

FEBRUARY 2, 2011
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Craig Newcomer called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:34 p.m. with the following in attendance:

Borough Council Members – Benjamin Greenawalt, Jason Stains, C. Harold Mumma, Wayne Driscoll and Ronald Martin

Mayor Starliper was absent

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
Mark King, Police Chief

Mr. Newcomer noted that Borough Council held a brief executive session to discuss litigation and negotiation issues prior to the meeting.

PLEDGE OF ALLEGIANCE: Councilman Driscoll led those present in the Pledge of Allegiance.

APPROVE MINUTES: Councilman Greenawalt made a motion to approve the minutes of the January 5, 2011 (regular meeting) and the January 19, 2011 (public hearing and regular meeting), as written. Councilman Martin seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma reported that he received favorable performance evaluations for Don Kaiser and Jay Mongan, however no action was required. He will present several other items during the “voting” section of the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Driscoll noted that he met recently with Senator Alloway, who will be drafting a letter to various community members to appeal for additional donations for the proposed dog park. He also received a telephone call from the fence contractor who provided the initial quote advising that steel prices have been steadily increasing. In addition, Mr. Driscoll noted that the staff has obtained sample ordinances from various municipalities regarding the keeping of farm animals in the Borough. Several have been provided to Council for review; and recommendations will be forthcoming in the future for Council’s consideration.

STREET COMMITTEE: Councilman Martin noted that several items will be presented during the “voting” section of the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION COMMITTEE: No report.

FINANCE COMMITTEE: Councilman Greenawalt announced that Jason Cohen has been appointed as Chairman of the Franklin County Area Tax Board; and the “one man/one vote” voting structure has officially been approved.

MAYOR’S REPORT: There was no Mayor’s Report, as the Mayor was absent.

SOLICITOR’S REPORT: Solicitor Sam Wiser noted that he and the staff have met with the property owners with whom easements still need to be acquired, appraisals have been received, and they are working cooperatively with the parties to resolve the matter. James Stein (who represents Russ Weikert, Patricia Crouse, and Steve and Susan Bumbaugh on this matter) was present. After having read the newspaper reports from the last meeting, he assured Council members that they are very interested in working this out. He added that none of his clients are interested in prolonging this project any more than is necessary. Since the appraisals have finally been received, he feels sure that they will be “well on the way to having this resolved before your next meeting”.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Mumma made a motion to grant a step increase for Doug Whittington to salary level 6B. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to approve hiring Jared Mummert as Pool Manager, at a salary of \$7,500/season for the 2010 season. Councilman Stains seconded; the motion passed unanimously.

Councilman Mumma made a motion to hire Keith Russell (a full-time police officer at Greencastle Police Department) as a part-time police officer for Waynesboro’s Police Department, effective immediately upon receipt of the appropriate paperwork. Councilman Stains seconded; the motion passed unanimously.

Councilman Martin reported that he met recently with Jeremy Shumaker (a former aide to Congressman Shuster and now the State Director for the Coalition Against Bigger Trucks). They are seeking the Borough’s “backing” in opposition of dual (80,000-129,000 lbs., 53’-106’) and triple trucks (110,000, 85’), because of the significant damage which can result on the roadways. Discussion ensued that this may only pertain to interstate roadways, but it wouldn’t hurt to sign a letter noting that the Borough does not want these vehicles traveling on their streets. Council concurred.

Kevin Grubbs presented the following items, along with the Street Committee’s recommendations, for Council’s consideration --

- Sight distance problem at East Fifth/Walnut Streets – after explanation and discussion, Councilman Driscoll made a motion to approve the establishment of a “No Parking Here to Corner” area, beginning at the west curblineline of Walnut Street and extending 40’ to the west along the south side of E. Fifth Street. Councilman Stains seconded; the motion passed unanimously.
- Complaint received since parking re-alignment on E. Third Street near the intersection at Walnut Street – Councilman Martin made a motion to remove the “No Parking Here to Corner”, beginning at the east curblineline of Walnut Street and extending 56’ to the east along the north side of E. Third Street. Councilman Mumma seconded; the motion passed unanimously.
- Councilman Martin made a motion to remove the first parking meter and parking space just west of the intersection of S. Grant Street along the south side of W. Main Street.

Councilman Greenawalt seconded; the motion passed unanimously. It was suggested that the staff find a place to install this parking meter.

- **Councilman Martin recused himself from discussion on this item, as he is one of the owners of property at this location.* Councilman Stains made a motion to reinstate the left turn for vehicles on Walnut Street at the intersection of E. Main Street. Councilman Driscoll seconded; the motion passed unanimously.
- Sight distance complaint along north side of W. Third Street, at island of Cleveland Avenue and Park Street – no action needed at this time, however the staff will continue to monitor it closely in the future.

Councilman Martin mentioned the condition of Fairview Avenue due to heavy trucks traveling on the roadway. He suggested that Council consider restricting trucks over five (5) tons on Fairview Avenue. (He added, however, that the tonnage on school buses should be checked prior to making any change.)

NEW BUSINESS

DISCUSSION ON SEWER ORDINANCE CONTAMINANT LIMITS: Leiter Pryor reported that, in 1989, Borough Council adopted Sewer Use Ordinance No. 920 which imposes limits on discharges in the sanitary sewer system. When the ordinance was adopted, the limits contained therein were consistent with the current NPDES permit. Since that time, though, the permit has been revised several times; and he recommended that Council consider updating the ordinance to address the new limits. In addition, Mr. Pryor noted that recent test results indicated an elevated level of Molybdenum in the sludge, which is not addressed in the current ordinance. He plans to discuss this matter at the Borough Authority's next meeting, and will involve the WBA's consulting engineers in the process. Council concurred.

FAIR HOUSING RESOLUTION (NO. 2011-02): Mr. Hamberger noted that adoption of a Fair Housing Resolution is an annual requirement of the CDBG application process. Councilman Greenawalt made a motion to adopt Resolution No. 2011-02, as presented. Councilman Stains seconded; the motion passed unanimously.

RESOLUTION NO. 2011-02

FAIR HOUSING RESOLUTION

Complete copy on file at Borough Hall.

SENIOR PROJECT AT WAYNE GARDENS: Mr. Hamberger noted that Council had previously approved the Land Development Plan for a Senior Project at Wayne Gardens, and state/federal funds have been applied for. Letters of support from the Borough may be needed, and Mr. Hamberger suggested that the staff and Council meet with Bonnie Zehler (Executive Director of the Franklin County Housing Authority) to determine what assistance the Borough can provide. They are also seeking assistance from Senator Alloway and Representative Rock. Councilman Martin added that the plans are "nice" and the senior housing project will be very beneficial to the Borough's residents.

UPDATE ON COUNTY TAX COLLECTION: Jason Cohen reiterated that the amendment has been passed which allows for one vote per each member political subdivision (in fact, all political subdivisions in the County, except for Chambersburg School District which had 3 votes, actually voted to approve the amendment). In addition, his election as Chairman of the FCATB will assist the Borough in keeping up-to-date with relevant matters. He reported on a motion that was brought to the

Board to dissolve the FCATB in favor of the Tax Collection Committee appointed/created by DCED. He explained that the purpose of the TCC is basically to appoint a tax officer; and the Board is responsible for overseeing the day-to-day operations of the Bureau itself. A speaker from DCED will be present at the next Board meeting. As a caveat, Mr. Cohen noted that Cumberland County is operating in the same fashion with respect to two (2) distinct boards, both of which contain members of the municipalities.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Charles Barnes - Mr. Barnes noted that he has lived in Waynesboro for 50 years, and this is the first complaint he has voiced to the Borough. He described a 30' trailer that is not licensed, not inspected and parked against traffic along Hamilton Avenue (behind Waynesboro Construction) ... this is in violation of the Borough's Trailer Ordinance. It is his understanding that the vehicle's owners have been warned repeatedly, but have not been cited. Dan Sheffler reported that he received a telephone call from Waynesboro Construction regarding the need to park a trailer on the street for approximately 2-3 weeks. The trailer will be refurbished and moved to a job site in Hagerstown. Mr. Sheffler informed the Police Department that if there were any issues, Waynesboro Construction would be advised to move it off the street.

Downtown Manager Pat Fleagle noted that, at the December 3rd meeting, Borough Council discussed street closings for the 2011 upcoming events. The street closing for Market Days in October, 2011 was discussed, particularly regarding past issues with providing parking/access for Post Office business. Mr. Fleagle noted that use of the Bowersox parking lot has again been granted, and the Post Office had no additional concerns. He also requested confirmation of approval for the street closing required for the Car Show scheduled on 06/25 (from Walnut to Potomac Streets, 7 a.m. to 4 p.m.) Councilman Martin made a motion to close Main Street from Walnut to Potomac Streets on 06/25 and from Potomac to Broad Streets on 10/01 (with parking provided for the Post Office - Walnut on 06/25 and on 10/01 from Potomac to Broad with parking provided on the Bowersox parking lot for Post Office business). Councilman Mumma seconded; the motion passed unanimously.

Mr. Fleagle also mentioned the upcoming Franklin County Home Builders' Show which will be held in Waynesboro this year. Efforts are being coordinated between his office, the Chamber of Commerce, the Builders' Show representatives and Police Chief King. He looks forward to Waynesboro benefiting from the number of people this event will bring to town.

Discussion followed regarding potential new businesses downtown. Mr. Fleagle stated that Council should be pleasantly surprised in the near future, as there are several "potential closings" downtown. He added that the economy is "tough" right now, but the staff attended the recent "Blight Bill" training and learned a lot. He suggested that some of the residential areas downtown need to be improved in order to get first-class residents. When residential areas are improved, then he feels that businesses will follow.

FOR INFORMATION ONLY

CUMBERLAND-FRANKLIN COUNTY BOROUGH'S ASSOCIATION MEETING: Mr. Hamberger reminded Council of the upcoming Cumberland-Franklin County Boroughs' Association meeting to be held in New Cumberland on 02/22. Those planning to attend were asked to inform Melinda Knott as soon as possible.

PAY BILLS: Councilman Mumma made a motion to approve the payment of the Voucher Lists dated 12/20 and 01/24. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Driscoll reported that, two years ago, he attended an evening course on “How to Run for Office in Franklin County”. When the course was offered again, he served as a panel member and had the opportunity to share his experience.

Councilman Martin made a motion to authorize advertisement of the proposed ordinance to increase the Planning Commission membership from seven (7) to nine (9) members. Councilman Driscoll seconded. Discussion ensued regarding current members who may not wish to be re-appointed later this year. Solicitor Wiser also noted that if there are nine (9) members on the board, a required quorum would be five (5). A vote was called and the motion passed unanimously. Mr. Hamberger announced that members of the public who are interested in serving on the Planning Commission should submit a written note regarding same.

Councilman Martin added to previous discussion regarding the Blight Bill training. The presenter was from Carlisle, who created upscale apartments above the retail/office spaces on the first floors. The difference between Carlisle and Waynesboro, however, is that Carlisle is a County seat and has a college (and there is more a demand for housing and offices). He noted that it will be “tough” for Waynesboro. Also, CDBG money could be utilized at that time for these projects. It was mentioned that Columbia Borough may have several items in place which could be useful for Waynesboro. That information will be obtained and reviewed for future consideration.

Jason Cohen reported that he has received word that the residential electricity purchasing program through OnDemand is now available. Any employee of a Chamber member/business is eligible to participate. Additional information can be obtained from the Chamber of Commerce; and an informational flyer is available in Borough Hall’s front lobby.

Chief Mark King commended the Borough’s maintenance crew on the job they did clearing the streets during the recent bad weather. He noted that the Police Department dealt with very few accidents during this time, which says a lot of the maintenance crew’s effort and timing.

Having no further business to discuss, the meeting adjourned at 8:39 p.m. on a Greenwalt/Stains motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant