

JUNE 16, 2004

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, Jahnathan Cain, John Cook, Charles McCammon, Ardie Winters and Andrew Benchoff

Mayor Louis M. Barlup, Jr.

Borough Staff - Lloyd R. Hamberger, II, Borough Manager

D. Lloyd Reichard, II, Borough Solicitor

Kevin Grubbs, Assistant Director of Engineering

Denny Benshoff, Maintenance Superintendent

Ronald Flegel, Fire Chief

Ray Shultz, Police Chief

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

APPROVE MINUTES: Minutes for the May 19, 2004 meeting were not available at this time.

ACCEPT REPORTS: Councilman George made a motion to accept the reports of the Building Inspector, Fire Chief and Police Chief, as presented. Councilman Cook seconded; the motion passed unanimously.

SWEARING IN OF NEW POLICE OFFICER (STEVEN SANDERS): Mayor Barlup administered the Oath of Office and Loyalty Oath to new police officer, Steven Sanders.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cain reported that the Personnel and Property Committees held a joint meeting the previous evening. He made the following motions, based on discussions held at that meeting:

- bu To approve a salary increase for Denny Benschhoff to 20B. Councilman Cook seconded; the motion passed unanimously.
- 2) To remove Vicki Carty (Water Plant) from probationary status. Councilman Cook seconded; the motion passed unanimously.
- 3) To authorize the advertisement for a Zoning Code Enforcement Officer. Councilman Cook seconded; the motion passed unanimously.
- 4) To approve a new job description for the position of Zoning Code Enforcement Officer. Councilman Cook seconded; the motion passed unanimously.
- 5) To contract with General Code for ordinance codification services. Councilman Cook seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Benschhoff noted that Vicki Huff would like to make a brief presentation regarding the Franklin County Emergency Services Council. (Ms. Huff was appointed as Waynesboro's representative last year.) She noted that officers are now in place, and a checking account has been opened. As they have incurred expenses for preparation of their charter and by-laws, they will be requesting monetary support from all municipalities in Franklin County in the amount of 1¢/per person. According to the 2004 census, Waynesboro's requested donation would be \$96.00 (although she suggested they give \$100.00) for the FCESC's operating costs. Ms. Huff explained that this will be a yearly request. Councilman Cook then made a motion to approve the donation of \$100.00, as suggested by Ms. Huff. Councilman Benschhoff seconded; the motion passed unanimously.

STREET COMMITTEE: Councilman George noted that the Engineering Department's analysis of the intersection at Fairview Avenue and Third Street was reviewed by the Street Committee, and they recommended that a four-way stop be placed at that location at some time in the future. Councilman George made a motion that a four-way stop be established at Fairview Avenue/Third Street. Councilman Cook seconded; the motion passed unanimously. Mr. George announced that further

studies are being conducted at Third/Church Streets and Third/Walnut Streets. Those analyses will be presented and discussed at the Street Committee's next meeting.

Councilman George also reported on the following items:

- bu Additional turning lane arrows have been placed on Main Street near Clayton Avenue.
- bu Residents were urged to trim trees, bushes, etc. encroaching the public right-of-ways.
- bu Traffic signals will be placed on "flash" from 11 p.m. to 6 a.m. in the near future.
- bu Various street and alley parking problems were discussed and will be investigated further.
- bu Comments were heard from residents opposing Rutters -- a response will be prepared with the Solicitor's assistance.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: No report. Councilman Cook noted that the Committee will meet with Bill Fontana of the PA Main Street Center on June 22nd at 7:00 p.m. in the second floor Council Chambers. The Committee will hold a brief meeting following his presentation, which will take the place of the regular June meeting (which would have been held on June 28th).

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

"The 93rd Annual PSAB (Pennsylvania State Association of Boroughs) Conference was held at Seven Springs Mountain Resort, Champion, PA, on June 6-9.

As always, this was an important conference because it offered the opportunity for mayors and other borough officials to witness firsthand the various levels at which PSAB works.

In 1911, PSAB was founded for the purpose of lobbying on behalf of borough governments. Today PSAB represents 961 Pennsylvania borough governments and over 7,000 elected and appointed officials. This now represents a very strong lobbying force.

We heard from members of the General Assembly, Senior State Officials and PSAB leadership on what is being done regarding the issues that are currently affecting borough government.

I served as a member of the Resolutions and Policy Committee. One of the concurrent sessions which I found interesting was entitled "Common Misconceptions and Mistakes in Collective Bargaining".

BUS SERVICE (CTA) REPORT: No report. Mr. Hamberger reported that he received an e-mail earlier today from the Borough of Chambersburg. They note that PENNDOT has worked out a way for the bus service to continue for an additional three months, until the audits for the last two years have been completed. Once those are completed, PENNDOT will make a determination on the financial status of CTA. This will require an additional local match from the various municipalities involved of \$2785 (broken down to \$417.50 from both Waynesboro and Washington Township). Mr. Hamberger noted that money is budgeted for this; and if there are no objections, he will forward a check. He added that the other municipalities have also approved their shares. Council concurred.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

UNFINISHED BUSINESS

CONSIDER ORDINANCE NO. 1020 (GSELL ZONING CHANGE) FOR ADOPTION: Mr. Hamberger noted that the zoning hearing was held prior to this meeting; and the proposed ordinance was duly advertised and is available for Council's action. Councilman George made a motion to approve Ordinance No. 1020 for the Gsell zoning change. Councilman Benchoff seconded; the motion passed unanimously.

ORDINANCE NO. 1020

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 GENERAL COMMERCIAL, GC.

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE NO. 1021 (PA CONSTRUCTION CODE ACT) FOR ADOPTION: Mr. Hamberger noted that adoption of the PA Construction Code is part of the process of enforcing the building codes. Proposed Ordinance No. 1021 was written by the Solicitor, approved by the Planning Commission, and duly advertised for Council's consideration. Councilman Cook made a motion to approve Ordinance No. 1021. Councilman George seconded; the motion passed unanimously.

ORDINANCE NO. 1021

BEING AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, PENNSYLVANIA, CONFORMING TO THE REQUIREMENTS OF PENNSYLVANIA CONSTRUCTION CODE ACT.

Complete copy on file at Borough Hall.

CONSIDER ORDINANCE NO. 1022 (AMENDMENT TO PENSION PLAN) FOR ADOPTION: Mr. Hamberger noted that this amendment is a requirement of the IRS, but does not actually change anything in the employees' pension plan. Approval has been recommended by the Borough's actuary. Councilman Benchoff made a motion to approve Ordinance No. 1022. Councilman Cook seconded; the motion passed unanimously.

ORDINANCE NO. 1022

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 872 AS AMENDED, IN ORDER TO COMPLY WITH REVENUE RULING 2001-62, REVENUE RULING 2002-27, AND THE FINAL REGULATIONS ISSUED UNDER INTERNAL REVENUE CODE SECTION 401(a)(9) EFFECTIVE AS OF THE FIRST DAY OF THE PLAN YEAR BEGINNING ON OR AFTER JANUARY 1, 2002 OR AS OTHERWISE PROVIDED IN THE AMENDMENT.

Complete copy on file at Borough Hall.

BUILDING INSPECTION SERVICE PROPOSALS: Mr. Hamberger reported that two proposals were received for building inspection services. The proposals were reviewed by Council and the staff. Councilman George made a motion to contract with Accredited Services for building inspection services, contingent upon review by the Borough Solicitor of any contracts prior to execution. Councilman Cook seconded. Councilman Cook noted that this company operates from Waynesboro, and citizens will not be required to leave Waynesboro in order to obtain a building permit. Regular hours will be maintained each day. Their office is in the former Savage-Minnich Pharmacy building (temporarily), but they will be relocating to a new address in the future. Mike Cermak, President of Accredited Services, introduced himself to the public in attendance. The motion then passed unanimously.

MULLIN & LONERGAN PROPOSAL FOR PLAN REVIEW: Mr. Hamberger noted that this matter was discussed by Council in the past, but was deferred. Councilman Cain made a motion to approve the proposal received from Mullin & Lonergan to conduct a review of any plans submitted regarding the proposed Rutters development on Potomac/Third Streets. Councilman Cook seconded; the motion passed 5-0 (with Councilman Benchoff abstaining).

WITF-TV'S OUR TOWN SERIES: Mr. Hamberger noted that WITF is interested in including Waynesboro as part of their *Our Town* series. He explained that amateur videographers film various places of interest in Waynesboro, and they are compiled into an hour-long program. Nothing but cooperation is required from the Borough. Council agreed that this is an excellent opportunity to display Waynesboro's attributes and the citizens' pride in their community.

TRUSTEE NOMINATIONS OF DIRECTORS AND ALTERNATES TO RCI: Mr. Hamberger noted that he received correspondence from M & T Investment Group regarding their nominations to the Board of Directors for RCI's 2004-2005 year, as follows:

Directors Alternates

George Buckey James Oliver

John W. Keller Willard Rahn

Alice McCleaf Richard A. Mohn

Councilman George made a motion to approve the nominations as presented. Councilman Benchhoff seconded; the motion passed unanimously.

REIMBURSEMENT RESOLUTION FOR POLICE OFFICERS: Police Chief Ray Shultz presented four (4) resolutions for Council's approval. He explained that these resolutions are required in order to receive reimbursement from the Municipal Police Officers' Education and Training Commission for the new police officers' training at Harrisburg Area Community College. He noted that reimbursement is provided for a percentage of the mileage incurred, meals, lodging and salaries. Councilman Cook made a motion to approve Resolutions #2004-13, 14, 15 and 16. Councilman Cain seconded; the motion passed unanimously.

RESOLUTION #2004-13 (Robert Elmer Stansfield, IV)

RESOLUTION #2004-14 (Bryan Paul Chappell, Jr.)

RESOLUTION #2004-15 (Travis Arthur Carbaugh)

RESOLUTION #2004-16 (David Aaron Haugh)

BE IT RESOLVED by the Borough of Waynesboro, and it is hereby resolved by the authority of same:

THAT the Borough of Waynesboro hereby agrees that while receiving any funds from the Commonwealth of Pennsylvania pursuant to said Act, the Borough of Waynesboro shall adhere to the rules, regulations and training standards established by the Municipal Police Officers' Education and Training Commission.

Complete copies on file at Borough Hall.

REQUEST FOR "NO PARKING" SIGNS ALONG MAIN STREET ON JULY 3RD FOR 5K RUN:

Police Chief Shultz noted that there have been some concerns regarding traffic and parked vehicles on the south side of Main Street during the Summer Jubilee's 5K Run in the past. There were 300+ runners last year, but they are expecting even more this year. He is requesting permission to place "no parking" signs on the south side of Main Street from Franklin Street to Enterprise Avenue. The signs would be removed at approximately 9:15 a.m. in time for residents to park for the parade (which begins at 10:30 a.m.) Councilman Cook made a motion to approve the Chief's request. Councilman George seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Roy Tressler, 121 W. Third Street. Mr. Tressler noted that he had posed several questions to Borough Council at the last meeting, and he hoped they were prepared to respond to those at this meeting. Mr. Hamberger replied that Council is not prepared to respond at this time, but will most likely address those issues at their next meeting. Mr. Tressler requested that their responses be in writing.

Margery Benson, 2 W. Third Street. Ms. Benson requested copies of the formal procedures used to abandon a street or alley, a copy of the formal ordinance changing zoning of the property in question from residential-medium density to commercial, and copies of any development plans presented to the Borough for the site at Third and Potomac Streets.

CLAYTON AVENUE LIGHTS (HARRY MORNINGSTAR): It was noted that Solicitor Lloyd Reichard had presented Borough Council with a proposed agreement at their last meeting regarding installation of additional street lights on Clayton Avenue. Since that time, however, a meeting was held with Borough staff members, representatives of Allegheny Power, and Harry Morningstar. At that meeting, certain modifications were discussed due to the storm sewer in the vicinity of the proposed installations. Councilman Benchoff made a motion to authorize the Borough Manager to move forward with the project by presenting the proposed contract to Mr. Morningstar and his neighbors for review. He further motioned that Denny Benchoff be given the authority to meet with the residents to explain the situation further. Councilman George seconded; the motion passed unanimously.

FOR INFORMATION ONLY: Mr. Hamberger noted that an invitation was received for Council members' assistance at the annual Firemens' Carnival during the week of July 19-24.

In addition, correspondence was received from William and Audrey Smith, 833 Summit Avenue, regarding the traffic flow on their street. Mr. Hamberger stated that he will address the situation with Mike Christopher, and the matter will be referred to the Street Committee for their review.

Mr. Hamberger noted that a special meeting of Council will be required in the near future to take care of several items. He suggested holding the meeting on Tuesday, June 29th, at 5:30 p.m. Council concurred.

It was noted that Kevin Grubbs had provided Council with information regarding a proposed Land Development Plan for Waynesboro Hospital. To allow for sufficient review time, the matter will be

discussed at Council's special meeting on June 29th.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher Lists VL-04-18, 19 and 20. Councilman Benchoff seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Police Chief Shultz informed Council members that the new parking tickets (with increased fees) have arrived, and his officers will begin using them the following week.

Having no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Melinda S. Knott

Administrative Assistant