

MARCH 3, 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, Charles McCammon, Ardie Winters and Andrew Benchoff (John Cook was absent)

Mayor Louis M. Barlup, Jr.

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

Denny Benshoff, Maintenance Superintendent

D. Lloyd Reichard, II, Borough Solicitor

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

**APPROVE MINUTES:** This item was deferred.

### **COMMITTEE REPORTS**

**PERSONNEL COMMITTEE:** Councilman Cain made a motion to accept the resignation of Patrolman William P. Kauffman, effective March 26<sup>th</sup>. Councilman George seconded; the motion passed unanimously.

Councilman Cain made a motion to hire William Devlin (Pro Shop Attendant), Ronald Mitchell (Pro Shop Attendant) and Galen Evans (Summer Maintenance Worker) at the golf course. Councilman

George seconded; the motion passed unanimously.

Councilman Cain made a motion to appoint Chris McGarity as Deputy Fire Chief, for an interim period to be re-evaluated after 120 days. Councilman Benchoff seconded; the motion passed 4-1 (Council President McCammon opposed).

Councilman Cain made a motion to appoint Gary Summers also as Deputy Fire Chief, for an interim period to be re-evaluated after 120 days. Councilman Benchoff seconded; the motion passed unanimously.

Councilman Cain also made a motion to accept the resignation of Jody Sanders as Deputy Fire Chief. Councilman Benchoff seconded; the motion passed unanimously.

Councilman Cain made a motion to appoint the following individuals to the Library Board: Melodie Anderson-Smith (term to expire on 02/01/06), Claire Hunter (term to expire on 02/01/06), Andrew Benchoff (term to expire on 02/01/06), Jacqueline Barlup (term to expire on 02/01/07) and Michael Snyder (term to expire on 02/01/07). Councilman George seconded; the motion passed 4-0 (Councilman Benchoff abstained).

**PROPERTY AND PUBLIC SAFETY COMMITTEE:** Councilman Benchoff noted that the Property Committee's next meeting will be held on March 9<sup>th</sup> at 7:30 p.m.

**STREET COMMITTEE:** Councilman George made a motion for approval for the Maintenance Department to remove trees from the alley at the former Martin's Trucking Company. Councilman Cain seconded; the motion passed unanimously.

Councilman George made a motion for the Maintenance Department to rebuild 160 feet of Park Street north of W. Sixth Street (potential cost of \$3,500). Councilman Winters seconded; the motion passed unanimously.

Councilman George made a motion that crosswalks be established at the Fairview Avenue Elementary School and the entrance gate at Landis-Gardner. Costs for both crosswalks will be borne

by the requesting agencies. Councilman Benchoff seconded; the motion passed unanimously.

Councilman George made a motion to approve four (4) handicapped parking spaces on Snider Avenue (at the Calvary Church) to be used on Sundays only from 8 a.m. to 12 noon; and at the residence of George Reed (246 Ringgold Street). Councilman Winters seconded; the motion passed unanimously.

Councilman George made a motion to approve the following street overlay projects for this year:

(1) Memorial Park Drive (E. Fourth to E. Fifth Streets) - Cost \$12,500

(2) S. Grant Street (W. Main to W. Second Streets) - Cost \$8,200

(3) W. Fourth Street (Hamilton to Ridge Avenues) - Cost \$17,600

(4) W. Fourth Street (Ridge to Fairview Avenues) - Cost \$4,000

(5) W. Fifth Street (S. Potomac Street to Hamilton Avenue) - Cost \$10,800

Total cost of the projects would be approximately \$53,100. Mr. George noted that if the bid prices are above what was anticipated, one of the projects will be deleted. Councilman Cain seconded; the motion passed unanimously.

Councilman George noted that the Street Committee discussed the possible abandonment of some Borough alleys. After consultation with the Solicitor, however, it was decided to end any further discussion on the matter.

The Committee also discussed the possibility of making Walnut Street from Fifth to Sixth Streets (currently one-way) two-way. After review of the matter, it was decided it should remain one-way.

Councilman George noted that Borough representatives have been in contact with PENNDOT officials regarding the turning lane on Main Street at Clayton Avenue. It is the Borough's recommendation to

place additional arrows for the turning lane at that location. They are currently awaiting PENNDOT's final approval.

The Street Committee will be reviewing and comparing rules and regulations established by other municipalities for handicapped parking spaces, and new rules will be created as a result. Those will be prepared for Council's review at the next meeting.

Resurfacing W. Second Street from Myrtle Avenue to Main Street was also discussed. The Borough Manager is exploring the financial possibilities of pursuing that project.

Councilman George reported that, after the last snow storm, a situation occurred whereby an individual shoveled out a parking space in front of his home and someone else parked in it. The Street Committee discussed the matter in an attempt to achieve a resolution. Borough Solicitor Lloyd Reichard stated that parking spaces cannot be reserved on a public street. Mr. George noted the Committee will consult with the Solicitor further on the matter.

Councilman George noted that a request was received for a street light at S. Potomac and W. Fifth Streets. The matter was referred to the Engineering Department, who will pursue the matter with Allegheny Power. Mr. Grubbs stated that he was in contact with Allegheny Power representatives earlier that day. He would like to discuss the matter with the Street Committee prior to a decision being made. Council President McCammon questioned if there is a real need for more lighting, as there are exterior lights on all the commercial buildings located there.

**INTERGOVERNMENTAL COMMITTEE:** No report.

**DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE:** Mr. Hamberger noted there would be no report for the Downtown Revitalization and Finance Committee tonight, as Chairman John Cook is currently recuperating from surgery. He hopes to be in attendance at Council's next meeting.

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

**CTA REPORT:** No report.

**PUBLIC COMMENT - ITEMS ON AGENDA:** John Leos, Center Square. Mr. Leos requested the opportunity to address Council in a closed session on "some items of a very important and urgent matter". Solicitor Reichard noted that an executive session could be called, but the purpose for it must fall within the permitted reasons. Mr. Leos noted that he would rather prepare a private letter for each Council member, and request to meet with them individually. Mr. Leos encouraged Council not to adopt Ordinance No. 1019 at this time. He feels that there are other, more pressing matters that need to be addressed before they increase parking fees. He also urged Council to hire additional police officers.

**AWARD BIDS - STONE AND PAVING MATERIALS:** Mr. Hamberger recommended that award of the stone bids be deferred until the next meeting. The staff is, however, recommending that the paving bids be awarded to Valley Quarries. Councilman Winters made a motion to award the bids for paving materials to Valley Quarries. Councilman Cain seconded; the motion passed unanimously.

## **UNFINISHED BUSINESS**

**CONSIDER ORDINANCE NO. 1019 (PARKING VIOLATION FEES):** Councilman Cain made a motion to table action on proposed Ordinance No. 1019 until Council's next meeting. Councilman George seconded; the motion passed unanimously. Mr. Hamberger noted that the ordinance would have to be re-advertised prior to any action being taken on its adoption.

**ROUZERVILLE LIONS CLUB (CIRCUS ON ROTARY PARKING LOT):** Mr. Hamberger reported that, subsequent to Council's approval at the last meeting, the Lions Club has withdrawn their request to use the Rotary parking lot for their circus. After further review, they noted that the area is not large enough.

## **NEW BUSINESS**

**REQUEST FROM DAME BROADCASTING FOR "WEENIE ROAST ON WHEELS":** Mr. Hamberger presented a request from Dame Broadcasting to hold a "Weenie Roast on Wheels" in Center Square on May 26<sup>th</sup> from 11 a.m. to 1 p.m. He noted they have done this in the past and no problems were noted. Councilman George made a motion to approve the request as presented. Councilman Benchoff seconded; the motion passed unanimously.

**REQUEST FOR STREET LIGHT (S. POTOMAC AND W. FIFTH STREETS):** This matter was deferred during the Street Committee Report.

**APPLICATION FOR PARADE PERMIT (MEMORIAL DAY PARADE):** Mr. Hamberger received an Application for Parade Permit from the Combined Veterans Council, for the Memorial Day parade to be held on May 31<sup>st</sup>. The parade will form at C. V. Avenue and commence at 9:00 a.m., following the same route as in years passed. Councilman Benchoff made a motion to approve the parade request. Councilman Winters seconded; the motion passed unanimously. Mayor Barlup urged Council members to participate in the parade.

**KEYSTONE OPPORTUNITY ZONE:** Mr. Hamberger explained that 12 regions in PA have been outlined as Keystone Opportunity Zones. Within those zones, certain plots are designated for special tax-free treatment. This land is normally considered difficult to develop (i.e. industrial, etc.) Businesses that settle within these zones pay no corporate, income, property, sales and use or transfer taxes. Councilman Cain originally brought this program to Mr. Hamberger's attention. Mr. Cain noted that the program has had some very good reviews. The businesses within the zones would be required to re-apply on an annual basis and meet certain obligations, or they would lose the benefit. He feels this would be an excellent means of providing better-paying jobs in Waynesboro. Mr. Hamberger added that the Franklin County Area Development Corporation has pledged their full support of the concept, and will provide assistance with the application process. A potential site being considered is the seven-acre property behind Landis-Gardner. Councilman Benchoff made a motion to move forward with pursuing the Keystone Opportunity Zone program in an expeditious fashion in order to meet any necessary deadlines. Councilman Cain seconded; the motion passed unanimously. Mr. Hamberger requested permission to meet with the Waynesboro Area School Board regarding the matter at their next meeting. Council concurred.

**EASTER EGG HUNT (WAYNESBORO FIRE DEPARTMENT):** The annual request was received from the Waynesboro Fire Department to hold an Easter Egg Hunt at Memorial Park on April 8<sup>th</sup> at 11 a.m. No problems or concerns were noted. Councilman Benchoff made a motion to approve the request. Councilman Winters seconded; the motion passed unanimously.

**LETTER FROM WASTE MANAGEMENT RE: PROPOSED INCREASE IN TIPPING FEES:** Mr. Hamberger noted that Governor Rendell has proposed an increase in Pennsylvania's tipping fees, resulting in an additional fee of \$5.00/ton for the disposal of municipal solid waste. He noted that trash rates would need to be raised again in order to pay for these additional costs (and they were just increased last year). He asked that Council members review the correspondence from Waste Management included in their packets for further discussion at the next meeting.

**CHAMBER MIXER AT WAYNESBORO HOSPITAL:** Council members were invited to attend a Chamber Mixer at the Waynesboro Hospital on April 1<sup>st</sup> from 4:30 p.m. to 7:00 p.m. Anyone interested in attending was asked to contact Melinda Knott.

**PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:** Delmos Oldham, Waynesboro's Tax Collector, questioned if individuals employed within the Keystone Opportunity Zones are still required to pay EIT (Earned Income Tax) and OPT (Occupational Privilege Tax). Mr. Hamberger noted they are required to pay the EIT, but he will have to check on the OPT.

### **FOR INFORMATION ONLY**

**UPDATE ON ROTARY CLUB'S COMMUNITY SIGN:** Mr. Hamberger reported that progress is continuing on the community sign. Representatives of the Rotary Club will meet with Zoning Officer Doug Pyle to begin procedures for obtaining a zoning variance.

**CIVIL SERVICE EXAMINATION FOR PATROLMAN:** Mr. Hamberger noted that the civil service examination for Patrolman is scheduled for March 19<sup>th</sup>.

**FCADC GENERAL MEMBERSHIP BREAKFAST MEETING:** The Franklin County Area Development Corporation's General Membership Breakfast meeting will be held on March 4<sup>th</sup>, beginning at 7:15 a.m., at the Lighthouse Restaurant in Chambersburg.

**PAY BILLS:** Councilman Benchoff made a motion to approve the payment of Voucher Lists VL-04-06 and 07. Councilman George seconded; the motion passed unanimously.

Mr. Hamberger requested an executive session following the meeting, for the purpose of discussing a personnel matter.

Council adjourned for a brief break before the executive session at 8:13 p.m. They reconvened to regular session at 8:46 p.m. and adjourned the meeting at 8:47 p.m.

Respectfully Submitted,

Melinda S. Knott

Administrative Assistant