

FEBRUARY 2, 2005
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, C. Harold Mumma, John Cook, Charles McCammon, Ardie Winters and Andrew Benchoff

Mayor Louis M. Barlup, Jr.

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benshoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
Ron Flegel, Fire Chief
Jody Sanders, Deputy Fire Chief
Ray Shultz, Police Chief

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

APPROVE MINUTES: Councilman Benchoff made a motion to approve the minutes of the January 5, 2005 public hearing and regular meeting, and the January 19, 2005 regular meeting, as written. Councilman Winters seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Mumma noted that Patrolman Steven Sanders has successfully completed his one-year probationary period. He made a motion to place Mr. Sanders on permanent status, and at the appropriate Patrolman I salary of \$36,356.92/year. Councilman Cook seconded; the motion passed unanimously.

Councilman Mumma then made a motion to hire Erin Stoops as 2005 Pool Manager, at a salary of \$7,500 for the season. Councilman George seconded; the motion passed unanimously.

PROPERTY AND PUBLIC SAFETY COMMITTEE: No report. Councilman Benchoff noted that the Property Committee's next meeting will be a joint meeting with the Personnel Committee on Monday, February 14th, at 7:00 p.m.

STREET COMMITTEE: Pursuant to the street reconstruction program outlined at Council's last meeting, Councilman George noted that notices will be mailed to affected property owners within the next month.

He reported that the traffic study on Third Street has been concluded, and the Street Committee has formulated their recommendations. Mr. George made a motion to establish a four-way stop at Walnut/Third Streets and, further, that the area designated "No Parking Here to Corner" on the northeast corner at Church/Third Streets be moved back one car length. Councilman Cook seconded. Council President McCammon noted his opinion that there should be no stop signs on Third Street, as many people utilize this street as a "bypass" of the downtown area. He requested that a survey be conducted to determine the amount of opposition for this proposed four-way stop. Councilman George noted that the Street Committee has been reviewing the unsafe situation on Third Street for many

months now. With the additional traffic which will be generated from the Rutter's store, they felt that a four-way stop would be a solution in making the area safer for everyone. Mr. McCammon reiterated his request for a survey on the matter. Councilman Benchoff noted that he received one call in opposition, but Councilman George reported only receiving calls in favor. He then moved to the previous question, and a vote was called. The motion passed 5-1, with Councilman McCammon opposing.

Councilman George made a motion to approve the requests for handicapped parking spaces at 112 Fairview Avenue and 217 Cleveland Avenue. Councilman Cook seconded; the motion passed unanimously.

Councilman George requested that Kevin Grubbs convey concerns voiced regarding the proposed West End Development to the Planning Commission for their consideration during the plan review process.

Councilman George then reported to Council that the Borough is considering the purchase of a used street sweeper from the Borough of Columbia. They will utilize the equipment on a trial basis for several weeks and will provide a recommendation on the purchase to Council in the near future. Mr. Hamberger added that he has contacted two municipalities who have the same model (Mt. Airy and Westminster) and they "love it".

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: No report. Councilman Cook noted that the Committee reviewed several ordinances at their last meeting. They will discuss pertinent legal matters with the Solicitor and continue discussion at their next meeting scheduled for February 28th.

Mr. Hamberger requested authorization for the staff and solicitor to initiate the procedure for financing under the Unit Debt Act. The Borough's auditors, Smith Elliott Kearns and Company, will then develop the required Base Borrowing Certificate. Councilman George made a motion to approve the action herein described by the Borough Manager. Councilman Cook seconded; the motion passed unanimously.

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

"As we begin February and six more weeks of winter weather, according to our own Pennsylvania Punxsutawney Phil, we have to be grateful that our climate has been kinder than many places on Earth. But now we begin to gear up for Spring and the many projects which will be occurring. Among these is the repair and reconstruction of our streets, and I would like to commend Dick George on his diligence and determination to establish a workable schedule for this needed work. Thanks, Dick!

Chief Ray has given his report, but I would like to also commend him on the regulations for police officers which he developed and then met to discuss personally with the men. I believe that we now have a strong corps of officers that will enhance the effectiveness of the department.

Also, on January 25, a retirement party for Sgt. Ed Gebhart was held at the Grace Brethren Church, and the turnout and fellowship was truly exceptional. President McCammon and Councilman Cook joined me in honoring Ed, a longtime police officer who made a dedicated commitment to his work."

PUBLIC COMMENT - ITEMS ON AGENDA: Roy Tressler, 121 W. Third Street. Mr. Tressler noted that, according to Council's agenda, "Public Comments on Agenda Items" comes after many of the items have been voted on. He suggested that the public be permitted to discuss items on the agenda prior to Council's vote. Mr. Hamberger noted that the agenda format currently utilized was recommended by the Pennsylvania State Association of Boroughs; and Mr. Tressler requested that this procedure be reviewed further. Mayor Barlup agreed. Borough Solicitor Reichard suggested that the agenda's order remain the same, but Council could defer their vote on matters discussed during the committee reports until after public comments have been received. Councilman Benchoff made a motion to authorize Mr. Hamberger and Melinda Knott to "re-work" the agenda format based on the solicitor's recommendation. Councilman Mumma seconded; the motion passed unanimously.

Delmos Oldham, Tax Collector. Mr. Oldham stated his agreement with President McCammon's proposition for a survey to be conducted with regard to the four-way stop on Third Street. He views the main problem to be speeding, and suggested that a stop sign will not solve that problem.

UNFINISHED BUSINESS

SUBDIVISION (CVS PHARMACY): Kevin Grubbs stated that review of the CVS Subdivision/Land Development Plan was deferred during Council's last meeting until all revisions requested by the Waynesboro Planning Commission had been completed. Mr. Grubbs reported that those revisions have been made, the plan is in conformance with all applicable ordinances of the Borough, and the Planning Commission has recommended approval. He explained that the sign package is a separate issue which will be presented to Council in the near future. Councilman Cook made a motion to approve the Subdivision Plan for CVS Pharmacy, as presented. Councilman George seconded; the motion passed unanimously.

NEW BUSINESS

REQUEST FROM CARNIVAL COMMITTEE (WAYNESBORO FIRE DEPARTMENT): Mr. Hamberger read a request from the Fire Department's Carnival Committee to utilize the Rotary parking lot from August 8 - August 13 for their annual carnival. They would like to close the upper half of the parking lot at 6:00 p.m. on Friday, August 5th, and the remaining lot on Saturday, August 6th, at midnight, to allow for equipment set-up. Councilman Winters made a motion to approve the request, as presented. Councilman Mumma seconded; the motion passed unanimously.

RESOLUTION #2005-03 (FAIR HOUSING RESOLUTION): As part of the CDBG program, the Borough is requested to pass a Fair Housing Resolution each year. Accordingly, Mr. Hamberger presented proposed Resolution #2005-03 for Council's consideration. Councilman Cook made a motion to approve Resolution #2005-03, as presented. Councilman Mumma seconded; the motion passed unanimously.

RESOLUTION #2005-03

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.

CORPORALS CIVIL SERVICE EXAMINATION: Due to the promotion of Corporal Michael Bock to the position of Sergeant, Police Chief Shultz requested that an examination be conducted in order to promote a Corporal to the vacant position. Councilman Cook made a motion to authorize the Civil Service Commission to begin the examination process for Police Corporal. Councilman Mumma seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: Caryl Stalick, 15 W. Third Street. Ms. Stalick reviewed President McCammon's recent comments in *The Herald Mail* regarding the Rutters Store construction. She quoted his statement that "most people in Waynesboro want this", arguing that petitions were generated with 400+ signatures in opposition of the establishment. She re-stated the reasons for their opposition, including safety, violation of historic character of the neighborhood, and low-wage/no benefit jobs. Ms. Stalick also noted that the citizens group is concerned with the responsible development of all of Waynesboro, and they will continue to monitor Council's actions in this regard. Council President McCammon offered no response other than "the Rutters situation is over and construction will begin on Monday morning".

FOR INFORMATION ONLY

COMCAST LETTER: Council members received correspondence from Comcast regarding an increase in their rates.

UPCOMING CONFERENCES/MEETINGS: Mr. Hamberger reminded Council members of the upcoming PSAB Spring Legislative Conference to be held on March 20-22 in Grantville. Those interested in attending were instructed to contact Melinda Knott. In addition, Mr. Hamberger informed Council that Waynesboro will be hosting the next Tri-County Boroughs Association meeting. He will provide additional information at a later date.

TRAFFIC LIGHT AT N. EAST AVENUE/E. MAIN STREET: President McCammon stated it is his understanding that the Street Committee is recommending the installation of a traffic signal at the intersection of N. East Avenue/E. Main Street. He noted that this matter has been discussed by Council many times in the past, and no action has yet been taken. He added that an additional light at this location would make it very cumbersome for traffic to proceed through Main Street. He suggested that *The Record Herald* conduct a survey to allow the public an opportunity to voice their comments on this matter.

PAY BILLS: Councilman Cook made a motion to approve the payment of Voucher List VL-05-02. Councilman Benchoff seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman George noted that the Street Committee's next meeting will be held on February 28th at 9:30 a.m., and he invited the public to attend and participate in any discussions held. He assured the public that their input will be considered in any future decisions made. In response to Mr. McCammon's statement, he commented that the Street Committee has not made a decision about N. East Avenue – they have been discussing the situation, but are not recommending a traffic signal at this time.

Council adjourned to executive session at 8:05 p.m. to discuss legal matters pertaining to the sale of property at 141 E. Fifth Street. Council reconvened to regular session at 8:26 p.m.

Councilman Cook made a motion to authorize the sale of the property at 141 E. Fifth Street, under sealed bids, with the condition that the Borough can reject any or all bids. Councilman Winters seconded; the motion passed unanimously.

Having no further business to conduct, the meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant