

FEBRUARY 7, 2007
WAYNESBORO, PA 17268
REGULAR MEETING

Council President Richard George 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 – Allen Porter, Jason Stains, Craig Newcomer, Richard George, Charles McCammon and Allen Berry

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
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ron Flegel, Fire Chief
Ray Shultz, Police Chief

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

APPROVE MINUTES: Councilman McCammon made a motion to approve the minutes of the January 17, 2007 meeting, as written. Councilman Stains seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that he will discuss four (4) items later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon noted that he will make a motion regarding additional automobile allocations for the Fire Chief and Deputy Fire Chiefs, as follows: Fire Chief (to \$450.00) and Deputy Fire Chiefs (to \$83.33).

STREET COMMITTEE: Councilman Porter noted that the Street Committee met recently and discussed many items, several of which he reported on as follows:

- Plan to surface the alley (Mulberry Avenue) from Main Street to Alley #1 North at the Trinity Parking Lot – still under review
- Request to paint a centerline on Snider Avenue
- Request for speed limit signs on Hollengreen Drive, from Welty Road thru the new development
- Requests for handicapped parking spaces for several individuals
- Traffic problem at WASHS at bus loading/unloading time, due to construction (a motion for relief will be presented later in the meeting) – the Street Committee, Borough

Manager and engineering staff will meet later this week with School District representatives to discuss traffic control during the construction project

- Request for restricted parking on Price Avenue due to traffic congestion and narrowness of the first block south of Main Street – still under review
- Request to hold Street Committee meeting(s) in evening (meetings are normally scheduled in the forenoon, due to member availability and the need for any on-site reviews)
- Request to re-surface alley that parallels E. Main Street in the first block west of N. East Avenue
- Request to re-surface small portion of Green Street which extends to a dead end from the east of S. Potomac Street

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer reported that the Committee is currently conducting studies on the possibility of a parking authority for the Borough; and will be meeting next week with School Board representatives to discuss their pursuit of grant funding for a School Resource Officer. He will provide a follow-up to Council with additional information on these items at a later date.

MAYOR'S REPORT: Mayor Starliper reported that he attended a Vision 2015 meeting on January 25th, along with Councilman Porter and Borough Manager Hamberger, regarding the Fort Ritchie Renaissance. He read a letter dated January 27th from the Franklin County Department of Emergency Services regarding the Police Department's professionalism during the funeral for Sgt. Edward Shaffer (and the potential for disruption of the service by protestors). President George added Council's appreciation for "a job well done".

PUBLIC COMMENT: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to appoint Denny West, Tom Ward and Jack Scott to the Waynesboro Recreation Board. Their terms will expire, respectively, as follows: 12/31/11, 12/31/10 and 12/31/09. He added that there continues to be one (1) vacancy still on that board. Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion to accept the nominations from M & T Bank (the Trustee) for Directors/Alternates on Renfrew Committee, Inc., as follows: Directors: George Buckey, John W. Keller and Alice McCleaf; and Alternates: James Oliver, Virginia Rahn and Richard A. Mohn. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to re-appoint Richard Starliper as an Alternate to the vacant position on Renfrew Committee, Inc. Councilman Porter seconded; the motion passed unanimously.

Councilman Berry made a motion to grant a step increase for John Lockwood to salary level 11C (due to the new longevity program). Councilman McCammon seconded; the motion passed unanimously.

Councilman Berry made a motion that probationary employees be eligible for any cost-of-living increases granted. Councilman McCammon seconded; the motion passed unanimously.

Councilman McCammon made a motion to grant the additional automobile allocations for the Fire Chief and Deputy Fire Chiefs, as previously noted. Councilman Stains seconded; the motion passed unanimously.

Councilman Porter made a motion to establish a yellow centerline on Snider Avenue from S. Potomac Street to Cleveland Avenue (once the weather is favorable). Councilman McCammon seconded; the motion passed unanimously.

Councilman Porter made a motion to establish a 25 mph speed limit on Hollengreen Drive from S. Welty Road to State Hill Road (S.R. 997). Councilman Newcomer seconded. Councilman McCammon questioned if the streets have been accepted by the Borough yet; and since they have not, why are the signs being posted? Mr. Porter noted that that was discussed, but speeding conditions still exist there. Mr. McCammon stated he feels that the owners of the development are responsible for speed enforcement at this point in time. Kevin Grubbs noted that various signage (stop signs and street name signs) have been requested by the owners, Gemcraft Homes. Those signs have been installed, and the developer paid all labor and material costs – the same will be done for these signs. Discussion followed regarding the legality of the signs. It was noted that they are mainly to satisfy the requests of the developer and the residents, in hopes that they would deter speeding in the area. A vote was then called. The motion passed 5-1 (Councilman McCammon opposed).

Councilman Porter made a motion to establish handicapped parking spaces at 227 S. Church Street and 226 Cleveland Avenue (with the fee being waived for the latter, due to financial hardship). Councilman Stains seconded; the motion passed unanimously.

Councilman Porter noted that the Street Committee has discussed traffic problems at the Waynesboro Area Senior High School as a result of their construction. Mr. George questioned if he would like to wait to make any decisions until their scheduled meeting with School District representatives, but Mr. Porter stated that any decisions made at this time could be changed after that meeting. Councilman Porter then made a motion to close E. Second Street from Virginia Avenue to N. Enterprise Avenue in the afternoon for students to be loaded on the buses (at least on a temporary basis). Councilman Newcomer seconded the motion in order for discussion to be held. Discussion followed, however, regarding how this will affect parents who park along Second Street to pick-up their children. Mr. Porter noted that parking is currently restricted on the north side of Second Street through those hours anyway, and this may be changed in order to provide designated parking spaces for construction workers. In addition, there will be limited parking for students who drive to school. Several possibilities were discussed, including opening Third Street Extended as a temporary bus route. Mr. Hamberger noted that the Borough's solicitor is currently working with the School District's solicitor on a right-of-way agreement for that purpose. Mr. George noted that he feels the urgency of this matter needs to be addressed further with School District representatives, which he plans to do at their upcoming meeting. After further discussion, a vote on the matter was called. The motion to close E. Second Street from Virginia Avenue to N. Enterprise Avenue in the afternoon passed 4-2 (Councilmen Stains and Berry opposed).

Councilman Porter presented an additional request from the Waynesboro Area Senior High School and indoor guard program to block off Second Street on February 24th (at approximately 10:30 p.m.), from Virginia Avenue to Main Street, in order for students participating in the guard show to enter their buses safely. They are expecting 35-40 buses, and outlined their plan of action in correspondence dated January 31st. Councilman Porter made a motion to grant their request. Councilman McCammon seconded. Further discussion followed, and Police Chief Shultz noted he has been in contact with Dan McLaughlin (Athletic Director) regarding the matter. He requested that the letter noting Council's approval include a statement regarding the school's responsibility for picking up and returning traffic cones to the Borough's Maintenance Center. The motion then passed unanimously.

Kevin Grubbs presented a request from State Representative Todd Rock for the establishment of a 15-minute parking zone in front of his office on E. Main Street. After discussing the matter, Councilman Porter noted that the Street Committee would like for the first two (2) parking places in Center Square (adjacent to Kulla Law Office) to be utilized for this purpose. He made the appropriate motion to approve this action, and Councilman Newcomer seconded. As these spaces will not be specifically designated for use by Mr. Rock's office, discussion followed regarding difficulties this may pose for businesses on the Square (in particular, Rocky's Pizza) where 15 minutes may not be adequate for their customers. Accordingly, Councilman Porter then amended his motion to place the 15-minute limit parking spaces on E. Main Street in front of Representative Rock's office. Councilman Newcomer seconded the amended motion; and the motion passed unanimously.

UNFINISHED BUSINESS

CONSIDER ORDINANCE RE: CHANGING THE ZONING OF A CERTAIN AREA FROM MEDIUM DENSITY RESIDENTIAL, RM, TO HOSPITAL/OFFICE, HO: Kevin Grubbs noted that a public hearing regarding this matter was held prior to this meeting, and Council members received a proposed ordinance approving the re-zoning. Councilman McCammon made a motion to adopt the ordinance, as presented. Councilman Porter seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, 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 MEDIUM DENSITY RESIDENTIAL, RM, TO HOSPITAL/OFFICE, HO.

Complete copy on file in Borough Hall.

LAND DEVELOPMENT PLAN (ADVERTISING SIGN) FOR RONALD MARTIN: Kevin Grubbs noted that the Waynesboro Planning Commission, at their last meeting, reviewed and recommended approval of the proposed Land Development Plan for Ronald Martin for an advertising sign, contingent upon minor revisions (typographical errors) – and those have been corrected. Councilman Newcomer made a motion to approve the Land Development Plan for Ronald Martin, as presented. Councilman Porter seconded; the motion passed unanimously.

UPDATE ON STORMWATER ANALYSIS: Kevin Grubbs reported that he and Scott Crum have inspected and photographed over 1600 feet of sanitary storm sewer in the past week (from Fifth Street west of Potomac Street to Ninth Street, including the outfall). Some structural issues and one major obstruction were discovered; and they will continue with the inspection when the weather "warms up a little". They will report on developing information to Denny Black and will keep Council updated.

In addition, Mr. Grubbs requested that Council consider having aerial mappings done of the Borough, as it has been many years since those were last done. He explained that these would provide a better view of the topography, drainage and impervious areas, which have changed greatly in the past years. He noted, however, that the mappings would be quite costly (he estimated \$60,000 to \$70,000), but would be "well worth having". It was suggested that Washington Township could perhaps participate jointly in this endeavor, but Mr. Grubbs stated that they had aerial mappings of the Township done a few years ago. President George noted that the matter will be reviewed by the appropriate Council committee for recommendation.

NEW BUSINESS

MUNICIPAL NOTIFICATION RE: TITLE V PERMIT RENEWAL APPLICATION (YORK REFRIGERATION - FRICK COMPANY): Mr. Hamberger presented notice from Frick Company regarding their intent to submit a Title V Permit Renewal Application to DEP for existing air sources at their facility at 100 C.V. Avenue. He stated that this is a “pro forma” requirement.

GRANT FUNDING FOR COMMUNICATIONS EQUIPMENT (FRANKLIN COUNTY EMERGENCY SERVICES ALLIANCE): Mr. Hamberger explained that Franklin County is in the process of upgrading their communications equipment. As approximately 2,000 radios of various types will be needed to service the various entities in Franklin County, the Franklin County Emergency Services Alliance is attempting to secure grant funding for the needed equipment. All organizations who wish to participate in the joint purchase program are requested to submit a Letter of Intent, and Mr. Hamberger requested that Council authorize him to serve as the Borough’s designated contact for the various departments within the municipality. Councilman Porter made a motion to authorize the Borough Manager to represent the Borough of Waynesboro appropriately and execute all associated documentation as necessary to participate in the program. Councilman McCammon seconded; the motion passed unanimously.

PARADE PERMIT APPLICATION FROM COMBINED VETERANS COUNCIL (MEMORIAL DAY PARADE): A Parade Permit Application was received from the Combined Veterans Council for the Memorial Day parade to be held on May 28th at 9:00 a.m. Councilman McCammon made a motion to approve the request, as submitted. Councilman Stains seconded; the motion passed unanimously.

COURT RULING RE: UCC INSPECTIONS: Mr. Hamberger noted that the Borough has an exclusive contract with Accredited Services to perform building inspections in the Borough. There has been a court ruling, however, that prohibits exclusive contracts for this purpose. The matter is currently under appeal; but, in the meantime, the PSAB and PSAT don’t know how to instruct the Boroughs/Townships to proceed.

Mr. Hamberger noted that he has requested the Solicitor to review the matter. Discussion followed, and Ms. Dively clarified that inspections done by someone not under contract with the Borough (but who is certified as a building inspector in Pennsylvania) should be honored.

Mr. Hamberger noted that the matter will be reviewed further, as additional items need to be addressed (such as the issuance of occupancy permits, etc.)

FAIR HOUSING RESOLUTION (#2007-02): Mr. Hamberger presented proposed Resolution #2007-02 for Council’s consideration. Councilman McCammon made a motion to approve the Fair Housing Resolution (#2007-02), as presented. Councilman Porter seconded; the motion passed unanimously.

RESOLUTION 2007-02

FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS of the Borough of Waynesboro that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the Pennsylvania Human Relations Act. It is the policy of the Borough of Waynesboro to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children). Therefore, the Borough of Waynesboro does hereby pass the following Resolution.

Complete copy on file at Borough Hall.

Mr. Hamberger added that the 2007 CDBG program process will begin with a public hearing at 7:00 p.m. prior to the next Council meeting (scheduled for February 21st).

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS:

Ed Miller, a representative of the Waynesboro Lions Club – Mr. Miller noted that the Lions Club erected a sign at a member's E. Main Street property, advertising their annual Pancake & Sausage Breakfast to be held on February 17th. They since received a letter from the Borough's Code Enforcement Officer, asking them to remove the sign (which they did immediately). He explained that they are a non-profit organization which conducts many activities that benefit residents of the Borough; and this is their largest fundraiser of the year. Accordingly, they asked that Council consider allowing them to re-erect the sign for this year's event. Marty Shore, another representative of the Lions Club, noted that the Chamber of Commerce permits them to utilize the community message board in front of their office, but the information is scrolling and sometimes hard to see. He feels that the display sign is fully visible to everyone, and is only on posted for a short period of time (and removed immediately following the event). President George suggested that Council discuss the matter further at their next Joint Committee meeting, but Councilman McCammon made a motion that the Lions Club be permitted to put sign up "for another 78 years". Councilman Porter seconded, adding that permission should be granted to all non-profit organizations (not just the Lions Club). In addition, he suggested that an amendment to the Sign Ordinance is needed for these such temporary purposes. Mayor Starliper agreed, noting that signs erected by various youth leagues were also required to be removed. Mr. Hamberger suggested that the matter be reviewed further, and some proposed regulations be prepared to address the situations discussed this evening in the future. Councilman McCammon amended his previous motion to permit the Lions Club to replace their sign for this year. Councilman Porter seconded the amended motion; the motion passed unanimously.

Amos Miller, 309 W. Sixth Street - Mr. Miller noted that the Borough's current trash collection contract includes specifications for "ash collection" and the requirement for lids to be placed on the containers after emptying. He feels that the "ash" requirement is outdated and should be removed from the next contract. Mr. Hamberger agreed, noting that the matter will be "re-visited" at that time.

FOR INFORMATION ONLY

OPEN HOUSE AT REPRESENTATIVE TODD ROCK'S OFFICE: Mr. Hamberger noted that Council members have been invited to an Open House at Representative Todd Rock's office on February 9th, beginning at 10:00 a.m.

REMINDER OF TRI-COUNTY BOROUGHS' ASSOCIATION MEETING IN MECHANICSBURG (FEBRUARY 27, 2007): Mr. Hamberger reminded Council members of the upcoming Tri-County Boroughs' Association meeting to be held in Mechanicsburg on February 27th. Mayor Starliper plans to attend; and anyone else wishing to attend was asked to inform Melinda Knott.

PSAB'S SPRING LEGISLATIVE CONFERENCE: Mr. Hamberger also reminded Council members of the upcoming PSAB Spring Legislative Conference in Grantville on March 18-20, 2007. Those wishing to attend were asked to contact Melinda Knott as soon as possible.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-07-01 and 02. Councilman McCammon seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Newcomer thanked Kevin Grubbs and Scott Crum for their efforts on the sanitary storm sewer review.

Mayor Starliper asked for an update on the status of the fire-damaged properties on W. Main Street. Dan Sheffler noted that there is “not a lot that can be done”, as there are no requirements in the ordinance that pertain to these situations.

Mayor Starliper asked the Borough Manager to obtain information on free pedestrian crossing signs being offered by PENNDOT. President George noted that this matter was discussed at a recent Street Committee meeting; and they are looking at how to implement the program.

Dan Sheffler reported that the Borough’s codified ordinances are now available on the Borough’s website.

Kevin Grubbs noted that Danny Blount, a resident of Pine Grove Drive who experienced difficulty in the past with flooding at his property, acknowledged his appreciation to the Borough for their efforts to resolve problems at a nearby retention basin. It is felt that the work they did will help in the event of another major storm event.

Solicitor Melissa Dively noted that there are several items she will bring before Council in the future, including proposed changes to the Zoning Ordinance to address alley definition, signs within a business district zone on second floors, and repairs/replacement to non-conforming uses within a certain time frame.

Having no further business to discuss, the meeting adjourned at 8:41 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant