

**PAXTANG BOROUGH COUNCIL**  
**Regular Business Meeting**  
**May 17, 2006**

President Spackman called the monthly meeting of the Paxtang Borough Council to order at 7:15 pm followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Roll Call was taken.

Council Members present:	E. Denny Beaver
	Heather Misiti
	Deborah Seneca
	John Rowe

Councilwoman Panza was absent.

Council President	F. Joseph Spackman
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Council Vice President John Ninosky was absent

Borough Manager/Chief	Kenneth Beard was absent
Borough Engineer	W. Max Shradley
Borough Solicitor	Stanley Laskowski
Deputy Fire Chief	David Turner

**MINUTES**

President Spackman indicated that for the minutes of April 18, 2006, Resolution 9-07 should read as **Resolution 9-06** and Resolution 8-08 should read as **Resolution 10-06**.

\*Councilman Rowe made a motion to dispense with the reading of the minutes and to approve same with the above mentioned amendments. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

**FINANCIAL REPORT**

\*Councilman Rowe made a motion to dispense with the reading of the Treasurers Report and to approve same. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

**REPORT OF THE FIRE CHIEF**

In the absence of Chief Zwigart, Deputy Chief Turner offered the report. The Fire Company responded to 29 calls, 2 of which were in the Borough. The average crew response for these incidents was 6, for a total of 179 in manpower. The average response time was 5 minutes. The total hours in service were 13 hours, 51 minutes. The total man hours were 2,327 hours and 51 minutes. The total runs were 16 for the Engine and 13 for the Rescue.

3 Company Training classes were conducted with 18 firefighters in attendance. Two classes were fire related and 1 was vehicle rescue related. The total of classes conducted, to date for 2006, is 16.

Fire Police responded to 3 incidents in the borough for a total of 1.5 man hours.

Things went well with the Chicken Bar-B-Que under the newly constructed fire pit. On behalf of the Fire Company, Chief Turner extended a thank you to all involved in helping with the new pit.

A State grant was received for approximately \$9,000.00 which the Fire Company has determined will go towards the payment of the Rescue. They are still waiting for word on the status Federal Grant.

Mayor Stambaugh indicated that she had received an inquiry about implementing the D.A.R.E. program and for a First Aid course to be offered to the community. Chief Turner indicated to Mayor Stambaugh to keep him informed and let him know if his services were needed for this project.

Councilwoman Seneca asked if a report from the Chief of Police could be added to the monthly agenda. It was suggested that this report could be added after the Report of the Fire Chief and before the Report of the Manager. President Spackman indicated a request would be made to the Police Chief to provide an update.

Councilman Rowe asked if there would be an interest in offering a babysitting/safety course targeted for teens. Discussion indicated this could be directed to the Public Safety Committee.

### **REPORT OF THE MANAGER**

In the absence of Manager Beard, President Spackman offered the report.

**Temporary Employee:** President Spackman gave an update on Public Works employee **Saul Schmolitz**. In Saul's absence, the Teamsters Union has indicated that they will not grieve the hiring of an employee to replace him on a temporary basis. President Spackman recommended proceeding with advertising for this position.

\*Councilman Rowe made a motion to allow the Manager to advertise for the temporary position of Highway Maintenance. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

**Police Contract:** Manager Beard was contacted by the mediator appointed by the Pennsylvania Labor Relations Board. Contact will be made with the Teamster representative, Mr. Mark Andreozzi, to arrange negotiations.

**Non-Uniform Contract:** No request has been received to begin bargaining. The police contract will be handled first before addressing the non-uniformed contract.

**Capital Area Tax Collection Representative:** An alternate is needed to represent the Borough. Councilman Rowe indicated he would be willing to serve as the alternate representative.

**NIMS Training:** This training is mandated by the state for all elected officials and must be completed by September 30<sup>th</sup>. Classes are offered on-line and also in classes offered by the state. There is a \$25.00 fee for classes offered by the state. Information can be found in the magazine The Borough News.

**Comprehensive Plan Grant:** Documents accepting the Grant funds and the associated conditions from Dauphin County need to be executed by a representative of Borough Council and returned to the County. This is a grant in the amount of \$25,000.00 to assist the borough in preparing a mini comprehensive plan.

\*Councilman Rowe made a motion that the President and the appropriate Council Members be authorized to execute the grant that has been issued by Dauphin County for the Comprehensive Plan. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously.

Engineer Shradley commented that in order to proceed with the plan and in order to spend the funds, these documents need to be filed indicating our acceptance of the grant. The County will, more than likely, send a letter indicating that everything administratively is complete, the Borough is authorized, and the money is now being released to begin the program. A Request For Proposals could be put together beforehand so that when approval is received, Council is prepared to begin. Engineer Shradley indicated that Rettew Assoc. could give assistance in putting an RFP together if that is the direction Council wants to proceed.

\*Councilman Beaver made a motion to authorize Rettew Associates to prepare an RFP for a mini comprehensive plan. The motion was seconded by Councilwoman Seneca. The motion was approved unanimously.

**Nuisance Complaint:** A letter was received from Mr. Ron Sieg indicating there is excessive noise associated with the air conditioning system at the M&T Bank. This condition has existed for several months. As of this date there has not been any movement on this matter.

**Spring Clean Up and Yard Sale:** The Community wide Yard Sale was held on May 6<sup>th</sup> and the Spring Clean-Up was on May 13<sup>th</sup>. Both of these events were considered a success. Complaints were received as far as having the Yard Sale moved from June to May, not having sufficient advertising coverage, and the matter of scheduling numerous events for the same day. Mayor Stambaugh suggested that, in the future, advertising be made available through Public Relations regarding Yard Sales.

#### **AUDIENCE PARTICIPATION**

No report

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

Mayor Stambaugh indicated a request was received for the D.A.R.E. program to return to Paxtang. Ideas are needed to encourage more people to participate in the blood drive. Deputy Chief Turner asked if it would be possible to incorporate the blood drive with the Fire Company Open House.

#### **REPORT OF THE SOLICITOR**

Solicitor Laskowski was absent at the time and was expected to arrive later in the meeting. He will offer his report at that time.

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

No report

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

Engineer Shradley advised that road reconstruction for the alleys of Oak and Plum is now complete. Engineer Shradley stated he is pleased with the work and is now awaiting the final invoice.

Engineer Shradley stated the agreements and contracts were signed at tonight's meeting for the highway microsurface project. Depending on the weather, work should start after Memorial Day.

Solicitor Laskowski is working on the Ordinance for Act 167, the storm water management plan for the Spring Creek Water Shed study.

Engineer Shradley mentioned the DCED Mini Comp was already discussed under the Report of the Manager.

Councilwoman Seneca indicated she received a positive comment concerning the work done on the street project.

#### **COMMITTEE REPORTS**

##### *Administration:*

Councilman Beaver indicated he is waiting for an accounting firm to get back to him regarding a proposal to do the annual audit. The accountants for the borough are working on this also.

#### *Highway:*

Councilwoman Seneca presented Council with the findings from her sign inventory, which includes approximately 80 signs that should be replaced. Councilwoman Seneca indicated she has been in contact with Manager Beard on this matter. Councilwoman Seneca stated she again would review the issue of trees obstructing signs. A summary of these findings was also available.

Councilman Rowe suggested changing the street signs from the existing green to the newer blue reflective type if it was economically possible. Councilwoman Seneca indicate she would look into this.

#### *Property & Recreation:*

Councilwoman Misiti announced that there is a need to fill two available summer recreation positions.

\*Councilwoman Misiti made a motion to authorize Manager Beard to advertise and hire one or possibly two employees for the summer recreation program. The motion was seconded by Councilman Rowe. The motion was approved unanimously.

Councilwoman Misiti indicated that plans for the Annual Memorial Day Picnic. Additional bingo prizes are still needed. A flyer will be circulated indicating there will not be a rain date for the picnic as indicated in the Paxtang Post. Councilman Beaver, Councilman Rowe, Councilwoman Seneca and Mayor Stambaugh volunteered to help distribute flyers. The Paxtang Art Association will be holding an exhibit only, with no sales of artwork, during the picnic. Councilwoman Misiti will contact Councilwoman Panza with Public Relations to coordinate the flyers to be distributed.

Councilwoman Misiti stated Mr. Ricardo Duarte would like the opportunity to offer a tennis clinic for the summer and he has flyers ready for distribution. The collection of money, waivers, and any administrative matters would be handled through the borough office. Discussion was held regarding the status of Mr. Duarte being an employee of the borough or a sub-contractor. Solicitor Laskowski suggested that a decision needs to be made regarding this matter. Solicitor Laskowski stated the borough should have the following from Mr. Duarte:

- An agreement of indemnity concerning the Borough
- Insurance liability coverage for himself
- Waivers from each individual participant

Solicitor Laskowski indicated he could put together an agreement between the Borough and Mr. Duarte, if that is what Council should decide. Discussion was held asking if the agreement format, Solicitor Laskowski indicated that he could develop a generic agreement. Solicitor Laskowski indicated Mr. Duarte would be considered an independent contractor and should carry liability insurance in the amount of one million dollars per occurrence and two million dollars aggregate.

\*Councilman Beaver made a motion to authorize Solicitor Laskowski prepare a contract for independent contractors. The motion was seconded by Councilman Rowe. The motion was approved unanimously.

Councilwoman Misiti will notify Mr. Duarte of these decisions.

#### *Public Safety:*

No Report

#### *Public Relations:*

Councilwoman Seneca asked if there was a way people could sign up through the borough web site that would enable them to receive information of events etc. Mayor Stambaugh indicated solicitation of emails was done in the past through multiple newsletters without much response, but it could be tried again.

#### *Health and Sanitation:*

Councilman Rowe shared information on the Regional Pandemic Planning Meetings and indicated he would like to attend. Councilwoman Seneca indicated she would like to receive information on this as well.

### **REPORT OF THE SOLICITOR**

Solicitor Laskowski indicated he has been in contact with Manager Beard in regard to the complaint received by Mr. Sieg concerning the excessive noise from the HVAC system at the M&T Bank. Solicitor Laskowski suggested a course of action to Manager Beard regarding this matter.

Solicitor Laskowski noted he felt things were in line with the DCED Grant for the Mini Comp Plan and had no reservations about the document being executed by the Council..

Solicitor Laskowski asked if he was authorized to prepare and advertise the Ordinance for Act 167. Discussion was held for Solicitor Laskowski to format the information which would allow Council to review it for next month.

### **UNFINISHED BUSINESS**

Councilwoman Seneca made reference to the matter of an abandoned vehicle at Quince and Rutherford Street as stated at the Council meeting of April 18. Councilwoman Seneca asked if this car had been removed as of yet. President Spackman indicated there was no information on this for tonight.

Councilwoman Seneca made a request for information in regard to letters sent to various organizations concerning the T-Mobile cell tower. President Spackman indicated letters were sent by Mr. Douglas Reynolds only, and not by the Borough, or any of its authorized representatives.

Mayor Stambaugh commented on the Paxtang Avenue curbing issue not being resolved yet. Mayor Stambaugh indicated she would inquire as to what the actual details are and will personally be moving forward on this matter.

### **NEW BUSINESS**

Mayor Stambaugh indicated the walking club has started up again for the spring.

“Dinner With Your Neighbors” will be a new community activity for the borough. Once a month a different restaurant in the borough would be selected by a random drawing to participate in “Dinner With Your Neighbors”. Each month, one night would be selected and Borough residents would be encouraged to dine out to dinner at that particular restaurant. Mayor Stambaugh indicated she would initially start the program off with her street but that anyone is welcome to join.

Mayor Stambaugh is in the process of organizing The Saturday Workshop programs. Mayor Stambaugh indicated there would be one on gardening with the possibility of coordinating two more workshops for the season.

Councilman Rowe discussed the use of an electronic scrolling type sign where multiple messages could be advertised. Solicitor Laskowski mentioned the possibility of updating the sign ordinance to allow for the use of temporary event signs. Discussion was held on looking into other municipalities for a review of their policy regarding temporary event signs.

\*Councilman Rowe made a motion to authorize Solicitor Laskowski to prepare an amendment to the current sign ordinance to allow provisions for temporary signs. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously.

Council Rowe mentioned the trustees of the Fire Company are moving ahead with plans to obtain different locks to the entrance to the fire house, the front door and the door at the stairwell. The lock will be an electronic keypad possibly accessed by the last four digits of ones social security number. Councilman Rowe

indicated that the Borough Manager and the Police would have access. The rest of the doors maintained by the Fire Company will have access by way of a key.

\*Councilman Rowe made a motion that Council allow the Fire Company trustees, under the advise of the Borough Manager, to proceed with changing the locks on the main access doors to the bay area of the fire truck. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

President Spackman announced at 9:04 that Council would retire to Executive Session for the purpose of discussing personnel matters.

President Spackman reconvened the public meeting at 9:26.

### **COMMUNICATIONS**

President Spackman mentioned a reminder from Chris Cap with PSAB concerning the Regional Pandemic Planning Meetings.

### **PRESENTATION OF BILLS**

Councilman Rowe made a motion to pay the bills. The motion was seconded by Councilman Beaver. The motion passed unanimously.

### **ADJOURNMENT**

Councilman Rowe made a motion to adjourn the meeting. Councilman Misiti seconded the motion. The motion was passed unanimously. The meeting was adjourned at 9:27 pm

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Secretary

Renumber Resolutions  
Treasurer's report  
Advertise Temp Position – Highway  
Execute Grant – Comp Plan  
Authorize Rettew – RFP – Mini Comp Plan  
Advertise Summer Recreation employees  
Authorize Solicitor prepare contract – independent contractors  
Authorize Solicitor prepare amendment – temporary sign  
Fire Company – change locks

