

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
July 17, 2007

President Spackman 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, led by Mayor Stambaugh.

Roll Call was taken.

Council Members Present:

Council President	F. Joseph Spackman
Council Vice-President	John Ninosky – absent
Council Members	E. Denny Beaver Heather LaCour (entered at 7:32 p.m.) Virginia Panza John Rowe Deborah Seneca
Mayor	Keldeen Stambaugh
Borough Manager-Chief	Kenneth Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

MINUTES FOR MAY

*1) Councilman Beaver made a motion to dispense with the reading of the Minutes for the month of May and to approve same. Motion seconded by Councilwoman Panza. Motion carried.

TREASURER'S REPORT FOR MAY

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

MINUTES FOR JUNE

*3) Councilwoman Panza made a motion to dispense with the reading of the Minutes for the month of June and to approve same. Motion seconded by Councilman Beaver. Motion carried.

TREASURER'S REPORT FOR JUNE

*4) Councilman Beaver made a motion to dispense with the reading of the Treasurer's Report for the month of June and to approve same. Motion seconded by Councilwoman Panza. Motion carried.

For the benefit of the audience, President Spackman explained that the Minutes and Treasurer's Reports for the months of May and June are being acted upon at this time due to the lack of a quorum for the conduct of business at the Regular Business Meeting for June.

REPORT OF THE FIRE CHIEF

Due to Chief Zwigart and Deputy Chief Turner attending the Dauphin County Fire Chief's Association Meeting, President Spackman deferred the Report of the Fire Chief until such time as the Chief's representative arrives.

REPORT OF THE MANAGER

Mini Comp Plan: Manager Beard referred to the reports filed by Mr. Knerr of Rettew Associates that indicate that the committee is researching the Borough's strengths as well as weak areas to improve upon.

A meeting is scheduled at Good Shepherd Lutheran Church on Thursday, July 19th 6:30 p.m. for the purpose of receiving input from the general public.

CDBG Grant: Manager Beard asked Council to retroactively approve, through Resolution 09-07, the application to DCED for a Community Development Block Grant. The stated purpose of this request is to study Zoning and matters relating to Land Sub-Divisions within Paxtang Borough.

*5) Councilman Beaver made a motion to approve Resolution 09-07. Motion seconded by Councilwoman Panza. Motion carried.

Spring Clean Up: Well attended. Cost for Spring Clean Up was \$5,958.99.

Summer Recreation Help: Joseph Miller and Melinda Dennis were hired for the summer recreation program and have assumed their duties.

Memorial Day Picnic: Manager Beard extended a thank you to everyone who participated and helped out for this event. All accounts have been settled.

SYSA: A soccer schedule is still needed from SYSA for use of Saussaman Park.

Duarte Sports Clinic: Attendance was down from previous clinics.

Health and Sanitation: Tom Stang of Waste Management would like to modify the solid waste collection time for the summer months to start at 5:00 a.m. instead of 6:00 a.m. as stated in our contract.

*6) Councilman Rowe made a motion to authorize Waste Management to start collection at 5:00 a.m. from Memorial Day to Labor Day. Motion seconded by Councilwoman Panza. Discussion was held that if the Borough received valid complaints, the collection time would revert back to the contract time of 6:00 a.m. Motion carried.

Sewer Flushing Trailer: Manager Beard presented Council with information on a joint purchase of a Sewer Flushing Trailer with the Borough of Penbrook. The purchase price is estimated to be \$41,606.80. In order to minimize the impact to the General Funds, a matching grant in the amount of \$12,500.00 is to be applied for from Dauphin County. If that grant is approved, \$22,606.80 would be deducted from the Paxtang Borough Sewer Fund and Penbrook Borough would be contributing \$6,500.00. Should the Boroughs elect not to pick up the unit in Illinois, there will be an additional delivery charge in the amount of \$1,500.00.

*7) Councilwoman Panza made a motion to authorize the purchase of the Sewer Flushing Trailer. Motion seconded by Councilman Beaver. Discussion was held as to why the Borough did not opt for the purchase of the accompanying camera unit. Manager Beard explained that this purchase was not in the best interest for the borough at this time and that other options could be researched at a later time if need be. Motion carried.

Non-Uniform Negotiations: Considerations are ongoing with no proposals for Council at this time.

Open Burn Ordinance: Fire Chief Todd Zwigart is working on this Ordinance.

Mower Deck: The mower deck on the smaller of the two tractors needs to be replaced at a cost of \$1,165.10.

*8) Councilman Rowe made a motion to purchase a 48" mower deck. Motion seconded by Councilwoman Panza. Motion carried.

Councilwoman LaCour entered at this time.

Traffic Study: The traffic study at the Paxtang Elementary School indicates a need to prohibit parking on the north side of Rutherford between Walnut and Swan. Manager Beard would like authorization, along with Solicitor Laskowski, to develop modifications of the existing Ordinance and to advertise these amendments as well. There was considerable discussion on different parking options for this area.

*9) Councilman Rowe made a motion to authorize Manager Beard and the Borough Solicitor to develop an amendment to the existing Ordinance and to proceed with advertising. Motion seconded by Councilwoman Panza. Motion carried.

Police Report: For the benefit of Council and the audience, Chief Beard gave a detailed verbal account in addition to his written report for the month of June. A Chambersburg newspaper article mentioned Officer Corkle Jr. as being responsible for the apprehension of a suspect in Susquehanna Township who was involved in a home invasion.

National Night Out: A written request was received from Mr. and Mrs. Murvin Grunden of 3323 Brisban Street to block off Brisban Street, between Quince and Kelso Streets, for National Night Out, scheduled for Tuesday, August 7th. Chief Beard asked Council to approve this request and any similar requests, providing they can be done without compromising safety.

*10) Councilman Beaver made a motion to approve the closing of streets for National Night Out. Motion seconded by Councilwoman Panza. Motion carried.

Hire Part-Time Officer: Chief Beard asked consideration from Council to extend an offer of employment for an additional Part-Time Officer providing a satisfactory background check is received for a candidate.

*11) Councilwoman Panza made a motion to hire a Part-Time Officer upon completion of a satisfactory background check. Motion seconded by Councilman Beaver. Motion carried.

Police Pension Plan: Chief Beard offered Resolution No. 08-07 for Council's consideration. This resolution indicates that the municipal obligation will be borne by the Borough and that individual officer contributions will not be required. This resolution will continue in force for an indefinite period.

*12) Councilwoman Panza made a motion to adopt Resolution No. 08-07. Motion seconded by Councilman Rowe. Motion carried.

REPORT OF THE FIRE CHIEF

Lt. Will Skinner gave a verbal report on the monthly activities for the Fire Company and Fire Police.

AUDIENCE PARTICIPATION

Murv Grunden, 3323 Brisban Street, presented the following:

- Mr. Grunden offered a thank you to Manager Beard, and the Highway and Code Enforcement officials, for monitoring the situation of tall grass at 12 Kelso Street, and for maintaining the fields along the Greenbelt and the ball fields in an excellent manner.
- National Night is scheduled for Tuesday, August 7th from 6 to 9 p.m. Mr. Grunden has registered the Crime Watch with the National Night Out Organization in the name of Paxtang Borough Crime Watch.
- Paxtang Historical Society – Monday August 13th 6:00 members and non-members are invited to participate in an architectural walking tour and picnic. Contact Mr. Grunden if interested in attending.
- Yard Waste Containers – would like contact made with Waste Management for the availability of large containers for yard waste.
- PPL – would like contact made to PPL advising them of a street light out on Derry Street.

Brenda Noell, 19 N. 30th Street, made inquiry as to the condition of 3118 Derry and the issue of trash. Code Enforcement Officer Ed Wenger commented that he has posted this property on Tuesday, July 17th indicating that they have 48 hours to clean up the trash or he will file a citation with the District Court Judge.

REPORT OF THE MAYOR

Mayor Stambaugh presented the following:

- Notice has been received that a DCED Grant will be forthcoming. This grant will be used for the purchase of playground equipment at the lower field.

- A late August meeting will be scheduled with Borough business owners which will tie into the Mini Comp Plan.
- A speaker from the Game Commission will be asked to present a workshop on skunks.
- Paxtang Avenue curbing issues are ongoing.

REPORT OF THE SOLICITOR

Solicitor Laskowski presented the following:

- The payment agreement with PennDOT regarding the Paxtang Avenue curbing has been completed and he will contact the Borough when the agreement is ready for signatures.
- Ordinance No. 607 – Leash Law - has been advertised and is ready consideration by Council.

*13) Councilman Rowe made a motion to adopt Ordinance No. 607. Motion seconded by Councilwoman Panza. Discussion was held as to the content of this Ordinance. Mayor Stambaugh made inquiry as to the consideration of having a separation between the issue of a dog on a leash versus that of a cat on a leash and how the situation would be monitored. Solicitor Laskowski stated that enforcement could be carried out by the police or the Code Enforcement Officer. Motion carried.

- Ordinance No. 606 – Rental Housing. This Ordinance corrects a typographical error changing the wording “Michigan” to Borough of Paxtang.

*14) Councilwoman Panza made a motion to adopt Ordinance No. 606. Motion seconded by Councilman Beaver. Motion carried.

- Realty Transfer Tax Ordinance – This Ordinance deals with giving authority to the Commonwealth to collect delinquent or unpaid realty transfer taxes and the collection of interest. The Borough has an Ordinance which imposes a 1 percent realty transfer tax and interest of 1/2 of 1 percent per month (6 percent per year). Solicitor Laskowski asked if the Borough desires to consider amending our existing Ordinance as to the interest rate to comply with the State mandated levels. After much discussion it was decided not to amend the current Ordinance.

*15) Councilwoman Panza made a motion to table the issue. Motion seconded by Councilwoman LaCour. Motion carried.

- Burn Ordinance: Solicitor Laskowski commented that this Ordinance is in draft form for Council’s further consideration and modification.

REPORT OF CODES ENFORCEMENT

Code Enforcement Office Ed Wenger referred Council to his written reports of May and June for their review.

Manager Beard asked Council to consider the draft Ordinance dealing with the designation of yards. Mr Wenger explained that this draft Ordinance would redefine the meaning of “front yard”. For the benefit of the audience, President Spackman read the draft Ordinance.

*16) Councilman Rowe made a motion for authorization to move forward with submission to Dauphin County Planning and after receiving their comments to follow with advertising. Motion seconded by Councilwoman Panza. After much discussion, motion carried.

Manager Beard mentioned the Zoning Hearing Board is scheduled to meet Thursday, July 19th to hear an appeal by the potential purchaser of 2910 Brisban Street, The Town and Country Day School. The proposed use includes a Day Care. Manager Beard expressed his concerns with security and transportation issues which he has conveyed to the attorney for the buyer. This was brought to the attention of Council to see what their position might be and to give direction to Mr. Wenger for the Zoning Hearing Board. President Spackman indicated to have Mr. Wenger represent the Borough in a fair manner.

Manager Beard asked Council for an Executive Session for the purpose of discussing the waiver of the fees by John Brixius for a Zoning Hearing appeal. President Spackman announced that Council would retire for an Executive meeting at 8:35 p.m. President Spackman reconvened the regular business meeting 8:45 p.m.

*17) Councilman Rowe made a motion to refund the Zoning Hearing fees paid by Mr. Brixius. Motion seconded by Councilwoman Panza. Motion carried.

REPORT OF THE ENGINEER

Engineer Shradley asked Council to consider payment of the invoice from Handwerk Corporation for the Walker Street reconstruction project, in the amount of \$34,062.46, pending any adjustments based on any reviews from Rettew for quantity adjustments.

*18) Councilman Rowe made a motion to pay Handwerk \$34,062.46 for the Walker Street reconstruction project. Motion seconded by Councilwoman Panza. Motion carried.

The Mill and Overlay project of several Borough streets has been awarded to Hempt Brothers. On the Borough's behalf, Rettew issued a Notice to Proceed Order for July 30th. A pre-construction meeting is scheduled for 11:00 a.m. on July 23.

COMMITTEE REPORTS

Administration

Councilman Beaver distributed a workbook to Council Members in preparation for the 2008 Budget. Councilman Beaver asked Council members to use this as a tool for the Budget preparations in September. President Spackman noted that the City of Harrisburg is seeking an increase in their Sewer charges and therefore it would be wise to look at what our revenue is from municipality Transmission fees.

Highway

Manager Beard reported that the Street Sign Grant was denied.

Property and Recreation

Manager Beard received a letter dated June 19th from an organization called Touching Lives Universal Ministries. This organization proposes to use the gym for weekly services on Sundays from 10:00 a.m. to 2:00 p.m. and Thursdays from 7:00 p.m. to 9:00 p.m. This arrangement would remain in effect from June 2007 to June 2008. Manager Beard was in contact with Councilwoman LaCour and made the decision to allow this organization use of the gym for one month until Council could consider their request. They are also requesting use of the gym for three days in August. There has also been communication from this organization that they did not feel the air conditioning system is working adequately. They might have someone willing to take a look at the unit and repair it at no cost to the Borough. They are proposing a set rental fee of \$125.00 per week. Discussion was held that the proposed fee was not acceptable, sports events will have priority scheduling, and they may rent on a quarterly basis. President Spackman suggested writing them a letter advising of our decision. It was decided to allow use of the gym for the three days in August at the rate of \$50.00 per hr for non residents or \$25.00 per hr. if the organization has a Paxtang resident as a member.

Public Safety

Resolutions 6-07 and 7-07 were presented to Council for their consideration. Both Resolutions deal with adopting policies required by the Dauphin County Emergency Management Agency and the National Incident Management System.

*19) Councilman Rowe made a motion to adopt Resolution 06-07. Motion seconded by Councilwoman Panza. Motion carried.

*20) Councilman Rowe made a motion to adopt Resolution 07-0-7. Motion seconded by Councilwoman Panza. Motion carried.

Public Relations

The upcoming newsletter will have a submission deadline of mid September.

Health and Sanitation

Councilman Rowe requested the Borough staff to contact Waste Management to inquire into the use of large yard waste containers.

UNFINISHED BUSINESS

Burn Ordinance

Due to the lengthy discussions regarding this matter, it was decided to organize a sub-committee to develop an alternative for Council's consideration, with Councilman Rowe acting as Chairman.

NEW BUSINESS – None

COMMUNICATIONS

July 19th – Dauphin County to hold a public hearing on the CDBG program

July 31 – Dauphin Lebanon Boroughs Association in Myerstown 6:30

Aug. 20th - Capital Regional of Governments summer picnic at the Sunset Golf Club. \$20.00 to golf, picnic is free.

Thank you letter from Wendy Baker regarding the reconsideration by Council to honor the original price quote for the gymnasium rental.

Thank you letter from Janice Hutchinson for the investigation into the condition of the shade tree in front of her home

Thank you letter from Murv Grunden to the Fire Companies assisting in the Tour De Belt.

Councilman Rowe asked for the proper procedure to have Shade Trees addressed. Manager Beard stated to email concerns to the borough office and that he would investigate and refer all complaints to the Shade Tree Commission. The staff takes no other action until directed to do so by the Shade Tree Commissioner .

PRESENTATION OF THE BILLS

*21) Councilman Beaver made a motion to pay the May bills. Motion seconded by Councilman Rowe. Motion carried.

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

ADJOURNMENT

*23) Councilman Rowe made a motion to adjourn the regular business meeting. Motion seconded by Councilwoman Panza. Motion carried. President Spackman adjourned the regular business meeting at 9:15 pm.