

PAXTANG BOROUGH COUNCIL
Municipal Building 3423 Derry Street
Regular Business Meeting
January 19, 2010

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.

Roll Call was taken.

Council Members Present

Council President	John R. Ninosky Sr.
Council Vice-President	E. Denny Beaver
Council Members	Sheilah Borne Fuller – arrived at 7:28 p.m. Virginia Panza Raymond Patackis Deborah Seneca – arrived at 7: 40 p.m.

Council Members Absent Lynn Kipp

Mayor Keldeen L. Z. Stambaugh

Borough Officials

Borough Engineer	W. Max Shradley
Borough Solicitor	Stephen Feinour
Fire Chief	Todd Zwigart

Borough Officials Absent

Borough Manager-Chief Kenneth Beard

MINUTES

*1) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of December 15, 2009 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

*2) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the Reorganization Meeting of January 4, 2010 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

TREASURER'S REPORT

*3) Vice-President Beaver made a motion to dispense with the reading of the Treasurer's Report for the month of December, 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 on the activities for the Fire Company and Fire Police for the month of December, 2009. Chief Zwigart stated that he would like to proceed with painting the apparatus bay and asked if Council would provide funding for this project. President Ninosky said that the matter had been discussed at a prior meeting and it was the decision of Council to offer the necessary funding for this project. Chief Zwigart stated that he was looking forward to seeing Council members at their banquet. Chief Zwigart said the Fire Company would be holding a meeting in Council Chambers on January 28th in order to discuss the possible acquisition of fire apparatus.

REPORT OF THE MANAGER

In the absence of Manager Beard, Secretary Clark presented the Report of the Manager.

Seminars:

- DCNR 2020 Grant Workshop -Tuesday, February 9th
- Energy Symposium - Tuesday, January 26th
- Tri-County Regional Planning Commission – Mr. Knarr of Rettew Associates will be the speaker.
- Dauphin-Lebanon County Boroughs Association Dinner – Tuesday, January 26th – Steelton VFW.

Consideration of Resolution 2-10: A Resolution authorizing the Secretary/Treasurer and the Council President to borrow from the Sewer Investment Fund for any present or future emergency during 2010.

*4) Vice-President Beaver made a motion to approve **Resolution 2-10**. Motion seconded by Councilwoman Panza. Motion Carried. Vice-President Beaver is seeking passage of this Ordinance in order to have funds available for any unforeseen emergency during the year of 2010. Vice-President Beaver indicated the Sewer Fund would be paid back with interest.

Police Report: The officer-in-charge of providing the Police Report for the month of December was unable to do so.

Request for Executive Session: Secretary Clark asked Council to consider an Executive Session to discuss personnel issues. President Ninosky stated he would honor this request at the end of the Regular Business Meeting.

AUDIENCE PARTICIPATION

Mr. Murvin Grunden of 3323 Kelso Street indicated there would be no reports for the Paxtang Historical Society, Citizens Advisory Committee, or the Fire Company.

Mrs. Sue Kompare of 3200 Duke Street expressed her concern with an on ongoing dilemma with excessive barking of dogs within her neighborhood and the application of Ordinance No. 607. Mrs. Kompare indicated that she has addressed her concerns with the Borough Police, as well as Manager Beard, and has written a letter in September of 2009 addressed to Manager Beard and Borough Council regarding the barking of dogs at a residence near her home. Mrs. Kompare stated that his situation has existed for approximately 1 ½ to 2 years and would like an explanation as to why it has taken this long for the matter to be addressed by Borough officials.

President Ninosky asked Codes Enforcement Official, Mr. Wenger if he had been advised of this matter. Mr. Wenger indicated he had not been presented with an official complaint and believes the situation was being handled by the Police Department.

Councilwoman Borne Fuller entered at this point – 7:28 p.m.

President Ninosky said he is not aware of the details regarding this matter and could not give an explanation as to why the situation has taken so long to resolve.

Ms. Debra Appleby of 3124 Duke Street indicated she is aware of this situation and was here in support of Mrs. Kompare.

Ms. Kompare asked if the trash cans located in the Paxtang Commons area could be emptied on a weekly basis as the containers are used quite heavily. Codes Officer Wenger indicated the receptacles will be checked on a regular basis. Councilman Patackis recommended that all trash containers throughout the Borough be inspected weekly. Mr. Grunden indicated the trash can located by the bridge in the Paxtang Commons area does not sit on a level surface. Councilman Patackis suggested a concrete pad be installed to elevate this problem.

Councilwoman Seneca entered at this point 7:40 p.m.

Councilwoman Borne Fuller asked Mrs. Kompare if she addressed the situation with the owners of the dogs in question. Mrs. Kompare stated she had not. Ms. Kompare indicated that while the property owner allows the dogs to be outside, fencing in fact encloses the grounds and the dogs.

Mr. Grunden asked if Council did in fact receive a letter as Ms. Kompare stated, why did Council not address the situation. President Ninosky indicated he would follow up on this issue.

REPORT OF THE MAYOR – No Report

REPORT OF THE SOLICITOR – No Report

REPORT OF CODES ENFORCEMENT – Codes Officer Wenger referred Council to his written report. Councilman Patackis asked for an explanation as to what constitutes a property maintenance violation and Mr. Wenger offered several examples of such violations.

Ms. Sue Kompare of 3200 Duke Street asked who is responsible for removing snow from vacant properties. Mr. Wenger indicated that if a property is listed for sale, the course of action would be for him to contact the listing agent and if a Citation is to be issued, it would be directed to the owner of record.

Regarding the complaint from Ms. Kompare concerning the barking dogs, Councilman Patackis asked Mr. Wenger to take a look at the fence in question to see if it did in fact comply with Borough regulations. Mr. Wenger stated he has in fact looked at the fence and it does comply with Borough requirements. Mr. Wenger explained to Councilman Patackis the protocol for obtaining a building permit/variance for the installation of a fence.

Mr. Wenger attended a FEMA Floodplain Management seminar with Engineer Shradley regarding the issue of redrafting the Floodplain Ordinance.

REPORT OF THE ENGINEER – Engineer Shradley stated DCNR has announced that the Borough has been awarded \$41,000.00 for the Greenbelt Trail and Park Improvement project.

Engineer Shradley presented Council with the proposed street projects for 2010 relating to microsurfacing and reconstruction. Engineer Shradley estimates microsurfacing costs to be approximately \$41,000.00 and reconstruction approximately \$23,000.00. Engineer Shradley asked Council if they would consider authorizing Rettew Associates to proceed with contacting CAPCOG for bidding of the microsurfacing street project.

*5) Vice-President Beaver made a motion authorizing Rettew Associates to proceed with preparing and submitting paperwork to CAPCOG on behalf of the Borough. Motion seconded by Councilwoman Panza. Motion carried.

Engineer Shradley asked Council if it was their desire to move forward with the street reconstruction project.

*6) Councilwoman Borne Fuller made a motion to approve the reconstruction of Plum Street between Swan and Oak. Motion seconded by Councilwoman Panza. Motion carried. Vice-President Beaver abstained from the vote due to a conflict of interest regarding this project.

Engineer Shradley noted that a number of manholes need to be repaired before starting the microsurfacing project. Engineer Shradley suggested having Public Works Employees mark the areas in order to obtain quotes from Handwerk and Rogele Associates, and to have this information available for the February meeting.

Regarding the issue of the Floodplain Ordinance, Councilman Patackis asked Engineer Shradley if he believes there would be a reduction in flood insurance premiums for residents if the area along the creek was built up. Engineer Shradley stated that based on elevations, the Borough would more than likely have to build a flood wall approximately six (6) feet or higher on both sides of the stream for the entire distance through the Borough in order to have any floodplain modification considered.

Engineer Shradley asked Council to consider the appointment of a steering committee for the Zoning Ordinance Map Revision Update. When this committee is finalized and if it was the desire of Council, Rettew Associates would proceed with the meetings.

COMMITTEE REPORTS

Administration – Vice-President Beaver will give a presentation on proposed renovations to the highway garage at the January 29th Workshop Meeting and encouraged Council members to attend.

Vice-President Beaver asked if any Council member would be willing to attend the Energy Symposium scheduled for Tuesday, January 26th. Councilwoman Borne Fuller indicated that she will be attending this seminar and would report back to Council.

Highway – No Report

Property and Recreation – President Ninosky asked Councilman Patackis, the outgoing Chairman of the Shade Tree Commission, if he would offer Council a year-end report. Councilman Patackis presented Council with his written report for 2009 and offered a verbal explanation as well.

Health and Sanitation – No Report

Public Safety – No Report

Public Relations – Councilwoman Panza stated all articles for publication in the *Paxtang Post* newsletter are due by Monday, February 15th.

UNFINISHED BUSINESS – No Report

NEW BUSINESS - No Report

COMMUNICATIAONS – No Report

PRESENTATION OF THE BILLS

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

At 8:17 p.m. President Ninosky announced that Council would retire to Executive Session for the purpose of discussing labor, employment, and potential litigation.

At 8:40 p.m. President Ninosky reconvened the Regular Business Meeting announcing that personnel, labor, and potential litigation matters had been discussed.

ADJOURNMENT

President Ninosky declared the Regular Business Meeting to be adjourned at 8:41 p.m.

Secretary

1. Minutes Regular Business Meeting December 15, 2009
2. Minutes Reorganization Meeting January 4, 2010
3. Treasurer's Report
4. Resolution 2-10 – Borrow From Sewer Fund
5. Approve Microsurfacing
6. Approve Reconstruction
7. Pay Bills