

OCTOBER 4, 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 Benshoff, 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.

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of the August 16th regular meeting; the September 6th public meeting, public hearings and regular meeting; and the September 20th regular meeting, as written. Councilman Newcomer seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that action will be taken later in the meeting on three (3) appointments/re-appointments and one (1) resignation.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon noted that the Property Committee will provide their recommendation later in the meeting regarding paving of the parking lot to the rear of the library.

STREET COMMITTEE: Councilman Porter noted that the Street Committee met recently and discussed a number of items. No action is necessary on any of the items addressed, but the Street Committee noted their concurrence with the Property Committee's recommendation to pave the parking lot behind the library. Kevin Grubbs calculated that the project will cost approximately \$4,800.

INTERGOVERNMENT COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer noted that the Downtown Revitalization and Finance Committee is requesting that Council consider creating a position of liaison between their committee and property owners/developers in the area. In addition, new billing/accounting software is being pursued to replace the current system which is not user-friendly.

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

“On September 22nd, I attended the Asset Building Luncheon. The program consisted of presentations on our Local Youth Survey, the “Save-A-Life Awareness Program” about drinking and driving, and the soon-to-be Reality Tour Program on Drug Awareness.

On the 26th, Borough Manager Hamberger and I attended the Tri-County Boroughs Association meeting in Marysville. Items presented were the PA Infrastructure Bank, LTAP services, and Liquid Fuel usage.

On the 28th, Chief Shultz and I attended the Franklin County Drug Task Force meeting in Greencastle.

On the 30th, I performed the marriage of Shani Bryner and Gary Tyson at Caledonia State Park. Later in the day, along with the Borough Manager and Councilpersons McCammon, Berry and Porter, I attended the ribbon-cutting at the Waynesboro Ambulance Squad's new building.”

SOLICITOR'S REPORT: Melissa Dively reported that she is working on the property violation abatement for 604 W. Main Street, and is currently waiting on the last-ditch plea to abate the violation. She is preparing a complaint for filing with the court – this would require verification by the Council President.

PUBLIC COMMENT - ITEMS ON AGENDA:

Darwyn Benedict, 612 N. Potomac Street - Mr. Benedict noted that he would like to give input/comments on the Rotary parking lot issue which was raised at the last Council meeting. He suggested that a portion of Mr. Mahrle's building could be torn down to provide for some of the needed parking. He admitted that the Rotary parking lot is not being used to its full potential, and suggested that permitted parking be designated (for a yearly fee), with a 30-minute limit being placed on the outside perimeter of the parking lot. He feels this would help the businesses in the area, as many people park in the lot and don't move their vehicles for weeks.

Joanne Wildeson, 14 S. Mulberry Street - Ms. Wildeson agreed with Mr. Benedict's comments, particularly the suggestion regarding 30-minute parking.

Councilman Newcomer explained that he was hesitant to make a decision at the last meeting because these (and other) considerations should be taken into account.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to re-appoint Don Ringer to an additional five-year term on the Health Board (said term would expire on November 1, 2011). Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to re-appoint Stephen Monn to a four-year term on the Planning Commission (said term would expire on October 20, 2010). Councilman Porter seconded; the motion passed 5-1, with Councilman McCammon opposing.

Councilman Berry made a motion to hire Gary Smith as a Water Treatment Plant Technician (salary level 8A). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to accept the resignation of Deb Ramsey from her position on the Recreation Board. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to accept the resignation of Amos Miller as a citizen representative on Council's Street Committee. Councilman McCammon seconded; the motion passed unanimously.

Councilman McCammon made a motion to authorize the Maintenance Department to pave the parking lot to the rear of the library. Councilman Porter seconded; the motion passed unanimously.

Councilman Porter made a motion to post 25 mph speed limit signs on Fourth Street from Potomac Street to Memorial Park. Councilman McCammon seconded. Discussion followed regarding the need for signs on the west end of Fourth Street also, and Councilman Porter amended his motion to include posting the signs on all of Fourth Street. Councilman seconded the amended motion; the motion passed unanimously.

UNFINISHED BUSINESS

REQUEST FOR PARKING (CRAIG MAHRLE): Mr. Hamberger noted that Craig Mahrle's request to use a portion of the Rotary parking lot was discussed at Council's last meeting, and is on the agenda for this meeting for further discussion.

Councilman Newcomer clarified that information given previously regarding permission being granted to Rose Manor to utilize parking spaces at the Rotary Lot was incorrect – they requested (and were granted) a variance. Accordingly, he suggested that Mr. Mahrle also apply for a variance for this purpose.

Mayor Starliper questioned if it would be feasible for Mr. Mahrle to utilize the basement of his building for inside parking. Councilman McCammon stated that it would be too expensive. Mr. Starliper noted that Darwyn Benedict's suggestion regarding permitted

parking (for a yearly fee) should be given consideration.

Councilman McCammon then made a motion to grant Craig Mahrle's request to use the Rotary parking lot "as a way of getting around the required parking for his building on W. Main Street". He further stated that there would be no designated spaces (they would be utilized on a first-come, first-serve basis). The motion died, however, for lack of a second.

Councilman McCammon then announced that Mr. Mahrle is interested in purchasing the Rotary Parking Lot from the Borough, and he asked Council how much they would want for it. He added that it is a continual liability, as the Borough must pave/maintain it and pay for area lighting. He added that this should be considered as "food for thought".

President George recommended that Council hold a special meeting at 6:30 p.m. on the following Thursday evening (prior to their budget meeting scheduled for 7:00 p.m.) to discuss this particular issue. He asked that Council be prepared to make a decision on the matter at the end of that meeting.

Mayor Starliper added that, if Mr. Mahrle is serious about purchasing the lot, the Property Committee should review the matter. Councilman McCammon stated that Mr. Mahrle is willing to pay the appraised value. Solicitor Melissa Dively cautioned Council that, as a municipality, they cannot sell property to one individual. The property would have to be offered through the bidding or auction process, and be made available to all comers. Councilman Newcomer also advised Mr. Mahrle that if wants to negotiate on this matter, he should do so with the Borough and not the newspaper.

UPDATE ON FLOODING (ENGINEERING STUDY): Kevin Grubbs reported that he has provided all requested information to PEMA with regard to the Hazard Mitigation Grant for Cemetery Avenue.

Several meetings ago, Mr. Grubbs had reported on a flooding condition on N. Potomac Street and made a recommendation to raise the curb. However, concern has been noted regarding potential tripping points and the resultant liability issues. He has re-examined the area and will pursue the possibility of milling a section of the street to provide for more curbing.

Mr. Grubbs noted that the Borough's personnel can do most of the recommended work on Pine Grove Drive with minimal expenses for equipment, labor and the purchase of stone.

Mr. Grubbs reported on his recent meeting with Denny Black. A review of the entire Potomac Street corridor drainage system will be conducted, including Cemetery Avenue, Green Street and W. Fifth Street. A cost estimate for the study will be provided to Council by their first meeting in November.

QUIT CLAIM DEED (RONALD B. AND MARY B. MARTIN): Solicitor Melissa Dively stated that, while reviewing the Land Development Plan for Mr. Martin's property at 405

N. Grant Street, the Planning Commission expressed concern that the alley abandoned a few months ago could be sold off separately, rather than become a part of the lot being developed. Accordingly, she requested that Donald Kornfield prepare a Quit Claim Deed at Mr. Martin's expense. The document has been prepared and is being presented for Council's signature. Councilman McCammon made a motion to approve execution of the Quit Claim Deed, as presented. Councilman Porter seconded; the motion passed unanimously.

NEW BUSINESS

PROCLAMATION: Mayor Starliper presented a proclamation declaring October 8-15, 2006 as TV Awareness Week, and encouraging the Waynesboro community to focus on the impact of TV on their basic ideals and values.

REQUEST TO PLACE PINK RIBBONS ON PARKING METER POSTS AND TREES FROM BREAST CANCER AWARENESS (CUMBERLAND VALLEY, INC.): Mr. Hamberger presented a request from Breast Cancer Awareness - Cumberland Valley, Inc. to place pink ribbons on the parking meter posts and trees along Main Street on Thursday, October 5th (between 7 and 8 a.m.) until Friday, October 6th (between 5 and 6 p.m.) Councilman McCammon made a motion to approve the request, as presented. Councilman Newcomer seconded; the motion passed unanimously.

ORDINANCE RE: ALLEYS AND SIGNS: Solicitor Melissa Dively presented Council with a draft ordinance to address several issues that have come to her attention –

- Alleyways
- Repair or rebuild of non-conforming use or structure destroyed by fire, casualty, etc.
- Business signs affixed to building on first floor only

BID FOR TRASH COLLECTION CONTRACT (2007): Mr. Hamberger noted that the current contract for trash collection allows for an automatic extension of the contract for 2007 unless either party "backs out"; and he has been informed by Waste Management that they will not be extending the contract. Accordingly, he will re-bid the contract. Bids will be awarded at Council's second meeting in November.

WEST NILE VIRUS: President George noted that announcements have been made recently on the radio regarding the determination that the West Nile Virus is in Waynesboro. Since the Borough's Health Officer has resigned from her position, he questioned who (in the Borough) referrals would be made to regarding this matter. Mr. Hamberger replied that callers would be referred to the State Department of Health.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Dick Rose, 118 W. Fifth Street - Mr. Rose questioned if the review by Dennis Black Engineering will include the sanitary sewer system also. Mr. Grubbs explained that he

feels the sewer back-up problem on W. Fifth Street was because the storm sewer is undersized and overflowed. The Borough's Maintenance Department checked the sanitary sewer pipe several years ago, and has been maintaining it on a regular basis. Mr. Rose reiterated his concern, however, because his block was the only one where every house suffered a sewer back-up in their basements. He feels the area should be checked again. President George instructed Mr. Grubbs to ensure that this area is included in Mr. Black's study.

Mike Walters, 315 N. Grant Street - Mr. Walters questioned if it is legal to park in Northside Pool's parking lot at night, as many people do. Mr. Hamberger noted that there are currently no parking restrictions at that location. Councilman Porter was requested to place this matter on the Street Committee's agenda for their next meeting.

Ben Newcomer, 31 W. Third Street - Mr. Newcomer noted that the DARE Program was mentioned at a Council meeting several months ago; and he questioned if any progress has been made on the Borough's involvement. He feels that something should be done to educate and assist the community's children in resisting drug use. Police Chief Shultz stated that he has spoken with an individual within the Department regarding participation in the DARE Program, however he has not yet agreed. Mayor Starliper agreed that the officer cannot simply be appointed; he will need to volunteer for the position. Mr. Newcomer noted that he was a police officer for 20 years, and is quite surprised to hear from the Chief and Mayor that they can't appoint someone from within the department to this particular task. Mike Walters suggested that alternate activities could also be considered, such as a "DARE Day at the Park". He added that the educational process needs to "start somewhere".

Kathy Heffernan, 24 W. Fourth Street - Mrs. Heffernan thanked Council for having the 25 mph speed limit signs erected on N. Grant Street.

FOR INFORMATION ONLY

REMINDER OF BUDGET MEETING (OCTOBER 12, 2006 AT 7:00 P.M.): Mr. Hamberger reminded Council of the budget meeting scheduled for Thursday, October 12th, at 7:00 p.m. Council has also scheduled a special meeting at 6:30 p.m. that evening to discuss the parking request for the Rotary Parking Lot. In addition, he noted that the Joint Committee meeting previously scheduled for Wednesday, October 11th, has been canceled.

REMINDER OF PUBLIC HEARINGS RE: DOWNTOWN BUSINESS DISTRICT ORDINANCES (OCTOBER 16, 2006 AT 7:00 P.M. AND 7:15 P.M.): Mr. Hamberger reminded Council of the public hearings scheduled for October 16th at 7:00 and 7:15 p.m. to discuss the proposed ordinances regarding a Downtown Business District. He added that the Planning Commission is reviewing the proposed "Blinking Light Ordinance"; and a hearing regarding that matter will most likely be held sometime in November.

AWARD BIDS - ROOF AT NORTHSIDE POOL: Mr. Hamberger noted that bids were opened recently for the roof at Northside Pool, and the apparent low bidder was Michael Benedict Construction. He would like to discuss several components of the bid with him prior to award, and recommended that the bids be considered at Council's next meeting. They concurred.

MUNICIPAL AUCTION: Mr. Hamberger provided Council with a list of items proposed for sale at the Franklin County Council of Governments' Municipal Auction this month.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher List VL-06-24. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Porter reported that he read, with interest, the recent article in *The Morning Herald* regarding Washington Township's intent to adopt a Sign Ordinance. He feels that this is much-needed and commended their efforts. Mr. Porter also noted that he feels it would be appropriate for the Borough and Township to work cooperatively to resolve various issues and provide an ordinance (in each municipality) that would minimize sign pollution and address business/historic aspects of the town. Council President George noted that this matter will be discussed at Council's next Joint Committee meeting. Mr. Hamberger added that he will talk with Mike Christopher about including this issue as part of the Joint Comprehensive Plan Study being undertaken in the near future.

Dan Sheffler asked if there is a requirement that the DARE Program be administered by a police officer, or if a citizen or group could volunteer. Councilman Newcomer noted that the Borough receives reimbursement monies for a police officer's involvement.

Kevin Grubbs noted that the Waynesboro Planning Commission's meeting originally scheduled for Monday, October 9th, has been rescheduled to Monday, October 16th.

Fire Chief Ron Flegel reminded Council and the public that the following week is National Fire Prevention Week. An "Open House" will be held at the S. Potomac Street Fire Station on Saturday, October 7th (in conjunction with Main Street's Market Day); and a variety of activities will take place the following week at various facilities and schools. In addition, volunteer firefighters will be serving as celebrity waiters at the Golden Corral on Thursday, October 12th; and a display of equipment and educational information will be on-site for the public.

Chief Flegel also noted that the South Central PA Counter-Terrorism Task Force will be conducting a large drill on the following Saturday. He added that Waynesboro's emergency services will be participating.

President George asked those in attendance to keep the Amish families and community of Lancaster County in their prayers in light of the recent tragic events which occurred there.

Having no further business to discuss, the meeting adjourned at 8:26 p.m. on a McCammon/Porter motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant