUSTRIAL AUTOMATION SYSTEMS, INC.: Mr. Hamberger noted that he received documents regarding clean-up of the former Waste Management gas sites at Unova Industrial Automation Systems, Inc., which is an ongoing project. He explained that periodic updates are required to be given. Copies are available for view at Borough Hall.

TRAFFIC CONCERN AT WAYNESBORO AREA MIDDLE SCHOOL: Councilman Newcomer noted that he has observed a situation at the Waynesboro Area Middle School which should be addressed by the Street Committee. He noted that crossing guards are at the entrance on E. Second Street, but are there for the purpose of directing traffic. When children are dropped off across the street, this creates an additional burden on the guards as well as the traffic. The School District has sent out correspondence to the parents asking that they refrain from this action, however it continues. He suggested that the Street Committee review the matter and determine if signs of some sort could provide assistance in alleviating this problem.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher List VL-06-10. Councilman Berry seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mayor Starliper noted that he has mentioned his concern regarding trash being placed out at the curb too far in advance of collection times. He advised that there is a \$100.00 fine for violations of this rule (maximum \$1,000). He reiterated that trash should not be placed at curbside before 5:00 p.m. on the day prior to collection. In addition, Councilman Porter reminded the public that trash containers in excess of the three-bag limit should be tagged. Councilman Stains also mentioned concern regarding bulk pick-up and the fact that residents have placed items out on the “wrong week” and left them sit on the curb until the next week when they are collected. Dan Sheffler stated that advertisements have been published in *The Record Herald* regarding the collection schedule, and the Chamber of Commerce has agreed to assist by placing reminded on their “Welcome” sign for the public’s information.

Kevin Grubbs presented a prototype sign for “Free Parking” areas in the Borough, for Council’s review/approval. He noted that each sign will cost \$64.00.

Fire Chief Ron Flegel provided written information to Council, but also wanted to verbally acknowledge the efforts of several of his department's employees. He reported that the following individuals have participated in the training programs listed:

- William Hedrick - 32-hour class for child safety seat installation
- Jerry Hartman and Steve Biesecker - 40-hour Fire Inspector I class
- Steve Biesecker - 24-hour Fire Pump Maintenance and Repair Class

Council acknowledged the efforts of these individuals and offered congratulations on their certifications received.

Police Chief Ray Shultz invited Council and the public to attend Agway's Open House to be held on Saturday, May 6th, from 9:00 a.m. to 3:00 p.m. He noted that members of the Police Department will be serving refreshments, and Agway will donate the proceeds to the Department.

Council President George reminded those in attendance of Council's Joint Committee Meeting scheduled for Wednesday, May 10th, at 7:00 p.m. He invited members of the public to attend.

Having no further business to discuss, the meeting adjourned at 8:38 p.m. on a Berry/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant