

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
September 18, 2007

President Spackman 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	F. Joseph Spackman
Council Vice-President	John Ninosky

Council Members	E. Denny Beaver
	Heather LaCour
	Virginia Panza
	John Rowe
	Deborah Seneca

Mayor	Keldeen Stambaugh
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Borough Manager-Chief	Kenneth Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

MINUTES

*1) Vice-President Ninosky made a motion to dispense with the reading of the Minutes and to approve same. Motion seconded by Councilman Beaver. Motion carried.

*2) Vice-President Ninosky made a motion to dispense with the reading of the Treasurer's Report and to approve same. Motion seconded by Councilwoman Panza. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart presented Council with a written report on the monthly activities for the Fire Company and the Fire Police. Chief Zwigart reported that the 2007 "CrabFest" was a success. In recognition of National Fire Prevention Week, an Open House is scheduled for Wednesday, October 10th from 6 p.m. to 9 p.m. at the Fire House. The Fire Company will also be involved with various programs at the Paxtang Elementary School. Chief Zwigart is waiting to receive notification of the status on their grant application.

REPORT OF THE MANAGER

DCED Mini Comp Plan: A meeting for Borough business owners is scheduled for Wednesday, October 3 from 2 to 4 p.m. in Council Chambers. A public participation meeting is to be held on Thursday, October 4th from 6:30 to 9:00 p.m. at the Borough Building.

Snowplow Bid: Manager Beard asked Council to consider the purchase of an 8.5' Western V Plow from Lancaster Truck at a state contract price of \$4,575.00.

*3) Councilman Rowe made a motion to authorize the purchase of an 8.5' Western V Plow for \$4,575.00. Motion seconded by Councilwoman Panza. After discussion, motion carried.

Manager Beard asked Council to consider the purchase of a "Show-Me" "Luminator" light bar in the amount of \$425.00, along with a used control switchbox for an "Arrow Stick" in the amount of \$100.00 from K & C Communications.

*4) Councilman Beaver made a motion to purchase a “Show-Me” “Luminator” light bar and controller. Motion seconded by Councilwoman Panza. Motion carried

Salt Spreader: Manager Beard asked Council to consider the purchase of a Western “Tornado” from Industrial Motors at a cost of \$4,274.01. This purchase would be for use with the Highway pick-up truck, allowing the Borough to now have two available units to dispense road salt.

*5) Councilman Rowe made a motion to purchase the Western “Tornado” priced at \$4,274.01. Motion seconded by Councilwoman Panza. After discussion, motion carried.

Rhino Bed Liner: It was offered for Council’s consideration the purchase of a Rhino bed liner at a cost of \$400.00 from Rhino Linings.

*6) Councilman Rowe made a motion for the purchase of a Rhino bed liner. Motion seconded by Councilwoman Panza. Motion carried.

Front Yard Ordinance: Manager Beard has been notified by the Tri-County Planning Commission that they have rejected the proposed modification to the Zoning Ordinance dealing with the definition of a front yard. Manager Beard will be in contact with Tri-County Planning regarding further review.

Traffic Ordinance: Manager Beard offered for Council’s consideration **Ordinance No. 608** (establishing special purpose parking zones), amending the Code of Ordinances to allow for “No Parking” on the north side of Rutherford Street between Walnut and Swan Streets at the Paxtang Elementary School.

*7) Vice-President Ninosky made a motion to adopt **Ordinance No. 608**. Motion seconded by Councilman Rowe. Motion carried. After discussion, motion carried.

Open Burning Ordinance: Manager Beard offered for Council’s consideration **Ordinance No. 609** regulating open burning within the Borough. The following residents addressed their concerns on this matter.

- Ms. Jan Chaplick of 3111 Brookwood Street.
- Ms. Jan Zarick of 3623 Rutherford Street.
- Mr. Stephen Zarick of 3623 Rutherford Street
- Ms. Angela Zook 101 North Paxtang Avenue

Ms. Chaplick along with Ms. Zarick acknowledged their gratitude to the Borough for taking action in regard to the issue of open burning.

For the benefit of the audience, several Council members and Mayor Stambaugh offered a detailed explanation as to the content of this Ordinance.

*8) Councilman Rowe made a motion to adopt **Ordinance No. 609**. Motion seconded by Councilwoman Panza. Motion carried.

Storm Sewer Inlet: A storm sewer inlet on Sharon Street between Kelso and Paxtang Avenue has been repaired. The Borough Engineer has inspected the construction and found that the site needs sealed and seeded. Manager Beard asked Council to authorize payment of the invoice from Dillsburg Excavating and Septic, Inc. provided we receive a satisfactory inspection from our Engineer.

*9) Vice-President Ninosky made a motion to pay the storm sewer inlet repair bill after receiving approval from the Borough Engineer. Motion seconded by Councilwoman Panza. Motion carried.

PPL Request: A request has been received from PPL to relocate utility poles in the 3500 block of Simpson Road at Saussaman Park from the south side of the roadway to the north side of the roadway. After consultation with the Borough Engineer, no objection was found and Manager Beard therefore has given authorization for the relocation of these utility poles. This project is designed to deliver electric service to the Paxtang Cemetery for a cell tower.

Capital City Adventure Challenge: Provisions will be made to block off one lane on Derry Street from 8 a.m. to 9 a.m. on Saturday, September 22 for a proposed bicycle race. Fire Police will be detailed for this event.

St. Catherine's Request: A request has been received from the basketball coach of St. Catherine Laboure Parish asking Council to consider waiving the rental fee for the use of the borough gymnasium. This organization has submitted documentation that they are a 501 (c) status organization. Considerable discussion followed in regard to their request.

*10) Councilman Rowe made a motion to deny St. Catherine's request for a waiver of fees. Motion seconded by Councilwoman Panza. Motion carried.

PPL Day of Caring: On Friday, September 7th, PPL offered their services to clear trees throughout the Greenbelt. This service was provided at no cost to the borough.

PSAB Broker of Record: Manager Beard has sent our request to The PA State Association of Boroughs indicating our authorization naming Commonwealth Professional Group as Broker of Record for our health insurance.

Fire Department Request: A request has been received from the Fire Department asking if the Borough would consider purchasing an escape ladder for their bunkroom. Manager Beard presented Council with two options for their review. Manager Beard recommended the A-3 25 foot ladder at a cost of \$169.95 along with an explanation for his choice.

*11) Vice-President Ninosky made a motion to purchase the fire escape ladder for the bunkroom. Motion seconded by Councilman Rowe. Discussion was held on using allocations from the building fund. Motion carried.

Pension Audit: Manager Beard offered for Council a letter from the State Auditor General on the Borough pension plans. Manager Beard explained, in detail, the findings of this report in reference to the non-uniform pension plan. The auditors would like to see the borough give the balance of the state aid to them immediately and then follow up after the first of the year once the final wage figures have been determined.

MMO Certification: Council was presented with the MMO Certifications for 2008. These certifications are for both the uniform and non-uniform pension plan. Manager Beard explained the need to have the plans certified by the end of September.

*12) Vice-President Ninosky made a motion to approve the 2008 MMO for uniform and non-uniform pension plans. Motion seconded by Councilman Beaver. Motion carried.

Police Report:

- Chief Beard has received a request from Penbrook Police to detail a Police Officer for their Halloween Parade on Thursday, October 18th at 7:00. This would be a four (4) hour block of time.

*13) Vice-President Ninosky made a motion to authorize the Chief of Police to provide an officer, as requested from Penbrook Borough, to assist with their Halloween Parade. Motion seconded by Councilman Rowe. Motion carried.

- The Officer that compiles the written report for Chief Beard has been occupied with several investigations and has not been able to forward a written report; therefore Chief Beard presented Council with a verbal account for the month of August.

AUDIENCE PARTICIPATION

Murv Grunden of 3323 Brisban Street presented the following items for Council's consideration:

- The Historical Society will hold their regular meeting on October 1st in the borough gymnasium at 7:00 p.m. There will be a presentation on "The War of 1812" from Dr. Aaron Larson.
- A "members only" event is scheduled for January 13th, 2008 at the National Civil War Museum.
- The Historical Society will be participating in the 100th year anniversary celebration of Paxtang Elementary School on November 3.
- The Pennsylvania State Library will be holding a "Genealogy Day" on September 9th. Mr. Grunden has more information for anyone interested in attending.

Brenda Noell of 19 North 30th Street made inquiry to the following:

- Concern of the possibility of a borough resident keeping an alligator at their residence. Manager Beard commented that the alligator has been taken to a zoo and the situation has been taken care of.
- The possibility that this same resident has a dog that has attacked various animals within the borough. Codes Official Ed Wenger stated he has been in contact with the owner and that this is the first time he has heard of such attacks. He stressed the importance of receiving formal complaints, in order to conduct a proper investigation. Ms Noell also stated that she has heard that this resident could also possibly be in possession of a number of reptiles and several dogs.

Mayor Stambaugh asked if the report regarding the alligator addressed the number of reptiles at the residence in question. Manager Beard stated a report was received stating “an alligator” and that the resident relocated “an alligator”. Codes Enforcement Officer informed the resident of the Leash Law Ordinance, indicating the Ordinance allows for dogs and cats only.

REPORT OF THE MAYOR

International Walk to School Day is scheduled for Wednesday, October 3rd. Mayor Stambaugh will prepare a Mayoral Proclamation for this event.

Councilwoman Seneca gave a brief history of International Walk to School Day. The community is encouraged to join with parents and students as they participate in this event.

REPORT OF THE SOLICITOR

Solicitor Laskowski presented the following:

- Sewer Flushing Unit – The agreement with Penbrook Borough for the use of the Sewer Flushing Unit will require that an Ordinance be initiated and advertised. Solicitor Laskowski has been in contact with the Solicitor from Penbrook Borough on this matter and a proposal should be ready for consideration at the regular Council Meeting in October.
- PennDOT Payment Agreement – Solicitor Laskowski gave a status report regarding the payment agreement to PennDOT for the Paxtang Avenue Curb project.

Mayor Stambaugh asked if it would be possible for the Borough to participate in automatic bill payments. Solicitor Laskowski indicated he would look into the matter.

For the benefit of the audience, Mayor Stambaugh explained the history of the Paxtang Avenue Curb project. Council members asked what calculations would be used in determining the final payment that each resident involved would be responsible for. Discussion was also held on the possibility of supplemental state funding and what other avenue would be set into place if this grant does not become available to the Borough.

Possible suggestions for billing the residents were:

- Bill the entire amount to the residents.
- Guarantee that the \$40,000.00 for the project will be subsidized from another source.
- Bill the original amount to the resident and refund them at a later date, if need be.
- Bill the lower amount, and if additional grant monies are not available, the Borough would absorb the outstanding portion.

*14) Vice-President Ninosky made a motion that the Borough issue bills to the residents based upon the estimated amount originally proposed by PennDOT proposal and not the actual billed amount. Motion seconded by Councilman Rowe. Discussion was held and the motion was amended to read “to issue bills to the residents for the subsidized or grant amount.” Motion carried.

Discussion followed as to start the process of sending letters to the residents involved in this project.

REPORT OF CODES ENFORCEMENT

Code Enforcement Ed Wenger referred Council to his written report for the month of August. Mr. Wenger advised Council that under the category of ‘Apartment Inspections’ it should read 1 instead of 0. Discussion was held in regard to how often a rental property is to be inspected. Mr. Wenger made reference to the Ordinance stating the property must be inspected at least once every three years and that he has the authority to inspect a property on an as-needed basis, with probable cause. Mr. Wenger informed Council that Town and Country Day School is up and running. Mr. Wenger briefly explained the process

for notifying residents of code violations and the steps taken in dealing with those residents that do not bring their property up to code.

REPORT OF THE ENGINEER

Engineer Shradley acknowledged that due to the fact items were already covered earlier, he would need to present an additional report.

At 8:50 p.m. President Spackman announced that Council would retire to Executive Session for the purpose of discussing personnel matters.

At 8:58 President Spackman reconvened the Regular Business Meeting.

COMMITTEES

Administration – Councilman Beaver informed Council of the upcoming budget and encouraged committee chairs to examine their budget by the end of September.

Highway – Councilwoman Seneca informed Council that Paxtang Elementary School would like to place a banner across Derry Street in front of the municipal building in honor of their 100th year anniversary. In accordance with PennDOT regulations, a Resolution will need to be adopted for this purpose.

Manager Beard has been in contact with the Borough Fire Chief and they believe the guide wires will have to be readjusted to accommodate the banner. An inventory was recently completed by PPL of utility poles in the borough. PPL would like the guide wires to be taken down from their poles. Discussion was held to have the borough install their own poles thus doing away with the need to request permission from PPL for further requests of a similar nature

*15) Vice-President Ninosky made a motion to pass **Resolution 10-07**. Motion seconded by Councilwoman Panza. Motion carried.

Property and Recreation – No Report

Public Safety - Vice-President Ninosky commented on the improvement in the new traffic pattern at the school. Vice-President Ninosky also gave a positive comment as to the Police patrolling this area. Council asked if it was feasible to obtain “Slow Down” signs for placement in resident’s yards. Code Enforcement Office Ed Wenger mentioned that these signs would most likely be a Code violation. Manager Beard advised Council that “Pedestrian Crossing” signs for the crosswalks are on back order.

Public Relations – Councilwoman Panza reported that the *Paxtang Post* should be ready for delivery shortly.

Health and Sanitation – No Report

UNFINISHED BUSINESS

No Unfinished Business

NEW BUSINESS

No New Business

COMMUNICATIONS

No Communications

PRESENTATION OF BILLS

*16) Vice-President Ninosky made a motion to pay the bills. Motion seconded by Councilwoman LaCour. Motion carried.

ADJOURNMENT

*17) Vice-President Ninosky made a motion to adjourn the regular business meeting. Motion seconded by Councilwoman LaCour. Motion carried.

President Spackman adjourned the regular business meeting at 9:15 p.m.

Secretary

1. Minutes
2. Treasurer Report
3. Purchase Snow Plow
4. Purchase Light Bar and Controller
5. Purchase Salt Spreader
6. Purchase Rhino bed liner
7. Ord 608 – Parking Pattern – Paxtang School
8. Ord 609 – Open Burn
9. Pay Storn Sewer Inlet Billing
10. Deny St. Catherine Gym Fee
11. Purchase Fire Escape Ladder
12. 2008 MMO
13. Detail Officer –Penbrook Halloween Parade
14. PennDOT Curb Billings
15. Res. 10-07
16. Pay the Bills
17. Adjourn

