

PAXTANG BOROUGH COUNCIL
Municipal Building 3423 Derry Street
Regular Business Meeting
March 15, 2011

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:18 p.m., followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Roll Call was taken.

Council Members Present:

Council President	John R. Ninosky, Sr.
Council Vice-President	E. Denny Beaver
Council Members	Sheilah Borne Fuller Lynn Kipp Virginia Panza Raymond Patackis Deborah Seneca
Mayor	Keldeen L. Z. Stambaugh
Borough Officials	
Borough Manager-Chief	Kenneth E. Beard
Borough Solicitor	Joshua Bonn, Nauman Smith
Borough Engineer	W. Max Shradley
Fire Chief	Todd Zwigart

MINUTES

*1) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of February 15, 2011 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

TREASURER'S REPORT

*2) Vice-President Beaver made a motion to dispense with the reading of the Treasurer's Report for the month of February, 2011 and to approve the same. Motion seconded by Councilwoman Panza. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart presented a written report of Fire Company and Fire Police activities for the month of February and offered a verbal explanation as well.

Chief Zwigart reported that the new Pierce Engine is currently at Ryder Graphics for lettering and striping and that members will be receiving driver training and general equipment training very shortly. Chief Zwigart and Manager Beard met with a representative from the NOVAC Consulting Group regarding Act 47 and the City of Harrisburg and the position, if any, that the Paxtang Fire Company might have with providing assistance to the City of Harrisburg Bureau of Fire if the need arises. At this time no agreement or policy has been established.

Chief Zwigart is requesting authorization from Council to contact PennDOT in order to have Derry Street closed from Paxtang Avenue to Kelso Street for a three hour time period on Saturday, June 4th. This request is in anticipation of the engine "housing" ceremony. Chief Zwigart is asking that Derry Street be closed out of public safety concerns and in anticipation of a large turnout of apparatus from surrounding municipalities. Mayor Stambaugh asked Chief Zwigart if the ceremony could be accomplished in less than

three-hours. Manager Beard stated he is adamantly opposed to closing Derry Street for a three-hour time span and questioned if Fire Police would solely be responsible to man all traffic control points.

Captain Grunden said he would be seeking support from surrounding municipalities for traffic control and does not foresee needing assistance from Paxtang Police, but nevertheless would like permission for the Special Fire Police to be in charge of traffic control. President Ninosky recommended that Fire Police provide traffic control and not Borough Police. Mayor Stambaugh asked if the Fire Company would be willing to lend assistance in posting temporary "No Parking" signs throughout the Borough to prepare for the event. Chief Zwigart believes it would not be a problem. Councilwoman Borne Fuller stated she would be in favor of closing Derry Street for a two (2) hour time frame. Chief Zwigart agreed to hold the "Housing" ceremony between two and four o'clock p.m.

*3) Councilwoman Borne Fuller made a motion authorizing a request be directed to PennDOT to close Derry Street from 2 to 4 on Saturday, June 4th for the "housing". Motion seconded by Councilwoman Kipp. Motion carried.

Oath of Office: At this point Mayor Stambaugh proceeded to administer the Oath of Office to Angel Gonzales as a member of the Civil Service Commission. Mr. Gonzales replaces former commission member Ms. Jill Rowe who resigned due the relocation of her place of residence outside of the Borough. Council was given the opportunity to welcome Mr. Gonzales to his new position.

REPORT OF THE MANAGER

Seminars: In addition to information regarding future seminars sent to Council members prior to the Regular Business Meeting, Manager Beard presented the following:

- May 26th, Seminar - The 2011 CENSUS
- April 2nd, Municipal Officials Training and Skills Development
- April 10-13, PSAB Annual Conference

Zoning Update: With no objection from Council, Manager Beard is prepared to move forward and schedule one last Steering Committee meeting before the final presentation of the Zoning Ordinance Update.

