

SEPTEMBER 7, 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:

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
Denny Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
D. Lloyd Reichard, II, Borough Solicitor
Ron Flegel, Fire Chief
Kevin Grubbs, Head of Engineering Services

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 August 17, 2005 meeting, as written. Councilman Monn seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilwoman Newcomer noted that Jon Fleagle's term on the Planning Commission is due to expire on October 20, 2005. He has been contacted and is willing to serve an additional term which would expire on October 20, 2009.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report.

STREET COMMITTEE: Councilman George reported that the Street Committee's meeting originally scheduled for September 12th has been rescheduled to September 13th at 9:30 a.m. He asked if the Borough Manager feels it would be advantageous for an agenda to be posted on the bulletin board in Borough Hall's lobby prior to upcoming Street Committee meetings. It was agreed that one will be posted, as well as forwarded to *The Record Herald* for publication.

INTERGOVERNMENTAL COMMITTEE: Councilman McCammon noted that the Borough received a request from the Washington Township Supervisors to hold their annual joint meeting, and they suggested either October 26th or October 31st. It was noted that the last joint meeting was held in Borough Hall, so this meeting should be held in the Township Office. Mr. Hamberger was asked to inform the Supervisors that Council would like to meet on October 26th.

DOWNTOWN REVITALIZATION COMMITTEE: No report. Councilman Cook reported that the committee's next meeting will be held on September 26th at 7:00 p.m.

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

“My Mayor’s Report usually addresses local needs and local problems, but at this point in time they seem minor compared to the situation in which many fellow Americans find themselves. Hurricane Katrina wiped out homes, schools, businesses, factories, hospitals, police and fire stations. For many the future appears very bleak.

Here in Waynesboro, we’ve always felt that Pennsylvania was a very special state in which to live. However, sometimes we feel overwhelmed by our concerns with unemployment, factory closings, school overcrowding, crime, business failures, fires and a host of other problems. But in spite of these, we have a future, we have a base on which to build.

Now we have an opportunity to show what kind of community we really are. We hear the cry for help and we cannot ignore it. Individuals, organizations, business people, groups of citizens, school children – all are responding to the basic needs of those who live in the southern tier of these great United States.

I would challenge every citizen of Waynesboro to lend a helping hand – small or large. Our forefathers fought tremendous obstacles to establish the way of life which we have come to enjoy. Now we have an opportunity to show that the lessons they taught are clearly understood and that we too are pioneers – pioneers of compassion and generosity.

HELP THE VICTIMS OF HURRICANE KATRINA!!”

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilwoman Newcomer made a motion to re-appoint Jon Fleagle to a full term on the Planning Commission; said term to expire on October 20, 2009. Councilman Cook seconded; the motion passed unanimously.

Councilman McCammon made a motion to hold a joint meeting with the Washington Township Supervisors on October 26th, at a time suitable to them. Councilwoman Newcomer seconded; the motion passed 5-0 (Councilman Cook opposed, as the date conflicts with another personal commitment).

Councilman Monn noted that the Property Committee considered a request for a 30-day extension on the closing of the sale of 141 E. Fifth Street. Lloyd Reichard noted no problems. Councilman Monn made a motion to grant the requested extension. Councilman George seconded; the motion passed unanimously.

UNFINISHED BUSINESS

Councilman McCammon re-opened the issue regarding the re-organization of Council which took place at the July 20th meeting. He quoted the Borough Code, as follows: “The Borough Council shall organize on the first Monday of January of each even-numbered year, by electing one of their number as president and one of their number as vice-president, who shall hold such offices at the pleasure of Council.” He questioned where it says that Council can re-organize at anytime.

Borough Solicitor Lloyd Reichard noted that “... at the pleasure of Council” indicates they can make a change in either of those offices at anytime. Councilman McCammon disagreed, interpreting the phrase to mean “whoever they want”.

Councilman McCammon went on to say that the Borough Code says nothing about re-organization, and this has never happened in the 20 years he has been affiliated with the Borough. Mr. Reichard advised Council that he feels the action which they took was legally proper; and if someone chooses to take issue with that, the proper forum would be the court.

Councilman McCammon requested that action be taken to resolve the matter. Mr. Reichard reiterated that, if someone (not Borough Council, as they took the action) chooses to challenge that, the proper forum would be the court. They could institute whatever action they feel to be appropriate in order to make that challenge, but it would not be here (at the Borough level).

Councilman McCammon further contended that the Borough Code also indicates that if the President is unable to perform his duties, the Vice-President steps in. He questioned why the Vice-President (John Cook) did not take over. Council members did not request a comment from the solicitor regarding this matter.

Council President Mumma informed Mr. McCammon that he is free to pursue the matter, if he so desires. Councilman McCammon stated that he will. Councilwoman Newcomer asked if this will cost taxpayers any money, and Mr. Reichard stated that he cannot speculate on something which has not happened yet. Mr. McCammon stated, "the Borough is at fault – not me". Ms. Newcomer further stated that she stands by her decision regarding the re-organization of Council.

UPDATE ON NORTHSIDE POOL YEAR: Mr. Hamberger reported that, although the final figures are not yet in, he feels this was an excellent year at Northside Pool. He will give a final report in October. Councilman George stated that the Borough owes "a debt of gratitude" to its Recreation Board members, who did an outstanding job. He explained that the Borough was initially considering a management agreement with the YMCA, however they backed-out at the last minute – and then a lot of things needed to be decided and completed in a very short amount of time. He commended the Recreation Board members (who are volunteers) for the time and effort they put forth to make this year's program a success. He added that this was, no doubt, one of the most successful years ever.

DISCUSS 2006 BUDGET CYCLE: Mr. Hamberger noted that the 2006 budget cycle has begun. He provided a tentative budget calendar for Council's review, with a goal for adoption by December 7th (or the second meeting in December, at the latest). He asked that Council members inform him at the next meeting if they have any problems with the schedule he has proposed.

NEW BUSINESS

UPDATE TRAFFIC ORDINANCE: Kevin Grubbs noted that he has provided Council with a proposed amendment to the Traffic Ordinance, which affirms action taken on various traffic and parking regulations by Council. He requested authorization to advertise the proposed ordinance. Councilman McCammon made a motion to authorize advertisement of the proposed ordinance. Councilman Cook seconded. Discussion followed regarding inclusion of the 15-minute limited parking zone in front of the Tax Collector's office, which has already been established. Kevin Grubbs stated that he will review the proposal and ensure that that is included. The motion then passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Roy Tressler, 121 W. Third Street, asked if there had been any comments received regarding the recently-enacted "Noise Ordinance". Mr. Hamberger and Mayor Barlup noted that several citizens have voiced and/or written positive comments regarding Council's enactment of the ordinance. In addition, several members of the public in attendance at the meeting added their comments that "it seems quieter in town".

FOR INFORMATION ONLY

REMINDER OF HEARINGS ON ALLEY ABANDONMENTS AT NEXT MEETING: Mr. Hamberger reminded Council members that public hearings will be held prior to the next Council meeting (at 7:00 and 7:15 p.m. on September 21st) regarding proposed alley abandonments off of Dickinson and Northfield Avenues.

CIVIL SERVICE EXAMINATION FOR POLICE OFFICER (SEPTEMBER 9, 2005): Mr. Hamberger informed Council that the civil service examination for Police Officer will be conducted on Friday, September 9th. He noted that there are four (4) candidates who will be taking the exam that evening.

PSAB FALL LEADERSHIP CONFERENCE (OCTOBER 21-23, 2005): Mr. Hamberger noted that the PSAB Fall Leadership Conference will be held on October 21-23, 2005 at the Four Points by Sheraton Pittsburgh North in Mars. Individuals interested in attending were instructed to contact Melinda Knott by October 14th.

INVITATION TO COMMUNITY ASSET BUILDING DINNER (SPONSORED BY WAYNESBORO AREA COMMUNITIES THAT CARE, INC. AND WAYNESBORO VISION 2015 - SEPTEMBER 29, 2005): Council members received an invitation to a Community Asset Building Dinner to be held on September 29th. Mr. Hamberger noted that this is the meeting sponsored by Vision 2015 and Communities That Care for all elected and appointed officials in the Greater-Waynesboro area to get together and network/interface. Anyone interested in attending was asked to contact Melinda Knott.

TV CABLE (NEW CHANNELS): Mr. Hamberger reported on several changes being made to the Comcast channel line-up.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher Lists VL-05-24 and 25. Councilman George seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted that the Borough received correspondence from York Refrigeration Systems/York International regarding their application to DEP to install a paint booth at their facility. A 30-day comment period is provided.

Mr. Hamberger also noted that Council members received an invitation to the Chamber of Commerce's Annual Dinner on October 6th. RSVP's are requested by September 22nd.

Mayor Barlup presented a request from Main Street Waynesboro, Inc.'s Promotions Committee for downtown merchants to have a sidewalk sale on Saturday, October 1st, from 10 a.m. to 3 p.m. Councilman Cook made a motion to approve the request. Councilman Monn seconded; the motion passed unanimously.

Mr. Hamberger reported that the joint meeting of the Property and Personnel Committees will be moved from September 19th to September 26th. No objections were noted.

"On behalf of the Borough", Councilman McCammon posed the following question to Councilman George: "Why are you no longer affiliated with the South Mountain Golf Course?" Councilman George declined to answer the question, noting that it is "none of anyone's business". Councilman McCammon then recommended that Borough Council send a representative or two to the golf course to look into the matter, as he may "not be eligible to be on this Council".

Denny Benshoff reported that the maintenance crew will be tearing down the building to the rear of the library the following week. In addition, work on the street projects is being completed.

Kevin Grubbs noted that Valley Quarries will begin resurfacing streets on September 26th.

Mayor Barlup eluded to safety concerns at the construction site of the new CVS store on E. Main Street (at Myrtle Avenue). Kevin Grubbs noted that the sidewalk will be repaired later this week. President Mumma mentioned the guardrail and wall safety issue, but Mr. Grubbs noted that PENNDOT has no specifications or stipulations which apply. Mr. Mumma also mentioned the proposal for changing the color scheme. Mr. Grubbs replied that suggestions have been forwarded to the project engineer, and he is awaiting a response. Fire Chief Ron Flegel then spoke on behalf of the M.S.F.E. & H. Company regarding restoration to their property for damages that have been done by the contractor for the CVS project. He spoke with Kevin Grubbs about the situation several times. Discussion followed regarding steps to be taken to ensure that these problems are resolved. Mike Cermack from Accredited Services (who issues the Borough's building/occupancy permits, as well as performs inspections of the site) noted that if the damages are not restored, an occupancy permit will not be issued.

Mr. Hamberger requested that Council members inform Melinda Knott if they plan to attend the upcoming Tri-County Boroughs Association meeting in Marysville (on September 27th) and the private pre-opening party at the 1912 Hoover House (on September 24th).

Having no further business to conduct, the meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant