

SEPTEMBER 1, 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, John Cook, Charles McCammon and Andrew Benchoff (Jahnathan Cain and Ardie Winters were absent)

Mayor Louis M. Barlup, Jr.

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

Ron Flegel, Fire Chief

Denny Benshoff, Maintenance Superintendent

Kevin Grubbs, Assistant Director of Engineering

D. Lloyd Reichard, II, Borough Solicitor

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

COMMITTEE REPORTS

PERSONNEL COMMITTEE: No report. The Personnel Committee's next meeting will be held on September 13th at 7:00 p.m.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. The Property Committee's next meeting will be held on September 13th, immediately following the Personnel Committee meeting which begins at 7:00 p.m.

STREET COMMITTEE: No report. The Street Committee's next meeting will be held on September 13th at 9:30 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: No report.

MAYOR'S REPORT: No report.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

UNFINISHED BUSINESS

LAND DEVELOPMENT PLAN (RONALD MARTIN - S. POTOMAC STREET AND MADISON AVENUE): Kevin Grubbs reported that Council previously reviewed and approved the Subdivision/Land Development Plans for Red Roof II (storage units) at their meeting on July 21st, contingent upon review of the structural analysis report by Engineer Denny Black and execution of an agreement by Mr. Martin regarding any resultant damages. Borough Solicitor Lloyd Reichard has reviewed and approved the agreement presented by Mr. Martin's attorney, and the engineer's certification has been placed on the structural analysis report prepared.

NEW BUSINESS

REQUEST FROM ANTIETAM HUMANE SOCIETY FOR "WALK FOR THE ANIMALS": Mr.

Hamberger noted that Council received the annual request from the Antietam Humane Society for their "Walk for the Animals" to be held on Sunday, September 19th. He has discussed the matter with Police Chief Shultz - he noted no problems. Councilman Cook made a motion to approve the request. Councilman Benchoff seconded; the motion passed unanimously.

TRI-COUNTY BOROUGH'S ASSOCIATION MEETING (SEPTEMBER 28, 2004): The next Tri-

County Boroughs' Association meeting will be held on September 28th in Marysville. Those interested in attending were asked to contact Melinda Knott as soon as possible.

RESIGNATION FROM COUNCILMAN JAHNATHAN CAIN: Mr. Hamberger noted that Councilman Jahnathan Cain has submitted his letter of resignation from Council, effective August 31st. Councilman George made a motion to accept his resignation with regret. Councilman Cook seconded; the motion passed unanimously.

Mr. Hamberger reported that he had prepared a Press Release indicating that persons interested in filling Mr. Cain's position should contact Borough Hall by September 3rd, which would allow sufficient time to hold interviews with prospective candidates.

PSAB FALL LEADERSHIP CONFERENCE (NOVEMBER 5-7, 2004): Mr. Hamberger advised that anyone interested in attending the upcoming PSAB Fall Leadership Conference in Pittsburgh should contact Melinda Knott as soon as possible for reservations.

GROUNDBREAKING CEREMONY (ADVANCED FINANCIAL SECURITY): Mr. Hamberger noted that Council members received an invitation to a groundbreaking ceremony for Advanced Financial Security (at the intersection of Orchard Road/Route 997) on September 3rd at 10:00 a.m.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

AMENDMENT TO RCI BY-LAWS APPROVED: Mr. Hamberger noted that Council had approved an amendment to the RCI by-laws several meetings ago. He has since received a final copy of the amended by-laws, for the Borough's record.

TOUR OF FACILITIES: President McCammon reported that Saturday, October 2nd, has been tentatively scheduled for Council members to tour the facilities at the Borough's water and sewer treatment plants. Several conflicts were noted, and Mr. McCammon stated that the tour will be rescheduled.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher List VL-04-26. Councilman George seconded; the motion passed unanimously. President McCammon abstained from voting on Invoice #26041.

ORDINANCE ADVERTISEMENT: Kevin Grubbs presented a proposed ordinance to accept streets in the Cold Spring Estates Development. He explained further that three (3) streets were built in Phase V of the development -- they have been completed and inspected. Lloyd Reichard has prepared a draft ordinance, and Council's authorization to advertise the ordinance for adoption is required. Councilman Cook made a motion to authorize advertisement of the proposed ordinance. Councilman George seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger requested that Council hold a brief executive session at the end of this meeting to discuss a potential condemnation.

Denny Benshoff reported that the Borough maintenance crew excavated, re-graded and paved a portion of W. Eighth Street (west of Fairview Avenue) at a property owner's request/expense.

Fire Chief Ron Flegel questioned the status of the Civil Service Commission's testing for Fire Apparatus Driver. It was noted that the examinations are complete and an Official Register will be executed tomorrow. Interviews can then be held in the next week or so.

Councilman George requested an update on the possibility of having to close Northside Pool for the weekend. Mr. Hamberger reported that, currently, there are only two (2) lifeguards available to work -- and four (4) are needed to operate from 11 a.m. to 5 p.m. He has contacted several School Districts, YMCA's, etc., but they are all short-staffed. Mr. George insisted that a notice be placed in the newspaper to inform the public in advance of the situation. Secondly, he urged Council to hold discussions on this matter (preferably with the Recreation Board) to find a solution for next year. He stated that it is "quite an embarrassment", as the Borough sold season memberships and now doesn't have sufficient staff to operate. Further discussion was held regarding a possible rebate and/or refund

-- Mr. Hamberger will discuss this further with the Recreation Board. In addition, he will pursue several options regarding management -- including possible joint management with the YMCA.

Council President McCammon thanked fellow councilmen for their decision regarding the Rutters issue at Monday evening's meeting.

Council adjourned to executive session at 7:51 p.m., and returned to regular session at 8:28 p.m.

Councilman Cook made a motion to adopt Resolution #2004-17. Councilman George seconded; the motion passed 3-1, with Councilman Benchoff voting nay.

RESOLUTION 2004-17

BE IT AND IT IS HEREBY RESOLVED that, based upon the report of the Building Inspector of August 4, 2004, the Borough of Waynesboro hereby declares the building at the rear of the property located at 128 Snider Avenue owned by Samuel Taylor to be a Public Nuisance. The Borough of Waynesboro hereby also authorizes and empowers the Zoning Officer to take such action as he deems appropriate, necessary and proper to secure the demolition and removal of this structure in order to abate the nuisance, removal of the debris and to lien the property for all fees, costs and expenses incurred in so doing in the event the owner of the property fail to timely pay an invoice rendered for the same.

Complete copy on file at Borough Hall.

Having no further business to discuss, the meeting adjourned at 8:33 p.m.

Respectfully Submitted,

Melinda S. Knott

Administrative Assistant