

SEPTEMBER 6, 2006
WAYNESBORO, PA 17268

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

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ron Flegel, Fire Chief
Ray Shultz, Police Chief
Denny Benschhoff, Maintenance Superintendent

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

APPROVE MINUTES: Councilman Stains made a motion to approve the minutes of the July 26, 2006 special meeting, as written. Councilman McCammon seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry reported that Doug Layman was hired as Sewer Treatment Plant Operator, with various terms and conditions for re-hire. In addition, discussion was held regarding a vacant police officer's position.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon noted that an abandoned car (with a flat tire) has been sitting on the Rotary parking lot since before the firemen's carnival. Police Chief Shultz was asked to check into the matter.

Councilman McCammon also noted that "Waynesboro has a pigeon problem", and suggested that something be done about it. He questioned if the police officers are permitted to shoot pigeons? Mr. Hamberger reported that past practices were: (1) an individual had trapped and sold the pigeons; and (2) a feed was purchased which acted as a birth control pill. However, nothing has been done to remedy the problem since the mid-1980's. Mr. Hamberger was asked to check with other municipalities to see what they do to eliminate pigeons. The matter will be discussed further at the next Property Committee meeting.

STREET COMMITTEE: Councilman Porter reported that there has been no Street Committee meeting since the last Council meeting. They will meet again the following Monday (September 11th) at 9:30 a.m. He invited the public to attend.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer reported that Mr. Hamberger presented Council with a proposed schedule for the 2007 budget. He has also provided information from the Pennsylvania Infrastructure Bank regarding interest rates for loans, and

has applied for a Hazard Mitigation Grant through PEMA for the flooding projects previously discussed.

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

“On September 2nd, at the Greencastle Outdoor School, I had the privilege of marrying Jessie Cheshier and Richard Sheffler.”

SOLICITOR'S REPORT: Melissa Dively reported that she is still working on abatement proceedings with regard to the car on Main Street; she worked on a Right-of-Way Agreement, which will be presented to Council at their next meeting; and had a productive meeting with the owner of McDonald's (along with the Borough Manager).

PUBLIC COMMENT - ITEMS ON AGENDA: None.

UNFINISHED BUSINESS

CONSIDER PROPOSED ORDINANCE RE: PERMITTED SIGNS IN THE TOWN CENTER (TC)

DISTRICT: Kevin Grubbs reiterated that recommendations for approval were received from both the Waynesboro and Franklin County Planning Commissions. Discussion followed regarding the modification suggested by Councilman McCammon to restrict signs to below the second floor level. Solicitor Melissa Dively agreed with Mr. Hamberger's suggestion that the ordinance could be adopted this evening, as advertised, and amended in the future (if Council so desires). Accordingly, the proposed ordinance would go forward for Council's consideration tonight, as written.

Councilman Newcomer made a motion to adopt the proposed ordinance regarding permitted signs in the Town Center (TC) District. Councilman Stains seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 937, THE WAYNESBORO ZONING ORDINANCE, ADOPTED DECEMBER 4, 1991, AS AMENDED

Complete copy on file at Borough Hall.

CONSIDER PROPOSED ORDINANCE RE: ADVERTISING SIGNS: Mr. Hamberger presented the proposed "Billboard Ordinance" for Council's consideration. Councilman Porter made a motion to adopt the proposed ordinance. Councilman Stains seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 937, SECTIONS 76 AND 78(B) OF THE ZONING ORDINANCE OF THE BOROUGH OF WAYNESBORO ELIMINATING PROVISION 76(F)(3) AND AMENDING SECTION 78 BY ADDING PROVISIONS FOR ADVERTISING SIGNS AS SECTION 78(C)

Complete copy on file at Borough Hall.

CONSIDER PROPOSED ORDINANCE RE: RE-ZONING ON E. SECOND STREET: Kevin Grubbs noted that both the Waynesboro and Franklin County Planning Commissions have recommended approval of the proposed re-zoning. Councilman Porter made a motion to adopt the proposed

ordinance regarding re-zoning on E. Second Street. Councilman McCammon seconded; the motion passed unanimously.

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING THE OFFICIAL ZONING MAP OF THE BOROUGH OF WAYNESBORO AS PROVIDED IN ORDINANCE NO. 937 BY CHANGING THE ZONING OF A CERTAIN AREA FROM GENERAL COMMERCIAL/OFFICE, GC, TO MEDIUM DENSITY RESIDENTIAL, RM

Complete copy on file at Borough Hall.

EMERGENCY AND MUNICIPAL SERVICES TAX (EMST): Mr. Hamberger noted that this item was placed on the agenda per Council's instruction at their last meeting. He has contacted the School District to confirm that, if the EMST is adopted, they will do the necessary computer work at no additional cost; and the Wage Tax Bureau will charge a 5% fee for collecting the tax.

Councilman McCammon made a motion to adopt the EMST. President George then turned the meeting over to Vice-President Craig Newcomer, and he seconded the motion. Discussion followed regarding the income limit for those individuals who would be exempt from paying the tax. Mr. Hamberger stated that this motion would simply adopt the EMST – specific exemption limits and the amount to be charged will be decided on at a later date. He explained, however, that employers are required to deduct the tax. If an individual is below the exemption limit, they can apply for a refund from the Wage Tax Bureau the following year. Councilman Stains suggested that information on the refund procedure be provided to the public via an article in *The Record Herald*.

A vote was called on the motion to adopt the EMST. Voting in favor were: Jason Stains, Craig Newcomer, Richard George and Charles McCammon; voting in opposition were: Allen Berry and Allen Porter. The motion passed, 4-2.

The meeting was then turned back to Council President George.

"BLINKING LIGHT" ORDINANCE: Mr. Hamberger noted that draft copies of the "Blinking Light Ordinance" were distributed to Council at the last meeting. As this ordinance is an amendment to the Zoning Ordinance, it will need to be reviewed/approved by the Waynesboro Planning Commission. Councilman McCammon made a motion to begin the process for adoption of the ordinance. Councilman Stains seconded; the motion passed unanimously.

NEW BUSINESS

REQUEST FROM ANTIETAM HUMANE SOCIETY FOR "WALK FOR THE ANIMALS": Mr. Hamberger presented a request from the Antietam Humane Society for their annual "Walk for the Animals" to be held on October 8th. They will follow the standard route as in previous years. Councilman Porter made a motion to approve the request. Councilman McCammon seconded; the motion passed unanimously.

REQUEST FOR USE OF ROTARY PARKING LOT BY CLASS OF '59: Mr. Hamberger presented a request from the Class of '59 for use of a portion (30 spaces) of the Rotary parking lot on October 21st from 1-5 p.m. They plan to "show off old cars, cook burgers and dogs, and let everything just happen". Mr. Hamberger noted that he cannot recall ever permitting a private event in the public lot in the past.

Discussion followed regarding individuals who regularly park in the lot and notification on the closing. Councilman Berry asked the Solicitor if she knew of any problems which would result from approving this use. She responded that she would like to review the matter more thoroughly with Mr. Hamberger.

Councilman Berry made a motion to defer the matter until the next Council meeting. Councilman Newcomer seconded; the motion passed unanimously.

2007 MINIMUM MUNICIPAL PENSION OBLIGATION: Mr. Hamberger reported that he is required to annually certify the Minimum Municipal Pension Obligation for the pension plans to Council for the upcoming budget year. Council acknowledged receipt of the information.

RESOLUTION 2006-09: Kevin Grubbs presented a proposed resolution required by PENNDOT for erection of a double-sided banner across Main Street for Main Street Waynesboro, Inc. and the CROP Walk. The resolution outlines the location, size of banner, description of message and events, dates of installation and removal, and assurance that the Borough will assume full responsibility for erecting, maintaining and removing the banner, as well as traffic control. Mr. Hamberger noted that he has received a copy of the Certificate of Insurance from Main Street Waynesboro, Inc.; and the Certificate of Insurance from the CROP Walk will be forthcoming. It was noted that they would like to hang the banner by September 18th.

Councilman McCammon made a motion to approve Resolution No. 2006-09, as presented. Councilman Berry seconded; the motion passed unanimously.

RESOLUTION 2006-09

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO
AUTHORIZING THE INSTALLATION OF TWO (2) DOUBLE-SIDED BANNERS
ACROSS MAIN STREET (S.R. 16)

Complete copy on file at Borough Hall.

SUBDIVISION/LAND DEVELOPMENT - HOMETOWN HOMES: Kevin Grubbs advised that, at their last meeting, the Waynesboro Planning Commission reviewed preliminary plans submitted from Hometown Homes for 37 townhouse units on E. Ninth Street (at Old Mill Road). They made a recommendation for approval, contingent upon revisions being made to the Stormwater Management Plan (which are still in the process of being completed). He noted that the plans meet the requirements of all applicable ordinances. Councilman McCammon made a motion to approve the preliminary Subdivision/Land Development Plan for Hometown Homes, subject to final approval of the Stormwater Management Plan. Councilman Newcomer seconded; the motion passed unanimously.

SCHEDULE PUBLIC HEARINGS: Kevin Grubbs asked for Council's direction on scheduling public hearings for input/comments on the proposed Downtown Business District Re-zoning and Zero Set-Back Ordinances. He reminded them that thirty (30) days are required for review by the Franklin County Planning Commission. Accordingly, it was recommended that the public hearings be held prior to Council's second meeting in October. Council concurred. Mr. Hamberger also suggested that a hearing on the proposed "Blinking Light Ordinance" could be held that evening, if Council so desires.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

ASSET BUILDING LUNCHEON (SEPTEMBER 22, 2006): Council received an invitation to attend an Asset Building Luncheon, sponsored by Waynesboro Communities that Care, Franklin County Drug &

Alcohol and PA Bureau of Drug & Alcohol Programs, to be held on September 22nd, from 11:30 a.m. to 1:30 p.m., at Savoy Catering. RSVP's are requested by September 18th.

CENTRAL TRI-COUNTY BOROUGH ASSOCIATION MEETING (SEPTEMBER 26, 2006): Council received an invitation to attend the upcoming Central Tri-County Boroughs Association Meeting in Marysville on September 26th. RSVP's are requested by September 19th.

FRANKLIN COUNTY DRUG TASK FORCE 2006 AUTUMN BREAKFAST (SEPTEMBER 28, 2006): Council also received an invitation to attend the Franklin County Drug Task Force's 2006 Autumn Breakfast on September 28th at the Antrim House Family Restaurant. RSVP's are requested by September 15th.

PENNSYLVANIA STATE ASSOCIATION OF BOROUGH FALL LEADERSHIP CONFERENCE (OCTOBER 20-22, 2006): Information was provided to Council on the Pennsylvania State Association of Boroughs Fall Leadership Conference to be held on October 20-22, 2006, in Lancaster. Individuals interested in attending were asked to contact Melinda Knott as soon as possible.

NIMS TRAINING: Mr. Hamberger reported that he has made arrangements for the mandatory NIMS (National Incident Management Systems) training session on September 14th, beginning at 5:30 p.m. Several other municipalities will also participate. He anticipates that the training session will be completed by approximately 7:20 p.m.; and interviews will then be held at 7:30 p.m. for consultants for the Joint Borough/Township Comprehensive Plan.

ADDITIONAL INFORMATION FROM BOROUGH MANAGER: Mr. Hamberger noted that Council received the following information:

- Correspondence from YMCA noting their appreciation for use of Memorial Park for their summer programs
- Copy of correspondence to PEMA re: Letter of Intent/Pre-Application for State Hazard Mitigation Grant
- 2007 Budget Schedule

He also noted that Council will need to hold a brief executive session at the end of the meeting to discuss a personnel matter.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-06-21 and 22. Councilman Stains seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Berry requested that the Street Committee review the situation at the newly-opened Ambulance Squad facility on W. Main Street. He has witnessed several "close calls" already, and suggested that flashing lights be installed to warn motorists that an ambulance is entering the street. Councilman Porter noted that he will look into the matter, adding that they would need PENNDOT's approval for any type of installation at this location.

Councilman Newcomer voiced his disappointment that the plans from Hometown Homes were forwarded to Council from the Planning Commission without final approval of their stormwater management designs, adding that the Borough is already experiencing stormwater management problems at several locations. Kevin Grubbs noted that the developer had submitted a stormwater management plan, but is in the process of making revisions. He explained the approval process, and stated that the Planning Commission's approval "with contingencies" allows the developer to move to the next stage.

Fire Chief Ron Flegel reported that there was a fire at the Dollar General Store on Main Street on Saturday evening, and they suffered extensive damage as a result. A sign is posted on their door that reads: "Closed ... please visit our store at Rouzerville Commons". He noted his concern that the future of the downtown Dollar General Store may be in question, and asked if there was anything that Council could do to encourage its continuation.

Chief Flegel informed Council that the new utility vehicle was received in June, and they are in the process of putting it in-service. He invited Council to view the vehicle, and thanked them for their support in providing funds for its purchase.

Councilman Newcomer thanked Denny Benshoff for taking care of an issue on Maple Street. President George echoed his appreciation.

Mayor Starliper noted his congratulations to Chad Bricker on several golf awards he received recently. He asked for an update from the Borough Manager regarding his request from several meetings prior regarding a hazardous item pick-up and shredding program. Mr. Hamberger reported that he has discussed the possibility of a shredding program with County and Township officials, and they would be agreeable to coordinating such an event. The County's hazardous disposal program, however, is longer being done. Mayor Starliper requested that anyone with other suggestions contact him.

Mayor Starliper also reported that several members of the Borough 's staff have organized a team to participate in the American Heart Association's upcoming "Heart Walk" on September 24th. He noted that they would welcome any donations for the cause.

President George stated that he and Councilman Porter met recently with representatives of PENNDOT regarding several issues, one of which was N. Grant Street. The meeting was productive, with much good feedback; and they will get back in touch with the Borough in the near future with their recommendations.

Council and the staff were reminded of the upcoming Employees' Picnic to be held on Saturday, September 23rd, at Renfrew Park. Individuals who have not yet signed up to attend may contact Melinda Knott.

Council then adjourned the meeting to an executive session at 8:21 p.m. They reconvened to regular session at 8:31 p.m.

Mr. Hamberger reported that the Borough's Health Officer has noted she needs to relinquish her duties of restaurant inspections due to health issues, but requested that she stay on for other health-related assignments. Council noted that this may cause confusion and additional difficulties. Accordingly, Councilman McCammon made a motion to proceed with the Commonwealth of Pennsylvania assuming the responsibility of inspecting restaurants in the Borough; and further, to request that the Health Officer submit a written resignation from all duties. Councilman Newcomer seconded; the motion passed unanimously.

Having no further business to discuss, the meeting adjourned at 8:32 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant