

MAY 17, 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
Denny Benschhoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ron Flegel, Fire Chief
Ray Shultz, Police Chief

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

REMINDER OF SUMMER MEETING SCHEDULE: Council President Richard George reminded Council and the public that meetings during the summer will be held once a month – on June 7th, July 12th and August 9th. He noted that additional meetings may be called to address special items.

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of May 3, 2006 (public hearing and regular meeting), as written. Councilman Porter seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that he will present motions on affirming the hiring of three (3) lifeguards; and accepting evaluations for two (2) employees, one of which will require action.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon reported that the Property Committee met the previous week. During their meeting, the following items were discussed

- Flashing signs – will review regulations from various municipalities
- Fire Service Agreement – will meet with Washington Township representatives to discuss the matter
- Zero lot line ordinance – review continuing
- Burned-out buildings – working on that situation; will present a motion to extend the time limit for repair/replacement from two (2) years to one (1) year

STREET COMMITTEE: Councilman Porter noted that the Street Committee met on May 15th, and discussed the following --

- Request from Waynesboro Area School District regarding opening the portion of E. Third Street from Myrtle Avenue to the school's existing parking lot – working on this matter
- Numerous complaints about handicapped parking spaces no longer in use – will conduct a survey to ensure that all handicapped parking spaces are being legitimately utilized by individuals who have handicapped parking placards/plates for their vehicles
- Complaints from a resident about speeding on Strine Avenue – action will be taken in an attempt to control speed on that street
- Safety concerns regarding Locust Street – will have a motion on that issue later in the meeting
- Request for a 25 mph sign on W. Third Street – will have a motion on that issue
- Recommendation on black backers for traffic signals and/or increasing bulb wattage (eastbound traffic on Main Street) to make it easier to determine the signal color – the matter is being reviewed
- Sidewalk requirement on W. Ninth Street from Park Street to Anthony Avenue – will work with Rotary Park organization as time goes on
- Request for alley upgrade (behind #8, 10, and 12 Pen Mar Street) – property owner(s) will be advised regarding surface requirements, which can be done at their expense

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer reported that the Downtown Revitalization and Finance Committee discussed the following items at their recent meeting –

- Downtown street lights
- Facade improvement program
- Return-to-Work policy

He added that he will discuss these further during the voting section of the agenda.

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

“On May 6th, I had the privilege of marrying Tina Wallace and David Manning. As always, I wish them the very best. As an added note, former Mayor Barlup officiated at Tina Manning's parents' 50th wedding anniversary.

On May 8th, I was in Harrisburg at Comcast Newsmaker's Office to give comments on Waynesboro. This will be aired sometime after the 19th of May at .25 and .55 after the hour. (I have no idea what day or time.)

On the 16th and 17th, I attended the pre-opening and ribbon-cutting at the new Wal-Mart store in Rouzerville.”

SOLICITOR'S REPORT: Melissa Dively reported that she will be meeting with Borough Manager Lloyd Hamberger on Friday to review pending matters.

PUBLIC COMMENT - ITEMS ON AGENDA: Fire Chief Ron Flegel commented on recent articles in the newspaper regarding emergency vehicle response to areas on Locust Street. He clarified that a

12' right-of-way is needed for their vehicles (13' for firefighters to exit the apparatus), however some paved sections are only 6-7' wide. He presented pictures of the areas in question for Council's review. Chief Flegel noted his concern regarding Council's consideration of additional construction on the street.

President Richard George stated that, even though responding to a fire on this street would be difficult, the Fire Department would find a way to access the properties in any time of need. Chief Flegel added that, if the need is life-threatening, this difficulty could affect their response time.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to affirm the hiring of Jared Mummert, Ryan Conrad and Emily Doescher as Lifeguards at Northside Pool. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry noted that he received a favorable performance evaluation for Jody Sanders, however no action was required. He then made a motion to grant a step increase for Denny Benschhoff to 20C. Councilman McCammon seconded; the motion passed unanimously.

Councilman McCammon noted concern regarding the timeframe included in the Zoning Ordinance for repairing a structure destroyed by fire, etc. He made a motion to amend the regulations (Article 4, Section 14, Paragraph C of the Waynesboro Zoning Ordinance No. 937) to state that repairs, etc. must be made within one (1) year. Councilman Porter seconded. The pertinent section of the Zoning Ordinance was read, and discussion ensued regarding a commencement deadline and/or a completion deadline. Solicitor Melissa Dively recommended that Council establish a completion date, and explained that a public hearing would be required in order to adopt the proposed amendment. Councilman McCammon clarified that his motion would be for repairs to be completed within one (1) year. A vote was then called – Councilman McCammon voted in favor; all others opposed. Councilman Newcomer stated that one (1) year may not be sufficient time to go through the required insurance process and complete all repairs. He then made a motion that repairs, etc. should commence within one (1) year and be completed within two (2) years. Councilman Porter seconded; the motion passed unanimously.

Councilman Porter noted that complaints have been heard regarding dangerous intersections in the alleys that parallel Snider Avenue, particularly in the first block west of S. Potomac Street. Accordingly, he made a motion to install a stop sign in the first alley west of S. Potomac Street between Snider Avenue and W. Second Street. (This will stop traffic traveling north and south.) Councilman Berry seconded; the motion passed unanimously.

Councilman Porter stated that safety concerns and traffic flows with regard to Locust Street have been discussed at length. As there is no way for traffic to pass if traveling in two different directions, Councilman Porter made a motion to designate Locust Street (from E. Main Street to Mt. Airy Avenue) one-way north. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to establish a 25 mph zone on Hamilton Avenue from W. Second Street to W. Third Street. Councilman Berry seconded; the motion passed unanimously.

Councilman Newcomer made a motion to install 27 single-post street lights on Main Street between Franklin Street and Tritle Avenue. Councilman McCammon seconded; the motion passed unanimously.

Councilman Newcomer made a motion regarding the Main Street Facade Improvement Program, as follows: "Recipients of this grant are expected to maintain the building as a commercial entity for a minimum of three years. If the commercial use is discontinued within the three-year period, all funds

received from the facade program must be returned to the Borough of Waynesboro.” Councilman McCammon seconded; the motion passed unanimously.

Councilman Newcomer made a motion to adopt the “Return-to-Work” policy recommended by the Borough’s Safety Committee. Councilman Berry seconded; the motion passed unanimously.

UNFINISHED BUSINESS

BIDS FOR FRONT-END LOADER: Mr. Hamberger reported that three (3) bids were received for the skid-steer loader – one from Clugston Ag & Turf, Inc. and two from Smith’s Implements, Inc. The staff has reviewed the bids and found them to be in conformance with the specifications. Accordingly, he recommended that the bid be awarded to Clugston, based upon their low bid price of \$28,058.50 (less trade-in allowance of \$5,000.00). Councilman Porter made a motion to approve the purchase in accordance with the Borough Manager’s recommendation. Councilman McCammon seconded; the motion passed unanimously.

LOCUST STREET SUBDIVISION: Kevin Grubbs presented a Subdivision/Land Development Plan for Locust Street, submitted by Darwyn Benedict and Michael Henicle. He noted that the Waynesboro Planning Commission has made a recommendation to Borough Council for approval, contingent on a minor revision being made regarding parking spaces. Those revisions have been completed, and the revised plans have been presented to Council. Councilman McCammon made a motion to approve the Subdivision/Land Development Plan for Locust Street, as submitted by Mr. Benedict and Mr. Henicle. Councilman Newcomer seconded. Councilman Porter mentioned previous discussions regarding the possible widening of Locust Street by the developer. Council President George asked if the developer would agree to a meeting with Borough representatives to discuss this issue – Darwyn Benedict replied in the affirmative. A vote was then called and the motion passed unanimously.

PATROLS FOR HOUSING AUTHORITY: Mayor Starliper reported that the Franklin County Housing Authority has requested that the Waynesboro Police Department provide additional security service at their developments on Hawbaker and Elder Avenues – they are requesting foot patrols for a maximum of three (3) hours in a 24-hour period. Mr. Starliper added that this would be at no cost to the Borough (the Housing Authority has received a grant from the U.S. Department of Housing to reimburse for time and benefits) and has been done in the past. Police Chief Shultz stated that several officers have volunteered for this work, and he feels that there are sufficient officers available to handle the additional duty. President George noted concern about how to handle additional similar requests in the future. It was noted that these requests (if any) would be discussed on a case-by-case basis. Mayor Starliper recommended approval of the Housing Authority’s request, as they will be reimbursing all salary and benefit costs. Councilman Newcomer made a motion to approve the request, as presented by the Mayor. Councilman Porter seconded; the motion passed unanimously.

RIGHT-OF-WAY AGREEMENT (C.V. AVENUE): Mr. Hamberger presented Council with copies of a proposed agreement with the Gsells for a right-of-way on the northeast corner of C.V. Avenue, which would provide for a wider radius when the street is rebuilt. He noted that this has been discussed with Council in the past, and the proposal has been approved by the Waynesboro Borough Authority. Mr. Hamberger added that no money is changing hands for the acquisition, but the Borough would agree to construct four (4) driveways on the west side of C. V. Avenue at no cost to the property owner. The Borough’s total expense is estimated at approximately \$5,000-\$6,000.

Borough Solicitor Melissa Dively noted that she has reviewed and approved the proposed agreement, with two (2) minor changes – first, to correct a typographical error on page 4; and second, an addition to Subsection C (recommended by Kevin Grubbs) to read “the laundromat facility currently utilizes 16 EDU’s (equivalent dwelling units)”, which establishes a usage base for future reference.

Councilman McCammon made a motion to approve the proposed Right-of-Way Agreement with the Gsells. Councilman Stains seconded. Councilman Newcomer clarified that the motion included the changes as recommended by the Solicitor – Councilman McCammon agreed. A vote was called; the motion passed unanimously.

GASB 34 SCHEDULE UPDATE: As discussed with Council at the previous Joint Committee meeting, Mr. Hamberger noted that the federal government requires that a fixed asset ledger be maintained in accordance with general accounting principles. Smith Elliott Kearns & Company's estimated cost for this work would be \$1,500 initially, and \$1,000-\$1,200 each year thereafter. Councilman Newcomer made a motion to proceed. Councilman McCammon seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Ronald Martin, 66 State Road – Mr. Martin noted that his requests regarding Grandview Avenue were discussed at Council's last meeting. Kevin Grubbs noted that he just recently received information required on the portion of the alley they wish to have abandoned; and he and Melissa Dively will need to discuss and prepare the ordinance required for this request. President Richard George requested that the appropriate ordinance be prepared for Council's review at their June 7th meeting.

Amos Miller, 309 W. Sixth Street – Mr. Miller thanked Councilman McCammon for the action he initiated this evening on the issue of burned-out properties. He felt that a change in the timeframe for repair, etc. was long overdue. Mr. Hamberger explained the requirements of a non-conforming use, adding that the other fire-damaged property is not mandated by this regulation (as the footprint of the building has not changed). He continues to seek a sample ordinance which would address this issue.

Mr. Miller also noted concern regarding Council's approval of the Locust Street Development. He is hopeful that lives are not being placed in jeopardy by permitting additional structures in an area that is already difficult for emergency equipment to respond to. Councilman Newcomer stated that each situation must be dealt with on an individual basis, and Council's conclusion was based on review of this particular situation and the circumstances surrounding it.

With regard to the fire-damaged property on W. Main Street, Mayor Starliper informed Mr. Miller that the Borough Manager has written correspondence to the property owner's attorney requesting an update on the status of their plans for the structure.

Dixie Smith, Hamilton Avenue – Ms. Smith noted her appreciation for the recently-approved speed limit signs on Hamilton Avenue. She also mentioned her concern for the children in a family in her neighborhood. President George suggested that she register her concerns with the school nurse at the Fairview Avenue Elementary School.

Frank Bittner, 842 Anthony Avenue – Mr. Bittner questioned the process of conducting an "in-depth" study for Locust Street. Councilman Porter responded that he personally inspected the streets (traveling in both directions), many times, at various hours, of the day. President George added that many of the Council members have attended Planning Commission meetings in which questions/comments were raised and revisions were made. In addition, a public hearing has also been held on the matter. All of this information was taken into consideration and included in what was mentioned as a "study". Mr. Bittner noted that many individuals in the audience are not privy to that information.

Mr. Bittner also questioned the need for additional police patrols at the Housing Authority Developments. Mayor Starliper explained that these will be off-duty police officers; and the Franklin County Housing Authority believes they are necessary to assist with the drug problem and various disturbances in their housing developments.

Mr. Bittner noted that three (3) bids were received for a skid-steer loader, and he questioned why one is needed. Mr. Hamberger noted that the existing loader is “dying”; and replacement of the equipment was included in the 2006 budget. President George explained that, during budget deliberations, the various department heads present recommendations and rationale for their department’s needs for Council’s consideration.

Mr. Bittner also questioned who decides (and based on what criteria) that an intersection is “dangerous”. Councilman Newcomer replied that there are many reasons to review an intersection with regard to safety issues, one of which may be due to a citizens’ complaint. It was noted that each and every complaint received is investigated.

Mr. Bittner noted that many people may not be aware of the meaning of the abbreviation “GASB 34”, referring to an item on the meeting’s agenda. He requested that abbreviations not be used on the agenda in the future.

Mr. Bittner also suggested that a diagram be prepared for the public’s information when Council speaks about different streets and changes, etc. that are going to be made.

Council President Richard George noted that Mr. Bittner’s comments will be taken under advisement.

FOR INFORMATION ONLY

TOKEN OF SUPPORT (PA BOROUGH COUNCILS ASSOCIATION): Mr. Hamberger noted that Council received a Certificate of Recognition from the PA Borough Council’s Association for their good standing as a member of the Association.

INVITATION TO ATTEND GROUNDBREAKING CELEBRATION (YMCA): Council members received an invitation to attend a Groundbreaking Celebration at the YMCA on Saturday, May 20th, at 9:00 a.m.

MEETING WITH WAYNESBORO AREA TAX BUREAU: At Council’s request, Mr. Hamberger has scheduled a joint meeting with the Waynesboro Area Tax Bureau on Thursday, June 1st, at 7:00 p.m., in Borough Hall. A meeting notice will be placed in *The Record Herald*.

METER READER RETIREMENT: A letter was received from Meter Reader H. Ritchie Florence, who plans to retire effective June 5th.

Councilman Berry made a motion to accept Mr. Florence’s letter of retirement. Councilman McCammon seconded; the motion passed unanimously. Council President George added that the acceptance is with thanks for his years of service to the Borough.

REQUEST FOR USE OF TRUCK (CARNIVAL COMMITTEE): The Fire Department’s Carnival Committee is requesting to use a Borough truck during the week of the carnival. Mr. Hamberger will discuss the matter with Fire Chief Flegel, and a recommendation will be presented to Council at their next meeting.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-06-11 and 12. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Stains noted that he has been contacted by several residents who are concerned that Grandview Avenue has no posted speed limit signs. Due to the additional traffic from the new development, he asked if the Street Committee could review the matter.

Mr. Stains also expressed concern regarding the speed of trucks on N. Potomac Street. This matter was referred to the Street Committee for review; and the Police Department was requested to be alert to the situation.

Mayor Starliper thanked Fire Chief Flegel for the recent article in the newspaper regarding the importance of displaying house numbers visibly. He added that this is helpful, not only in emergencies, but also for delivery and service people as well.

Mayor Starliper reminded the public of the Borough's ordinance prohibiting repairing or washing vehicles on the streets. He also warned motorists traveling west on Main Street and making a right turn onto Grant Street to use caution, as there is not a designated "right turn" lane at that intersection.

President George reminded Council and the public that the Joint Committee meeting for June will be held on Wednesday, June 14th, at 7:00 p.m. Mr. George also welcomed Frank Bittner to attend any of the committee meetings, as many of the items discussed at Council meetings are reviewed in detail at that time.

Fire Chief Ron Flegel reported that there was a major fire in Waynesboro the previous week. The cause of the fire was an electrical malfunction in a vacant and deteriorating home.

Having no further business to discuss, the meeting adjourned at 8:39 p.m. on a McCammon/Newcomer motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant