

**PAXTANG BOROUGH COUNCIL**  
**Regular Business Meeting**  
**December 16, 2008**

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:15 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 R. Ninosky, Sr.
Council Vice-President	E. Denny Beaver

Council Members	Sheila Borne Fuller – entered at 7:50 p.m. Heather LaCour Virginia Panza Deborah Seneca – entered at 7:25 p.m.
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Mayor	Keldeen Stambaugh
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Council Members Absent	John Rowe
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Borough Manager-Chief	Kenneth E. Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	J. Stephen Feinour
Fire Chief	Todd Zwigart - absent

**MINUTES**

\*1) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of November 18, 2008 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

**TREASURER'S REPORT**

\*2) Vice-President Beaver made a motion to dispense with the reading of the Treasurer's Report from the Regular Business Meeting of November 18, 2008 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

**REPORT OF THE FIRE CHIEF**

In the absence of Fire Chief Zwigart, Manager Beard referred Council to Chief Zwigart's written report for the month of November. Manager Beard received favorable comments regarding Santa's visit through the Borough. President Ninosky asked Manager Beard to pass along his gratitude to those involved in making this event a success.

**REPORT OF THE MANAGER**

Information on future seminars was sent to Council members earlier in the week for their review. Manager Beard offered Council an opportunity for discussion.

Resolution **04-08**: Manager Beard offered for Council's consideration Resolution **04-08**, adopting the Paxtang Borough Right-to-Know Policy for Public Records.

\*3) Councilwoman Panza made a motion to adopt Resolution **04-08**. Motion seconded by Councilwoman LaCour. Motion carried.

2009 Meeting Dates: It was the desire of Council to continue the practice of scheduling Council Meetings for the third Tuesday of each month, except where it conflicts with a major holiday, at which time the regular business meeting will take place the following Wednesday. Workshops will continue to take place on the last Monday of each month, with the exception of July, August, and December.

\*4) Councilwoman Panza made a motion to move forward and schedule meeting dates for 2009. Motion seconded by Councilwoman LaCour. Motion carried.

Dauphin County Planning Commission: A final draft has been presented regarding the Dauphin County Park, Recreation, Open Space and Greenway Plan and will now be open for public comment.

Dauphin County Municipal Stormwater Management: This committee is seeking a representative to attend their meetings. Councilwoman Panza offered to represent the Borough. President Ninosky extended his gratitude to Councilwoman Panza for offering to serve on this committee.

Engineer's Contract: A proposal has been received from Rettew Associates to extend their services through 2009. This proposal is the same as that presented in 2008, with the exception that Rettew would now charge \$125.00 per meeting rather than on a per month basis, resulting in a net increase of \$200.00 more per year.

\*5) Councilwoman Panza made a motion to retain the engineering firm of Rettew Associates for the year 2009. Motion seconded by Vice-President Beaver. Motion carried.

Solid Waste Contract: Manager Beard is waiting for the return of the signed contract from Waste Management. Mr. Thomas Stang, Director of Marketing with Waste Management would like to insert language into the contract that would allow for the increase in the Tipping Fee as proposed by the Harrisburg Resource Recovery Facility. The position of the Borough Solicitor is that Waste Management should be held to their original bid as submitted. Manager Beard will contact the Dauphin County Board of Commissioners informing them that the Borough is in support of the County's decision that the Tipping Fee is unacceptable and unjustified.

Leaf Collection: Leaf collection for 2008 is now completed.

Paxtang Curb Project: Of the 35 billable properties, payment has been received from 21 and a request for an extension for another five, leaving five more. President Ninosky suggested letters be sent to the property owners as a reminder that the 120 day grace period has expired and that payment is due within 30 days from the date of the letter before the matter is referred to the Solicitor.

Surplus Property Bid: Payment has been received from Mr. Don Wood, the successful bidder for the surplus GMC pick-up truck and he is now in possession of the truck.

Vacation of Right-of-Way: The large pile of debris from a property located on Brookwood Street has been cleared.

Ordinance Consideration: Manager Beard presented for Council's consideration Tax **Ordinance No. 616** establishing the 2009 Real Estate Tax rate at 9.26 mils, Fire at .38 mils, and Highway at .36mils, for a total of 10 mils.

\*6) Councilwoman Panza made a motion to adopt Tax **Ordinance No. 616**. Motion seconded by Vice-President Beaver. Motion carried.

Councilwoman Seneca entered at this point – 7:25 p.m.

Ordinance Consideration: Manager Beard presented for Council's consideration **Ordinance No. 617** setting a charge of \$230.00 per residential dwelling unit for the disposal of Solid Waste for 2009.

\*7) Councilwoman Panza made a motion to adopt **Ordinance No. 617**. Motion seconded by Vice-President Beaver. Motion carried.

Ordinance Consideration: Manager Beard presented for Council's consideration **Ordinance No. 618**, setting the 2009 Sewer rate at \$50.00 per residential dwelling. Commercial charges are outlined under the Schedule of Charges in the proposed ordinance.

\*8) Councilwoman Panza made a motion to adopt **Ordinance No 618**. Motion seconded by Vice-President Beaver. Motion carried.

General Code: Re-Codification of Borough Ordinances will begin on Thursday, December 18<sup>th</sup>.

School Crossing Schedule: Manager Beard extended his gratitude to Vice-President Beaver and Mr. Murvin Grunden for providing coverage at the school crossing while Public Works employee Saul Schmolitz was on vacation.

Lions Club Pancake Breakfast: A request has been received from the Paxtang Lions Club for use of the gymnasium in order to set up and conduct their annual pancake breakfast, scheduled for Saturday, February 14<sup>th</sup>.

\*9) Councilwoman Panza made a motion to honor the request of the Paxtang Lions Club. Motion seconded by Councilwoman LaCour. President Ninosky acknowledged the Lions Club as a Borough non-profit service organization and therefore will have the rental fee waived. Motion carried.

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

Civil Service Report: Chief Beard offered for Council's consideration the Civil Service Commission report for 2008.

\*10) Councilwoman Panza made a motion to approve the findings of the Civil Service Commission. Motion seconded by Vice-President Beaver. Motion carried.

Officer Resignation: A letter of resignation from Officer Wade Bloom was presented at the November Regular Business Meeting. At that point in time no action was taken from Council. Chief Beard asked Council for their consideration in this matter.

\*11) Vice-President Beaver made a motion to accept Officer Bloom's resignation, with regret. Motion seconded by Councilwoman Panza. Motion carried.

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

#### **AUDIENCE PARTICIPATION**

Mr. Gurvin Grunden extended well wishes and a Merry Christmas and Happy New Year to all.

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#### **REPORT OF THE MAYOR**

Mayor Stambaugh reported the second annual "Cookies and Crafts with the Mayor" took place this past weekend and she offered her thanks to Councilwoman Seneca for coordinating the event, and to Councilwoman LaCour for her assistance in leading a craft project.

#### **REPORT OF THE SOLICITOR** – No Report

#### **REPORT OF CODES ENFORCEMENT**

Manager Beard referred Council to the written report from Codes Enforcement Officer Wenger and offered an explanation as well.

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

In addition to his written report, Engineer Shradley informed Council that the Mini-Comp Plan Steering Committee held their final meeting and has recommended approval of the plan. Mr. Chris Knarr will

attend the Regular Business Meeting in January to present the plan. A review period for public and county comments is required prior to final adoption by the Borough.

### **COMMITTEE REPORTS**

*Administration* – Vice-President Beaver offered for Council’s consideration the **Second Reading** of the proposed budget for 2009.

\*12) Councilwoman Panza made a motion to adopt the proposed budget for 2009. Motion seconded by Councilwoman LaCour. Motion carried.

Vice-President Beaver reminded Council that a public meeting would be scheduled in the Spring for residents to voice their ideas and to offer feedback regarding the future of the Borough. The Department of Community & Economic Development offers a program for evaluating the financial status of municipalities and a meeting will be scheduled in the near future in order to enlist their assistance. This program is offered at no charge. President Ninosky and Councilwoman Panza offered their appreciation and gratitude to Vice-President Beaver for his dedication in preparing the 2009 budget.

At this time Manager Beard asked Council to entertain input from Borough resident, Mr. Ray Patakis.

Mr. Patakis made inquiry as to the policy and procedure for informing residents that the budget is available for comment before its adoption. President Ninosky advised the budget was discussed at earlier Workshops and at the November Regular Business Meeting with the **First Reading** of the proposed budget. Along with the budget being advertised in the Legal section of the Patriot News, a copy of the proposed budget is also available in the Borough office for those wishing to review before its adoption. Mayor Stambaugh will be submitting an “overall” view of the budget for the next publication of the Paxtang Post and reminded the audience of the public meeting that would be offered in the Spring and encouraged all to attend.

Councilwoman Borne Fuller entered at this time – 7:50 p.m.

*Highway* – No Report

*Property and Recreation* – No Report

*Public Safety* – No Report

*Health and Sanitation* – No Report

*Public Relations* – Councilwoman LaCour stated the editorial deadline for the *Paxtang Post* will be January 12<sup>th</sup>.

**UNFINISHED BUSINESS** – No Report

**NEW BUSINESS** – No Report

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

The Humane Society, urging municipalities to provide shelter for abandoned and stray animals by contracting with the Humane Society of Harrisburg thus providing protection for dogs, cats, and people.

Mr. Luke Schrader suggested looking into the possibility of conducting a “Name the Best Dressed House in Paxtang” contest.

Ms. Lartz, thanking Public Works employees on the job well done with leaf collection this year.

Ms. Dory Forsyth, offering her gratitude to the borough for the installation of benches at the children’s play area at the lower field.

Manager Beard extended a Merry Christmas and Happy Hanukkah to all in attendance.

Mayor Stambaugh received information that a Borough resident is looking for someone to help with yard work. She urged all to contact the Mayor if you know of anyone willing to lend assistance, or of any agencies offering services of this nature.

#### **PRESENTATION OF THE BILLS:**

\*13) Councilwoman Panza made a motion to pay the bills. Motion seconded by Vice-President Beaver. Motion carried.

At 8:03 p.m. President Ninosky announced that Council would retire to Executive Session for the purpose of discussing labor issues and potential litigation.

At 8:38 p.m. President Ninosky reconvened the Regular Business Meeting with the announcement that Council discussed labor issues.

\*14) Vice-President Beaver made a motion to waive the carry over time for the two Police Officers that requested such for this year with the condition that they are using that time within the next six (6) months. If the time is not used within the six (6) months, that time is forfeited. Motion seconded by Councilwoman Panza. Councilwoman Seneca asked if this time must be scheduled. Vice-President Beaver indicated that arrangements would be made for the time in question to be scheduled within the first six (6) months. Motion carried.

\*15) Vice-President Beaver made a motion to allow the Borough Secretary a “buy out” of her carry over time that she would have lost. Motion seconded by Councilwoman Panza. Motion carried.

#### **ADJOURNMENT**

\*16) Vice-President Beaver made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Panza. Motion carried. President Ninosky adjourned the Regular Business Meeting at 8:40 p.m.

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Secretary

1. Minutes
2. Treasurer's Report
3. Adopt Res. **04-08** - Right-to-Know Policy
4. Schedule Meeting Dates 2009
5. Retain Rettew Associates - Borough Engineer
6. Adopt **Ord 616** - Tax Ordinance 2009
7. Adopt **Ord 617** - Solid Waste 2009
8. Adopt **Ord 618** - Sewer Rate 2009
9. Paxtang Lions - Pancake Breakfast
10. Civil Service Annual Report
11. Resignation - Officer Wade Bloom
12. Adopt **Second Reading** - Budget
13. Pay Bills
14. Police - Waive Carry Over Time
15. Secretary - Buy Out - Carry Over Time
16. Adjourn