

PAXTANG BOROUGH COUNCIL
Municipal Building 3423 Derry Street
Regular Business Meeting
April 19, 2011

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:19 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	J. Stephen Feinour
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 March 15, 2011 and to approve the same. Motion seconded by Councilwoman Panza. Manager Beard asked for a correction under the heading of Presentation of Bills to read: "*Councilman Beaver made a motion to pay the bills. Motion seconded by Councilwoman Panza. Motion carried*". The motion to dispense with and approve the minutes carried.

TREASURER'S REPORT

*2) Vice-President Beaver made motion to dispense with the reading of the Treasurer's Report for the month of March, 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 March and offered a verbal explanation as well. Chief Zwigart expressed his gratitude to everyone that was able to lend assistance with cleaning the municipal basement during the last rainstorm. Councilman Patackis asked if an advertisement had been placed for the Mack Engine. Chief Zwigart would like to wait until the new Pierce engine was in service and then place the advertisement. Manager Beard thought it would be best to wait and advertise the Mack "*As Is, Where Is*". Chief Zwigart expects the new engine to be ready for service by the later part of May.

REPORT OF THE MANAGER

Seminars: Information on future seminars was sent to Council Members prior to the Regular Business Meeting. Council was given the opportunity for questions or comments.

DLCBA Dinner: The Second Quarter meeting of the Dauphin-Lebanon County Boroughs Association is scheduled for Thursday, April 28th at the Crossroads Restaurant. Council members should contact the Borough office for reservations.

Zoning Update: Manager Beard will be meeting with Codes Enforcement Officer Ed Wenger and Chris Knarr of Rettew Associates to discuss the Administration and Enforcement aspects of the ordinance. Any and all changes will be sent to the Borough Solicitor for review. With no objection from Council, Manager Beard will proceed with scheduling a public meeting for the purpose of gathering public input from Borough residents.

Memorial Day Picnic: Manager Beard asked Council to consider holding the Anthony Surace-Clyde Stohler Memorial Day Picnic on Monday May 30th.

*3) Councilwoman Kipp made a motion to hold the Memorial Day Picnic. Motion seconded by Councilwoman Panza. Motion carried.

Arbor Day: Manager Beard informed Council that Arbor Day will be celebrated on Friday, April 29th at the Paxtang Elementary School and encouraged all to attend.

Highway Garage: Manager Beard stated that things are moving along and encouraged all to view the progress being made.

Traffic Barricades: Manager Beard asked Council to consider authorizing the purchase of 30 traffic barricades from Daniel Krieg at a cost of \$2,730.00. Manager Beard would also like to purchase traffic cones and plastic barricades as well. The barricades used at this time do not conform to current regulations. Manager Beard has applied for a grant through PennPRIME Insurance Trust but will not know until July if the grant will be awarded.

*4) Vice-President Beaver made a motion authorizing Manager Beard to purchase five (5) eight foot barricades, five (5) ten foot barricades, 30 type II A Frames, 30 Econoline Flashlight Boxes and 30 28" cones at an approximate cost of \$4,583.00 from Daniel Krieg. Funding is to be allocated from Liquid Fuels. Motion seconded by Councilwoman Panza. Motion carried. Mayor Stambaugh requested that the "abandoned" traffic cone located on Walnut Street behind 15 Paxtang Avenue be removed.

Street Projects: Manager Beard asked Council for authorization to place the 2011 street project out for bid. Manager Beard estimated the project cost to be approximately \$99,644.55. This does not include the services for Rettew Associates. At the Regular Business Meeting of March 15, 2011, Council authorized a total of up to \$115,00.00 for street work, including payment of services to Rettew Associates. (Documentation can be found on page 12 of the 2011 Minute Book) Engineer Shradley proposed to take one of the selected streets and bid it as an 'alternate' There would then be a base bid for the majority of the work and then Council could decide at a later date if they wish to award all of the work, or just the base bid. Mr. Shradley advised that it is easier to not award an alternate than it is to ask for a deletion from the project and / or have to rebid the project again. Manager Beard informed Council that Duke Street would not be included in the 2011 street project and has been moved to 2012 due to issues with repair work from United Water.

*5) Vice-President Beaver made a motion authorizing Manager Beard to put the 2011 street project out for bid. Motion seconded by Councilwoman Panza. Motion carried.

Resolution 4-11: Manager Beard asked council to consider **Resolution No. 4-11**, a Resolution allowing for an "escalator clause" regarding price adjustments in the purchase of bituminous materials to be a condition of the bidding and proposal for the 2011 street project.

*6) Councilwoman Panza made a motion to adopt **Resolution No. 4-11**. Motion seconded by Vice-President Beaver. Motion carried.

MS-4: Manager Beard asked for Council's consideration to authorize Rettew Associates to prepare the annual MS-4 Stormwater Report on behalf of the Borough.

*7) Councilwoman Panza made a motion authorizing Rettew Associates to prepare the MS-4 Report. Motion seconded by Councilwoman Kipp. Motion carried.

Vice-President Beaver asked if there has been any contact with United Water regarding a solution to the damage to Duke Street caused by a water main break. (Documentation can be found on page 12 of the 2011 Minute Book) Manager Beard stated that he, along with Engineer Shradley, and Public Works Employee Saul Schmolitz met with engineers for United Water to discuss to what degree United Water would be contributing to the project. At this point there has been no commitment from United Water, as they are viewing the possibility of replacing water lines on Duke from 30th to 32nd Street. In order to avoid conflicts with this work, Duke Street will be considered for the 2012 Street Project.

Pavilion Request: A letter has been received from Ms. Wanda Newhouse on behalf of the Paxton Presbyterian Church requesting gratis use of Saussaman Park.

*8) Councilwoman Kipp made a Motion allowing Paxton Presbyterian Church gratis use of the park. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Lions 5 K: A letter has been received from Mr. Steven Remillard of the Paxtang Lions Club asking permission to hold their annual 5K Run throughout the Borough on Saturday, May 7th. Fire Police Captain, Mr. Murvin Grunden has been notified and plans have been made to have Fire Police assist with traffic control.

*9) Councilwoman Kipp made a motion to approve the Lions 5K Run. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Shad Trees (CDBG Grant): Manager Beard asked Council for authorization to apply for a Dauphin County Community Development Block Grant (CDBG) for the purpose of conducting a comprehensive Shade Tree Plan and their effect upon highways and curbing. Manager Beard is considering the possibility of getting surrounding municipalities who are having the same issues with Shade Trees to “piggyback” along as this might raise the chance of the grant being awarded. Councilwoman Kipp suggested this matter be brought to the attention of the Dauphin Lebanon Counties Borough Association.

The office is receiving calls from residents interesting in repairing their sidewalks. A call has also been received from a gentleman interested in starting a business that entails “lifting” sidewalks, cleaning underneath them and then setting the sidewalk into place without the need to pour concrete.

Councilwoman Seneca asked if Shull’s Tree Service or other tree service companies would be able to cut roots in order for residents to repair their sidewalks. Manager Beard stated that the policy of the Shade Tree Commission has been that no tree roots shall be cut.

Shade Tree Chairman, Mr. Rodger Faill stated that dealing with roots is very different than dealing with trees, and he is not sure to what degree of expertise Shull’s has in the area of cutting roots, and that the cutting of roots impairs the health of the tree.

Vice-President Beaver suggested Council consider the possibility of ramping, cut outs, changing the prescribed sidewalk material, and looking into new construction materials that are available. The present Ordinance allows no latitude to change the material to construct a sidewalk.

Manager Beard stated that if Council so wished, he could take an aggressive standpoint and have residents replace their sidewalks. Manager Beard asked Council for guidelines to address residents who want to repair their sidewalks.

Councilman Patackis suggested residents contact the Chairperson of the Shade Tree Committee, at the present time Mr. Rodger Faill. Manager Beard asked Council to consider offering him a blanket policy stating one could cut roots to a depth of ten (10) inches. Manager Beard stated that he expects the issue of curbing to come up in the near future.

*10) Councilwoman Borne Fuller made a Motion directing the Borough Manager to pursue a Community Development Block Grant to underwrite the costs of a comprehensive study. Motion seconded by Councilwoman Panza. Motion carried.

DCNR Grant: Manager Beard is waiting to receive the “Notice to Proceed” letter from The Department of Conservation and Natural Resources to begin the installation of the playground equipment at the Paxtang Commons Park.

Floodplain Ordinance: Manager Beard informed Council that the Floodplain Ordinance has been presented to the Dauphin County Conservation District to which they have approved the plans and it will now be forwarded to the next level.

Basement Water Infiltration: Over the past weekend, the municipal building basement sustained approximately four (4) to five (5) inches of water that had found it’s way up from seams in the floor and where the wall meets the floor. Manage Beard said the drain in the middle of the floor is slow to drain and will be televised in order to find out the reason for this.

Worker Compensation: An officer is currently on Workers Compensation for an extended period of time. President Ninosky authorized Chief Beard to hire part time officers as he deemed necessary.

Police Report: Chief Beard referred Council to the written report of police activities. Chief Beard reminded those in attendance to lock their car doors, as there have been several reports of thefts from vehicles.

AUDIENCE PARTICIPATION

Mr. Murvin Grunden of 3323 Brisban Street informed Council that he has registered the Borough to participate in the 28th annual *National Night Out* scheduled for Tuesday, August 2nd. An article will be presented to Councilwoman Panza for publication in the Paxtang Post.

Fire Captain Grunden asked for permission to use Council Chambers in order for Fire Police to receive instructions before assisting with traffic control for the May 7th Paxtang Lions 5-K Run. President Ninosky authorized Mr. Grunden's request.

Robin Bloss, EMA Director offered his gratitude to Borough Council, Borough Manager Beard and staff, Chief Zwigart, Deputy EMA Director Ed and Mrs. Wenger, and to all the volunteers not in attendance for their dedication and participation in the TIM Drill on Tuesday, April 12th. Mr. Bloss proceeded to inform Council that the drill went very well with no problems or issues to speak of. President Ninosky took this time to thank Mr. Bloss for all his efforts in shepherding everyone through the drill. Mr. Bloss will send out a copy of the official report from FEMA once he receives notification.

REPORT OF THE MAYOR – Mayor Stambaugh was able to attend the 100th Annual Pennsylvania State Association of Boroughs (PSAB) Conference in Hershey, PA. Mayor Stambaugh will forward information she received from sessions attended to Council members. Mayor Stambaugh has also received a request to preside over a wedding at a future date.

REPORT OF THE SOLICITOR – No Report from Solicitor Feinour

REPORT OF CODES ENFORCEMENT – Codes Enforcement Officer, Ed Wenger referred Council to his written report for the month of March and offered Council the opportunity for questions and comments. At this point President Ninosky granted permission for Mr. Wenger to be excused from this evening’s meeting.

REPORT OF THE ENGINEER: - No Report from Engineer Shradley.

COMMITTEE REPORTS

Administration – No Report from Vice-President Beaver

Highway – No Report from Councilwoman Seneca

Property and Recreation – No Report from Councilwoman Kipp

Public Safety – Councilwoman Borne Fuller informed Council that a Public Safety meeting will be held once a month which will include representatives from the following departments: Fire, Police, EMA and Councilwoman Borne Fuller. Councilwoman Borne Fuller will keep Council updated as necessary, as the meetings are for an exchange of information only.

Public Relations - Councilwoman Panza noted that the deadline for publications in the Paxtang Post Newsletter would be Wednesday, June 15th.

Health and Sanitation – No Report from Councilman Patackis

UNFINISHED BUSINESS – No Report

NEW BUSINESS – No Report

COMMUNICATIONS

Manager Beard read a letter dated March 16, 2011 from Ms. Amy Kaunas, Esquire of the Humane Society. The Borough would receive three (3) free vouchers for the spaying or neutering of feral cats. Manager Beard noted that before the Humane Society Contract was signed, it was the decision of Council to sign a contract for dogs only, not cats. Councilman Patackis said the Borough would have to get involved with the Trap, Neuter and Return program after vouchers have been distributed. Vice-President Beaver stated the Borough has no intention of becoming involved in this program. Discussion was held on the following:

- Post the Borough Website and Paxtang Post offering the vouchers on a first come first served basis.
- Hold the vouchers for residents on the basis of need.
- Donate the vouchers to PAWS or other similar type organization.

President Ninosky requested Manager Beard contact the Humane Society to see if the vouchers can be transferred or donated to PAWS or other type organization.

Manager Beard read a letter from the Capital Area Greenbelt Association thanking Council for allowing the Fire Police to lend assistance during the 2010 Tour De Belt. They are a terrific group of people to work with and are always professional. The assistance of Fire Police is being requested again for Sunday June 5th. Mr. Grunden indicated Fire Police would be providing traffic control for this event.

A letter from Teamsters Local Number 776 encouraging the Borough to patronize Teamster related products and services.

Robert C. Edwards Scholarship Applications are due May 6th. The applicant must have been accepted for admission to an accredited College, University or School offering a two (2) or four (4) year degree/certificate program. The scholarship is for a first year freshman. Applications are on file in the Borough office. This scholarship is offered through the Pennsylvania State Association of Boroughs.

PRESENTATION OF THE BILLS

*11) Vice-President 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 8:24 p.m.

Secretary

1. Minutes
2. Treasurer's Report
3. Memorial Day Picnic
4. Purchase Traffic Barricades
5. Advertise 2011 Street Project
6. Resolution 4-11 – Escalator Clause
7. Rettew Assoc. Prepare MS4 Report
8. Paxton Presbyterian Church Gratis Use of Saussaman Park
9. Lions 5-K Run
10. CDBG Grant – Shade Tree Study
11. Pay Bills