

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
July 18, 2006

President Spackman called the monthly meeting of the Paxtang Borough Council to order at 7:16 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 Virginia Panza John Rowe Deborah Seneca
Council President	F. Joseph Spackman
Council Vice President	John Ninosky was absent
Mayor	Keldeen Stambaugh
Borough Manager/Chief	Kenneth Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

MINUTES

*1) Councilwoman Panza made a motion to dispense with the reading of the minutes. The motion was seconded by Councilman Rowe. The motion was approved unanimously. Councilwoman Seneca asked for a correction to the minutes; Page 2, Audience Participation, the name Sarah Coughlin should read as **Shara** Coughlin.

*2) Councilwoman Panza made a motion to approve the minutes. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

FINANCIAL REPORT

*3) Councilwoman Panza 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

Chief Zwigart presented Council with a written report on the monthly activities for the Fire Company and Fire Police. Chief Zwigart proceeded to thank Council and Manager Beard with regard to the high quality of work being done in regard to the Municipal Building roofing project.

REPORT OF THE MANAGER

Public Works Employee Update: Manager Beard gave an update on Public Works employee Saul Schmolitz. The status of his position will be reviewed after an evaluation from Mr. Schmolitz's physician.

National Night Out: This Borough-wide event will take place on Tuesday August 1st. This is a correction from the June Minutes. The Web site should be corrected as well. Manager Beard received requests for the temporary closure of the following streets for this event: the 3300 Block of Brisbane, the 3400 Block of Rutherford and the 3600 Block of Montour.

*4) Councilman Rowe made a motion for the temporary closure of the streets per the request of the Borough Manager. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously.

NIMS Training: Manager Beard reminded Council to be sure they have completed their training before September 1st. Council must act upon this at the August council meeting by way of an Ordinance, Proclamation,

or Resolution certifying that all persons required to complete the NIMS training have in fact completed their training.

Budget Analysis: Manager Beard provided a Mid Year Budget Analysis Report showing where the budget stands to date along with the introduction of the new system for tracking expenditures.

Avenue Curb Invoice: A delinquent notice has been received from PennDOT for the payment of the Paxtang Avenue curbing project. At the direction of Council, Manager Beard sent a letter to PennDot indicating that the Borough was withholding payment until such time as our appeals have been exhausted.

Masonry Proposal for Building: Jones Masonry has been contacted to look at the back wall of the municipal building to determine from what source water is getting into the building. An approximate estimate for the back wall could be \$4,500.00. Manager Beard has spoken with Fire Chief Zwigart and will sponsor a cooperative effort to try and further track down where the water is coming in from.

Cell Tower: On behalf of T Mobile, notification was received from Advanced Engineering to conduct an environmental and historical impact survey on the placement of a cell tower in the Paxtang Cemetery. No action is required by Council at this time.

Zoning Appeal: The Paxtang Cemetery has applied for a zoning variance for a new sign along Paxtang Avenue. The sign exceeds the overall square footage and dimensions, therefore the Codes Officer has denied their request and the appropriate notice has been filed to appear before the Zoning Hearing Board. The hearing is scheduled for August 18th.

Penn Forestry: Manager Beard has been contacted by a representative from Penn Forestry, who was contacted by Councilman Rowe. The representative will conduct an evaluation concerning the growth in the Greenbelt area and will give Manager Beard an idea of the cost in clearing the old growth. Manager Beard will be meeting with the representative.

Building Requests: A request was received from a church inquiring about renting the gym for Sunday morning and Wednesday evening services for an indefinite time period. Discussion was held on reviewing the rental policy for the gym. Manager Beard will contact UGI and PPL for the purpose of obtaining a cost analysis report and the church with an update concerning the use of the gym.

A request was received from a resident with a business in the borough asking to use Council Chambers, free of charge, for the purpose of meeting with prospective clients. Discussion was held concerning the matter and it was the sense of Council to deny free use of Council Chambers, but to offer rental of the gym.

Police Report: Chief Beard referred to his written report provided to Council members. Requests were made for detailed information in regard to some of the items outlined to which Chief Beard offered an explanation in regard to the requests made.

AUDIENCE PARTICIPATION

Shara Coughlin of 3632 Rutherford Street, Chairperson for the Citizens Advisory Committee reported the following:

- Asked if the Borough charges a fee for a Business License as well as collection of a Business Privilege Tax. The response is yes on both issues.
- Parking issues in the alley of the Visiting Nurses Association and Gantt's Decorating and the concern of vehicles not being able to pass through in an emergency situation.
- Possibility of offering a Parent/Child Safety night at the Municipal Building.
- Thank you to Officer Zwigart for his constant patrol and committed service to the Borough.
- Skateboarding issues throughout the Borough – could Officers extend a safety reminder to skateboarders.

Mayor Stambaugh asked if an Officer or someone from the Advisory Committee could offer a presentation to school students on street safety issues. Ms. Coughlin asked if this could be tied in with the possibility of a Parent/Child Safety night.

Murv Grunden of 3323 Brisban Street reported the following:

- Paxtang Historical Society will hold their meeting on Monday, August 7th at 6:00 pm with a tour of the Paxton Presbyterian Church Cemetery by Ron Wicks and a picnic afterward at the pavilion. All are invited.

Manager Beard proceeded to thank Mr. Grunden and the Fire Police for their assistance at the Rosenberger funeral.

REPORT OF THE MAYOR

- Mayor Stambaugh indicated that PennDot is currently adhering to the original reimbursement contract in regard to the curb repairs on Paxtang Avenue. That agreement was signed by former Council President Jim Schmidt in 2004. The terms included the commitment to pay the costs of construction, estimated at \$37,000.00, or whatever the final cost is through the contractor. That figure is now being billed at \$88,000.00.
- PennDot is offering the Borough a long range reimbursement plan rather than their standard 30 day policy. The specific length of term is undefined. Mayor Stambaugh recommends the Borough make an initial payment, not going over \$37,000.00.
- Much discussion was held concerning the language of the contract, the “good faith” bargaining issue, and the bid acceptance procedure. Mayor Stambaugh is in the process of pursuing other areas of approach and would like a one month extension in order to do so.

DCED Grant: Mayor Stambaugh indicated a state grant has been awarded to the Borough for \$30,000.00, to be used for the parkway development and the purchase of equipment at the lower field. In order to complete the entire project, additional funding will be necessary.

Mayor Stambaugh mentioned that Paxtang was recognized as one of the Boroughs in PA participating in the National Night Out event.

United Water: Mayor Stambaugh complimented United Water on the way they handled the recent Boil Water issue in the Borough.

REPORT OF THE SOLICITOR

Act 167: Solicitor Laskowski reviewed for Council Act 167, the Stormwater Management Plan.

*5) Councilman Rowe made a motion to authorize Solicitor Laskowski to advertise Act 167, the Stormwater Management Ordinance. The motion was seconded by Councilwoman Panza. The motion was approved unanimously.

Sign Ordinance: Solicitor Laskowski presented an interim sign ordinance for Council’s consideration but recommended comprehensively addressing the issue of signs through the Mini Comprehensive Plan. After much discussion on the issue of the proposed temporary sign ordinance, it was suggested to proceed with the interim ordinance and to advertise the consideration of adoption at the August Council meeting.

*6) Councilman Rowe made a motion to allow Solicitor Laskowski to advertise the amendments to the sign ordinance as proposed. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

Auditor: In response to a question of whether the spouse of a Councilmember may be appointed and serve as an Auditor, Solicitor Laskowski indicated this would be permissible, with the understanding that the Council Member should abstain in the vote to appoint the individual to the office, or in any action taken by the appointee if it involves the appointees Council member.spouse

The same would be extended to the Auditor to abstain from any action if it involved that particular Council member, (that being their spouse) as opposed to Council as a whole.

Change of Order: Councilman Beaver read Resolution 11-06, appointing Linda E. Beaver to the Office of Auditor as a result of the resignation of Catherine Shoemaker. The term will commence on July 18, 2006 and terminate on January 2, 2007.

*7) Councilman Rowe made a motion to adopt Resolution 11-06. The motion was seconded by Councilwoman Panza. The motion was approved with Councilman Beaver abstaining.

Mayor Stambaugh proceeded to administer the Oath of Office of Auditor to Linda E. Beaver.

REPORT OF CODES ENFORCEMENT

Manager Beard referred to the written report presented to Council.

In regard to the Paxtang Cemetery applying for a sign variance, Solicitor Laskowski made note that Council has the ability and opportunity to appear, raise questions, concerns, and issues regarding the Cemetery's request. A Council member, Borough Manager, Codes Officer, or Solicitor Laskowski can do this on behalf of Council at the zoning appeal hearing if so need be.

REPORT OF THE ENGINEER

Engineer Shradley indicated the parties preparing the DCED Mini Comp Plan need not be licensed. The County will advertise the proposed scope of services. A section on evaluation and selection along with a plan for the downtown area is included with the advertisement. Solicitor Laskowski recommended deleting the word "downtown" due to its restrictive nature. Discussion was also held concerning the manner in which the fee would be handled. Engineer Shradley indicated an estimate for the number of hours needed to complete the proposed work would be submitted. Engineer Shradley stated the County should cover the fee.

Councilman Beaver inquired as to whether the reference to a Mini Comprehensive Plan Committee and Plan Advisory Committee are one in the same. Engineer Shradley indicated that they are the same. Discussion was held as to the procedure for selecting a committee and means of advertising. Council members interested in serving on this committee are Councilwoman Panza, Councilwoman Seneca, and Councilman Rowe.

*8) Councilman Beaver made a motion to approve the RFP to be submitted to Dauphin County for advertising for proposals. The motion was seconded by Councilwoman Panza. The motion was approved unanimously.

COMMITTEE REPORTS

Administration:

Councilman Beaver met with a representative from Diana Reed and Associates in regard to issues concerning their firm performing an annual audit of the Borough's accounts. The initial outlay for such an audit would be \$11,000.00. If the Borough chose to continue the process on an annual basis, the fee would be \$9,500.00 per year. To complete only the DCED report, opinions, and audit procedures, the fee would initially be \$8,500.00 and \$7,250.00 a year thereafter. Councilman Beaver indicated that he intended to contact Hummelstown Borough to review their procedures. Manager Beard indicated that the elected Auditors now file the appropriate reports with DCED on behalf of the Borough. Much discussion was held on what position the Borough should take next. The matter was tabled for discussion at a later time.

Highway:

The grant for street signs through Representative McNaughton's office is questionable at this time. An application will be sent to Councilwoman Seneca if the grant becomes available.

Councilwoman Seneca would like to start replacing selected signs now with the final product choice, but needs to know what direction the Borough would like to take as far as appearance, letter size, color, etc.

In regard to the concern of graffiti on the Spring Creek Bridge, Councilwoman Seneca indicated Manager Beard has taken care of this.

Property and Recreation:

Councilwoman Misiti requested Council members e-mail her with any suggestions, comments, or concerns in regard to the gymnasium guidelines.

Councilwoman Misiti noted that Manager Beard would call PPL for the audit and report to her.

Public Safety:
No Report

Public Relations:

Councilwoman Panza indicated she would e-mail Council members with the deadline date for the submission of articles for the newsletter.

Mayor Stambaugh asked the Public Relations Committee to reconsider their decision to publish the newsletter bi-annually instead of quarterly. She indicated that she has received comment from residents as to the value of the newsletter in keeping them informed. Discussion followed as to how to best balance the need to communicate current event items to the residents with the cost of publication, the difficulty in obtaining articles in a timely fashion, and the availability of the personnel to produce the newsletter for the printer.

As part of the Newsletter discussion, Councilwoman Seneca told Council that the Citizens Advisory Committee has approached her to indicate that the Committee would like to submit articles for publication. Councilwoman Panza asked Council to clarify the role of this group and their relationship to the Borough in general and Council in particular. To date, the Citizens Advisory Committee has received no official sanction or charge from Council, and that they are still in the process of organization. They have not asked for any official recognition at this time and therefore no action by Council is necessary.

UNFINISHED BUSINESS

No Business

NEW BUSINESS

Mayor Stambaugh indicated Principal Thomas Toone has been replaced as principal and will assume similar duties at Paxtonia Elementary School. We are awaiting official word on a replacement for Mr. Toone.

COMMUNICATIONS

Manager Beard stated that he received a letter of resignation from Patrick Corkle Sr. as a police officer (part time), effective December 16th.

A course is being offered in Managing and Developing your Municipal Budget on September 12. Councilman Beaver and Manager Beard indicated their interest in attending. Fee is \$50.00 per attendee.

*9) Councilwoman Panza made a motion for Councilman Beaver and Manager Beard to attend the Municipal Budget course and for payment of their seminar fee. The motion was seconded by Councilman Rowe. The motion was approved unanimously.

Manager Beard made a request for an Executive Session for the purpose of discussing personnel matters.

PRESENTATION OF BILLS

*10) Councilman Rowe made a motion to pay the bills. The motion was seconded by Councilwoman Panza. The motion was approved unanimously.

President Spackman announced at 10:20 that Council would retire to Executive Session to discuss a personnel matter.

President Spackman resumed the public meeting at 10:23 p.m.

ADJOURNMENT

*11) Councilman Rowe made a motion to adjourn the meeting. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously. The meeting was adjourned at 10:23 pm.

Secretary

1. Dispense with the reading of the Minutes
2. Approve the Minutes
3. Dispense with and Approve Treasurer Report
4. Temporary Street Closure
5. Solicitor Advise Act 167 Stormwater Management
6. Solicitor Advise Amendments – Sign Ord.
7. Adopt Res. 11-06
8. Submit RFP to County
9. Municipal Budget Course
10. Pay the Bills
11. Adjourn