

MARCH 17, 2004

WAYNESBORO, PA 17268

Council President Charles McCammon called the regularly scheduled meeting of the Waynesboro Borough Council to order, at 7:41 p.m. (immediately following the public hearing), with the following in attendance:

Borough Council Members - Richard George, Jahnathan Cain, Charles McCammon, Ardie Winters and Andrew Benchoff (John Cook was absent)

Mayor Louis M. Barlup, Jr.

Borough Staff - Lloyd R. Hamberger, II, Borough Manager

Denny Benshoff, Maintenance Superintendent

D. Lloyd Reichard, II, Borough Solicitor

Ray Shultz, Police Chief

Kevin Grubbs, Assistant Director of Engineering

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 February 18, 2004 and the March 3, 2004 meetings, as written. Councilman Winters seconded; the motion passed unanimously.

ACCEPT REPORTS: Councilman George made a motion to accept the reports of the Building Inspector and Police Chief, as presented. Councilman Winters seconded; the motion passed

unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Cain reported that the Personnel Committee met on March 15th. At that time they reviewed the current smoking policy for Borough Hall. The Borough Manager was directed to develop a new policy.

The Manager was also directed to pursue a state grant for a GPS system.

Employee evaluations were also reviewed. Accordingly, Councilman Cain made a motion to approve a step increase for Julie Myers to salary level 7D. Councilman George seconded; the motion passed unanimously. Councilman Cain made a further motion to approve a step increase for Tom Simmers to salary level 10B. Councilman Benchoff seconded; the motion passed unanimously.

The Committee also discussed a proposed position change for Donald Kaiser to fill the vacant Maintenance Custodian/Clerk position at the Maintenance Center. The Committee recommends that he stay at the golf course, however, until a replacement is found.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman Benchoff noted that the Property Committee met on March 9th. During that meeting, they met with several individuals and discussed the proposed position of Interim Fire Chief. After review of the matter, it is the recommendation of the Property Committee to appoint Ronald Flegel as Interim Fire Chief for a 3-4 month period or until he is replaced. They further recommended that a \$200.00/month mileage stipend be paid to Mr. Flegel during his tenure. Councilman Benchoff then made a motion to adopt the Property Committee's recommendations. Councilman Winters seconded; the motion passed unanimously.

STREET COMMITTEE: Councilman George noted that he has contacted individuals whose requests for crosswalks and handicapped parking spaces were approved. Kevin Grubbs stated that the appropriate signs for those locations have been ordered, and they will be installed as soon as they arrive.

Councilman George acknowledged the receipt of letters from David Rotz and Betty Myers. Their requests will be discussed during the Street Committee's meeting to be held on April 5th.

In addition, Mr. George received a telephone call from Joe Bock regarding the Committee's refusal to establish a four-way stop at the intersection of Fairview Avenue and W. Third Street. Mr. Bock will attend the Committee's meeting to discuss the matter and ask that the Committee reconsider their decision.

The Street Committee will also review the request received for a street light at S. Potomac and W. Fifth Streets during their upcoming meeting. Any input on the matter should be forwarded to a member of the Committee, or interested parties are welcome to attend the upcoming Street Committee meeting.

Councilman George added that the state has given approval for additional arrows in the turn-lane on Main Street at Clayton Avenue.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Mr. Hamberger noted that the meeting originally scheduled for Monday, March 22nd, has been rescheduled to Monday, March 29th.

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

"The Pennsylvania Association of Boroughs' spring legislative conference addressed all the major issues facing the municipalities of the Commonwealth. Held this past weekend, March 14-16, it offered an opportunity for me to witness firsthand the various levels at which PSAB works and how our involvement is crucial to our success.

We heard from members of the PA General Assembly, Senior State Officials, and PSAB leadership on what is being done regarding the issues that are currently affecting borough government.

Of particular interest to me was House Bill 1961 and Senate Bill #760, which are known as the Radar Bills. These Bills are currently sitting in the Transportation Committee in both Houses and it is critical that they get to the floor for a vote. If nothing is done by November 30, 2004, both Bills will be terminated for lack of action.

Several senators spoke about the need for Property Tax reform. We are aware that there is a proposal to decrease the state sales tax from 6 to 4% but having the tax include clothing and food. This has strong opposition. The question of slot machines to help fund school tax reform and unfunded mandates was also discussed.

On a local level, the annual Health Fair and Rotary dinner attracted many Waynesboro citizens and friends. This is a joint venture between Rotary and a community service of the Waynesboro Hospital sponsored by the Guyton Fund."

BUS SERVICE (CTA) REPORT: Mr. Hamberger noted that he and two other municipal managers plan to hold a meeting in Chambersburg within the next several weeks to review proposals for the CTA Recovery Plan, as they feel there were some misunderstandings regarding CTA's long-term plans.

PUBLIC COMMENT- ITEMS ON AGENDA: None.

UNFINISHED BUSINESS

KEYSTONE OPPORTUNITY ZONES (KOZ) REPORT: Mr. Hamberger introduced Craig Zumbrun from the South Central Assembly for Effective Governance, who are the administrators of the Keystone Opportunity Zones in District 7 (south central region). He explained that the Borough is considering a nine (9) acre plot located on the Landis-Gardner property for inclusion in this tax-free initiative program. In order to proceed, however, approval by the three local taxing entities would be required. Franklin County has voiced no objections, and he recently presented the concept to members of the Waynesboro Area School Board (two representatives from the School District were present at this meeting). The FCADC has also offered their assistance in any way possible.

Mr. Zumbrun described the tax abatements offered to businesses which locate within a KOZ, and the risks vs. benefits for the taxing authorities. He noted that Pennsylvania is only the second state in the nation to enact such legislation (Michigan being the first). He reviewed the application process, adding that resolutions of intent must be filed with the state by the deadline of May 1st. (The entire application package is due by June 1st). He encouraged Council to consider any other properties which are vacant and/or troubled for inclusion in the application, as multi-site offerings offer more opportunities for prospective developers.

Councilman Cain questioned how many new jobs have been created in this district through the KOZ program. Mr. Zumbrun noted it is over 1300. At last count, 20 new developments were credited to the program, including commercial, residential and industrial.

Councilman George asked if the environmental problems involved with this site have been completely resolved yet. Mr. Hamberger noted that they are currently concluding the last phase of that process.

Discussion followed with School District representatives regarding the extension of program benefits, which must be agreed upon by all three taxing parties. In addition, Mr. Zumbrune explained the caveats required of a PA business which moves into a KOZ in order to be exempt from taxes, including proof of a 10% investment increase from the previous year or at least a 20% increase in the number of full-time employees in the first full year in the zone. Zoning issues were also discussed.

Due to time constraints, Mr. Hamberger noted that Council's focus would be strictly on this particular tract of land. However, Mr. Zumbrun cautioned that "you may be going to bat with one strike against you", as this tract of land is not extremely attractive and the offering of multi-sites would increase their chance for the application to be approved. He provided examples of other possible sites (in addition to brownfields), including storefronts which have been vacant for a long time, small lots which are not very marketable, abandoned houses -- basically any piece of property that has been failing for some time and is unlikely to be improved at any time in the near future.

It was noted that there may be additional sites which could be considered at some time in the future, and Mr. Zumbrune mentioned several other grant possibilities which could be pursued. Ed Geubtner (from the Borough's CDBG consultants, Mullin & Lonergan Associates) noted he is aware of those mentioned.

Mr. Hamberger stated that Council will await a decision from the School Board on the matter. Their next meeting is scheduled for April 13th.

AWARD STONE BIDS: Mr. Hamberger recommended that the stone bids (excepting the anti-skid material) be awarded to Valley Quarries. As there was some confusion on the anti-skid material bid, that item will be re-bid. Councilman George made a motion to award the stone bids (except anti-skid) to Valley Quarries. Councilman Cain seconded; the motion passed unanimously.

PARKING ORDINANCE (ORDINANCE NO. 1019): Mr. Hamberger noted that this item was deferred from Council's last meeting, and he asked for Council's direction. Councilman Benchoff made a motion to re-advertise the ordinance for consideration at the next meeting (April 7th). Councilman Cain seconded; the motion passed unanimously.

NEW BUSINESS

RESOLUTION #2004-09 (AUTHORIZING SUBMISSION OF 2004 CDBG APPLICATION): Mr. Hamberger presented proposed Resolution #2004-09, which would authorize submission of the 2004 CDBG application. Councilman George asked if adoption of this resolution would preclude consideration of the request presented at the hearing by the Franklin County Legal Services. Mr. Hamberger explained that the application can be modified at a later date, if Council so desires. Ed Geubtner added that a public hearing would need to be scheduled if an activity is added, but there would be no waiting period before this could be done. Councilman Cain made a motion to adopt Resolution #2004-09. Councilman Benchoff seconded; the motion passed unanimously.

RESOLUTION NO. 2004-09

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WAYNESBORO
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR STATE COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2004

Complete copy on file at Borough Hall.

ACT 30 COVERAGE FOR POLICE DEPARTMENT: Mr. Hamberger noted that Act 30 insurance coverage was discussed during budget deliberations. He explained that legislation was passed last year requiring that lifetime benefits be paid to survivors of police officers killed in the line of duty. These benefits are paid from the Police Pension Fund unless Act 30 coverage is purchased. The premium for this insurance would be \$2700/year through the PSAB, and he recommended that Council authorize purchasing the coverage. Councilman Cain made a motion to authorize the purchase of Act 30 insurance, as described by the Borough Manager. Councilman Benchoff seconded; the motion passed unanimously.

MODIFICATIONS FOR CLOSING OUT 1999 CDBG PROGRAM: Mr. Hamberger noted that the proposed modifications being made to the 1999 CDBG program were advertised and outlined during the public hearing prior to this regular meeting. These modifications are being made in order to close out the 1999 grant. Councilman Benchoff made a motion to approve the proposed modifications. Councilman George seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE - NON-AGENDA ITEMS: None.

FOR INFORMATION ONLY

PSAB ANNUAL CONFERENCE (JUNE 6-9, 2004): Council members received an invitation to the PSAB Annual Conference to be held on June 6-9, 2004 at the Seven Springs Mountain Resort in Champion, PA. Those interested in attending were asked to contact Melinda Knott.

SEWER MAIN EXTENSION (FRANKLIN COUNTY HOUSING AUTHORITY): Kevin Grubbs presented a Sewer Main Extension for Valley Housing Development Corporation's proposed development on W. Tenth Street. (This would include 24 services). He noted that Borough Council previously approved their Application for Sewer Main Extension. The appropriate deposit and Preliminary Memorandum have been executed and submitted; and the Waynesboro Borough Authority recommended approval of the Main Extension at their meeting the previous evening. Councilman George made a motion to approve the Sewer Main Extension for the Franklin County Housing Authority (Valley Housing Development Corporation). Councilman Cain seconded; the motion passed unanimously.

RESOLUTION #2004-10 (AUTHORIZING EXECUTION OF HIGHWAY OCCUPANCY AGREEMENT): Kevin Grubbs presented proposed Resolution #2004-10, which is required to complete the Ninth Street project. The materials have been ordered, and they anticipate a start date of

April 1st. Councilman Benchoff made a motion to approve Resolution #2004-10. Councilman Cain seconded; the motion passed unanimously.

RESOLUTION #2004-10

BE IT RESOLVED, by authority of the Borough Council of the Borough of Waynesboro, Franklin County, and it is hereby resolved by authority of the same, that the Borough Council President of said Municipality be authorized and directed to sign the Attached Agreement on its behalf, and that the Secretary to Borough Council be authorized and directed to attest the same.

Complete copy on file at Borough Hall.

REQUEST TO UTILIZE NORTHSIDE POOL AREA FOR EASTER EGG HUNT (FAITH UNITED METHODIST CHURCH): A request to utilize the north side of the Northside Pool area for an Easter Egg Hunt on April 3rd was received from the Faith United Methodist Church. Councilman Winters made a motion to approve the request. Councilman Benchoff seconded; the motion passed unanimously.

PAY BILLS: Councilman George questioned the number of various communication groups that the Borough currently deals with. Mr. Hamberger noted there are several, but the services provided by each vary and no volume discounts are offered. Councilman George made a motion approve the payment of Voucher Lists VL-04-08 and 09. Councilman Benchoff seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Mr. Hamberger noted that Council members are invited to attend a ribbon-cutting ceremony at Keys Insurance (at the previous Western Auto Building) on March 19th at 1:15 p.m.

Mr. Hamberger also noted that bidding information was mailed out to numerous businesses for rental of the pool concession stand, however no bids were received. He will begin discussions to negotiate a contract with a willing proprietor. He added that only two applications were received in response to his recent advertisement for pool staff. He will re-advertise and request *The Record Herald* to publicize the fact that staff members are being sought.

Kevin Grubbs informed Council that he will begin mailing out curb/sidewalk repair notices in the very near future for those streets which are being re-paved.

Councilman George spoke on behalf of all Council members in hoping that Councilman John Cook is recuperating well.

Having no further business to discuss, the meeting adjourned at 8:40 p.m.

Respectfully Submitted,

Melinda S. Knott

Administrative Assistant