

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
February 20, 2007

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:

Council President	F. Joseph Spackman
	E. Denny Beaver
	Heather Misiti
	Virginia Panza
	John Rowe
	Deborah Seneca – entered at 7:18 pm

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

President Spackman announced a change in the order of the regular business meeting to accommodate a presentation from Lower Paxton Township Supervisor Mr. David Blain in reference to the Capital Area Tax Collection Bureau. Mr. Blain asked Council for their support of a proposed Resolution regarding municipal representation along with collection and distribution of Earned Income Tax monies.

*1) Councilman Rowe made a motion to adopt Resolution 04-07 with the following requested correction from Manager Beard: page two, paragraph one, line five should read ‘Borough Council’ replacing the phrase ‘Board of Supervisors’. The motion was seconded by Councilman Beaver. The motion carried unanimously.

MINUTES

*2) Councilman Rowe made a motion to dispense with the reading of the Minutes of the regular business meeting of January 16, 2007 and to approve same. Councilwoman Seneca asked that a typographical error be corrected. The motion was seconded by Councilman Beaver. The motion carried unanimously.

TREASURER’S REPORT

*3) Councilman Beaver made a motion to dispense with the reading of the Treasurer’s Report and to approve same. The motion was seconded by Councilman Rowe. The motion carried unanimously.

REPORT OF THE FIRE CHIEF

Due to the installation of a new computer system, the written report of Fire Company activities has been delayed, but is expected to be available in the near future. Chief Zwigart proceeded with the written report for the Fire Police. Chief Zwigart, along with Mayor Stambaugh, Councilman Beaver, and Murv Grunden, attended a Federal Grant writing seminar. They are part of a committee that is in the process of preparing a Homeland Security grant application. If approved, this grant would be used to assist in the purchase of a new fire truck.

Chief Zwigart and Mayor Stambaugh offered their compliments to the Ladies Auxiliary in organizing the recent Fire Company Banquet.

President Spackman and Chief Zwigart expressed their gratitude to the Borough highway employees and to Manager Beard for the fine job they did in clearing the streets during the recent ice and snow storm.

REPORT OF THE MANAGER

Manager Beard presented the following:

- Councilwoman Seneca has asked to be relieved as the Borough's representative to the Capital Area Tax Bureau. Without objection, Councilman Beaver has agreed to replace her as the representative to the Tax Bureau and Councilwoman Seneca will replace Councilman Beaver as the Council Representative to the Capital Area Greenbelt Association.
 - Presentation of Resolution 2-07
Resolution 2-07 was read by Mayor Stambaugh commending Mr. David Laskowski on the completion of his Eagle Scout project within the borough.
- *4) Councilman Rowe made a motion to adopt Resolution 2-07. The motion was seconded by President Spackman. The motion carried unanimously.
- Mini-Comprehensive Plan
In regard to the Mini-Comp Plan, Manager Beard will meet with Mr. Shradley in order to review the contract for language content. To comply with the provisions of the Mini-Comp Plan, adoption of an Advisory Committee will be necessary. Mr. Knarr, of Rettew Associates suggested that the following persons comprise this committee: Mayor Stambaugh, two Borough Council members, one representative from a civic association, one representative from the Citizen's Advisory Committee and/or the Paxtang Historical Society, two downtown business owners, one business owner from 29th Street area or the east end of Derry Street, the Zoning Officer, the Borough Manager, and two or three borough citizens. Information will be posted on the borough website to notify citizens of the opportunity to serve on this committee. President Spackman, Councilwoman Seneca and Murv Grunden (Citizen's Advisory Committee/Paxtang Historical Society) agreed to serve on this committee.
 - Cellular Tower
The original zoning hearing for the proposed cell tower construction at the Paxtang Cemetery was cancelled in order to provide additional notification to residents. The hearing has been rescheduled for February 26th, 2007, at 6:00 p.m. The Solicitor for the Zoning Hearing Board passed along some suggestions that Council might want to consider when revising the Zoning Ordinance. Manager Beard recommended the Borough Solicitor be empowered to look into the changes proposed by the Zoning Hearing Board Solicitor.
 - TMI Training
A tabletop exercise will be conducted at 6:00 pm on Thursday, February 22nd, at the borough building. A full scale TMI seminar will be conducted on Thursday, March 15th.
 - Police Vehicle
Settlement has been made with the insurance company and the Borough has received compensation for the police vehicle demolished in the crash of December, 2006. A replacement vehicle has been placed in service after the appropriate lease/purchase agreement was executed.
 - Police Report
Chief Beard presented Council with a written report of police department activities for the month of January. Mayor Stambaugh asked Chief Beard to elaborate on several points.
Chief Beard presented to Council a letter of resignation from Officer David Cantrell.
- *5) Councilman Rowe made a motion to accept the resignation of Officer David Cantrell. The motion was seconded by Councilman Beaver. The motion carried unanimously.
- Officer Harlackner
Due to health issues, Officer Harlackner has been forced to take a leave of duty until further notice.
 - Request for Police Hire

Chief Beard has been approached by two individuals seeking part-time police employment. Council members made inquiry as to the background and work status of these individuals. Council discussed, in detail, the cost factor to the borough when hiring a new officer.

*6) Councilman Beaver made a motion to authorize Chief Beard to hire two part-time police officers upon a satisfactory background check. The motion was seconded by Councilman Rowe.

The motion carried unanimously.

- Executive Session

Manager Beard made a request for an Executive Session at the end of the regular order of business for the purpose of discussing personnel matters.

- Paxtang Elementary PTO Cookbook

A request was received from the Paxtang Elementary PTO seeking support from the borough to place an advertisement in their upcoming cookbook publication.

*7) Councilman Rowe made a motion to place a one half page advertisement at a cost of \$50.00. The motion was seconded by Councilwoman Misiti. The motion carried unanimously. Manager Beard will be responsible for placing the advertisement.

- Fundraiser for David Shellenhammer

The Londonderry Township Fire Company is hosting a golf fundraiser for David Shellenhammer to help defray medical expenses and has made inquiry of the Borough as to their interest in sponsorship. David is the father of part-time Police Officer Ryan Shellenhammer. After much discussion it was decided that in lieu of the use of public monies Councilwoman Panza would collect monies from those Council Members and officials wishing to participate.

- Dauphin-Lebanon Boroughs Association

Membership renewal was received from the Dauphin Lebanon Boroughs Association. Mayor Stambaugh discussed the possibility of hosting a Dauphin Lebanon Boroughs Association dinner/meeting with Penbrook sometime in October of 2007.

*8) Councilman Beaver made a motion to renew our membership for 2007 with the Dauphin-Lebanon Boroughs Association. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

- Snow Clean-Up

Manager Beard thanked the Public Works employees for the exceptional job they did in regard to the recent snow and ice storm. Manager Beard also thanked Penbrook Borough for the use of their front end loader. There is an increasing need for the purchase of a new highway truck. Manager Beard asked Council to allow for a replacement pick up truck at a cost not to exceed \$50,000.00 including a snow plow on a state contract if an emergency arises requiring such a purchase.

*9) Councilman Beaver made a motion to authorize Manager Beard to spend up to \$50,000.00 to purchase a truck and snow plow under a state contract. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

- Pennsylvania State Association of Boroughs

A meeting will be held on March 20th, 2007, for those interested in making recommendations to the Specific Powers section of the Borough Code, that being Sections 1202, 37 to 80.

AUDIENCE PARTICIPATION

Murvin Grunden, 3323 Brisban Street, made inquiry as to the CPR class scheduled for February 24th. Mayor Stambaugh advised that the class has been cancelled due to lack of response. Mr. Grunden offered his gratitude to the Highway employees for the great job they did clearing the streets during the recent ice and snow storm.

The Historical Society will meet in the borough gymnasium on Monday, April 2nd, 2007 with a presentation on transportation.

REPORT OF THE MAYOR

Mayor Stambaugh delivered a letter and an invoice from PennDOT to Senator Piccola's office in regard to the Paxtang Avenue curbing issue. A request was made by Mayor Stambaugh to schedule a meeting with the Secretary of Transportation, Mr. Allen Biehler to further discuss this matter. It was noted by Mayor

Stambaugh that Secretary Biehler commented on the possibility of Liquid Fuels monies being withheld from the Borough until this matter is resolved. Mayor Stambaugh made this comment for Council's benefit and does not feel this will be forthcoming.

REPORT OF THE SOLICITOR

With regard to the consideration of revisions of the Specific Powers section of the Borough Code, Solicitor Laskowski indicated that suggestions could be directed to him for presentation at the PSAB meeting, scheduled for March 20th, 2007

Solicitor Laskowski acknowledged the EMS Tax Ordinance, MDIA agreement, and the Commerce Bank Resolution to be in order and that Council could proceed with consideration of these items.

Discussion was held on entering into a contract with a commercial dealer for renting a front end loader to assist with the snow and ice removal. It was decided that the immediate need for this equipment was no longer necessary and not to proceed further at this time.

Solicitor Laskowski has been in contact with Manager Beard regarding tree maintenance within the borough.

Solicitor Laskowski suggested consideration of an ordinance to correct any deficiency in rental housing code referencing the state of Michigan. Solicitor Laskowski will be given a copy of the ordinance as written in the borough ordinance book and will proceed with the appropriate change.

*10) Councilman Beaver made a motion to adopt Ordinance No. 605 regarding the EMST. The motion was seconded by Councilman Rowe. The motion carried unanimously.

REPORT OF CODES ENFORCEMENT

Manager Beard referred Council to the written report provided by Mr. Wenger. Manager Beard informed Council that last month's report more than likely contained information from December and January and that the report presented before Council this evening would be for the month of January only.

A letter from the Paxton Presbyterian Church was received requesting relief from all building permit fees. The overall costs of renovations could possibly be in the area of 1.5 million dollars.

*11) Councilman Rowe made a motion to deny the request of Paxton Presbyterian Church for exemption from fees associated with building permits. The motion was seconded by Councilman Beaver. The motion carried unanimously.

The Borough been notified of some dead trees within the borough that do not fall under the jurisdiction of the Shade Tree Commission. Solicitor Laskowski has provided an opinion in response to an inquiry by Manager Beard, that the borough has the right to ask the residents to have the trees removed. Even though these trees are not borough trees, they are hanging over borough thoroughfares and are considered a nuisance and safety threat. Unless Council deems otherwise, a letter will be written to the residents advising them to have the trees removed. If the residents do not respond, it may require the borough having the tree removed and charging the residents for the service provided.

A letter was received from borough resident Mr. Richard Flowers regarding an Oak tree dropping acorns into his pool and causing damage. The opinion from the Shade Tree Commission Chairman is that the tree is healthy and in need of trimming, but does not need to be cut down. After much discussion it was decided to table the matter.

Manager Beard asked Council to consider the appointment of H. Edward Wenger as the Zoning Officer under Section 14-12001 of the Borough Code. Mr. Wenger has successfully completed the training requirements to be considered a 'Code Official' by the Department of Labor and Industry.

*12) Councilwoman Panza made a motion to appoint H. Edward Wenger as Zoning Officer. The motion was seconded by Councilman Rowe. The motion carried unanimously.

Councilwoman Seneca asked if Mr. Wenger would pass along information to her for posting on the borough website regarding vacancies in the EMA working staff.

REPORT OF THE ENGINEER

Engineer Shradley is prepared to advertise the Walker Street reconstruction project and should have bids ready for the March meeting. An additional mill-and-overlay project has been submitted to the West Shore COG for bidding purposes.

Preparation is underway for Chapter 94, the annual sewer report for the City of Harrisburg. Bidding for the scoping and televising of the borough sewer lines should be ready for the spring.

April 24th is the annual Rettew banquet, to which Council is invited.

COMMITTEE REPORTS

Administrative:

Councilman Beaver presented Resolution No. 3-07 allowing for the transfer of borough financial assets from Mid Penn Bank to Commerce Bank.

*13) Councilman Rowe made a motion to adopt Resolution No. 3-07. The motion was seconded by Councilwoman Panza. Discussion followed. Manager Beard addressed Council to note the five specific names listed as having authority to sign borough checks and that all checks will be required to have two signatures from this list. Councilman Beaver explained the options afforded with the online banking program in regard to 'Read Only' access and actual transfer capabilities of those having signature rights. After discussion, the motion carried unanimously. Long term investments are still with PLGIT with anticipation of transferring from PLGIT to Commerce as soon as possible. It is anticipated that the Tax Collector will also be moving her municipal accounts to Commerce Bank.

*14) Councilman Rowe made a motion to move borough investments from PLGIT into Commerce Bank as soon as feasible. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

Highway:

Councilwoman Seneca pointed out that she should have information on the Street Sign Name Grant for the March meeting.

Property and Recreation:

Councilwoman Misiti asked Manager Beard to inform Council regarding the situation with the water damage to the ceiling in the borough office. Manager Beard explained that the heat tapes for the downspouts were found to have been unplugged. Discussion was held on converting the plug-in unit to a key type switch. Damage has been minimal. Manager Beard also pointed out there was an issue with some frozen water pipes. Although there was no associated with the frozen pipes, Manager Beard is considering a recommending to Council to modify the pipes in order to move them to an area that reduces the risk of freezing.

A request was received from Mrs. Terry Dermes to reschedule the use of the gym for a fundraiser. The request was approved.

Mr. Michael Bowmaster has requested the guaranteed use of Saussaman Field from March to the end of June for girls' softball. Mr. Bowmaster will provide a practice/game schedule to the borough. The field will be offered to the softball team for the dates and times as specified on their schedule as submitted to the borough office.

Councilwoman Misiti referred Council to a draft of the gym guidelines. Comments and suggestions should be directed to Manager Beard.

Public Safety:

No Report

Public Relations:
No Report

Health and Sanitation:
No Report

UNFINISHED BUSINESS:
No Report

NEW BUSINESS:
Mayor Stambaugh would like to look into improved alternatives in reference to signage for the crosswalk.

COMMUNICATIONS:
Manager Beard presented the following correspondence:

- A notice from Representative Sue Helm announcing an Open House at her Elizabethtown Susquehanna Township District Offices. The Open House at the Susquehanna Township District Office will take place from 3-7 pm on Thursday, March 1st.
- A Thank-you card from Councilman and Linda Beaver for the flower arrangement placed in memory of Councilman Beaver's Mother.
- A letter from Mr. John Beinhaur, of Beinhaur and Curcillo on behalf of residents Dan Miller and Terry Bastion of 20 S. Paxtang Avenue concerning a distressed tree on private property that should be considered for removal.
- State Association of Boroughs 'Wake Up to the Issues' breakfast is scheduled for February 23rd at Perkins Restaurant in York and on March 9th at Perkins Restaurant in Lemoyne. Both meetings are scheduled from 7:30 to 9:00 a.m. at a cost of \$10.00 per person.
- State Association of Boroughs Spring Legislative Conference, scheduled for March 18th to 20th, 2007, at Grantville.
- Notification of the 22nd Annual Weather Exercise, sponsored by PEMA on March 15th.

PRESENTATION OF BILLS:

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

President Spackman announced at 10:00 pm that Council would retire to Executive Session for the purpose of discussing labor issues.

President Spackman reconvened the regular business meeting at 10:15 pm.

*16) Councilman Beaver made a motion to continue with the appeal of unemployment filed by Mr. Charles Wevodau. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

ADJOURNMENT:

*17) Councilman Rowe made a motion to adjourn the regular business meeting. The motion was seconded by Councilwoman Panza. The motion carried unanimously. President Spackman adjourned the regular business meeting at 10:17 pm.

Secretary

1. Adopt Res. 05-07
2. Reading of Minutes
3. Reading of Treasurer's Report

4. Adopt Res. 2-07
5. Resignation Officer Cantrell
6. Authorize Manager Hire part-time officers
7. Paxtang Elementary School Cookbook
8. Renew Membership Dauphin Lebanon Boroughs Association
9. Authorize Manager to purchase highway truck/plow
10. Adopt Ord. 605 EMST
11. Paxton Presbyterian Church – Bldg Permit
12. Appoint H. Edward Wenger – Zoning Officer
13. Adopt Res. 3-07 – Commerce Bank
14. PLGIT Investments to Commerce Bank
15. Pay the Bills
16. Appeal unemployment – Charles Wevodau
17. Adjourn meeting