

PAXTANG BOROUGH
Municipal Building 3423 Derry Street
Regular Business Meeting
June 19 2012

Vice-President Beaver called the monthly meeting of the Paxtang Borough Council to order at 7: 27 p.m., followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Vice-President Beaver commented that since valid points on zoning and signage were made by persons participating at the Zoning Ordinance Update Public Hearing held earlier this evening, the issue would be tabled until the June 25th Workshop Meeting. No further discussion regarding the Zoning Ordinance will be entertained this evening.

Roll Call was taken.

Council Members Present

Council Vice-President	E. Denny Beaver
Council Members	Frank O. Forsyth Sheilah Borne Fuller Lynn Kipp Raymond Patackis
Mayor	Keldeen L. Z. Stambaugh

Council Members Absent

Council President	John R. Ninosky, Sr.
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Borough Officials

Borough Manager/Chief	Kenneth E. Beard
Borough Solicitor	J. Stephen Feinour
Borough Engineer	W. Max Shradley
Fire Chief	Todd Zwigart

MINUTES

*1) Councilwoman Borne Fuller made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of May 15, 2012 and to approve the same. Motion seconded by Councilman Forsyth. Motion carried.

TREASURER'S REPORT

*2) Councilwoman Borne Fuller made a motion to dispense with the reading of the Treasurer's Report for the month of May and to approve the same. Motion seconded by Councilman Forsyth. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart read the report of Fire Company and Fire Police activities for the month of May and offered Council the opportunity for questions and comments. Chief Zwigart reported that the Fire Company assisted at the Memorial Day picnic by cooking french fries and offering fire engine rides. Chief Zwigart stated that Dauphin County would like to institute a "computer generated dispatch system" where the closest response company would be dispatched via a computer instead of an individual dispatcher having to make the decision. The system would also be used for ambulance calls. While Chief Zwigart is in favor of the system, Council would cast the vote to determine if the Borough would or would not be interested in participating. Council offered no further discussion as the program is still in the beginning phase and it will be some time before Chief Zwigart would need to report back to County.

Vice-President Beaver announced to audience members that were in attendance for the Zoning Ordinance Update Public Hearing that they were welcome to remain for the remainder of the Regular Business Meeting if they so desired, but that no further action will be taken with regard to Zoning Ordinance this evening. This matter has been tabled for the June 25th Workshop.

*3) Councilwoman Borne Fuller made a motion to table the consideration of the entire Zoning Ordinance. Motion seconded by Councilman Forsyth. Motion carried.

REPORT OF THE MANAGER

Seminars: Manager Beard reminded Council that the Dauphin Lebanon County Boroughs Association would meet on Tuesday, July 24th at the Hometown Family Restaurant in Palmyra. Reservations may be placed by contacting Jonestown Borough.

PATRIOT CAMP

An invitation has been extended to Council to attend the closing ceremony and picnic for Patriot Camp at 12:00 noon on Friday, June 29th at Saussaman Park.

TAX COLLECTOR ORDINANCE

An ordinance giving permission for the Borough Tax Collector to charge fees for distribution of certain documents will need to be drawn up by the Borough Solicitor and presented for Council's consideration at the July 17th Regular Business Meeting. Manager Beard asked Council for permission to advertise the proposed Ordinance.

*4) Councilman Forsyth made a motion authorizing the Borough Manager to advertise the Ordinance. Motion seconded by Councilwoman Borne Fuller. Motion carried.

ORDINANCE NO. 9-12

Manager Beard presented for Council's consideration **Resolution No. 9-12**, a resolution of the Borough of Paxtang, Dauphin County, Pennsylvania recognizing the service of Virginia S. Panza. Mayor Stambaugh asked if it was possible to have the Mayor's name included in **Resolution 9-12** or if she would need to compose an additional document in order to accomplish her request.

*5) Councilman Forsyth made a motion that the Borough adopt **Resolution No. 9-12**. Councilwoman Borne Fuller requested that the Mayor's question be answered before continuing with the motion. Solicitor Feinour stated that although a Resolution does not require approval of the Mayor, it would be appropriate for the Mayor's signature to be included. Vice-President Beaver asked for a second to properly bring the motion on the floor. Councilwoman Kipp asked Mayor Stambaugh if she was making a request for a separate resolution or if she wanted her name to appear on the signature line of **Resolution 9-12**. Vice-President Beaver again asked for a second. Motion seconded by Councilwoman Kipp. Councilwoman Kipp stated that her question stands. Mayor Stambaugh responded that it did not matter to her either way. Vice-President Beaver asked Councilman Forsyth to amend his motion to include the Mayor. Solicitor Feinour suggested an alternative would be for the Mayor to issue a Proclamation if she so desired. Councilman Forsyth stated he did not desire to amend his motion. Mayor Stambaugh made a request that the Borough Manager proceed with a Proclamation. Motion carried. Vice-President Beaver instructed the Borough Manager to draw up a Proclamation.

At this time Vice-President Beaver acknowledged Mr. Peter Panza, asking him to approach Council for presentation of **Resolution No. 9-12**, A Resolution recognizing Virginia S. Panza for her service to the Borough of Paxtang.

2011-2012 STREET PROJECTS

Street resurfacing from 2011 contracts and 2012 contracts will begin, weather permitting, on Thursday, June 21st. Street postings will take place one day in advance of resurfacing. Manager Beard will email Council members with the tentative schedule.

PLAYGROUND EQUIPMENT REMOVAL

As a requirement of a Department of Conservation and Natural Resources Grant, the old style playground equipment at Paxtang Commons Park has been removed, as it did not meet current safety standards. At

some point, funding permitting, Council may want to consider installing an up-to-code swing set as requests have been made to the Manager for a replacement.

GREENBELT OWNERSHIP

The Borough Manager would like to obtain a title search from an abstract company at an approximate cost of \$150.00 to \$200.00 for the parcel of ground situated south of Derry Street extending to the railroad tracks and adjacent to the Visiting Nurses Association (VNA), located at 3315 Derry Street. This search needs to be carried out to ascertain ownership prior to the potential relocation of the Greenbelt Trail. At this point it is believed that the VNA holds title to this parcel of land.

*6) Councilwoman Borne Fuller made a motion authorizing the Borough Manager to conduct a title search through an abstract company for a property located south of Derry Street and extending to the railroad tracks by the VNA., in an amount not to exceed \$250.00. Motion seconded by Councilwoman Kipp.

Solicitor Feinour explained that the VNA acquired this area from the City of Harrisburg pursuant to a Quit Claim Deed, hence there is no real warranty of title and advised a title search would be appropriate. Motion carried after discussion.

MS-4 REPORT

The MS-4 Annual Report has been completed by Rettew Associates and was submitted to the appropriate authorities by the Borough Manager. Rettew Associates will be handling the permit renewal application that is due in September of 2012.

ARLE GRANT

An Automated Red Light Enforcement (ARLE) Grant was applied for in 2011 at an approximate amount of \$440,000.00. Even though the Borough was not chosen to receive funding, Rettew Associates can update and resubmit the grant if Council so desires at an approximate cost of \$800.00 to \$1,000.00. Councilman Forsyth suggested the grant be revisited. Vice-President Beaver mentioned funding would be available through the Capital Reserve (Highway) Account.

*7) Councilman Forsyth made a motion to do what is necessary to prepare the grant application. Motion seconded by Councilwoman Kipp. Councilman Patackis asked if there were any new improvements mandated for the project or feature upgrades. Engineer Shradley replied that the Borough would be installing the latest up to date equipment. Motion carried after discussion.

SHADE TREE

Manager Beard noted that Councilman Patackis, along with Shade Tree Committee Chairman Rodger Faill, Scott Smith and Public Works employee Saul Schmolitz have been heavily involved with trimming Shade Trees throughout the Borough.

SIDEWALK CHECKLIST

Engineer Shradley has completed a sidewalk inspection checklist and is now offering it for Council's consideration. Manager Beard noted that the Sidewalk Ordinance requires specifications be developed by the Borough Engineer. The checklist would be made available in the Paxtang Post and on the Borough website along with an article of explanation. Councilman Patackis asked if the document presented by Engineer Shradley was a draft or final copy and inquired as to where the information was obtained. Engineer Shradley replied that information was taken from multiple sources. Manager Beard suggested that Council either approve or reject the document as presented, but not modify it. Councilman Patackis pointed out that there was an inconsistency in the use of the words "squares" and "panels" and requested that the wording be consistent throughout the entire document. Engineer Shradley will follow through with the request of Councilman Patackis.

*8) Councilwoman Borne Fuller made a motion to approve the sidewalk specifications as determined by the Borough Engineer providing the Borough Engineer make the wording consistent throughout. Motion seconded by Councilwoman Kipp. Motion carried.

FLOOD INSURANCE

Flood Insurance has been obtained for \$30,000.00 worth of coverage with a \$1,000.00 deductible, at an annual premium set at \$387.00

MEMORIAL DAY PICNIC

Manager Beard reported that the Memorial Day picnic went well with a net gain, after expenses, of \$331.00. Manager Beard cautioned Council that although that figure looks good, the Borough did not incur a cost for use of the tent as it was donated for the day by Hornung's True Value and that he could not guarantee that this would be the case for 2013.

STREET SWEEPING

Swatara Township recently extended their services to the Borough by providing street sweeping over a two day period.

PennPRIME Grant

The Work Zone Control Sign applied through PennPRIME has been awarded and checks have been received. An equipment list will be produced jointly with Penbrook Borough. (Documentation can be found on page 83 of the 2012 Minute Book).

GYMNASIUM RENTAL REQUEST

A request has been received from Ms. Nancy Hart of Mechanicsburg, PA seeking use of the municipal gymnasium to establish a "for personal profit business enterprise". Manager Beard has also been in contact with Ms. Hart regarding her request. While Councilwoman Kipp was open to this request, Mayor Stambaugh stated that Council has, by past policy, denied "for personal profit" ventures. Vice-President Beaver echoed the sentiments of Mayor Stambaugh. Mayor Stambaugh commented that if a practice to allow these ventures would be instituted, Borough residents, organizations, and functions would find it increasingly difficult to use the facility as it would fill rather quickly by persons finding it very lucrative to conduct their business from a Borough facility. After a lengthy discussion, Councilman Forsyth suggested this matter be tabled for a Workshop meeting. Councilwoman Kipp echoed the sentiment of Councilman Forsyth.

*9) Councilman Forsyth made a motion that Council deny the request at this time. Motion seconded by Councilwoman Kipp. Motion carried.

Mayor Stambaugh asked what the protocol has been for informing requesters of decisions made by Council. No comment was offered.

SAUSSAMAN PARK REQUEST

A request has been received from Ms. Beverly Ziebell with the Paxton Presbyterian Church asking for gratis use of Saussaman Park for a church picnic on September 9th, 2012.

*10) Councilwoman Borne Fuller made a motion authorizing gratis use of Saussaman Park per the request of Ms. Beverly Ziebell. Motion seconded by Councilman Forsyth. Motion carried.

POLICE REPORT

Chief Beard presented a report of activities of the Police Department for the month of May and offered Council the opportunity for questions and concerns.

EXECUTIVE SESSION

Manager Beard requested Council consider an Executive Session. Vice-President Beaver said this request would be honored at the end of the Regular Business Meeting.

AUDIENCE PARTICIPATION

No Audience Participation

REPORT OF THE MAYOR

No Report from Mayor Stambaugh

REPORT OF THE SOLICITOR

No Report from Solicitor Feinour

REPORT OF CODES ENFORCEMENT

Vice-President Beaver read a written report from Codes Enforcement Officer Ed Wenger for Council for the month of May.

REPORT OF THE ENGINEER

Engineer Shradley offered for Council an overview of his written report. Engineer Shradley submitted plans for a proposed grinder pump and force main for the Borough garage indicating that an easement will be necessary from the adjoining property owner based on the layout. Councilman Patackis inquired when the situation regarding the easement would be settled. Engineer Shradley said the plan is now finalized with the location noted for the pump and force main, and that contact with the property owner will be underway.

COMMITTEES

Administration – No Report from Vice-President Beaver

Highway – Councilman Forsyth discussed at length how to advise residents when street sweeping will occur so that residents can move their vehicles so the street sweeper can sweep “to curb” instead of just cleaning the middle of the street. Council Patackis suggested notifying the property owner when the street sweeping will occur. Since Swatara Township offers to sweep the streets of Paxtang at their convenience, timing would be an issue for notifying residents. Council members offered ideas, but no logical solution was decided upon. Vice-President Beaver commented that since Swatara sweeps the streets once a year, this matter would be continued at a later date.

Property and Recreation – Councilwoman Kipp noted that the Memorial Day picnic was very successful but asked if children’s games should be continued as only six (6) children participated this year.

Councilwoman Kipp requested the public works dump truck be available for the Independence Day Parade as she would like to use it as a podium for the ceremony afterwards. Councilwoman Kipp would like to invite the Paxtang Lions Club to a future Council meeting to discuss the possibility of changing the current Halloween Parade route in order to encompass more of the Borough. Councilwoman Kipp would also like the parade moved to a Saturday morning or afternoon or to a Sunday afternoon.

Public Safety – Councilwoman Borne Fuller reported that contract negotiations with the Teamsters Union representing the Police are ongoing.

Public Relations – Mayor Stambaugh said the Paxtang Post would be ready for distribution next week. Mayor Stambaugh will send a notice to volunteers indicating when the Post will be ready for delivery.

Health and Sanitation – No Report from Councilman Patackis

UNFINISHED BUSINESS

Manager Beard reported no Unfinished Business

NEW BUSINESS

Mayor Stambaugh reported that the Paxtang Lions Club would like Council to consider allowing it's members to sell hot dogs and beverages at the next community yard sale scheduled for September. Councilwoman Kipp voiced her agreement with this request. Councilwoman Borne Fuller echoed the sentiments of Councilwoman Kipp. Mayor Stambaugh will report back with a formal request at a future meeting.

COMMUNICATIONS

Manager Beard reported the following:

- Thank you from Mr. and Mrs. Grunden for the planter sent by Council and Staff, and to Vice-President Beaver, Secretary Clark, Manager Beard, and Public Works employee Saul Schmolitz for attending the memorial services for their father and father-in-law, Mr. Samuel Seiple Jr.
- Thank you from Mr. Peter Panza to Council and friends for their expressions of sympathy and condolences on the passing of his wife, Virginia S. Panza.
- Thank you from Mr. and Mrs. Kenneth Beard for the flower arrangement sent by Council and Staff, and to everyone who expressed sympathy and condolences on the passing of Mr. Beard's mother, Virginia S. Panza.
- Thank you from Ms. Denise Remillard of Swatara Township for allowing Paxtang Elementary School use of tables for their May Fair.
- Letter from Timothy J. Healy of the Terrorists Screening Center in Washington D.C. commending Officer Harry Morrison for notifying the Terrorist Screening Center of a possible known or suspected terrorist. This allowed the TSC to determine that the encountered individual was, in fact, a positive match to a known or suspected terrorist. Additionally, Officer Morrison was able to provide information valuable to the Federal Bureau of Investigation, other local, state, and federal law enforcement agencies and to the overall United States Intelligence Community.
- Letter from Dauphin County Commissioners noting that 2012-2013 Dauphin County Local Share Municipal Grant Applications are now available. Manager Beard would be interested in the possibility of applying for funding at a later date.
- A request from Wendy Baker of 3214 Derry Street with regard to the Greenbelt trail and its impact on Paxtang Commons Park. Manager Beard responded to Ms. Baker by indicating the relocation of the trail is part of a grant awarded by the Commonwealth of Pennsylvania Department of Conservation and Natural Resources to move pedestrian and bicycle traffic onto the Greenbelt, thus avoiding the necessity to use the highway.

At this point, 8:50 p.m., Vice-President Beaver announced that Council would retire to executive Session for the purpose of discussing personnel issues.

At 8:56 Vice-President Beaver reconvened the Regular Business Meeting reporting that matters relating to litigation and personnel matters had taken place.

Vice-President Beaver announced that Council would be interviewing Mr. Nathan A. Martin of 3747 Derry Street as Mr. Martin has expressed an interest in filling the Council Member seat left vacant due to the passing of Virginia S. Panza. The term of office would continue until the next municipal election in 2013.

At this point Mr. Martin introduced himself to members of Council. At the conclusion of the interview Vice-President Beaver stated that Mr. Martin would be sworn in at the Regular Business Meeting scheduled for Tuesday, July 17, 2012.

PRESENTATION OF THE BILLS

*11) Councilwoman Borne Fuller made a motion to pay the bills. Motion seconded by Councilwoman Kipp. Motion carried.

ADJOURNMENT

Vice-President Beaver declared the Regular Business Meeting to be adjourned at 9:00 p.m.

Secretary

1. Minutes
2. Treasurer's Report
3. Table Consideration of Zoning Ordinance Update
4. Advertise Ordinance – Tax Collector Charge Fees
5. Adopt Res. 9-12 – Virginia Panza – Service
6. Conduct Title Search – Greenbelt - Visiting Nurse Association 3315 Derry St.
7. Resubmit ARLE Grant
8. Approve Sidewalk Specification Checklist
9. Deny For Personal Profit Venture – Nanci Hart
10. Approve Gratis Use – Saussaman Park – Paxton Presbyterian Church
11. Pay Bills