

FEBRUARY 16, 2005
WAYNESBORO, PA 17268

Council President Charles McCammon called the regularly scheduled meeting of the Waynesboro Borough Council to order with the following in attendance:

Borough Council Members – C. Harold Mumma, John Cook, Charles McCammon, Ardie Winters and Andrew Benchoff (Richard George was absent)

Mayor Louis M. Barlup, Jr.

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

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

PRESENTATION TO COUNCILMAN ARDIE WINTERS: Council President McCammon presented Ardie Winters with an “Academy of Music” pewter plate in honor of his 19+ years of service as a Borough Council member.

APPROVE MINUTES: Councilman Cook made a motion to approve the minutes of the February 2, 2005 meeting, as written. Councilman Mumma seconded; the motion passed unanimously.

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that the following employees’ favorable evaluations were received: Leiter Pryor (no action required), Christopher Eyler (step increase recommended), and David Neibert (no action required).

Councilman Mumma added that the Committee received a letter of resignation from Michael Cermak from the Zoning Hearing Board. A replacement for him will be needed as soon as possible.

Councilman Mumma also reported that the terms of two (2) Library Board members expired on February 1st (M. James Rock and Mary Louise Misner), however they have stated that they do not wish to be re-appointed at this time. Library Director Dinah Shockey has submitted the names of Patricia Groff and Dr. Michael Rea as their replacements.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Benchoff noted that the Property Committee will hold a joint meeting with the Personnel Committee on Monday, March 14th, at 7:00 p.m.

STREET COMMITTEE: No report.

INTERGOVERNMENTAL COMMITTEE: No report. Mr. Hamberger informed Council members that a tentative joint meeting between the Borough and Township Planning Commissions has been scheduled for March 29th. Additional details will be forthcoming.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Cook reminded Council and the public that the next "Downtown Visioning" meeting is scheduled for Monday, February 21st, at 7:00 p.m., at the Elks Club. He added that the Borough's Downtown Revitalization & Finance Committee meeting is scheduled for Monday, February 28th, at 7:00 p.m., in Borough Hall's first floor conference room.

MAYOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to accept the performance reviews for Leiter Pryor and David Neibert – no action is required. He further motioned to approve a step increase for Christopher Eyler. Councilman Cook seconded; the motion passed unanimously.

Councilman Mumma made a motion to appoint Patricia Groff and Dr. Michael Rea to the Library Board – said terms to expire on February 1, 2008. Councilman Cook seconded; the motion passed 4-0 (Councilman Benchoff abstained).

Councilman Mumma made a motion to accept the resignation of Michael Cermak from the Zoning Hearing Board, effective March 1, 2005. Councilman Cook seconded; the motion passed unanimously.

UNFINISHED BUSINESS: None.

NEW BUSINESS

AGREEMENT FOR PARTICIPATION IN THE CENTRAL WESTMORELAND COUNCIL OF GOVERNMENTS VEHICLE PURCHASING PROGRAM: Mr. Hamberger explained that the Commonwealth of Pennsylvania has entered into several inter-municipal purchase agreements with various councils of government. Westmoreland County's seems to offer the best prices on vehicles at this time, and he would like to participate in their program. In order to do so, the Borough must execute an agreement and agree to pay their annual fee of \$150.00. Councilman Cook made a motion to enter into the Agreement for Participation in the Central Westmoreland Council of Governments Vehicle Purchasing Program, as presented. Councilman Benchoff seconded; the motion passed.

PSAB EMERGENCY SERVICES TAX SEMINAR: Mr. Hamberger noted that Council had previously discussed, with limited information, the possibility of implementing an Emergency Services Tax (\$52.00 per capita tax). He is requesting approval to attend a training session regarding the matter on March 9th in Grantville to obtain additional information. The cost of the seminar is \$60.00. Councilman Benchoff made a motion to approve the Borough Manager's request. Councilman Cook seconded; the motion passed unanimously.

SUBDIVISION (MRS. PAULA CONCA): Kevin Grubbs explained that this is a proposed subdivision plan for a property off of N. Church and King Streets. The plan has been reviewed by the Franklin

County Planning Commission, who provided no comment. The plan was also reviewed by the Waynesboro Planning Commission, and they recommended that the plan be approved as presented.

Councilman Cook made a motion to approve the Subdivision Plan of Mrs. Paula Conca, as presented. Councilman Mumma seconded; the motion passed unanimously.

RIGHT-OF-WAY AGREEMENT (PPL GAS COMPANY): Kevin Grubbs noted that Council members received a proposed Right-of-Way Agreement from PPL. He explained that they want to extend their existing gas line at this location. He described the exact location of the right-of-way, which is alongside Northside's property (around the driveway entrance that the Borough gave them permission to encroach several months ago). Borough Solicitor Lloyd Reichard has reviewed the agreement and noted no problems with it.

Councilman Cook made a motion to approve the Right-of-Way Agreement, as proposed. Councilman Winters seconded; the motion passed unanimously.

SIGN PACKAGE REVIEW (CVS PHARMACY): Kevin Grubbs noted that the Waynesboro Planning Commission reviewed the sign package submitted by CVS Pharmacy at their meeting on Monday evening. After discussion on the matter, the Planning Commission decided to table the matter until additional information can be obtained regarding their proposed use of an electric message board at the establishment. He explained that no scrolling or flashing signs are permitted in the Borough's ordinances. On a related matter, it was mentioned that the Rotary Club received a variance for their message board recently installed on Main Street near the Chamber of Commerce office.

COMPONENT 1 SEWER MODULE (RONALD MARTIN): Kevin Grubbs presented the Component 1 Sewer Module for Ronald Martin's property on State Hill Road. He noted that it has been reviewed and approved by the Borough's SEO. In addition, the Franklin County Planning Commission has reviewed and returned it with no comments; and the Waynesboro Planning Commission reviewed it and recommended approval at their meeting on Monday evening. Accordingly, Councilman Cook made a motion to approve the Component 1 Sewer Module for Ronald Martin, as presented. Councilman Mumma seconded; the motion passed 4-0 (Councilman Benchoff abstained).

SCHEDULE SECOND CDBG HEARING AND APPROVE PROPOSED USE OF FUNDS: Mr. Hamberger outlined his recommendations on the proposed use of funds for the 2005 CDBG program, as follows –

1.	Street improvements in lower income areas	\$ 96,089
2.	Downtown revitalization including infrastructure and building improvements	\$ 55,434
3.	Administration	<u>\$ 33,260</u>

TOTAL: \$184,783

He recommended that Council hold their second public hearing for the 2005 program on March 2nd at 7:15 p.m. in order to "get the process moving". He added that the uses can be amended at a later date, if Council so desires. Councilman Cook made a motion to approve the proposed use of funds for the 2005 CDBG program as indicated; and to schedule the second public hearing on the matter for March 2nd at 7:15 p.m. Councilman Winters seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

TRI-COUNTY BOROUGHES' ASSOCIATION MEETING IN MARCH: Mr. Hamberger noted that Waynesboro is scheduled to host the upcoming Tri-County Boroughes' Association meeting on March 22nd. He is making arrangements with the Elks Club and will provide additional details at a later date.

LETTER FROM COMCAST CABLE: A letter from Comcast Cable was received and presented to Council for their review.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher Lists VL-05-03 and 04. Councilman Mumma seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Denny Benshoff informed Council that the used (2002) street sweeper they have been using "on trial" is doing a good job. He provided particulars on the equipment and requested that Council grant permission to purchase it. Councilman Cook made a motion to approve the purchase of the street sweeper, as described, for a price of \$60,000. Councilman Winters seconded; the motion passed unanimously.

Council adjourned to executive session at 8:10 p.m. for the purpose of discussing legal matters and matters regarding borrowing counsel. The meeting reconvened at 8:15 p.m.

Councilman Cook made a motion to engage Robert Long of Rhoads and Sinon, at a fee of \$7,000 and expenses not-to-exceed \$1,000, to act as borrowing counsel for the proposed \$1.3 million dollar borrowing. In addition, to compensate D. Lloyd Reichard \$3,500 for his legal duties regarding the matter. Councilman Mumma seconded; the motion passed unanimously.

Councilman Cook further motioned to remove the flashing lights on the stop signs at the intersection of Fairview Avenue and Third Street. Councilman Mumma seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 8:27 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant