

PAXTANG BOROUGH COUNCIL  
Municipal Building 3423 Derry Street  
Regular Business Meeting  
November 16, 2010

Vice-President Beaver 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.

Roll Call was taken.

**Council Members Present:**

Council Vice-President	E. Denny Beaver
Council Members	Sheilah Borne Fuller Lynn Kipp Virginia Panza Raymond Patackis Deborah Seneca
Mayor	Keldeen L. Z. Stambaugh – arrived at 7:37 p.m.

**Council Members Absent**

Council President	John R. Ninosky, Sr.
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**Borough Officials**

Borough Manager-Chief	Kenneth E. Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	J. Stephen Feinour
Fire Chief	Todd Zwigart – Absent

**MINUTES**

\*1) Councilwoman Panza made a motion to dispense with the reading of the Minutes of the Regular Business Meeting of October 20, 2010 and to approve the same. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**TREASURER'S REPORT**

\*2) Councilwoman Panza made a motion to dispense with the reading of the Treasurer's Report for the month of October, 2010 and to approve the same. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**REPORT OF THE FIRE CHIEF**

Chief Zwigart is attending a meeting of the Dauphin County Fire Chiefs Association and was unable to attend this evening's meeting. Deputy Fire Chief Dave Turner presented Council with the written report for the month of October and offered a verbal explanation as well.

Fire Police Captain Grunden would like permission for use of Council Chambers on Monday, March 21<sup>st</sup> 2011 in order to hold the monthly meeting of the Dauphin County Fire Police Association.

\*3) Councilwoman Panza made a motion authorizing Captain Grunden use of Council Chambers. Motion seconded by Councilwoman Kipp. Motion carried.

The tentative delivery date for the new engine is set for January, 2011. Progress on the construction of the engine can be viewed at [www.paxtangfire.com](http://www.paxtangfire.com).

Smoke detectors are available through the Fire Company for Borough residents requesting one.

## **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 and comment.

**Borough News Subscription:** All Council Members except Councilwoman Kipp and Councilwoman Seneca expressed interest to renew their subscription to the monthly publication of *Pennsylvania Borough News*. Subscription renewal will take place through the Borough office.

**Zoning Update:** The final draft of the Zoning Ordinance Update will be presented to Council at the Workshop meeting scheduled for Monday, November 29<sup>th</sup>.

**Highway Garage:** Manager Beard presented Council with an update on the current status of the construction regarding the highway garage. Pioneer Pole Buildings will be removing part of the garage roof in order to install a second set of trusses. This is tentatively scheduled for December 3<sup>rd</sup>.

**Resolution 09-10:** Manager Beard offered for Council's consideration **Resolution 09-10**, a resolution authorizing the legal disposal of records as outlined in the Municipal Records Manual produced by the Pennsylvania Historical and Museum Commission.

\*4) Councilwoman Panza made a motion to adopt **Resolution 09-10**. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**Stormwater Management Ordinance** The Stormwater Management Ordinance will be offered for adoption at the December Regular Business Meeting. Manager Beard stated several Ordinances would be offered at this meeting and encouraged Council to review each Ordinance before they are offered for adoption.

**Ordinance Advertisement:** Manager Beard asked Council to consider advertising the various 2011 tax Ordinances for consideration at the December 2011 meeting.

\*5) Councilwoman Panza made a motion authorizing the Borough Manager to advertise the Tax Ordinances and Stormwater Ordinance as well. Motion seconded by Councilwoman Kipp. Motion carried.

**Floodplain Ordinance:** Manager Beard, along with Engineer Shradley, explained for the benefit of Council how the new Floodplain Ordinance would affect residents living in a designated floodplain. Manager Beard encouraged all Council members to read this Ordinance and familiarize themselves with it as it contains strict guidelines with regard to the repair and construction of properties located within the Floodplain. Vice-President Beaver suggested Ordinances be posted on the Borough website. Councilwoman Borne Fuller recommended a summary of this Ordinance be published in the Paxtang Post.

Mayor Stambaugh arrived at this point – 7:37 p.m.

Codes Enforcement Officer, Mr. Wenger stated that the Floodplain Ordinance addresses new guidelines and how the rules and regulations will impact structures receiving damage from major fires or are involved in renovations.

**Engineer Contract:** Manager Beard received a letter from Engineer Shradley, of Rettew Associates thanking Council for the opportunity to serve as Borough Engineer for 2010. Mr. Shradley asked Council's consideration in extending Rettew's contract for the calendar of 2011.

\*6) Councilwoman Kipp made a motion to extend the contract of Rettew Assoc. Motion seconded by Councilwoman Panza. Motion carried.

**Gymnasium Request:** Manager Beard presented a request from Borough resident Ms. Teri Guerrisi on behalf of Mr. Steve Wilson, owner of Mama's Pizza for gratis use of the gymnasium. The purpose would be to hold a memorial for the late wife of Mr. Wilson.

\*7) Councilwoman Kipp made a motion to waive all fees associated with renting the gymnasium. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**Gymnasium Request:** Manager Beard presented a request from the Dauphin County Office of Juvenile Probation asking for gratis use of the gymnasium for tactical training purposes during the week of January 10<sup>th</sup> through the 14<sup>th</sup>.

\*8) Councilwoman Kipp made a motion allowing the Dauphin County Office of Juvenile Probation use of the gymnasium. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**Flagpole Repair:** A new flagpole will be ordered as the current one was knocked down recently by a construction vehicle. Restitution will be pursued from the insurance carrier representing the company responsible for the damage.

**Act 44:** Chapter 17 of Act 44, enacted in December, 2009, stipulates that all contracts awarded with regard to pension plans must go through a Request For Proposal (RFP) process. This Act specifically regulates relationships such as Council approving the retention of the law firm of Rhoades & Wodarczyk to restructure the present non-uniform pension plan at the Regular Business Meeting on August 18, 2009, without going through the RFP process. Manager Beard has been in contact with Solicitor Feinour and representatives from the pension plan. They believe the Borough will not have to go through the process of obtaining an (RFP) due to the timing in hiring Rhoades & Wodarczyk in spite of the fact that work did not begin on the project until March of 2010, subsequent to the implementation of the Act..

**Shade Tree:** Manager Beard mentioned that five Shade Trees have been planted at various locations throughout the Borough, and that the Commission as been tending to ground level pruning.

**Harrisburg City Sewer Billing:** Manager Beard informed Council that sewer litigation with the City of Harrisburg is ongoing. Manager Beard and Solicitor Feinour will attend a meeting with a Forensic Accountant in order to gather information on this matter. Vice-President Beaver asked Solicitor Feinour if the Auditor General was looking into this matter. Solicitor Feinour indicated he did not have any information at this time but would check into the matter.

**FMLA Policy:** A copy of the proposed Family And Medical Leave Act Policy (FMLA) policy for uniform and non-uniform employees has been forwarded to the Teamsters. The Teamsters have until December 1<sup>st</sup> 2010 to comment or file an objection; otherwise Manager Beard anticipates enacting the policy on December 1<sup>st</sup>.

**Open Records Seminar:** Manager Beard, along with Secretary Clark, attended an Open Records Seminar at the Pennsylvania State Museum. The guest speaker was Ms. Terry Mutchler, Executive Director of the Office of Open Records. Ms. Mutchler presented an overview of the Municipal Records Manual and gave participants the opportunity to participate in a Question and Answer session at the end of the program. Manager Beard informed Council that he received a notice from the *Patriot News* requesting the salaries of all Borough employees, to which he has complied and responded.

**Halloween:** Manager Beard reported the Halloween Parade and Trick-or-Treat night went well. Councilwoman Kipp reported that she was visited by 800 Trick-or-Treaters. Councilwoman Borne Fuller stated she received approximately the same amount.

**Police Report:** The Officer responsible for providing the written Police Report was unable to do so. Chief Beard offered Council a verbal presentation of police activities for the month of October. Chief Beard noted an incident wherein a pedestrian was struck by a vehicle. This happened at the crosswalk in front of the municipal building during the evening of the Fire Company Open House on Wednesday, October 6<sup>th</sup>. Mayor Stambaugh feels that even though the walkway is painted, there is a concern with a lack of visibility due to cars parking along Derry Street. Mayor Stambaugh stated vehicles sitting along the alleyway for the purpose of picking up and discharging students for various events hinders the visibility within this area as well. Chief Beard commented there was absolutely no excuse for this to have happened. Chief Beard commented that Fire Captain Murv Grunden positioned himself in the middle of the crosswalk, was outfitted with appropriate safety gear, and was operating a flashlight for additional visibility as well.

**AUDIENCE PARTICIPATION:**

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

- Paxtang Borough 100<sup>th</sup> Anniversary Committee will meet on Friday November 19<sup>th</sup> at 6:30 in Council Chambers.
- Paxtang Historical Society members will be touring the National Fire Museum on Sunday, January 9<sup>th</sup>. There is no charge for Historical Society members. A nominal fee will be charged for non-members.
- Mr. Grunden is willing to volunteer his services and refurbish the Chesapeake Bay “Fish Logo” that is stenciled at each storm drain throughout the Borough. Mr. Grunden asked if Council would consider supplying the materials. Council took this opportunity to thank Mr. Grunden for giving of his time

**REPORT OF THE MAYOR** – Mayor Stambaugh participated in the Halloween Parade and from her viewpoint, felt that everything went well. Mayor Stambaugh performed a wedding ceremony at the State Museum for Jenna and Barry Butina on November 12<sup>th</sup>

**REPORT OF THE SOLICITOR** – No Report

**REPORT OF CODES ENFORCEMENT** – Codes Enforcement Officer Ed Wenger referred Council to his written report for the month of October and offered a verbal explanation as well.

**REPORT OF THE ENGINEER** – Along with his written report, Engineer Shradley indicated that he is reviewing and finalizing an updated 3-year plan for 2011-2013 street projects. Engineer Shradley has completed the update to the Act 167 Stormwater Management Ordinance that is required by the recent approval of a county-wide Act 167 Study. The deadline for approval and adoption of the Ordinance is December 25<sup>th</sup>.

#### **COMMITTEE REPORTS**

*Administration* – Vice-President Beaver presented for Council’s consideration the **First Reading** of the proposed Budget for 2011. After the **First Reading** of the proposed Budget, Vice-President Beaver informed Council that the budget as presented would not require a tax increase, nor would there be an increase in any fees charged for permits or other related items where a monetary fee would normally be charged.

*Highway* – No Report from Councilwoman Seneca

*Property and Recreation* – Councilwoman Seneca asked for Council’s consideration in holding a 4<sup>th</sup> of July parade. The parade would take place on Monday, July 4<sup>th</sup>. It was the decision of Council to have Councilwoman Seneca follow through with plans for a 4<sup>th</sup> of July parade.

*Public Safety* – No Report from Councilwoman Borne Fuller

*Public Relations* – Councilwoman Panza said the deadline for submission of articles for publication in the next issue of the *Paxtang Post* would be December 15<sup>th</sup>. Councilwoman Panza will once again solicit advertisements from local businesses to help with publication expenses.

*Health and Sanitation* – No Report from Councilman Patackis.

**UNFINISHED BUSINESS** – No Report

**NEW BUSINESS** – No Report

#### **COMMUNICATIONS**

Manager Beard read a communication from Hershey Entertainment thanking Special Fire Police Officers David McCaughey, Warren Greene, Norman Templin, and Murvin Grunden for their assistance during the

Hershey Half Marathon on October 3. Hershey Entertainment extended a monetary donation to the Fire Company on behalf of these individuals.

Manager Beard read a communication from HighMark Caring Place calling attention to Children's Grief Awareness Day on November 18<sup>th</sup>. The Fifteenth Annual Parade of Trees will take place at the Radisson Penn Harris Convention Center on Tuesday, November 23. Those interested in sponsoring and decorating a tree may do so by contacting the Radisson directly.

**PRESENTATION OF BILLS:**

\*9) Councilwoman Panza made a motion to pay the bills. Motion seconded by Councilwoman Kipp. Motion carried.

**ADJOURNMENT:**

\*10) Councilwoman Borne Fuller made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Panza. Motion carried. At 8:17 p.m. Vice-President Beaver adjourned the Regular Business Meeting.

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Secretary

1. Minutes
2. Treasurer's Report
3. Use of Council Chambers – Dauphin County Fire Police
4. Res. 09-10
5. Advertise 2011 Tax Ordinances and Stormwater Management
6. Extend Engineer Contract – Rettew Associates
7. Gym Use-Waive Fees – Steve Wilson – Mama's Pizza
8. Gym Use-Waive Fees-Dauphin County Office Of Juvenile Probation
9. Pay Bills
10. Adjourn

