

MAY 16, 2012
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Jason Stains 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 – Benjamin Greenawalt, Craig Newcomer, Darrel Potts, Jason Stains and Wayne Driscoll (Michael Cermak was absent)

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Sam Wiser, Borough Solicitor (Salzmann Hughes, PC)
Jason Cohen, Assistant Borough Manager
Dave Martin, Fire Chief
Mike Bock, Police Sergeant

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

EXECUTIVE SESSION: Council adjourned to executive session at 7:31 p.m. to discuss current litigation. They reconvened to regular session at 8:10 p.m.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Newcomer noted that he received a favorable performance evaluation for Jody Sanders, however no action was required. He will also present an item during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll reported that plans for the Summer Movie Series are in place and promotional items will be on display in the coming weeks. The first of three (3) movies, The Mupplets, will be shown on June 12th in Rotary Park.

STREET COMMITTEE: No report. Councilman Potts mentioned that the next Street Committee meeting will be held on 05/23 at 9:00 a.m.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: Councilman Newcomer noted that the Downtown Revitalization Committee’s next meeting will be held on 05/22 at 9:30 a.m.

FINANCE COMMITTEE: No report.

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

“On May 8th, I attended the Waynesboro Fire Police meeting.

On May 9th, I was invited and attended the 57th annual awards dinner, hosted by Horizon Goodwill Industries in Hagerstown, MD.

On May 10th, I talked to the fourth graders at Mowrey School. Thanks to the fourth grade teachers – Mrs. Francis, Mrs. Bumbaugh and Mrs. Poole.”

Mayor Starliper reminded the public that the Fire Police will be very busy during the next several months; and organizations who may require their assistance with traffic control should contact the Fire Police regarding their availability prior to presenting their requests to Council for final approval.

Mr. Starliper also noted that N. Grant Street, from Main Street to the Borough line, has been dedicated as a memorial road for Sgt. Richard Tieman. He thanked Representative Rock for his input in this matter.

SOLICITOR'S REPORT: Solicitor Wisner noted that a representative from WTMA approached Council several meetings prior about an easement through Renfrew Park. Council reviewed the conceptual plan and requested they work out language with the Solicitor for the appropriate document. He and their attorney have prepared an agreement ... the WTMA Board approved the agreement at their meeting the previous evening, and it has now come back to Council for execution. Mr. Wisner noted there was a minor change to the temporary construction easement area, and WTMA will be presenting that change to the Renfrew Board (RCI) next week. Voting on this item will take place later in the meeting.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Newcomer made a motion to remove Brian Starliper's name from the Waynesboro Fire Police's current roster, pursuant to the Mayor's request. Councilman Greenawalt seconded; the motion passed unanimously.

CONSIDER APPROVAL OF CONSENT AGENDA: Mr. Hamberger recommended that the proposed Consent Agenda be modified to indicate that the bids received for the Rectangular Rapid Flashing Beacon Crosswalk Lights be rejected. Councilman Greenawalt made a motion to approve the Consent Agenda, as amended. Councilman Driscoll seconded; the motion passed unanimously.

**RESOLUTION FOR
COUNCIL MEETING OF May 16, 2012
"CONSENT AGENDA"**

WHEREAS, the Mayor and Borough Council have either previously discussed or considers certain agenda items to be of a routine nature; and

WHEREAS, items of the nature noted in the paragraph above generally meet with the consensus approval of the Mayor and Borough Council.

NOW, THEREFORE, on motion of Councilman _____, seconded by Councilman _____, by a vote of _____, it was resolved that the following items are approved by the Mayor and Borough Council:

Award of Contracts:

1. Rectangular Rapid Flashing Beacon Crosswalk Lights - reject all bids received.

Routine:

1. Approval of minutes - April 18, 2012 (regular meeting) and May 2, 2012 (regular meeting)

2. Accept reports of the Code Enforcement Officer, Police Chief and Fire Chief - April, 2012.

3. Pay Bills - Voucher List dated 05/03 (and any others following preparation of this agenda).

Previously Discussed: N/A.

UNFINISHED BUSINESS

TRAFFIC CONTROLS AT TRITLE AND PRICE AVENUES: Council members were asked at the last meeting to review recommendations submitted by Kevin Grubbs with regard to Tritle Avenue (complaints have been voiced about various functions held at the Ambulance Squad building and certain traffic issues that have been created as a result). A modified drawing was distributed at this meeting; and the Street Committee is recommending approval with one (1) minor modification – on Tritle Avenue, the 60' area marked off between two signs should not include the signs/posts. In addition, Mr. Potts noted that the drawing addresses a problem with the crosswalk at Price Avenue and designates the appropriate sight distance at this location. Councilman Potts made a motion to proceed with the project as recommended (with the modification as indicated). Councilman Driscoll seconded; the motion passed unanimously.

UPDATE ON STORM SEWER PROJECT: Mr. Hamberger reported that the staff and engineers are working on the storm sewer project; and an alternate plan is currently being reviewed. Council will be provided with an update at a later date. Mr. Hamberger added that a brief special meeting will be needed to adopt an ordinance regarding the borrowing for this project.

UPDATE ON POLICE CHIEF VACANCY: Mr. Hamberger reported that there were 21 applications for the position of Police Chief. Several individuals have been contacted for additional information, which is expected to be returned by 05/21. Copies of the applications will then be provided to members of the Review Committee; and they will select five (5) individuals to be interviewed.

RENFREW EASEMENT: Pursuant to the Solicitor's report on this matter, Councilman Newcomer made a motion to accept the easement agreement between WTMA and the Borough, subject to approval of the agreement (and the modification thereto) by RCI (Renfrew Committee, Inc.). Councilman Greenawalt seconded; the motion passed unanimously.

NEW BUSINESS

FIRE DEPARTMENT'S REQUEST FOR USE OF THE ROTARY PARKING LOT: Mr. Hamberger presented a request from the Fundraising Committee of the Waynesboro Volunteer Fire Department to use the Rotary parking lot for a community yard sale on 07/14 from 7:00 a.m. until 5:00 p.m. The Fire Department will rent spaces for individuals' use, and will sell food items (including a chicken barbeque) during the event. They request exclusive use of the lot from 6:00 p.m. on 07/13 until the end of the event, and will be responsible for trash removal and cleaning the lot. Mr. Hamberger noted he feels that too many individuals/businesses utilize the lot to designate their "exclusive use", but that the staff will work with the Fire Department to determine an appropriate amount of space for the event. Councilman Newcomer made a motion to approve the request in accordance with the Borough Manager's comments. Councilman Greenawalt seconded; the motion passed unanimously. Fire Chief Martin noted that this will be acceptable to the volunteers.

INTERIM FINANCING LOAN: Mr. Hamberger reported that Solicitor Wisner has provided information regarding the interim financing procedure required for the storm sewer project. The Borough will essentially be borrowing \$3,000,000 for a two-year period; and in order to do this, an ordinance will need to be adopted authorizing such. Mr. Hamberger suggested holding a brief special meeting on 06/06 at 5:30 p.m. for this purpose, as well as meeting with representatives of Dennis Black

Engineering to discuss their alternate proposal for the project. Council concurred; and Councilman Newcomer made a motion to authorize advertisement of the required Debt Ordinance which will be considered for adoption at the 06/06 meeting. Councilman Greenawalt seconded; the motion passed unanimously.

Mr. Hamberger had also provided Council with cost information for the borrowing – it appears the two (2) lowest are Fulton Bank and M & T Bank. As M & T has a local office (and one of the requirements is that the Borough has a depository relationship with the lender), he recommended awarding the contract for the \$3,000,000 loan to M & T Bank. Councilman Newcomer made a motion to accept the proposal of M & T Bank, conditioned upon receiving Local Government Unit Debt Act approval and loan documents acceptable to Borough Council. Councilman Greenawalt seconded; the motion passed unanimously.

APPOINTMENT OF ZONING HEARING BOARD MEMBER: Councilman Greenawalt made a motion to nominate Charles “Chip” McCammon to a vacant position on the Zoning Hearing Board. Councilman Discoll seconded; the motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS:

J. Jerome Skrincosky, Planning Consultant for Hawk Valley Associates - Mr. Skrincosky introduced himself to Council members, as he intends to bid on their planned revisions to the Zoning Ordinance and Subdivision/Land Development Ordinance.

R. Lee Royer - Mr. Royer requested that a conditional use hearing be held for a proposed recycling center on Madison Avenue. Solicitor Wisner noted that the applicant has submitted an application for a conditional use, which essentially is a use permitted by rights subject to certain conditions (which are listed in the Zoning Ordinance). The applicant is required to show he complies with those conditions and other reasonable conditions proposed by Council, which takes place at a public hearing. At that time, the applicant will present his case; and any members of the public who wish to speak at the public hearing may do so as well. It is a quasi-judicial proceeding at which Council acts as the judge of whether or not the applicant’s burden has been met, so it will be conducted as a formal quasi-judicial hearing (which means that the presentation of evidence and public comments will be very orderly). Councilman Driscoll made a motion to schedule said hearing on 06/27 at 6:00 p.m., in accordance with the Solicitor’s recommendation. Councilman Greenawalt seconded; the motion passed unanimously.

FOR INFORMATION ONLY

REQUEST FOR PROPOSALS FOR SUBDIVISION/LAND DEVELOPMENT (SALDO) AND ZONING ORDINANCES: Jason Cohen reported that the Requests for Proposals for revision of the Subdivision/Land Development (SALDO) and Zoning Ordinances were issued the previous week, and submissions are due by 06/04. They will then be presented to the Planning Commission at their meeting on 06/11 for their review and recommendation to Council. This will put Council in a position to award the contract at their meeting on 07/18; and the proposed completion date for the project is 06/01/2013. As of this date, he reported there have been at least four (4) requests for RFP packets. Mr. Hamberger added that, since this is being funded through the CDBG program, a rating scale (similar to the one used for the Joint Comprehensive Plan) will need to be utilized.

UPDATE ON NORTHSIDE POOL: Mr. Cohen reported that plans for pool opening are “going well”. Typically the pool opens on Memorial Day and is open every weekend between then and when school lets out (which, at this time, is scheduled for 06/06). However, there is concern that the WASD teachers will authorize a strike, thereby extending the school year. If that happens, opening day at the pool for the season will be the day after the last day of school ... whatever that date may be. Mr.

Hamberger asked the press to remind the public to purchase their season membership (at a \$10.00 savings) at Borough Hall prior to Opening Day.

COUNCIL MEETING SCHEDULE FOR SUMMER MONTHS (JUNE, JULY AND AUGUST): As authorized previously by Council, Mr. Hamberger noted that Council meetings will be held on the third Wednesday of June, July and August (the regular meetings to be held on the first Wednesday of those months will be at the call of the President).

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted that Council members received correspondence from MSI regarding specific plans for the car show (approved by Council previously) to be held on 06/23. No further action is required.

Mr. Hamberger reported that he has received information that Mayor Starliper has been appointed to the Executive Board of the PA State Association of Boroughs (and he is a member of the PA State Association of Mayors' Executive Board also).

Denny Benshoff advised Council that the memorial plaque (recently vandalized) has been repaired and replaced at Memorial Park. Some of the other plaques that were getting dull have also been sealed.

Councilman Newcomer requested a report on the status of the Rental Inspection Ordinance. Mr. Hamberger noted that a meeting will be scheduled to discuss the matter when Councilman Cermak returns from vacation.

Mayor Starliper reported that the officer recently involved in a shooting incident to the rear of the Rutter's store has been cleared to return to duty by the Franklin County District Attorney's Office and the PA State Police.

Having no further business to discuss, the meeting adjourned at 8:40 p.m. on a Greenawalt/Drisoll motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant