

PAXTANG BOROUGH
Municipal Building 3423 Derry Street
Regular Business Meeting
March 20, 2012

President Ninosky 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 John R. Ninosky, Sr.
Council Vice-President E. Denny Beaver

Council Members

Frank O. Forsyth
Sheilah Borne Fuller
Lynn Kipp
Raymond Patackis
Virginia Panza

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 – **Absent**

MINUTES

*1) Vice-President Beaver made a motion to dispense with the reading of the Minutes from the February 21, 2012 Regular Business Meeting 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 and to approved the same. Motion seconded by Councilwoman Panza. Motion carried.

At this point President Ninosky suspended the order of business in order for representatives of the Dauphin County Library System to make a presentation of services provided through the system. Representatives encouraged those in attendance to become a member and take advantage of services and materials available to library cardholders.

FIRE CHIEF

In the absence of Fire Chief Zwigart, Manager Beard advised that Chief Zwigart's report had been presented to Council members prior to the Regular Business Meeting and offered Council the opportunity for questions and comments.

REPORT OF THE MANAGER

Seminars: Information on future seminars was presented to Council members prior to the Regular Business Meeting.

FLOODPLAIN ORDINANCE

Manager Beard has received comments from the Dauphin County Office of Community & Economic Development (DCED) and the Federal Emergency Management Agency (FEMA). Remarks will be incorporated into the Ordinance and advertisement is scheduled for April.

FLOOD INSURANCE

Manager Beard reported that according to the National Flood Insurance Program, the emergency generator, sump pump, grinder pump, heaters and water heater located in the basement of the municipal building would be considered covered items. Replacement of these items would be at an approximate cost of \$13,000.00 to \$15,000.00. At present the Borough carries \$8,000.00 in coverage with a \$2,000.00 deductible. Manager Beard noted that the existing emergency generator would need to be upgraded in order to service the entire municipal building. President Ninosky asked Manager Beard to report back to Council at the April Regular Business Meeting with projected figures for \$16,000.00 worth of coverage.

FEMA GRANT

FEMA has declined the grant application for the loss of items by the Borough and the Fire Company during Tropical Storm Lee of September 2011 as the grant threshold requirement had not been met.

HIGHWAY GARAGE

Manager Beard encouraged Council to view the progress being made on the new highway garage and anticipates the installation of interior doors, ceiling fans, and lighting fixtures within the near future. Manager Beard will present Council with a proposal at a later date for installing water and sewer to the garage. Manager Beard indicated funding for the sewer project would be available through the Sewer Fund. A property Right-Of-Way will need to be obtained from Mr. Sgagias for the lines to be installed. Preparation of this document will be through the Borough Solicitor.

PARK TERRACE STEPS

Manager Beard and Councilman Forsyth have conducted an inspection of the steps leading from Park Terrace to the Greenbelt between Brisbane and Greenwood Streets. A proposal had been requested and was received from a Mr. John Bricker in the amount of \$1,440.00 for reconstruction of the stairs. Work would be scheduled after the close of school for the summer.

*3) Councilman Forsyth made a motion to accept the bid from Mr. John Bricker. Motion seconded by Councilman Patackis. Manager Beard suggested acceptance of the bid be contingent upon receipt of proper insurance from Mr. Miller. Manager Beard stated that the pavement surface on Park Terrace would be regraded in order to divert water away from the stairs. This project is listed as Alternate Number One on the 2012 Street Rehabilitation Proposal from Engineer Shradley. As a temporary measure, Public Works employees could proceed with a "cold patch" at the end of the steps to divert water until the actual highway project is underway. After discussion, motion carried.

SIDEWALKS

Manager Beard and Councilman Forsyth have conducted an assessment of sidewalks located on Ivy Lane, Park Terrace, 32nd Street and Brookwood Streets. For inspection purposes Engineer Shradley will provide a sidewalk checklist to Manager Beard. A lengthy discussion was held on the following considerations: formulating an inspection plan by utilizing the Borough Engineer's Street Rehabilitation Project outline, possibly using a street grid system, finding a user friendly method of notifying residents of the projected project, estimating costs involved with homeowner notification, and the possible need to place municipal liens on properties, as well as how to address Shade Tree issues with regard to the repair of sidewalks. Councilman Forsyth stated he would contact Solicitor Feinour with regard to updating the Sidewalk Ordinance. Councilman Forsyth noted that some properties are absent of sidewalks and would like this addressed as well. Manager Beard stated the sidewalk inventory or assessment could encompass sign replacement and curb painting as well. It was also discussed that at some point information could be posted on the Borough website as well as the Paxtang Post. Manager Beard suggested this matter be scheduled for an upcoming Workshop meeting.

PAXTANG COMMONS PARK PROJECT

Manager Beard reported that construction of the proposed trail throughout Paxtang Commons Park would begin and the old playground equipment will be scheduled for removal, as the existing equipment no longer meets current regulations.

STREET SIGNS

Manager Beard asked Council if they had a preference as to the color for replacement of street signs. Mayor Stambaugh and Councilwoman Kipp expressed their preference for green. Councilman Forsyth would like to be notified when the old enamel signs will be replaced. Mayor Stambaugh would like the signs to be available for a possible fundraiser for the 100th Anniversary of the Incorporation of Paxtang Borough. This event will take place in July of 2014.

SPSA REQUEST

Two requests have been received from the Swatara-Paxtang Softball Association for use of Paxtang Commons Park and Saussaman Park. With no objection from Council, Manager Beard will follow through with their requests.

CHAPTER 94 REPORT

The annual Wastewater Report has been prepared by Rettew Associates. Manager Beard has signed the documents and has sent them to the proper authorities.

CITIZENS ALERT PROGRAM

The registration form for the South Central Alert Public Notification System or "Everbridge Citizen Alert" program has been signed by Manager Beard and forwarded to the proper authorities. Documentation can be found in the Minutes from the February 21, 2012 Regular Business Meeting.

COPIER CONTRACT

Manager Beard advised Council that one of the two copier leases was coming to a close and proposed a "lease-to-purchase" plan from Phillips Office Products on a reconditioned Sharp copier at a monthly cost of \$89.50. This will replace the copier presently in the Borough office, which will be transferred to the Police office.

*4) Vice-President Beaver made a motion to approve the lease-to-purchase proposal from Phillips for the Reconditioned Sharp Copier. Motion seconded by Councilwoman Panza. Motion carried.

ROBERT C. EDWARDS SCHOLARSHIP

The deadline for the Robert C. Edwards Scholarship is May 4th, 2012. Information will be posted on the Borough website as well as in the Paxtang Post.

MEMORIAL DAY PICNIC

Manager Beard asked for Council's consideration to hold the Anthony Surace-Clyde Stohler Memorial Day Picnic on Monday, May 28th.

*5) Councilwoman Borne Fuller made a motion to hold the Memorial Day Picnic. Motion seconded by Councilwoman Kipp. Motion carried.

COMMUNITY YARD SALE

Manager Beard asked for Council's consideration in setting Community Yard Sale dates for 2012.

*6) Councilwoman Kipp made a motion that from this point forward the Community Yard Sale dates be set for the second Saturday in June and the second Saturday in September, with this year dates being June 9th and September 8. Motion seconded by Councilwoman Panza. Motion carried.

VERIZON FRANCHISE DISPUTE

At the Regular Business Meeting of February 21, 2012, Council tabled action relating to a cable compliance review from the Cohen Law Group as several Council members identified themselves as Verizon customers and viewed this as a potential conflict of interest. Solicitor Feinour has since drafted the opinion that this matter would not be an impediment simply because the voting members are Verizon Customers.

COHEN LAW GROUP

The Cohen Law Group, the law firm representing the Capital Region Council of Governments (CAPCOG) is looking to conduct a cable franchise compliance review of Verizon at a fee of \$3,900.00 per municipality

that participates. President Ninosky suggested the Borough decline the offer. President Beaver will notify CAPCOG of this decision.

POLICE REPORT

Chief Beard presented a written report of activities of the Police Department for the month of February and offered Council the opportunity for questions and answers.

POLICE COMPUTERS

New police computers will need to be purchased as Dauphin County is in the process of upgrading their software system. The computers presently in use by the police do not possess the capabilities to handle the proposed revisions from the County. At some point in the future, Chief Beard would ask for Council's consideration in purchasing two new computers. Mayor Stambaugh asked if the computers could be leased. Chief Beard did not have information on this at this point.

REQUEST FOR EXECUTIVE SESSION

Manager Beard requested Council consider an Executive Session to discuss potential litigation. President Ninosky said he would honor this request at the end of the Regular Business Meeting.

AUDIENCE PARTICIPATION

No Audience Participation

REPORT OF THE MAYOR

Mayor Stambaugh attended a meeting for the Independence Day Parade and the 100th Anniversary of the Incorporation of the Borough of Paxtang. Mayor Stambaugh will provide articles on these events for publication in the Paxtang Post.

REPORT OF THE SOLICITOR

No Report from Solicitor Feinour

REPORT OF CODES ENFORCEMENT

The Code Report from Codes Enforcement Officer Mr. Ed Wenger was sent to Council members prior to this evening's meeting. Manager Beard offered Council the opportunity for questions or concerns.

REPORT OF THE ENGINEER

Engineer Shradley referred Council to his written report and offered a verbal explanation as well. The 2011 microsurfacing project has been moved to the Spring of 2012.

The intersection of Duke and 32nd has been surveyed in order to locate inlets for potential rehabilitation.

Engineer Shradley presented a Proposed Completion and Adoption Timeline for the Zoning Ordinance.

Manager Beard suggested Council invoke the Pending Ordinance Rule that would allow use of the new provisions if they were found to be advantageous both the Borough and to the homeowner.

Engineer Shradley is waiting to hear from PennDOT with regard to the Automated Traffic Red Light Enforcement (ARLE) Grant. Manager Beard reported that he has received notification from PennDOT that Paxtang has not been selected to receive funding for the ARLE grant.

COMMITTEES

Administration – Vice-President Beaver noted that while the Solid Waste account currently shows a balance of \$14,865.00, Solid Waste monies from the collection of taxes have come in at approximately \$41,000, thus showing a more accurate balance of approximately \$55,865.00.

As the Representative to the Capital Region Council of Governments, Vice-President Beaver noted that CAPCOG is looking to expand and extend their services to include Lebanon County.

Highway – No Report from Councilman Forsyth

Property and Recreation - Councilwoman Kipp reported plans are moving along with regard to the 4th of July Parade. Manager Beard reminded Councilwoman Kipp to submit paperwork for PennDOT's consideration of road closures. Councilwoman Kipp indicated that she believes Fire Police Captain Murvin Grunden would carry out that responsibility. Councilwoman Kipp requested use of the Public Works truck to use as a platform for speakers at the conclusion of the parade. Manager Beard suggested Councilwoman Kipp contact Fire Chief Todd Zwigart about the availability of the old Mack Fire Engine as Chief Zwigart now has possession of that unit.

Public Safety – No Report from Councilwoman Borne Fuller

Health and Sanitation – No Report from Councilman Patackis

Public Relations – Councilwoman Panza said the Paxtang Post newsletter should be available for delivery in the very near future.

UNFINISHED BUSINESS - Manager Beard reported no Unfinished Business

NEW BUSINESS – Manager Beard reported no New Business

Councilman Patackis stated that at the February 21, 2012 Regular Business Meeting it was mentioned that the Borough had received a monetary donation from the Paxtang Art Association. Councilman Patackis asked Council for suggestions on possible ways to utilize these funds to best benefit the Borough. Council suggested the following ideas: Patriot Camp, The 100th Anniversary of Paxtang Borough, and the 4th of July Parade. Manager Beard asked Council to consider using the funds for the purchase of decorative pole banners for the downtown area. Manager Beard will contact Mr. Nick Feher of the Paxtang Art Association for any recommendations the Association might have.

COMMUNICATIONS – Manager Beard reported no Communications

PRESENTATION OF THE BILLS

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

At this point, 8:37 p.m., President Ninosky announced that Council would retire to Executive Session for the purpose of discussion potential litigation matters.

At 8:50 p.m., President Ninosky reconvened the Regular Business Meeting reporting that potential litigation as well as labor issues had been discussed.

ADJOURNMENT

President Ninosky declared the Regular Business Meeting to be adjourned at 8:51 p.m.

Secretary

1. Minutes
2. Treasures Report
3. Accept Bid – Park Terrace Steps
4. Copier Lease
5. Memorial Day Picnic
6. Yard Sale Dates
7. Pay Bills