

NOVEMBER 15, 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  
Dan Sheffler, Zoning-Code Enforcement Officer  
Denny Benschhoff, Maintenance Superintendent  
Ray Shultz, Police Chief  
Kevin Grubbs, Head of Engineering Services  
Ron Flegel, Fire Chief  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)

**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 October 18<sup>th</sup> regular meeting and the November 1<sup>st</sup> regular meeting, as written. Councilman Stains seconded; the motion passed unanimously.

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

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Berry noted that he will have a recommendation later in the meeting regarding an appointment to the Renfrew Committee, Inc. Board of Directors.

Councilman Berry noted he will also have a recommendation regarding the appointment of relief drivers for the Fire Department.

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

**STREET COMMITTEE:** Councilman Porter reviewed minutes from the Street Committee meeting held on November 6, 2006.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** Councilman Newcomer noted that the Committee would like to revise the procedure for reviewing Facade Improvement Program applications.

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

“On November 2<sup>nd</sup>, I attended the Chamber and Mainstreet’s meeting for the Christmas activities this year. As you know, the parade is November 18<sup>th</sup> and the Tree Lighting is December 1<sup>st</sup>. I urge al of you to attend.

On November 4<sup>th</sup>, along with Councilman Porter, we participated in the ribbon-cutting for “Cuts Fitness for Men” at the Rouzerville Commons.

On November 6<sup>th</sup>, with Borough Manager Hamberger and Councilman Porter, we attended the ATH&L’s Annual Banquet.

On November 8<sup>th</sup>, I had the privilege to speak to the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> graders at Summitview Elementary School at their Veterans’ Day Program.

On November 9<sup>th</sup>, I gave opening remarks at the Waynesboro Community Concert Association’s concert.

On the 13<sup>th</sup> of November, I presented to Mr. and Mrs. Robert Royer a letter of appreciation for their dedication to the voting process in this community.

On the 14<sup>th</sup> of November, I had the privilege to listen to elementary students at St. Andrews School and to say a few remarks for their Veterans’ Day Program.”

**SOLICITOR’S REPORT:** No report.

**CODE ENFORCEMENT OFFICER’S COMMENTS:** Dan Sheffler reported on the building that collapsed on E. Main Street on Sunday, November 12<sup>th</sup>. Mike Cermak (Accredited Services, Inc.) stated that the sidewalk would be re-opened on Thursday, November 16<sup>th</sup>. Councilman Porter questioned if proper permits were obtained. Mr. Cermak stated that permits were obtained only for the remodeling upstairs, and the investigation is continuing. Councilman Porter asked if the owners were in violation; and if so, fines should be levied. President George asked who would initiate the violations, and Mr. Cermak stated that he would be the one to issue citations.

**CORRESPONDENCE FROM LIBRARY:** President George read a letter of thanks to the Borough for the handicapped-entrance doors installed at the library and thanked the Maintenance Department/Borough for blacktopping the parking lot.

**PUBLIC COMMENT - ITEMS ON AGENDA:**

Dave Martin, a representative of the Fire Department - Mr. Martin discussed the leasing of parking spaces on the Rotary Lot. He noted concern that leasing spaces would affect the carnival, which is a major fundraiser. Leasing spaces would cause space limitations, which is already a concern for the carnival company. They have stated that if the lot is any smaller, they would not be willing to set-up on this site. The carnival generates \$20,000 to \$25,000 to be able to purchase equipment and pay for new apparatus recently purchased.

Tom Stang, Waste Management - Mr. Stang stated he will be commenting during the bid awards portion of the agenda.

Don Kornfield, attorney for Ronnie Martin - Mr. Kornfield discussed issues with the new Sign Ordinance (No. 1052), noting that it will not work in the zone on Rt. 997/State Road Hill. He gave

Council and the Borough Solicitor a proposed amendment to the ordinance. President George requested that the Property and Public Safety Committee review the matter. Ronnie Martin stated that this would create further delays for an ordinance that doesn't work.

**VOTING ON ITEMS FROM COMMITTEE REPORTS:** Councilman Berry made a motion to approve the appointment of Allison Kohler to RCI's Board of Directors (to replace Ardie Winters). Councilman Stains seconded; the motion passed unanimously.

Councilman Berry made a motion to approve the appointment of John Beck and D. Bradley Martin as relief drivers for the Fire Department. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to establish a left-turn lane on W. Third Street to the parking lot of the Fairview Elementary School, contingent upon review by the Engineering Department. Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to approve a handicapped parking space at 325 Fairview Avenue. Councilman McCammon seconded; the motion passed unanimously.

Councilman Newcomer made a motion that the Solicitor review the current Facade Improvement Program guidelines to ensure that revisions can be made in the review process (to permit Council to grant final approval after review/recommendation by the Design Review Committee). Councilman Stains seconded; the motion passed 5-1, with Councilman McCammon opposing.

Councilman Newcomer made a motion to lease parking spaces on the Rotary Parking Lot, contingent upon the following conditions: (1) 80% of the lot to be maintained as a public parking lot; (2) approximately 20% of the lot to be available for leasing; (3) spaces will be made available on a first-come, first-served basis; (4) a maximum of 40 spaces will be available for lease – there will be no more spaces available unless a space is vacated; (5) spaces to be leased at the cost of \$365.00/year - all spaces leased are leased for a minimum of one year and payment must be made in advance; (6) leased spaces to have proper signage - the cost for purchase and installation of the signs will be at the expense of the person leasing the spaces; (7) spaces to be leased will be designated by Council; (8) Council will provide parking spaces for carnival vehicles at their maintenance area; (9) the Borough Solicitor will provide a lease contract for execution. Councilman Stains seconded, and discussion ensued. Councilman McCammon stated he is opposed. Councilman Porter stated he is opposed to leasing spaces after hearing concerns from the Fire Department; and citizens he has spoken to are not in favor as well. Mayor Starliper stated he has received negative responses for leasing. Councilman Newcomer discussed the reasons for this proposal, which was requested by Council during several meetings. President George stated he hasn't spoken with anyone that doesn't want to see something done, and feels the impact to the Fire Department is not as detrimental as stated by Dave Martin. There was some discussion about the carnival workers parking their trailers at the Maintenance Department. Dave Martin stated if the carnival workers have to walk from the Maintenance Center (since most of them do not have cars) they won't come to Waynesboro, and this will affect the Fire Department. Steve Bumbaugh, Maple Street, asked Council if one request from a building owner downtown is more important than our Fire Department. President George stated that there was a motion, with a second, on the floor; and called for a vote. Voting in favor were: C. Newcomer, R. George and J. Stains; Voting in opposition were: C. McCammon, A. Porter and A. Berry. Mayor Starliper broke the tie by casting a vote "against". The motion failed 4-3.

**AWARD BIDS - MOBILE VIDEO/DATA SYSTEMS (POLICE DEPARTMENT):** Chief Shultz reviewed bid results, and recommended that the bid be awarded to Integrian of Morrisville, NC. Councilman McCammon made a motion as such. Councilman Berry seconded; the motion passed unanimously.

**AWARD BIDS - TRASH COLLECTION:** Borough Manager Lloyd Hamberger reviewed the bids, noting that the lowest bidder (Allied Waste) did not meet the requirements of the bid specifications. The second lowest bidder was Waste Management. Councilman McCammon made a motion to award the bids to Waste Management. Councilman Newcomer seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**SCHEDULE FOR ORDINANCE RE-CONSIDERATION:** Lloyd Hamberger stated that the ordinances regarding the establishment and re-zoning of a Downtown Business District will be considered at the December 6<sup>th</sup> meeting

## **NEW BUSINESS**

**AMENDMENT TO “AMPLIFIED NOISE ORDINANCE”:** Solicitor Dively noted that she has reviewed Noise Ordinances from other municipalities and is recommending that Waynesboro make one small revision. She explained the need for language that indicates that “the violation is creating a sound that may be reasonably anticipated to disturb the peace, quiet, comfort, health or safety”. Councilman Newcomer made a motion to authorize the Solicitor to prepare the appropriate amendment for advertisement. Councilman Porter seconded; the motion passed unanimously.

**PLANS FROM PLANNING COMMISSION:** Kevin Grubbs reviewed the Waynesboro Planning Commission’s recommendations from their November 13<sup>th</sup> meeting, as follows:

- 1) Final Subdivision/Land Development Plan - Bill Taylor, S. Church Street - Planning Commission recommended approval as submitted. Councilman McCammon made a motion to approve the plan. Councilman Porter seconded; the motion passed unanimously.
- 2) Final Land Development Plan - Raymond Shriver, 301-307 Green Street - Planning Commission recommended approval as submitted. Councilman McCammon made a motion to approve the plan. Councilman Berry seconded; the motion passed unanimously.
- 3) Final Land Development Plan - Hometown Professionals, LLC, 44 S. Potomac Street - Planning Commission recommended approval as submitted. Councilman McCammon made a motion to approve the plan. Councilman Stains seconded; the motion passed unanimously.
- 4) Request to vacate alley at rear of 401 N. Grant Street - Ronnie Martin - Planning Commission recommended that Council proceed with vacation process. Councilman McCammon made a motion to proceed accordingly. Councilman Porter seconded; the motion passed unanimously.
- 5) Request to Zoning Change - Waynesboro Hospital - Planning Commission recommended to proceed with the re-zoning process for the portion from N. Enterprise Avenue to Sunnyside Avenue to the east, and E. Main Street to Roadside Avenue to the north from RL to HO. Regarding the second portion on the south side of E. Main Street west of S. Enterprise Avenue, the Planning Commission recommended not to re-zone, citing safety issues (which were explained). After much discussion, Councilman McCammon made a motion to re-zone both areas upon request by Bill Dick, attorney for Waynesboro Hospital. Councilman Stains seconded; the motion passed unanimously.

**CDBG PROGRAM REVISIONS:** Lloyd Hamberger requested Council's authorization to proceed with modifications to the 2002 and 2003 CDBG programs, as indicated at the public hearing held prior to this meeting. Councilman Newcomer made a motion to proceed. Councilman Stains seconded; the motion passed unanimously.

**AUTHORIZATION TO EXCEED WASTEWATER DISCHARGE LIMITS:** Mr. Hamberger presented correspondence from Director of Utilities Leiter Pryor regarding a request from Tyco Electronics to discharge wastewater in excess of the PH parameters prescribed in the Sewer Use Ordinance (No. 920). The Waynesboro Borough Authority approved the recommendation for approval from Gannett Fleming at their meeting held on November 14<sup>th</sup>, and is requesting that Council approve it also. Councilman Porter made a motion to approve the request, as presented. Councilman McCammon seconded; the motion passed unanimously.

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

Frank Bittner, 842 Anthony Avenue - Mr. Bittner questioned the retention ponds at Otterbein Church Land Development, as well as the crosswalk signs throughout the Borough. Steve Bumbaugh, Maple Street, commented on how well the one crosswalk sign works at Machine Company (he works there) on W. Fifth Street.

**FOR INFORMATION ONLY**

**INVITATION TO GROUNDBREAKING CEREMONY (SUSQUEHANNA BANK - ROUZERVILLE OFFICE):** Council members were invited to attend the groundbreaking ceremony for Susquehanna Bank's Rouzerville Office on Friday, November 17<sup>th</sup>, at 1:00 p.m.

**PAY BILLS:** Councilman Newcomer made a motion to approve the payment of Voucher List VL-06-29. Councilman Porter seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Berry thanked the public for attending.

Councilman Newcomer also thanked the public for attending.

Mayor Starliper stated he received a complaint of an outdoor wood-burning stove.

Dan Sheffler stated that he and Mike Cermak will "stay on top" of issues with the building collapse.

Kevin Grubbs reported that the proposal by Dennis Black Engineering for evaluation of the Potomac Street storm sewer system was reviewed, and Lloyd Hamberger signed the agreement to proceed with the study (as approved by Council).

Having no further business to discuss, the meeting adjourned at 8:48 p.m.

Respectfully Submitted,

Kevin D. Grubbs  
Head of Engineering Services