

PAXTANG BOROUGH COUNCIL
Municipal Building 3423 Derry Street
Regular Business Meeting
May 20, 2009

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 Heather LaCour
 Virginia Panza
 Deborah Seneca

Council Members Absent

Council President John R. Ninosky Sr.

 Sheilah Borne Fuller
 John Rowe

Mayor Keldeen Stambaugh – entered at 8:20 p.m.

Borough Officials

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

MINUTES - Regular Business Meeting

Manager Beard offered for Council's consideration the Minutes of the Regular Business Meeting held on April 21, 2009 with the following corrections: Council appointed officers were not shown to be present, and have since been added to the Minutes. Under the heading of Arbor Day on page four, the words "*for additional monies*", has been added for clarity of subject matter. Under the heading of Solicitor Report, second paragraph, Solicitor Feinour said the RTK request would come "*through*" the Borough would be corrected to read "*to*" the Borough.

*1) Councilwoman Panza made a motion to approve the Minutes of April 21 as amended. Motion seconded by Councilwoman LaCour. Motion carried.

MINUTES – Public Hearing

*2) Councilwoman Panza made a motion to dispense with the reading of the Minutes from the Public Meeting held on April 28, 2009 and to approve the same. Motion seconded by Councilwoman LaCour. Motion carried.

REPORT OF THE TREASURER

*3) Councilwoman Panza made a motion to dispense with the reading of the Treasurer's report from the Regular Business Meeting of April 21 and to approve the same. Motion seconded by Councilwoman LaCour. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart referred Council to his written report on the monthly activities for the Fire Company and Fire Police activities for the month of April and offered a verbal explanation as well.

REPORT OF THE MANAGER

Seminars: Information on future seminars was sent to Council members prior to the Regular Business Meeting. The May 7th quarterly outreach meeting of the Dauphin County Planning Commission has been rescheduled for June 4th in Millersburg. An additional Dauphin County Planning Commission quarterly outreach meeting will be held on Wednesday, May 27th at the Swatara Township Municipal building.

Greenbelt Activities: Paperwork has been submitted for the DCNR grant relating to the relocation of the Greenbelt trail. Mr. Norm Lacasse of the Greenbelt Association has planted 10 evergreen trees along the back of the Visiting Nurse Association property located at 3315 Derry Street.

CDBG: Manager Beard is waiting for authorization from the County in order to proceed with advertising an RFP for professional services for the development of a zoning ordinance. Rettew Associates will act on behalf of the Borough by proceeding with the grant application for 2010 in order to finish up with zoning and proceed with the subdivision and land development ordinance.

Paxton Presbyterian Church Subdivision: As of this date a final plan has not yet been received from the church. Solicitor Feinour has been in contact with their solicitor and as of 3:30 p.m. this afternoon, the Codes Enforcement Officer, Mr. Wenger has been in contact with Dauphin Engineering.

Non-Uniform Pension Plan: Manager Beard met with Mr. Leonard Ferrara, the Administrator for the non-uniform pension plan. Mr. Ferrara believes it is in the best interest of the Borough to move to a Money Purchase Option instead of a Target Benefit Plan. This change may require negotiations with the Teamsters Union. Mr. Ferrara feels the pension plan is antiquated and should be amended in order to restate the plan. Mr. Ferrara recommends the law firm of Rhoads and Wodarczyk rewrite the non-uniform pension plan at an estimated cost of \$2,900.00. Manager Beard informed Council the Borough over-funded the pension last year by \$5,500.00. Mr. Ferrara will investigate the possibility of applying the overage to this year's payment.

Greenbelt Request: Mr. Frank Divonzo is requesting the City of Harrisburg modify their park regulations to prohibit use of gas powered vehicles on the Greenbelt between the gates and Sharon Street "except for gas powered motor vehicles necessary for maintenance, law enforcement or emergency purposes".

*4) Councilwoman Panza made a motion to support Mr. Divonzo in his request for no gas-powered vehicles on "our" section of the Greenbelt. Motion seconded by Councilwoman LaCour. Motion carried.

Memorial Day Picnic: Manager Beard encouraged Council to attend the Memorial Day Picnic scheduled for Monday, May 25th at Saussaman Park, starting at 12:00 noon. The Paxtang Cemetery will also host a Memorial Day celebration on May 25th beginning at 10:30 a.m.

Humane Society Contract: A contract proposal has been received from the Humane Society. Since this contract does not state that an animal may only be dropped off by an authorized representative of the Borough, Council decided not to sign the contract until Manager Beard is able to schedule a meeting with a representative from the Humane Society in order to clarify contract language.

Shade Tree: Trees have been planted and water gators have been set in place. Mr. Patakis would like to order additional trees for planting in the Fall. A substantial amount of low-level pruning has been accomplished through the services of Mr. Patakis and members of the Shade Tree Committee.

Shade Tree, 519 Park Terrace: Manager Beard reintroduced a request from Mr. Simpson of 519 Park Terrace asking for removal of two Borough trees due to the possibility of roots causing damage to his sewer system. Manager Beard referred Council to an email from Mr. Patakis, Chairman of the Shade Tree Commission, indicating that the trees are sound at this moment and do not require removal. Mr. Patakis is more concerned that a “private” tree planted within 20 feet of the sewer line could possibly cause a problem. Per the request of Council from the Regular Business Meeting of April 2009, Manager Beard referred Council to pertinent sections of the Minutes from 2008 dealing with a request from Mr. Arch Werner requesting the removal of Borough trees. Mr. Patakis has a list of approximately 10 trees that need to be removed due to health or safety reasons and stated there is no money for the removal of trees just because a resident would like them removed. Councilwoman Seneca, Councilwoman Panza, and Councilwoman LaCour feel the Borough should not take down healthy trees whether or not the Borough has money to do so.

Mr. Patakis noted that if roots have infiltrated the sewer system, it is because the terra cotta line is already fractured, thus allowing a way for the roots to enter the system. Councilwoman Seneca asked if Mr. Simpson had the system televised. Mr. Patakis replied that the owners did not and that once a line is replaced with PVC pipe, the roots should not infiltrate the line. Councilwoman Seneca stated Council should find a way of addressing requests for the removal of healthy trees for future reference and in the meantime she would like Council not to advise anyone that the Borough would cut down a healthy tree. Vice-President Beaver requested that Manager Beard write a letter to Mr. Simpson advising that it was the decision of Council that at this time the trees are not to be considered for removal.

Tree Revitalize Grant: Dauphin County, along with DCNR, is sponsoring a “Tree Revitalize” grant program. This program would provide funding to local communities for the planting of trees in the Fall of 2009 and/or Spring, 2010. The grant has a 50 percent local match required. In-kind-services could be applied in order to fulfill this requirement. Mr. Patakis informed Council that the Borough maintains approximately 950 trees and believes an inventory of 800 trees would still offer the Borough a nice forest of trees. Council recommended that Mr. Patakis review the grant, prepare a planting site plan, and report his findings back to Council at the next Regular Business Meeting.

Gateway Shrubbery: Manager Beard read a communication from Mr. Jeffrey Gingerich of 102 Paxtang Avenue regarding the condition of the landscaping in the area surrounding the 'Welcome' signs on Paxtang Avenue and at 29th and Derry Streets. Mr. Gingerich is requesting the plantings at the 29th and Derry Street location be removed and the area be landscaped with simply grass or mulch. Councilwoman Panza suggested Council thank Mr. Gingerich for his interest and indicate that the Borough will try to maintain the areas one way or another. Councilwoman Seneca asked if anyone knew of an organization that would be willing to “adopt” one of the Welcome areas and maintain the site. Vice-President Beaver asked Mr. Ed Wenger of the Borough Staff, to have the area cleaned in order to consider possible options.

Copier Lease: The lease for the copier in the Administrative office is up for renewal. The rental fee on a 48-month lease would be \$164.00. If signed for 36 months the rate would be \$188.00 and if a new machine were to be leased, the rate would be \$251.00. Our current rate is \$168.00. Vice-President Beaver asked Manager Beard if he would consider using the copier that was recently donated to the Borough. Manager Beard said he would rather use the donated copier for the police office when that lease comes due, as the copier in the Administrative office is used quite heavily.

*5) Councilwoman Panza made motion to lease the existing copier for 48 months. Motion seconded by Councilwoman LaCour. Motion carried.

Summer Recreation Program: Manager Beard asked Council if they would like to join with Swatara Township to offer a summer recreation program again this year. Historically the Borough has provided two employees and Swatara Township provides the Borough with one employee to staff a site at Saussman Park. The rate of pay is \$8.50 per hour. Manager Beard informed Council that the two employees hired by the Borough last year are interested in returning.

*6) Councilwoman Panza made a motion to offer a summer recreation program. Motion seconded by Councilwoman LaCour. Vice-President Beaver informed Council the summer recreation program has a budget of \$2,600.00. Manager Beard stated this might be \$100.00 or \$200.00 low. Councilwoman Seneca asked how funds would be obtained in order to continue the program. Councilwoman Panza suggested seeking support from private sources. Vice-President Beaver suggested the program be cut by a week, or give vacation time in order to meet the budget and that the decision would be left to the Borough Manager as to how to fund the program. After discussion was held on possible means of funding for the program the question was called and the Motion carried

Recreation Equipment Donation: Manager Beard informed Council the Lenker Manor/Paxtang Womens Club donated \$1,000.00 towards the purchase of playground equipment for the lower field. This donation will be able to be used towards the required match for the DCNR grant.

Memorial Day Picnic Donation: Manager Beard received a check from the Paxtang Art Association in the amount of \$500.00 to be used at the discretion of the Borough. At this time the donation will be applied towards the picnic until there is an overage. Manager Beard suggested some of the monies could be directed towards Park and Recreation in order to meet the budget for the summer recreation program.

Town Meeting: Manager Beard stated that the Town Meeting held on April 28th was well attended and that he will look through the evaluation forms that were submitted.

Roof Repairs: Repairs on the garage roof will be underway shortly.

Street Cleaning: Swatara Township has completed the sweeping of the Borough streets.

Street Projects 2009: Bids for the street reconstruction project were opened on Monday, May 18th with the low bid submitted by Womax Inc. Womax presented a base bid for reconstruction of Plum Street for \$20,311.10 and an alternate bid of \$32,340.55 for reconstruction of Quince Street for a total of \$52,651.65. Manager Beard recommended funding the reconstruction projects from the Liquid Fuels Account and the remainder of the funding through Capital Reserve (Highway) Fund.

*7) Councilwoman Panza made a motion to award the bid to Womax Inc. in the amount of \$52,651.65 for Plum and Quince Street. Motion seconded by Councilwoman Seneca. Motion carried.

A low bid of \$37,343.35 from Asphalt Paving Systems was submitted through CAPCOG for the microsurfacing project.

*8) Councilwoman Panza made a motion to award the bid to Asphalt Paving Systems in the amount of \$37,343.35. Motion seconded by Councilwoman LaCour. Motion carried.

Police Resignation: Chief Beard received a letter of resignation from Officer David Felsburg and asked that Council accept his resignation and to authorize the hiring of a suitable replacement if one is found.

*9) Councilwoman Panza made a motion to accept the resignation of Officer David Felsburg with regret and authorize the hiring of a replacement. Motion seconded by Councilwoman LaCour. Motion carried.

Fire Police Request: A request has been received from Swatara Township asking for assistance from Borough Special Fire Police for a 5K run on Saturday, June 20. Chief Beard asked Council for their endorsement. Councilwoman Panza asked why authorization was needed. Chief Beard stated authorization is needed in order for any time that the Special Fire Police assists another municipality. Normally forseen events are approved through a yearly blanket resolution, but this event was not named in this years approval.

*10) Councilwoman Panza made a motion to authorize the Borough Fire Police to assist Swatara Township with the Tech-Port 5-K Run. Motion seconded by Councilwoman LaCour. Motion carried.

COPS Grant: Chief Beard informed Council that the COPS Grant has been applied for and he is now waiting to hear from the United States Department of Justice.

Handicapped Parking: Chief Beard has received a request from Ms. Ivy Yeager of 3407 Brisban Street expressing her desire to have a handicapped parking space named in front of her residence. Chief Beard has conducted a traffic survey of the area and asked Council to adopt the request of Ms. Yeager. Chief Beard stated handicapped parking spaces would be removed when a resident no longer lives at that location.

*11) Councilwoman Panza made a motion to authorize a handicapped parking space for Ivy Yeager. Motion seconded by Councilwoman LaCour. Motion carried.

A second request has come to the attention of Chief Beard as a result of a parking ticket at the Elementary School. The individual has requested a handicapped space be provided on either Rutherford Street or Swan Street. The School District has provided a handicapped parking space located at the back of the school. Chief Beard has conducted a traffic study and recommends that Council deny the designation of a handicapped parking space at the elementary school at this time. Chief Beard has been in contact with Principal Stewart regarding this matter. It is the opinion of Principal Stewart that an additional space is not needed.

Police Report: Chief Beard referred Council to the written report regarding police activities for the month of April. Chief Beard referred Council to a recent situation in the Borough involving an emotionally disturbed person that barricaded himself in a home. That incident ended peaceably. The Chief also reported on the time spent on patrol at the school and the number of traffic tickets that have been issued at the school. Councilwoman LaCour passed along a comment she received from an individual stating that they were pleased to see enforcement of traffic regulations at the school. Vice-President Beaver asked for a status report on a recent incident on Rutherford Street. Chief Beard indicated the case is pending and the person involved has turned himself in.

Playground Maintenance: Mulch will be needed for the playgrounds located at Saussaman Park and the Lower Field. Manager Beard will check with Penbrook Borough to see if they would be willing to contribute any mulch they may have leftover when finished with their projects to Paxtang. Councilwoman Seneca said there is a swing set at the lower field that has a missing swing seat and the chains are wrapped around the top crossbar. Councilwoman Seneca requested the swing be fixed. Manager Beard said the City and DCNR, as part of the proposed grant process, requires this equipment be removed. Councilwoman Seneca then asked if the chains for the missing swing could be removed. Vice-President Beaver requested the Public Works employees remove the chains from the swing.

AUDIENCE PARTICIPATION

Mr. Murvin Grunden of 3323 Brisban Street explained the procedure required for obtaining permission when providing manpower to municipalities requesting assistance from the Special Fire Police and that in order for the Special Fire Police to respond to another municipality, they must have permission not only from Council but from the municipality requesting their services as well. Councilwoman Panza thanked Mr. Grunden for providing Council with this information.

Mr. Grunden informed Council of the Paxtang Lions 5-K run scheduled for Saturday May 23rd and that request letters have been sent to surrounding municipalities asking for their assistance.

Mr. Grunden asked if the Minutes from the Town Meeting would be posted to the Borough web site. Councilwoman Seneca said she would post them.

The Tour De Belt will be passing through the Borough on Sunday, June 7th and Mr. Grunden will be assisting participants with crossing Derry Street.

Mr. Grunden mentioned that the Fire Company and Paxtang Historical Social have made donations to the Memorial Day picnic.

Mayor Stambaugh entered at this point – 8:20 p.m.

Mr. Luke Schrader of 3200 Derry Street requested use of the Borough gymnasium to host a non-profit bingo event on July 10th, 2009 to benefit the Epilepsy Foundation of Western/Central Pennsylvania. Mr. Schrader asked Council to consider waiving the gymnasium rental fee for this event or consider renting the gym at a rate lower than the stated resident fee of \$25.00 per hour. Vice-President Beaver recommended Council regretfully deny waiving the gymnasium rental fee due to the fact it would set a precedent for future organizations. Vice-President Beaver stated Mr. Schrader could attend the June Regular Business Meeting, and revisit the situation, but at this point in time Council wishes to adhere to the present gymnasium guidelines. Mayor Stambaugh made a suggestion that Mr. Schrader find a sponsor to cover the costs associated with the event. Mr. Edward Wenger stated he would pledge \$25.00 to cover one hour of rental time. Councilwoman Panza asked if a permit or Small Chance License was needed for this event and suggested Mr. Schrader leave his name and number with the Borough Solicitor in order for Solicitor Feinour to research this matter.

REPORT OF THE MAYOR – No Report

SOLICITOR – No Report

REPORT OF CODES ENFORCEMENT

Codes Enforcement Officer Ed Wenger referred Council to his written report for April and offered a verbal explanation as well. Mr. Wenger reported the property owner at 30th and Prince Street is in the process of clearing the area of overgrown vegetation.

REPORT OF THE ENGINEER

Engineer Shradley reported Asphalt Paving Systems has scheduled crack sealing for the week of June 15th for Kelso, Rutherford, Brisban, Quince, Apple, Walker, and Paxtang Ave South of Derry Street. Microsurfacing should be completed by the end of June.

The 2010 CDBG grant application for the Sub-Division and Land Development Ordinance is due July 15th.

COMMITTEES

Administration – Vice-President Beaver reported he will be meeting with the Borough Manager and the Borough Accountant evaluate the Borough special accounts and report back at the next Regular Business Meeting of any adjustments that may be required.

Highway – No Report

Property and Recreation – No Report

Public Safety – No Report

Public Relations – Councilwoman LaCour mentioned the publication deadline for the Paxtang Post is June 15th with anticipated delivery by the end of June. The newsletter will include articles covering the months of July, August, September, and October. Councilwoman LeCour requested Fire Chief Zwigart send in an article mentioning their need for a new engine.

Health and Sanitation – No Report

UNFINISHED BUSINESS – No Report

NEW BUSINESS – Mayor Stambaugh would like to see a Town Meeting incorporated into the schedule for 2010.

COMMUNICATIONS – Manager Beard reported Rettew Associates made a monetary donation to the Memorial Day Picnic.

PRESENTATION OF THE BILLS

*12) Councilwoman Panza made a motion to pay the bills. Motion seconded by Councilwoman LaCour. Motion carried.

ADJOURNMNENT

*13) Councilwoman Panza made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman LaCour. Motion carried. At 8:37 p.m. Vice-President Beaver adjourned the Regular Business Meeting.

Secretary

1. Minutes - Regular Business Meeting April 21
2. Minutes - Public Hearing April 28
3. Treasurer's Report
4. Greenbelt – Prohibit Gas Powered Vehicles
5. Copier Lease – Office Extend 48 Months
6. Summer Recreation Program
7. Award Bid-Womax-Street Reconstruction
8. Award Bid-Asphalt Paving Systems-Microsurfacing
9. Resignation-Officer David Felsburg – Hire Replacement
10. Special Fire Police – Tech-Port 5-K Run
11. Handicapped Parking Space – 3407 Brisban Ivy Yeager
12. Pay Bills
13. Adjourn