Airport Overlay: Manager Beard has been informed that the Borough lies within the Harrisburg International Airport Overlay District by approximately five (5) feet and therefore must enact and approve an Airport District Overlay Ordinance. In order to be considered for grant funding, a letter of cooperation must be submitted on behalf of the Borough. President Ninosky recommended that Manager Beard proceed with the letter of cooperation.

TMI Drill: Manager Beard reminded Council of the Three Mile Island (TMI) tabletop drill scheduled for Tuesday, March 22 at 6:30 in Council Chambers.

Civil Service Term: The Minutes from the Regular Business Meeting of January 18, 2011 incorrectly documented that Mr. Gonzalas will be filling a 6-year term. Since Mr. Gonzalas will be filling an unexpired term, his term will expire in January of 2013.

*4) Councilwoman Borne Fuller made a motion clarifying that Angel Gonzalas's term on the Civil Service Commission will end in January 2013 and that all pertinent documents will be recognized as such. Motion seconded by Councilwoman Panza. Motion carried.

Highway Garage: The construction project continues and the building is now ready for framing of the walls and further installation of electrical devices. Manager Beard estimates costs incurred to date to be between \$43,000.00 and \$44,000.00. Expenses have been able to be kept in line by facilitating the use of Public Works employees. Manager Beard stated at this time the building is without water or sewer lines and that in order to install these lines it would require accessing the Right-Of-Way of a nearby property owner. Manager Beard informed Council that it is Solicitor Feinour's opinion that the project could be funded through the Sewer Fund. To continue with the project, the Borough Engineer would need to develop details in order to let a contract, and the Borough Solicitor would have to draw up an easement between the

property owner and the Borough. President Ninosky recommended that Manager Beard proceed with the project. Mayor Stambaugh would like to see that the owner's property be restored back to its pre-construction condition.

*5) Vice-President Beaver made a motion to start the process to lay sewer lines for the Borough garage. Motion seconded by Councilwoman Panza. Motion carried.

Humane Society Contract: Manager Beard received information from Borough resident Ms. Jan Zarick about seminars offered through an organization entitled "*Preservation of Animal Welfare and Safety*", (PAWS). The session will include an overview of managing populations of free roaming felines through the Trapping, Neutering, and Return (TNR) strategy system. Representatives from PAWS will be available to help form active local teams that can initiate TNR municipal strategies. Councilman Patackis and Vice-President Beaver will be attend the seminar offered on March 16th at Lower Paxton Township. Councilman Patackis inquired as to why posting this information on the Borough web site and the Borough bulletin was not carried out as Ms. Zarick had requested. Manager Beard said he had simply missed the request for posting the bulletin board and that Ms. Zarick had already sent the request to the Web Master. Councilwoman Seneca stated the information could be posted on the Borough Face-Book page.

Best Friends Forever: Manager Beard received information from Best Friends Forever, (BFF) a volunteer organization dedicated to finding forever homes for cats and dogs and other homeless animals in Central Pennsylvania. On Saturday Mar 14th, BFF will host a pet adoption festival at the United Church Center in Harrisburg. Anyone interested may contact the organization at www.BFFPA.org.

Pavilion Request: A request from the Lions Club has been received to use the facilities at Saussaman Park for a Lions Club sponsored event. With no objection from Council, Manager Beard will authorize the use.

A request has been received from the Swatara-Paxtang Softball Association to use the facilities at Saussaman Park. With no objections from Council, Manager Beard will authorize the use.

Greenbelt Support: Carl Dickson, Director of Dauphin County Parks and Recreation has submitted a written request to the Borough for their support. They are seeking a grant to conduct a feasibility study to develop long-term measures to address trail safety issues at intersections and road sections of the Capital Area Greenbelt. With no objection from Council, Manager Beard will draft a letter of support.

Floodplain Ordinance: Manager Beard informed Council that the Floodplain Ordinance has been forwarded to the Dauphin County Conservation District for their review.

Harrisburg City Sewer Billing: Manager Beard is in possession of documentation from the forensic accounting investigation dealing with alleged underpayment of sewer billings from 2007. Council members wishing to view this material should contact Manager Beard.

Police Report: Chief Beard offered for Council the written report for the month of February and offered a verbal explanation as well.

President Ninosky stated That he had received a letter from UGI regarding programs for enhancing the public's awareness of natural gas pipeline operations. This information was passed along to Manager Beard for his review.

AUDIENCE PARTICIPATION

Mr. Murvin Grunden of 3323 Brisban Street reported the following:

- On April 4th at 7:00 p.m. the Paxtang Historical Society will meet at the Paxton Presbyterian Church. New Cumberland Mayor D.J. Landis will speak about Michael Simpson, a native of Paxtang and founder of the Simpson Ferry.
- On August 1st at 6:30 p.m. the Historical Society will hold their annual picnic at Saussaman Park. The Tittingers, a Father and Son musical team, will provide entertainment.

- On October 3rd the Historical Society will meet at the Paxton Presbyterian Church. The Reverend David Biser will give a presentation on John Harris.
- Mr. Grunden received a communication from Ms. Skinner of the Paxtang Cemetery. Ms. Skinner's son is working towards the rank of Eagle Scout and is interested in providing a service project for the Borough. Councilwoman Seneca inquired if refurbishing the bleachers at the lower ball field might be a suitable project.
- Mr. Grunden will continue to forward the Historical Society newsletter to Manager Beard for distribution to Council Members.

AUDIENCE PARTICIPATION: Ms. Carlene Rameau of 3031 Derry Street (Apt-A) voiced her concern with the procedure for obtaining a Home Occupation Permit. Ms. Rameau believes that one should not need permission from Council in order to pursue a business endeavor and that owning or renting the property should have no bearing on the matter. Ms. Rameau is of the further opinion that Borough residents need not be notified of a proposed business venture. President Ninosky explained the process for obtaining a Home Occupation Permit as it is outlined in the current Ordinance. Ms. Rameau would like Council to consider changing the Ordinance to reflect her views and concerns. President Ninosky informed Ms. Rameau that it is in fact the obligation of Council to look out for the safety, concern, and well being of all residents of the Borough. President Ninosky encouraged Ms. Rameau to review the Ordinance, thanked her for bringing her concerns to the attention of Council, and stated that Ms. Rameau was more than welcome to follow the process for pursuing a Home Occupation Permit.

REPORT OF THE MAYOR: The Central Dauphin School District has invited Mayor Stambaugh to participate in a program entitled "*Educator in the Workplace*" This is a summer program where teachers visit local municipalities and shadow along side elected officials. Mayor Stambaugh will inform Council when the District assigns someone to her.

President Ninosky asked Mayor Stambaugh if she had any information about the possibility of consolidation of area elementary schools. Mayor Stambaugh said she did not have any formal report at this time. Currently a committee appointed by the Central Dauphin School District, and of which she is a member, is looking at approximately 30 scenarios to determine if this topic merits further investigation.

An unidentified resident has voiced their concern to Mayor Stambaugh with regard to the limited site of vision caused by the position of a garage at the intersection of Apple and Elm Streets. Mayor Stambaugh asked if some type of traffic control device could be installed to help slow the speed of vehicles as they approach the uncontrolled intersection.

REPORT OF THE SOLICITOR: No Report

REPORT OF CODES ENFORCEMENT: Manager Beard referred Council to the written report of Codes Enforcement Officer Ed Wenger for the month of March and offered a verbal explanation as well. Manager Beard asked Council to consider excusing Mr. Wenger from future Council meetings unless there would be a specific issue that Council would like addressed. President Ninosky suggested Mr. Wenger have his report sent to the office by the Friday before the Regular Business Meeting so that members of Council would have time to review the report and contact the office if they have questions or concerns regarding the report.

REPORT OF THE ENGINEER: Engineer Shradley presented for Council's review a map and spreadsheet showing work completed on Borough streets from 1990 to 2002 and potential street maintenance projects for 2011. Engineer Shradley stated that an area at Duke between 32nd St. and Park Terrace sustained damage due to a water main break. As a result, sections of pavement have lifted, causing water to leach through the roadway for roughly 200 feet. Additionally, an area at Duke between 30th and 32nd Streets also has a degree of damage making these sites unacceptable for microsurfacing or crack sealing. Engineer Shradley suggested contacting United Water to see if they would be willing to provide financial assistance due to damage caused by the water main break. Engineer Shradley suggested Council select from this inventory and come up with a list of streets to bid out for microsurfacing and crack sealing.

President Ninosky stated that approximately \$75,000.00 is available through Liquid Fuels and \$40,000.00 from Highway Taxes for a total of \$115,000.00. This total would have to include payment of services to Rettew Associates for engineering work. Prevailing wages would not be in effect since this would be considered a maintenance project. Manager Beard and Engineer Shradley will meet with United Water to discuss any possible financial assistance from them.

*6) Vice-President Beaver made a motion to approve up to \$115,000.00 for highway construction and Engineering fees. Motion seconded by Councilwoman Panza. Motion carried.

COMMITTEE REPORTS

Administration – No Report from Vice-President Beaver

Highway – No Report from Councilwoman Seneca

Property and Recreation – Councilwoman Kipp asked for a status report regarding the installation of the playground equipment at the lower ball field. Manager Beard said that the plans were submitted to The Department of Conservation and Natural Resources (DCNR) and that the grant was approved based upon the information as submitted, but when the equipment was ready to be installed, DCNR requested more information. Plans were reviewed by Manager Beard and Engineer Shradley and once again resubmitted, only to have DCNR ask for a more detailed design plan from an engineering perspective. No further action has been taken because at the time of the last request from DCNR, an indefinite hold was put on the playground. Available man-hours are currently being directed to the construction of the new highway garage. Councilwoman Kipp requested Manager Beard review the plans and resubmit them as soon as possible.

Councilwoman Kipp asked for a progress report regarding the Memorial Day Picnic. Manager Beard advised this was an “In House” project and should be underway by late April.

Councilwoman Kipp asked Manager Beard if it was possible to raise the filing threshold for a Building Permit Application from the current rate of \$200.00 to \$1,000.00. President Ninosky said this issue would be addressed in the new Codification. Councilwoman Kipp would like this matter addressed and asked for an explanation of the codification process. Manager Beard honored this request and proceeded to offer a verbal explanation.

Councilwoman Seneca will be working with a computer program enabling her to process registrations on line for various events including the 4th of July Parade and Patriot Camp. Councilwoman Kipp asked Manager Beard if he had submitted documentation to PennDOT requesting road closures for the 4th of July parade. Manager Beard will supply Councilwoman Kipp with a list of requirements requested by PennDOT and will submit the proper documentation once the forms have been returned to him.

Councilwoman Seneca informed Council that youth volunteers would be supervising participants as they travel from station to station at Patriot Camp. Councilwoman Seneca would like one station designated for the observation of baking bread over an open fire and asked Council for their consideration. There was no objection from Council.

Public Safety – No Report from Councilwoman Borne Fuller

Public Relations – Councilwoman Panza said the Paxtang Post should be ready for delivery within the next week.

Health and Sanitation – No Report from Councilman Patackis.

UNFINISHED BUSINESS – No Report

NEW BUSINESS – No Report

COMMUNICATIONS – None

PRESENTATION OF THE BILLS

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

ADJOURNMENT

President Ninosky declared the Regular Business Meeting to be adjourned at 8:45 p.m.

Secretary

1. Minutes
2. Treasurer's Report
3. Close Derry Street – Fire Co. Housing
4. Term of Office – Civil Service – Angel Gonzales
5. Install Sewer Lines – Garage
6. Street Reconstruction
7. Payment of Bills