

DECEMBER 21, 2005
WAYNESBORO, PA 17268

Council President C. Harold Mumma 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 – Richard George, Lorena Newcomer, John Cook, C. Harold Mumma, Charles McCammon and Stephen Monn

Mayor Louis M. Barlup, Jr.

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Ray Shultz, Police Chief
Ron Flegel, Fire Chief
Denny Benschhoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
D. Lloyd Reichard, II, Borough Solicitor

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

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of the November 21, 2005 special meeting and the December 7, 2005 regular meeting, as written. Councilman Monn seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilwoman Newcomer reported that the Personnel Committee discussed the following items at their last meeting --

- Favorable performance evaluations for the following employees: Harry Grove, Leiter Pryor, Donald Kaiser and Terry Rideout. The only action required at this time is to approve a step increase for Leiter Pryor to salary level 20D.
- Creation of a new position entitled "Maintenance Foreman/Assistant Superintendent of Maintenance". The new position will be established at salary level 15A.
- Hiring Frank Stine as Driver/Operator - Laborer in the Borough's Maintenance Department.
- Confirmed that Merle Bowders was removed from the Borough's employment due to physical disability on August 17th. He is eligible for disability payments from the Borough's disability policy.
- Board terms expiring –
 - (1) Ronald Berger - Recreation Board - expiring on 12/31/2005

- (2) H. Wayne Bartholow - Recreation Board - expiring on 12/31/2005
- (3) Douglas Tengler - Zoning Hearing Board - expiring on 01/01/2006
- (4) Jon Fleagle - Waynesboro Borough Authority - expiring on 01/02/2006

Councilwoman Newcomer also acknowledged receipt of Allen Porter's resignation from the Zoning Hearing Board, due to his election as Councilman, effective 12/31/2005. C. Harold Mumma has expressed an interest in the vacancy created.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman George reported that the Committee received three (3) requests regarding handicapped parking spaces – from G. Houser, N. Wolfinger, and the former resident at 28 N. Broad Street. These requests will be discussed at the next Street Committee meeting to be held on January 16th (after Council's re-organization and Committee assignments).

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Cook noted that the Committee is recommending a modification to the Borough's existing Facade Improvement Program. He noted that the program currently provides for a \$10,000 matching funds grant for downtown businesses. They are recommending that the program include residential properties in the Town Center zone along Main Street from Clayton Avenue to Fairview Avenue, and those properties between the north side of Gay Street and the south side of Alley #1.

In addition, the Committee will ask for Council's appointment of Smith Elliott Kearns & Company as the Borough's auditors for the 2005 year, at a cost of \$16,380.00.

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

“Tonight marks the last Council meeting of the year 2005 – and my very last Mayor's Report.

For the past seventeen years, I have tried to fulfill the responsibilities of the office of Mayor to the best of my ability.

It has given me a good opportunity and much satisfaction to work with many fine individuals who have served on Borough Council and the various departments and authorities of the Borough and our Borough Manager to insure a good quality of life in our community. In all our discussions and debates, we had one purpose – and that has been to do what we considered best for Waynesboro and for its citizens.

I know I will miss my association with the Chief and members of the Police Department. For some, including Chief Ray, our relationships began when they were students in Junior High School. Our working relationship has given me a great deal of pride to see them develop into professionals dedicated to service in their hometown.

For me, it culminates a civic career which provided an opportunity to help create the best kind of small town – where we could build our homes, raise our families, educate our children, make our living, live safely and enjoy the blessings of America's freedom.

Tonight I salute each and every one of you. For some, we are passing the torch to new individuals and we have only the best of wishes to them. There will be challenges, but

with cooperation and understanding, wise decisions will help our community face the demands of a new decade.

I sincerely wish you well!"

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilwoman Newcomer reported that correspondence has been received from Bill Pflager, who is interested in the upcoming vacancy on the Waynesboro Borough Authority (to be created when Richard Starliper resigns due to his election as Mayor).

Councilwoman Newcomer made a motion to grant a step increase to Leiter Pryor to salary level 20D. Councilman Cook seconded; the motion passed unanimously.

Councilwoman Newcomer made a motion to create the position of Maintenance Foreman/Assistant Superintendent of Maintenance, at a salary level of 15A. Councilman Cook seconded; the motion passed unanimously.

Councilwoman Newcomer made a motion to re-appoint Ronald Berger, H. Wayne Bartholow, Doug Tengler and Jon Fleagle to additional terms on their respective boards, as previously mentioned. Councilman Cook seconded; the motion passed unanimously.

Councilwoman Newcomer made a motion to approve Allen Porter's resignation from the Zoning Hearing Board, effective 12/31/2005. Councilman Cook seconded; the motion passed unanimously.

Councilman Cook made a motion to hire S. Frank Stine as Driver/Operator - Laborer in the Maintenance Department. Councilman McCammon seconded; the motion passed 5-0 (Councilwoman Newcomer abstained).

Councilman Cook made a motion to appoint Smith Elliott Kearns & Company as the Borough's auditors for the 2005 year, at a cost of \$16,380.00. Councilman George seconded; the motion passed unanimously.

Councilman George made a motion to authorize the Engineering Department to proceed with any necessary actions with regard to the handicapped parking space requests previously mentioned. Councilman Cook seconded; the motion passed unanimously.

Councilman Cook made a motion to approve a modification of the Facade Improvement Program to include residential properties in the Town Center zone along Main Street from Clayton Avenue to Fairview Avenue, including those properties between the north side of Gay Street and the south side of Alley #1. Councilwoman Newcomer seconded. Mr. Hamberger noted that the grant applications for the program will need to be modified, and will not be available until January 2nd. A vote was then called, and the motion passed 5-0 (Councilman Monn abstained).

UNFINISHED BUSINESS

CONSIDER ORDINANCE NO. 1037 (EMERGENCY & MUNICIPAL SERVICES TAX) FOR ADOPTION: Borough Manager Lloyd Hamberger advised that proposed Ordinance No. 1037 has been advertised and placed on public display in accordance with Act 511 and the Borough Code. He presented it for Council's consideration. Councilman Cook made a motion to approve Ordinance No. 1037. Councilwoman Newcomer seconded.

Discussion followed regarding the amount agreed upon to be paid to the tax collector for collection of these taxes. It was noted that Council had approved 3%, but the Wage Tax Bureau requested 5%. A meeting between the two entities will be held on Tuesday, December 27th, at 7:30 p.m., to discuss the matter further. Discussion was then held regarding the House and Senate's attempts to modify the laws governing this tax. Mr. Hamberger reported that this ordinance meets all criteria legally at this time.

A vote was then called. The motion to approve Ordinance No. 1037 passed 5-1, with Councilman Monn opposing.

ORDINANCE NO. 1037

AN ORDINANCE REPEALING ORDINANCE 839, AND REPLACING IT WITH AN EMERGENCY AND MUNICIPAL SERVICES TAX

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE NO. 1038 (PER CAPITA TAX) FOR ADOPTION: Mr. Hamberger presented proposed Ordinance No. 1038, which has been advertised and placed on public display, for Council's consideration. Councilman Cook made a motion to adopt Ordinance No. 1038. Councilwoman Newcomer seconded; the motion passed unanimously.

ORDINANCE NO. 1038

AN ORDINANCE IMPOSING A PER CAPITA TAX OF \$10.00 UPON EACH RESIDENT OR INHABITANT OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, 18 YEARS OF AGE OR OLDER

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE NO. 1039 (2006 TAX ORDINANCE) FOR ADOPTION: Mr. Hamberger noted that this proposed ordinance has been advertised and placed on public display. Councilman Cook made a motion to adopt Ordinance No. 1039. Councilman George seconded; the motion passed unanimously.

ORDINANCE NO. 1039

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE FISCAL YEAR 2006

Complete copy on file at Borough Hall.

UPDATE ON DISCUSSION WITH WAYNESBORO AREA TAX BUREAU: This item was discussed earlier in the meeting. President Mumma reiterated that a meeting with the Tax Bureau has been scheduled for Tuesday, December 27th, at 7:30 p.m., in the second floor Council Chambers of Borough Hall.

ADOPT 2006 BUDGET: Councilman McCammon made a motion to adopt the 2006 budget, as presented. Councilman Cook seconded; the motion passed unanimously.

NEW BUSINESS

REVIEW OF PROPOSED ORDINANCE NO. 1040 (DOWNTOWN BUSINESS DISTRICT ZONING):

Kevin Grubbs noted that Council members received copies of proposed Ordinance No. 1040, which would establish a downtown business district (DBD) zone. The matter has been reviewed by the Waynesboro Planning Commission; and on December 12th, they decided to proceed with the approval process. A public hearing will be required. Councilman George made a motion to authorize the Borough staff to advertise for a public hearing to be held on the third Wednesday of January (January 18th), as “new” Council will be voting on this item. Councilman Cook seconded; the motion passed unanimously.

LAND DEVELOPMENT - FINK/MCFERREN (CLEVELAND AVENUE):

Kevin Grubbs noted that Council members received copies of a Subdivision/Land Development Plan for Fink/McFerren on Cleveland Avenue. Contingencies set by the Planning Commission for approval have been met. Councilman McCammon made a motion to approve the Land Development Plan for Fink/McFerren, as presented. Councilman Monn seconded; the motion passed unanimously.

LAND DEVELOPMENT - WALKER/MONN CONSTRUCTION (FAIRVIEW AVENUE):

Kevin Grubbs presented a Land Development Plan for Walker/Monn Construction on Fairview Avenue. The matter was reviewed and approved (with contingencies) by the Waynesboro Planning Commission on December 12th; and those contingencies have been met. Clarification was provided on the entrance location, as well as the relocation of a handicapped parking space. Councilman McCammon then made a motion to approve the Land Development Plan for Walker/Monn Construction, as presented. Councilman Cook seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Tax Collector Delmos Oldham made a brief comment regarding collection of various taxes recently imposed by Council.

FOR INFORMATION ONLY

INVITATION TO ATH&L FIRE COMPANY ANNUAL DINNER (JANUARY 2, 2006):

Mr. Hamberger noted that the invitation is self-explanatory. Individuals interested in attending the upcoming dinner were asked to inform Melinda Knott as soon as possible.

REMINDER OF RE-ORGANIZATION MEETING (TUESDAY, JANUARY 3, 2006):

Mr. Hamberger reminded Council that the re-organization meeting will be held on Tuesday, January 3rd, at 7:30 p.m.

INVITATION TO 88TH FRANKLIN COUNTY COOPERATIVE EXTENSION ASSOCIATION ANNUAL MEETING (JANUARY 27, 2006):

Council received an invitation to the Franklin County Cooperative Extension Association’s Annual Meeting to be held on January 27th. Those interested in attending are to contact Melinda Knott.

PSAB SPRING LEGISLATIVE CONFERENCE (MARCH 19-21, 2006):

Mr. Hamberger invited “new” Council to attend the PSAB Spring Legislative Conference to be held on March 19-21, 2006 in Grantville. Reservations can be made by contacting Melinda Knott.

DIGITAL CHANNEL ADDITIONS:

Mr. Hamberger provided information to Council regarding upcoming channel additions to Comcast’s digital cable programming. Councilman George reminded the Borough Manager that he would like information pertaining to past revenues received from Comcast; and Mr. Hamberger noted he is working on compiling that information. Mr. George asked if Comcast makes it a practice to present proposed rate schedules for the upcoming year; and Mr. Hamberger noted they do not. He added that the Borough has no control over programming or rates charged for cable television.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher Lists 05-37 and 38. Councilwoman Newcomer seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Monn noted that this will be his last full meeting. He stated that it has been a distinct pleasure to serve the Borough. His only regret is that it was such a short term.

Kevin Grubbs reported that the convex mirror has been installed at N. Church Street and Alley #1 North. It seems to be working well, but there is some concern about the way the evening sun hits the mirror. They are currently pursuing the purchase of a visor to alleviate the glare problem.

Borough Solicitor Lloyd Reichard expressed his wishes to Council for a great holiday season.

Fire Chief Ron Flegel noted that the Fire Department participated recently with the Police Department at the meth-lab discovery incident at the Best Western. He commented on the cooperation that existed between the various agencies involved. Although it was a serious situation, it was handled professionally and without further incident.

Police Chief Ray Shultz agreed with Chief Flegel's remarks. He noted that two of the department's officers had previously received training in such incidents and, fortunately, were on-call at the time of the discovery.

Councilman George wished *Morning Herald* reporter Richard Belisle well in his retirement, noting that his replacement will be Jennifer Fitch (previously of the *Record Herald*). He added his hopes for all to have good health and good times with their families and friends during the holidays.

Councilwoman Newcomer thanked everyone for their assistance and efforts during the time she spent on Council, noting she will cherish the friendships she has made. She voiced great confidence in the Borough's Police Department, and suggested that the future Council re-examine the police officers' starting salaries.

Councilman Cook thanked the public for allowing him to serve in the capacity of Councilman for the past several years, noting that it has been a very rewarding experience for him. He wished Richard Belisle luck in his future endeavors, as well as Jennifer Fitch in her new position. He then wished everyone a Merry Christmas and safe holiday.

Mayor Barlup also wished Mr. Belisle much luck, and welcomed Ms. Fitch to her new position. He commended the Police and Fire Departments (and all those involved) for their efforts at the Best Western incident. He noted he has the utmost confidence in those departments, and the Borough in general. He added wishes to all for a Merry Christmas and Happy New Year.

Council President Harold Mumma echoed previous comments of appreciation to everyone for their past support – fellow Council members, Borough employees and department heads. He noted that, although there were a few challenges in the past year, it was successful. He wished "new" Council members much luck with their new responsibilities. He added that his time on Council was quite a learning experience. He also wished all a Merry Christmas and Happy New Year.

Having no further business to discuss, the meeting adjourned at 8:14 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant