

JANUARY 19, 2005  
WAYNESBORO, PA 17268

Council President Charles McCammon 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, C. Harold Mumma, John Cook,  
Charles McCammon, Ardie Winters and Andrew Benchoff

Mayor Louis M. Barlup, Jr.

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

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

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

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Mumma noted that the Personnel Committee received a successful performance evaluation for John Lockwood, however no action was required.

Councilman Mumma made a motion to promote Kevin Grubbs to the position of “Head of Borough Engineering Services”, at a salary level of 17C. Councilman Cook seconded; the motion passed unanimously.

Councilman Mumma made a motion to re-appoint William P. Kauffman as Patrolman with the Waynesboro Police Department, subject to the following conditions: (1) Pension – credited with the term served; (2) Longevity - credited with time served, as with the pension; (3) Seniority - per contract with the Police Association, rehired with zero seniority; (4) Sick Leave – will begin with zero sick days; (5) Personal Days – per contract with the Police Association; (6) Vacation – credited with time served, as in longevity and pension; (7) Residency – must reside within a five-mile radius of the Center Square of Waynesboro within one year; and (8) Salary - hired at the pay grade at the time of his resignation. Councilman Cook seconded; the motion passed

unanimously.

Councilman Mumma made a motion to promote Michael Bock to the position of Police Sergeant, at the Sergeant's pay rate (plus 6% longevity). Councilman Cook seconded; the motion passed unanimously.

Councilman Mumma made a motion to accept the resignation of Christopher McGarity as Deputy Fire Chief. Councilman George seconded; the motion passed unanimously.

Councilman Mumma made a motion to appoint Jody Sanders as Deputy Fire Chief to fill the remainder of Mr. McGarity's term, until Council's re-organizational meeting in 2006. Councilman Cook seconded; the motion passed unanimously.

Councilman Mumma made a motion to accept the resignation of Richard Keefer from the Recreation Board, with regret. Councilman George seconded; the motion passed unanimously.

Councilman Mumma made a motion to appoint Ronald Berger to fill the unexpired term of Mr. Keefer on the Recreation Board; as well as Dennis Cordell and Michael Forney to existing vacancies on the Board (terms to expire on 12/31/07). Councilman Benchoff seconded; the motion passed unanimously.

Councilman Mumma made a motion to re-appoint Vicki Huff as the Borough's representative on the Franklin County Emergency Service Alliance. Councilman Cook seconded; the motion passed unanimously. It was noted that an alternate is also being sought.

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Mr. Hamberger noted that Council took action on the disposal of two fire vehicles at their meeting on December 1<sup>st</sup>, and the Fire Chief has requested a letter confirming their action. However, the motion was somewhat unclear in the minutes, and he requested clarification on the matter. Councilman Benchoff stated that he had made a motion at that time to approve turning over the two vehicles (1976 Mack – Engine 2-1 and 1982 Mack Aerialscope – Tower 2) to the Fire Department's Capital Replacement Committee to dispose of. He then made a motion to authorize the Borough Manager to take steps to write a letter to the Fire Chief to that effect. Councilman Winters seconded; the motion passed unanimously.

**STREET COMMITTEE:** No report.

**INTERGOVERNMENTAL COMMITTEE:** No report. Mr. Hamberger noted that attempts are being made to arrange a joint meeting between Waynesboro's and Washington Township's Planning Commissions to discuss the possibility of developing a multi-municipality Comprehensive Plan. Once that has been completed, the Borough will begin a thorough review of its Zoning Ordinance. Kevin Grubbs noted that he is still awaiting a reply from Washington Township on a proposed meeting date.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** No report. Councilman Cook reminded the public of the Main Street Visioning meeting to be held on Monday, January 24<sup>th</sup>, at 7:00 p.m., at the Elks Club. In addition, the Borough's Downtown Revitalization and Finance Committee meeting will be postponed from January 24<sup>th</sup> until January 31<sup>st</sup>.

**MAYOR'S REPORT:** No report.

**PUBLIC COMMENT - ITEMS ON AGENDA:** None.

### **UNFINISHED BUSINESS**

**CONSIDER ORDINANCE NO. 1025 (REZONING - WEST END DEVELOPMENT, INC.) FOR ADOPTION:** Mr. Hamberger noted that a public hearing was held regarding this matter at Council's last meeting, and public comments were heard regarding the request to rezone a portion of land behind Frick Company from Industrial to Medium Density-Residential. Council authorized advertisement of proposed Ordinance No. 1025, which would approve the rezoning.

Councilman George asked if any response was received from the developer regarding the traffic concerns mentioned at the public hearing, or if there was any indication of where the entrance to the proposed development would be. Kevin Grubbs stated that no land development plans have been received yet, and the land development process cannot move forward until the rezoning has been approved. He added that land development plans are reviewed by both the Franklin County Planning Commission and the Waynesboro Planning Commission, and the concerns noted will be taken into consideration during their review process.

Councilman George made a motion to approve Ordinance No. 1025, which grants the rezoning request for West End Development, Inc. Councilman Winters seconded; the motion passed 5-0 (Councilman Benchoff abstained).

### **ORDINANCE NO. 1025**

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, PENNSYLVANIA,  
AMENDING OFFICIAL ZONING MAP OF THE BOROUGH OF WAYNESBORO AS  
PROVIDED IN ORDINANCE NO. 937 BY CHANGING THE ZONING OF A CERTAIN  
AREA FROM INDUSTRIAL, I, TO MEDIUM DENSITY RESIDENTIAL, RM.

Complete copy on file at Borough Hall.

**TRI-COUNTY BOROUGH ASSOCIATION MEETING (JANUARY 25, 2005):** Mr. Hamberger reminded Council members of the upcoming Tri-County Boroughs Association meeting to be held on January 25<sup>th</sup>. He and Councilman Mumma (along with their wives) will represent the Borough at that meeting.

**STREET LIGHT AGREEMENT (CLAYTON AVENUE):** Borough Solicitor Lloyd Reichard noted that several modifications have been made to the draft agreement approved by Council several months ago, and Council received an updated version for review and consideration. Mr. Reichard noted that he is satisfied with the agreement, from a legal standpoint. It was clarified that the new street lights will be erected on both sides of Clayton Avenue, between Third and Fourth Streets, and the existing lights will be removed in that section. Councilman George made a motion to approve the Street Light Agreement for residents on Clayton Avenue, as presented. Councilman Mumma seconded; the motion passed 5-1 (Council President McCammon opposed).

## **NEW BUSINESS**

**RCI APPOINTMENTS:** Mr. Hamberger presented information from Renfrew Committee, Inc. for Board appointments for the 2005 year. In addition, nominations have been received from the trustee, M & T Bank. Councilman Cook made a motion to approve the following appointments to RCI, as presented:

### **Nominated by the Borough**

Directors: Douglas Tengler, Delmos Oldham, David Hykes and Ardie Winters\*  
Alternates: Jacqueline Barlup, Richard Starliper and Louis Barlup, Jr.

\*Currently seeking an alternate to Mr. Winters

### **Nominated by M & T Bank**

Directors: George Buckey, John W. Keller and Alice McCleaf  
Alternates: James Oliver, Willard Rahn and Richard A. Mohn

Councilman Mumma seconded; the motion passed unanimously.

**U.S. CENSUS BUREAU SURVEY FORMS:** Mr. Hamberger noted that he received correspondence from the U.S. Census Bureau regarding survey forms which will be mailed to various households throughout the community. Response to the survey is mandatory, and Mr. Hamberger asked the local media to publicize this information. He also noted that the notice from the Census Bureau will be posted in Borough Hall.

**SUBDIVISION PLAN (16 S. MULBERRY AVENUE):** Kevin Grubbs noted that he received plans from Real Estate Recruiters for a proposed subdivision on Mulberry Avenue. The plans were reviewed by the Waynesboro Planning Commission and recommended for approval, as presented. Mr. Grubbs clarified that nothing is planned for the lot – it is simply an addition to an existing lot. Councilman George made a motion to approve the subdivision plan, as presented. Councilman Cook seconded; the motion passed unanimously.

**LAND DEVELOPMENT PLAN (FRICK COMPANY ADDITION):** Kevin Grubbs

presented a Land Development Plan for Frick Company (to add to the rear of an existing building). The Waynesboro Planning Commission requested that several revisions be made prior to approval by Borough Council, and those have been completed. Councilman Cook made a motion to approve the Land Development Plan submitted for Frick Company. Councilman Mumma seconded; the motion passed 5-0 (Councilman Benchoff abstained).

**SUBDIVISION/LAND DEVELOPMENT PLAN (JOSEPH DANIELS - N. CHURCH**

**STREET)**: Kevin Grubbs presented a Subdivision/Land Development Plan from Joseph Daniels for three (3) townhouse units at the corner of N. Church/King Streets. The Waynesboro Planning Commission recommended approval of the plan, subject to the completion of six (6) revisions – Mr. Grubbs noted that those revisions have been made.

Councilman Cook made a motion to approve the Subdivision/Land Development Plan for Joseph Daniels, as presented. Councilman Winters seconded; the motion passed unanimously.

**SUBDIVISION/LAND DEVELOPMENT PLAN (CVS PHARMACY)**:

Kevin Grubbs noted that the Waynesboro Planning Commission recommended approval of the Subdivision/Land Development Plan for CVS Pharmacy, contingent upon several items which needed to be completed by today. Some of the revisions have been made, but those are still incomplete. Mr. Grubbs recommended deferring the matter until Council's next meeting, which would still be within the 45-day review period. Councilman Cook made a motion to defer the matter until the next Council meeting. Councilman Benchoff seconded; the motion passed unanimously.

Councilman Cook encouraged Mr. Grubbs to do everything possible “to see that this moves forward”, as it will make a tremendous difference aesthetically for individuals coming into Waynesboro. Various traffic issues were also mentioned, and Mr. Grubbs noted that those will definitely be addressed.

Updated information should be received by early next week, and the matter will be placed on Council's agenda for their next meeting.

**PLANNING COMMISSION RECOMMENDATION ON INCREASE OF REVIEW FEES:**

Kevin Grubbs noted that the Waynesboro Planning Commission has been discussing increasing fees charged for plan reviews. The current rate of \$20.00 is charged for plan reviews, regardless of the size of the proposed project. As it takes 3-4 days to complete a review, they are proposing the following increase:

- All Subdivision/Land Development Plans - \$100.00/lot, plus \$10.00/each additional lot
  
- Any additional costs, including but not limited to engineering reviews for stormwater management reports, structural engineering reviews, etc. that are requested to be completed by the Waynesboro Planning Commission will be the responsibility of the owner/developer to be paid in full prior to

any plan approval by Borough Council

- Zoning permit - \$25.00

Councilman Cook made a motion to approve Resolution #2005-02, which would adopt the proposed fees. Councilman George seconded; the motion passed unanimously.

#### RESOLUTION #2005-02

WHEREAS, the Borough of Waynesboro, from time to time, may change fees charged for Borough services, and

WHEREAS, the applicable enabling ordinances permit adoption of fees by resolution,

Completion copy on file at Borough Hall.

**GOLF COURSE MEMBERSHIP PLAN:** Mr. Hamberger noted that golf course memberships are renewable on an annual basis, and continue one year from the date of their purchase (May to May, November to November, etc.), which can be somewhat confusing. Councilman George suggested that all memberships, beginning in 2006, will come due by March 1<sup>st</sup> of the current year. Because of the memberships already purchased, however, a pro-rating conversion chart was prepared. Mr. Hamberger noted that the Recreation Board has recommended approval of this process. Councilman George made a motion to approve the conversion chart, as presented, and to provide for memberships to be due on an annual basis by March 1<sup>st</sup> of each year. Councilman Winters seconded; the motion passed unanimously.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:** Earl Miller, N. Price Avenue. Mr. Price noted that his home has a sump pump in the basement which drains into the street. Because of the cold weather, a lot of ice has collected, which is quite dangerous. Mr. Miller stressed the need for storm drains on this street.

Paul Engelstad, 129 E. Second Street. Mr. Engelstad noted that, several months ago, he presented information on Gettysburg's guidelines for their downtown design. He asked if the Borough had had the opportunity to review the information submitted. Councilman Cook noted that several downtown issues will be addressed at the Downtown Revitalization & Finance Committee meeting to be held on January 31<sup>st</sup> at 7:00 p.m., including a Loitering Ordinance, Under 21 Clubs and the Zoning Ordinance (with regard to residential, industrial and commercial area). The information from Gettysburg can also be discussed at that time. Mr. Hamberger added that a new Comprehensive Plan should be prepared, however the state will only fund multi-community comprehensive plans (this was mentioned previously in the meeting). Council added that the public is invited to attend any scheduled board or committee meetings, as well as Council work sessions.

Stephen Monn, 126 W. Main Street. Mr. Monn stated that the process of filing for a historic district downtown can begin without a comprehensive plan. He noted his personal disappointment with the handling of Ordinance No. 1025, because all the questions were not answered regarding the plan for the property. When the developer comes back in with a plan satisfying all requirements of the various ordinances, Council will have no recourse but to approve the plan.

Mr. Hamberger explained that there is no way the Borough can require a developer to adhere to a plan submitted prior to the rezoning. The next step involved in this process is a Land Development Plan, which will be considered by the Waynesboro Planning Commission.

Roy Tressler, 121 W. Third Street. Mr. Tressler noted that he attended the Planning Commission meetings in the past on the storage units being installed on S. Potomac Street – the developer was requested to plant greenery between Potomac Street and the chain-link fence, but it looks like that is not happening. In addition, during the process for rezoning at Third and S. Potomac Streets, he and his neighbors were assured that a tavern, fast-food establishment or convenience-type store would not go in at that location – and now Rutters has been approved. He cautioned Council to be careful when they grant approval for rezonings in the future.

Richard Belisle, Morning Herald. Mr. Belisle questioned if Council was bound by any ruling or law to approve the rezoning request. Borough Solicitor Reichard noted that Council can approve or reject rezoning requests at any time.

### **FOR INFORMATION ONLY**

**RESIGNATION FROM COUNCIL MEMBER:** Council President McCammon read a letter from Councilman Ardie Winters, in which he submitted his resignation from Borough Council, effective February 28, 2005, due to health concerns. Councilman George made a motion to accept the resignation, with appreciation noted for his many years of service as a member of Council and the community. Councilman Benchoff seconded; the motion passed unanimously.

**PAY BILLS:** Councilman Cook made a motion to approve the payment of Voucher List VL-05-01. Councilman Benchoff seconded; the motion passed unanimously.

**COUNCIL AND STAFF COMMENTS:** Councilman Winters noted that he will miss serving on Council, and added that he hopes members will continue to do a wonderful job for the community.

Councilman Benchoff noted that Mr. Winters will be greatly missed.

Kevin Grubbs thanked Council for his promotion to Head of Borough Engineering Services.

Police Chief Shultz noted that he presented information to Council regarding the Police Department's proposed volunteer program several weeks ago. Waynesboro was one of six departments chosen throughout the United States to receive training and funding assistance for the program, and two individuals from the Department attended a training session in November. He provided Council members with a copy of the proposed program outline, and asked for their support. He would like to begin accepting applications for the program, and hopes to have it underway in mid-summer. Councilman Cook made a motion to support the program, as outlined. Councilman Mumma seconded; the motion passed unanimously. It was noted that there will be no cost to the Borough for this program – the only cost involved is to the applicant for a background check.

Councilman George thanked members of the public for attending tonight's meeting.

Councilman Mumma also stated that he was pleased with the public turn-out for this meeting, and for the Main Street Visioning meeting held recently at the Elks Club.

Councilman Cook echoed Mr. Mumma's statements, and reminded the public of the next visioning meeting to be held on January 24<sup>th</sup> at 7:00 p.m. Mr. Cook also recognized Jennifer Fitch's (Record Herald) and Richard Belisle's (Morning Herald) excellent coverage of the Borough's meetings.

Councilman George noted that he had mistakenly mentioned the wrong time for the upcoming Street Committee at the last Council meeting – he clarified that it will be held on Monday, January 31<sup>st</sup>, at 9:30 a.m. Comments can also be submitted to the Borough Manager's office if an individual is unable to attend the meeting.

Mayor Barlup stated that Councilman Winters is the only remaining Council member since his appointment as Mayor in January, 1989. He noted his appreciation for the time he has been able to serve with Mr. Winters for the past 16+ years.

Mr. Hamberger presented proposed Resolution # 2005-01, which would authorize the Borough to participate in the Pennsylvania Capital City (PACC) Automotive and Equipment Procurement Program for joint purchasing benefits. Councilman Benchoff made a motion to approve Resolution #2005-01. Councilman Cook seconded; the motion passed unanimously.

#### RESOLUTION #2005-01

#### A RESOLUTION OF THE BOROUGH COUNCIL OF THIS BOROUGH JOINING THE PENNSYLVANIA CAPITAL CITY (PACC) AUTOMOTIVE AND EQUIPMENT PROCUREMENT PROGRAM

Complete copy on file at Borough Hall.

Councilman Winters questioned the progress on the joint purchase of a street sweeper



with Washington Township. Mr. Hamberger noted that the grant they were awaiting will “probably not happen”, and he plans to present a recommendation to the Street Committee on how to proceed with the purchase. In addition, he will visit the Borough of Columbia on Friday to inspect a used unit they have for sale.

Mr. Hamberger noted that it has been a pleasure working with Councilman Winters. No government can function properly without the direct input and contributions from Council members and citizens, and individuals such as Mr. Winters should be commended for their service to the community.

Having no further business to discuss, the meeting adjourned at 8:44 p.m.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant