

PAXTANG BOROUGH COUNCIL  
Municipal Building 3423 Derry Street  
Regular Business Meeting  
February 17, 2009

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:19 p.m., followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Roll call was taken

Council Members Present:

Council President	John N. Ninosky Sr.
Council Vice-President	E. Denny Beaver

Council Members	Sheila Borne Fuller
	Heather LaCour
	Virginia Panza
	Deborah Seneca – entered at 7:26 p.m.

Council Members Absent:	John Rowe
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Mayor	Keldeen Stambaugh
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Borough Manager-Chief	Kenneth E. Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	J. Stephen Feinour
Fire Chief	Todd Zwigart

**MINUTES**

\*1) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of January 20, 2009 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

**TREASURER'S REPORT**

\*2) Councilman Beaver made a motion to dispense with the reading of the Treasurer's Report from the Regular Business Meeting of January 20, 2009 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

**REPORT OF THE FIRE CHIEF**

Chief Zwigart referred Council to his written report for the month of January, 2009, and offered a verbal explanation as well. Chief Zwigart thanked all those that were able to attend the Fire Company banquet.

**REPORT OF THE MANAGER**

Information on future seminars was sent to Council members prior to the Regular Business Meeting. Manager Beard offered Council an opportunity for discussion.

Resolution 01-09: Manager Beard presented for Council's consideration Resolution 01-09. This resolution relates to the Pennsylvania Historical Museum Commission's Retention and Destruction Schedule approved by the Commission on December 16, 2008.

\*3) Vice-President Beaver made a motion to Adopt **Res. 01-09**. Motion seconded by Councilwoman Panza. Motion carried.

Resolution 02-09: Manager Beard presented for Council's consideration Resolution 02-09. This resolution authorizes the Borough use of the PennDOT electronic dotGrants system for filing appropriate reports.

\*4) Vice-President Beaver made a motion to Adopt **Res. 02-09**. Motion seconded by Councilwoman Panza. Motion carried.

Resolution 03-09: Manager Beard presented for Council's consideration Resolution 03-09. This resolution adopts the Dauphin County Emergency Preparedness Plan.

\*5) Vice-President Beaver made a motion to Adopt **Res. 03-09**. Motion seconded by Councilwoman Panza. Motion carried.

On behalf of EMA Director Robin Bloss, Manager Beard thanked those that were able to participate in the TMI exercise last Thursday, February 12<sup>th</sup> in Council Chambers.

Appointment: Manager Beard asked for Council's consideration in reappointing Mr. Robert Fisher as a member to the Civil Service Commission.

\*6) Councilwoman Borne Fuller made a motion to reappoint Mr. Robert Fisher to the Civil Service Commission. Motion seconded by Councilwoman Panza. Motion carried.

Joint Energy Purchase: A letter from Benchmark Energy Solutions outlining a power and energy purchasing program has been forwarded to the Borough Solicitor and the Borough Engineer for their consideration.

Building Renovations: Manager Beard invited Council to stop by the gymnasium as the painting project has now been completed. On behalf of the Paxtang Lions, Manager Beard thanked those that were able to attend the Lions Club Pancake Breakfast last Saturday, February 14<sup>th</sup>.

The door to Council Chambers will be re-keyed as Council Chambers was used as a temporary storage facility for municipal documents while the office vault underwent renovations. Manager Beard will assign keys to authorized personnel.

Mini-Comp Plan: Manager Beard referred Council to the written report from Chris Knarr of Rettew Associates. Mr. Knarr suggested holding the required public hearing immediately prior to the Regular Business Meeting on Tuesday, March 17<sup>th</sup>.

\*7) Vice-President Beaver made a motion to hold a public hearing on March 17<sup>th</sup>, 2009 at 6:30 p.m. prior to the Regular Monthly Business Meeting and to advertise for the meeting. Motion seconded by Councilwoman Panza. Motion carried.

Manager Beard mentioned that the plans have been sent to The Tri-County Regional Planning Committee, Central Dauphin School District and all three adjacent municipalities for their comments.

Councilwoman Seneca entered at this point – 7:26 p.m.

DCNR Grant: Manager Beard has been in contact with the Borough Engineer regarding their assistance with a DCNR grant. This grant would provide funding for improvements in the "Paxtang Commons" area as well as acting as a tie-in with the proposed Mini-Comp Plan. Proposed improvements would be for handicapped parking spaces at the lower ball field, the possible purchase of Tot Lot playground equipment, a community parking facility, and funding for a slight relocation in the Greenbelt trail.

A second grant might be needed to acquire land or possibly establish easements from commercial properties situated along the railroad from the Municipal Building, west to the Visiting Nurses Association, located at 3315 Derry Street. DCNR might require appraisals for the back portions of these properties. Funding for the appraisals could be made available through the Capital Reserve Building Fund.

If a grant is awarded, matching funds will be required by DCNR. Engineer Shradley suggested a partnership with the Greenbelt Association, as they provide a great number of hours that could possibly be applied towards an in-kind match. Manager Beard is hoping the property owners will see the advantages to an agreement that while allowing the Borough acquisition of the land, they will still have use of the property. Manager Beard and Engineer Shradley believe any land acquired through a donation arrangement could possibly be applied towards a match as well.

\*8) Councilwoman Borne Fuller made a motion to authorize Rettew Associates to move forward and prepare the necessary grants as proposed by DCNR. Motion seconded by Vice-President Beaver. Motion carried.

Lions 5-K Run: A request has been received from the Lions Club to conduct the 10<sup>th</sup> Annual 5-K Run through the Borough on Saturday, May 23<sup>rd</sup>.

\*9) Vice-President Beaver made a motion to approve the Lions 5-K Run. Motion seconded by Councilwoman Panza. Motion carried.

Shade Tree Commission: Manager Beard expressed his vision of perhaps deeding the Borough owned trees back to the property owners and that possibly the Commission would be interested in gathering public comments regarding this matter.

Yard Sales: Manager Beard asked Council for their consideration in setting dates for a Spring and Fall Yard Sale. It was the decision of Council to schedule Community Yard Sale dates on Saturday, June 6<sup>th</sup>, and Saturday, August 29<sup>th</sup>.

Solid Waste Contract: Manager Beard is in possession of the signed contract from Waste Management. The new contract will be in affect from February 2, 2009 to January 31, 2012. The arbitration decision regarding the Tipping Fee is to be announced on or before February 18<sup>th</sup>.

Clean Air Challenge: A request has been received from the Clean Air Council, asking for participation in a Smoke Free Community Challenge to raise awareness about the dangers of second-hand smoke in homes and cars and to promote healthy lifestyle choices in select Townships throughout Pennsylvania from March 1<sup>st</sup> to May 15<sup>th</sup>. No action taken.

Paxtang Avenue Curbs: As of this date, six (6) properties are listed as having outstanding invoices. Manager Beard has made personal contact with four (4) owners who indicated that they would be submitting payment within the next week to ten (10) days. One owner has not been able to return a call to Manager Beard and one has requested an exemption from payment.

Police Report: Chief Beard referred Council to the written report for police activities for the month of January and offered a verbal explanation as well.

Request for Executive Session: Manager Beard asked Council to consider an Executive Session for the purpose of discussing labor issues and possible litigation. President Ninosky suggested honoring this request at the end of the Regular Business Meeting.

**AUDIENCE PARTICIPATION** - No Report

### **REPORT OF THE MAYOR**

Mayor Stambaugh thanked the Lions Club for the wonderful Pancake Breakfast they served last Saturday, February 14<sup>th</sup>. A proposal has been offered to the Borough from the Lions Club for the purchase of ten (10) new tables. The Lions Club would be willing to purchase ten (10) tables if the Borough would consider a matching purchase of ten (10) additional tables. Vice-President Beaver said allocations for the Borough's contribution would be available through the Capital Reserve Building Fund.

\*10) Councilwoman Borne Fuller made a motion to partner with the Lions Club and purchase 10 new tables with the Lions purchasing 10 tables and to dispose of the tables being replaced. Motion seconded by Councilwoman Panza. Motion carried.

**REPORT OF THE SOLICITOR** – No Report

### **REPORT OF CODES ENFORCEMENT**

Codes Enforcement Officer Ed Wenger referred Council to his written report for the month of January and offered a verbal explanation as well. Mr. Wenger said he is looking into the condition of a porch roof in

the 3700 Block of Derry Street. This issue was brought to his attention at the Regular Business Meeting on January 20, 2009. (Documentation on this subject is recorded on page 338 of the 2009 Minute Book).

#### **REPORT OF THE ENGINEER**

Engineer Shradley would like Council's authorization to advertise the bidding of road materials for the 2009 joint venture road project with Penbrook. Manager Beard stated Council authorized advertising this project at the January 2009 Regular Business Meeting.

#### **COMMITTEES**

*Administration* – No Report

*Highway* – No Report

*Property and Recreation* – No Report

*Public Safety* – No Report

*Public Relations* – Councilwoman LaCour expressed her appreciation to all those that were able to help distribute the Paxtang Post. The next newsletter will include articles for April, May and June. The deadline for articles will be March 20<sup>th</sup>.

*Health and Sanitation* – No Report

**UNFINISHED BUSINESS** – No Report

**NEW BUSINESS** – No Report

**COMMUNICATIONS** – Manager Beard presented the following communications.

A communication regarding a property on Park Terrace in need of clearing the sidewalks and a concern of an abandoned vehicle parked in the street. Contact has been made with the property owner's son in order to resolve the complainant's concerns.

A communication from a resident against whom we took pro-active action against for blocking off their sidewalk because of a lack of snow removal. Action has been taken and things seem to be fine.

#### **PRESENTATION OF BILLS**

\*11) Vice-President Beaver made a motion to pay the bills. Motion seconded by Councilwoman Panza. Motion carried.

At 8:00 p.m. President Ninosky announced that Council would retire to Executive Session for the purpose of discussing labor issues and potential litigation.

At 8:35 p.m. President Ninosky reconvened the Regular Business Meeting with the announcement that Council discussed labor issues and potential litigation.

Mayor Stambaugh asked that a date be set for a Town Meeting. This meeting is being held so that residents may voice their ideas and offer feedback regarding the future of the Borough. The April 27th Workshop will be canceled and the Town Meeting will be scheduled for Tuesday, April 28<sup>th</sup> at 6:30 p.m. in the municipal gymnasium. Advertising will take place through the Borough web site, the Paxtang Post and the Patriot News. Mayor Stambaugh will be in contact with Mary Klaus, a representative with the Patriot News.

#### **ADJOURNMENT**

\*12) Vice-President Beaver made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Panza. Motion carried. At 8:40 p.m. President Ninosky adjourned the Regular Business Meeting.

Secretary \_\_\_\_\_

1. Minutes
2. Treasurer's Report
3. Adopt Res. 01-09-Retention/Destruction Schedule
4. Adopt Res. 02-09-PennDOT dotGrants
5. Adopt Res. 03-09-Dauphin Co. Emergency Preparedness Plan
6. Reappoint Robert Fisher-Civil Service
7. Public Hearing – Mini Comp Plan
8. DCNR Grant – Grant Writer – Rettew
9. Approve Lions 5-K Run
10. Purchase Tables
11. Pay Bills
12. Adjourn