



Safety Committee. With the establishment of this committee, the Borough could realize a savings in workers compensation insurance premiums.

\*3) Councilwoman Panza made a motion to adopt **Resolution 04-09** establishing a Safety Committee. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Resolution 05-09: Manager Beard asked for Council's consideration in adopting Resolution 05-09 which would provide for the timely destruction of audio recordings, tapes, and notes of meetings. It was advised by the Borough Solicitor to have a policy in place relating to the destruction of audio tapes.

\*4) Councilwoman Panza made a motion to adopt **Resolution 05-09**. Motion seconded by Councilwoman Borne Fuller. Motion carried.

TMI Drill: Manager Beard offered a reminder to Council to attend the TMI Drill on Tuesday, April 14<sup>th</sup> which will be held at the Municipal Building.

Joint Energy Purchase Agreement: A letter was received from Benchmark Energy Solutions outlining the initial steps for a power and energy purchase program. Council chose to take no action on this matter.

Senate Bill 168: Middletown Borough is seeking the support of the Borough in opposing Senate Bill 168. If approved, the proposed legislation would amend the Borough Code to provide for "Take or Pay" contracts between wholesale electric suppliers and municipal borough electric systems. Council advised Manager Beard to forward a letter of support to Middletown Borough.

Resolution 06-09: Resolution 06-09 would give authorization for the filing of a grant proposal with the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, for funds for the purpose of relocating the Capital Area Greenbelt Trail and renovation of playground equipment at the Lower Baseball Field.

With Council's approval, Manager Beard will contact the City of Harrisburg for the purpose of seeking an addendum to the current lease of the Greenbelt for the area south of Derry Street to the railroad tracks.

Mr. Norm Lacasse, a member of the Capital Area Greenbelt Association, has been and will continue to assist with rerouting the Greenbelt off Derry Street to the area parallel to the railroad tracks. The Borough already has access to the area due to an existing Right-of-Way from a storm sewer inlet that runs through this location. Mr. Lacasse is looking into the possibility of constructing a bridge in this area in order to cross the Greenbelt.

This project cost is estimated at approximately \$70,000.00 with a required 50 percent match. A portion of the match will be obtained through In-Kind-Services, along with the \$1,000.00 in donations received as of this date. In order to proceed, control of the lower half of the Greenbelt must be granted from the City of Harrisburg. Manager Beard will be in contact with Solicitor Feinour for his assistance in this matter.

\*5) Councilwoman Panza made a motion to adopt **Resolution 06-09** with the stipulation that the title of Borough Manager be inserted in the signature page for the grant agreement. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Resolution 07-09: Manager Beard asked for Council's consideration of Resolution 07-09. This resolution would provide for the adoption of the Mini-Comprehensive Plan as presented at the Public Hearing prior to this evening's Regular Business Meeting. At this time Mr. Knarr of Rettew Associates asked for Council's authorization to move forward and address comments one (1) through four (4) as outlined in the March 2, 2009 letter from the County.

\*6) Councilwoman Panza made a motion to Adopt **Resolution 07-09** and to authorize Rettew Associates to address recommendations one (1) through four (4) and any other editorial changes addressed by the County. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Resolution 08-09: Manager Beard asked for Council's consideration of Resolution 08-09 that would ratify amendments to the Capital Tax Collection Bureau Articles of Incorporation. Manager Beard stated that our representative to the Capital Tax Bureau, Mr. Beaver recommends passage of this Resolution.

\*7) Councilwoman Panza made a motion to adopt **Resolution 08-09**. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Paxton Presbyterian Church: In order for the Paxton Presbyterian Church to sell their parsonage, they must move, or list the parsonage as a separate plot. After numerous meetings dating back to late 2008 with Manager Beard, Solicitor Feinour, Engineer Shradley, Codes Enforcement Officer Ed Wenger, and the Solicitor and Engineer for the Paxton Presbyterian Church, a finalized plan still has not been submitted to the Borough Office as of this date.

Manager Beard informed Council that the Borough has incurred expenses of approximately \$2,000.00 to date and would like to recoup these expenses from the Church for the work that the Borough has performed. Engineer Shradley said he has spent quite a bit of time answering questions submitted to him on behalf of the Church. Mr. Shradley suggested the engineer for the Church read the Ordinance, prepare, and submit plans and allow the Borough the opportunity to offer their opinion at that time.

Mayor Stambaugh asked if the Church is aware that the Borough has incurred costs. Manager Beard stated the Church is aware of the costs incurred and of his intention to pass the expenses along. The Engineer and Solicitor have been acting "on behalf of the Borough" but not "at the request of the Borough" and have been in discussions with the Church and their Engineer, who have initiated the contact. Mayor Stambaugh suggested the Church should make contact through Manager Beard and to continue tracking expenses incurred. Manager Beard said the Borough would be entitled to bill the Church as outlined in the Sub-Division Land Development Ordinance.

Due to the fact this is a sub-division, Manager Beard explained the need for submission of formal plans so that zoning concerns may be addressed before a precedent is established. Items in question are the lot size, set backs, sidewalks, and the existing retaining wall, along with other items as well. Solicitor Feinour commented that if this sub-division does not comply with the zoning ordinance, that the Church must seek a variance.

President Ninosky said if the expenses are not atypical, and if use of Borough staff has been extensive, to pass the expenses along. President Ninosky asked if there was a consensus so the meeting could move along.

\*8) Councilwoman Panza made a motion to pass the bills along as needed. No second was heard. No action was taken.

President Ninosky said they should be provided notice that Council would consider any and all further additional costs (reimbursable). Manager Beard will inform Paxton Presbyterian Church of this decision.

Comcast Franchise: Manager Beard received a notice from CapCOG asking if the Borough would like to participate through the COG in franchise renewal negotiations with Comcast. Manager Beard recommended that Council consider participating in this project.

\*9) Councilman Rowe made a motion to move forward with negotiations. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Copier Donation: Manager Beard informed Council that Sheet Metal Specialists has donated a copier to the Borough. President Ninosky made a suggestion to draft a Resolution and invite the owner of Sheet Metal Specialists to the next Council meeting for the presentation.

Paxtang Avenue Curb Update: As of this date, three (3) properties are listed as having outstanding invoices. Manager Beard has made personal contact with these individuals regarding payment to the Borough. President Ninosky suggested Solicitor Feinour send a letter to those needing to settle their obligation.

EIT Collection Committee: A letter has been received from the Dauphin County Commissioners notifying the Borough that Act 32 of 2008 requires the collection of earned income tax (EIT) be consolidated into county-wide collection districts. Dauphin County is in the process of forming an evaluation committee, and has indicated that all municipalities must designate a delegate and an alternate for this committee. Manager Beard made a recommendation that Vice-President Beaver be named as the delegate and Tax Collector Helen Koser be named as the alternate.

\*10) Councilwoman Panza made a motion to name Mr. Beaver as the delegate and Mrs. Koser as the alternate to the collection committee. Motion seconded by Councilman Rowe. Motion carried.

Saussaman Field Request: Manager Beard has received a request for use of the upper field from Mr. Charles Petrie, Chairman on behalf of the Swatara-Paxtang Softball Association. The Association is asking for use Monday through Thursday plus Sunday evenings and Saturday mornings. It was the decision of Council to grant permission for this request.

Pavilion Request: Manager Beard has received a request asking for permission to place a "slip and slide" and an inflatable "jumping cage" on the grounds for a specific rental event. Mayor Stambaugh and President Ninosky suggested the interested party sign a liability waiver. It was suggested that Solicitor Feinour draw up a liability waiver for possible consideration for future use. It was the decision of Council to allow the applicant use of the items as requested.

Memorial Day Picnic: Manager Beard asked Council to consider holding the Community Memorial Day Picnic on Monday, May 25<sup>th</sup>, 2009. The picnic would be held at Saussaman Park.

\*11) Councilwoman Panza made a motion to hold the Community Memorial Day Picnic on Monday, May 25<sup>th</sup>. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Police Applications: Chief Beard has advertised for part-time police officers. As of this date, one application has been returned to the office.

COPS CHRP Program: The Office of Community Oriented Policing Services (COPS) has announced the availability of funding under the COPS Hiring Recovery Program. Chief Beard asked Council to consider his recommendation to hire a 4<sup>th</sup> full-time officer under this program. The grant will provide 100 percent funding for salaries and benefits for three (3) years. Grantees must retain all sworn officer positions awarded under the CHRP grant for a period of one (1) year following the conclusion of grant funding.

\*12) Councilwoman Panza made a motion to authorize Manager Beard to follow through with the grant process contingent upon arriving at a successful negotiation with the Teamsters Union. Motion seconded by Councilman Rowe. Motion carried.

Police Report: Chief Beard referred Council to the written report regarding activities for the month of February. Chief Beard offered a verbal explanation as well.

Request for Executive Session: Manager Beard asked Council to consider an Executive Session for the purpose of discussing personnel matters. President Ninosky said he would honor that request at the end of the Regular Business Meeting.

Highway Vehicle: A proposal has been received from IM Supplies in the amount of \$13,031.84 to replace the existing dump truck bed. Since this is a CoStars price, there is no need to proceed with the bidding process. Funds for this purchase would be available through Capital Reserve (Highway).

\*13) Councilwoman Panza made a motion to authorize Manager Beard to proceed with the purchase of a truck bed for the highway dump truck. Motion seconded by Councilman Rowe. Motion carried.

Highway Signs: Manager Beard asked Council to consider authorizing the purchase of 100 poles for street signs at a price of \$31.23 each.

\*14) Councilwoman Panza made a motion authorizing Manager Beard to purchase poles for highway signs per his request. Motion seconded by Councilman Rowe. Motion carried.

### **AUDIENCE PARTICIPATION**

Mr. Murvin Grunden of 3312 Brisban Street reported on the following:

The Historical Society will hold a meeting on Monday, April 6<sup>th</sup> in the municipal gymnasium. Kara Russell, a representative of PennDOT, will give a presentation on the evolution of transportation, starting with Indian trails and the role they played as an early method of travel, and ending with present day modes of transportation.

On Monday, Aug 3 from 5:30 p.m. to 8:00 p.m. the Historical Society will partner with the Paxtang Cemetery as they will be celebrate their 111<sup>th</sup> year anniversary. Mr. Grunden welcomed all to participate in the evening events sponsored by the Paxtang Cemetery Association.

Mr. Grunden stated the Historical Society's web address will be changing from a dot Com exchange to a dot Org exchange and he will inform Council as to when this change will take place.

National Night Out will take place on Tuesday, August 4<sup>th</sup>. An article will be published in the Paxtang Post with more information.

Ray Patakis, Chairperson of the Shade Tree Commission, referred Council to his written report regarding the activities of the Shade Tree Commission for 2009.. Arbor Day will be celebrated on Saturday, April 25<sup>th</sup> at the park area between Park Terrace and Parkway Boulevard at Derry Street. Paxtang Borough will be receiving the Tree City USA award for the 21<sup>st</sup> consecutive year Mr. Patakis will be submitting a Municipal Challenge Grant in the amount of \$1,500.00 for the planting of trees. Ground level pruning is underway by Mr. Patakis and the Shade Tree Commission. Mr. Patakis asked for direction regarding what committee he would report to. Council offered that he could possibly report to the chairperson for the Park and Recreation committee. Mr. Patakis encouraged Council Members to attend their next meeting that is scheduled for August 10<sup>th</sup> at 7:00 in Council Chambers.

Mr. Grunden asked if Mr. Patakis knew how much the removal of a tree located at Kelso and Derry St. cost the Borough. Mr. Patakis indicated that the tree in question was causing sewer problems and since the tree's health was questionable, it was decided it would be best to have the tree removed. Mr. Patakis reported the cost to remove the tree was approximately \$800.00.

Mr. Knarr informed Mr. Patakis that because the Borough is designated as a Tree City USA and has a Shade Tree Commission, the Borough would be able to apply for a DCNR 50/50 match grant with the County. This grant would offer funding for the planting of trees throughout the Borough. Mr. Knarr will forward information to Mr. Patakis.

### **REPORT OF THE MAYOR**

Mayor Stambaugh attended a meeting with the Director of the Institute of the State and Regional Affairs at Penn State. This agency offers services at a reduced price than that offered by a professional agency to those applying for grants or is in need of researching a particular subject. A web site will be offered in the near future.

### **REPORT OF CODES ENFORCEMENT**

Codes Enforcement Officer Ed Wenger referred Council to his written report for the month of February.

### **REPORT OF THE ENGINEER**

Engineer Shradley referred Council to his written report and offered a verbal explanation as well. Engineer Shradley reported to Council that Penbrook Borough has decided not to follow through with the street project. (Documentation on this subject is recorded on page 339 of the 2009 Minute Book).

### **COMMITTEES**

*Administration* – No Report

*Highway* – Councilman Seneca commented that it was nice to see a resident taking pride in the appearance of their property by cleaning up a rather large block of salt left from the past winter season.

*Property and Recreation* – No Report

*Public Safety* – No Report

*Public Relations* – No Report

*Health and Sanitation* – No Report

**UNFINISHED BUSINESS**

President Ninosky asked if a date has been chosen for the Public Meeting. Councilman Rowe stated the Public Meeting would take place on Tuesday, April 28<sup>th</sup> at the Municipal Building.

**NEW BUSINESS** – No Report

**COMMUNICATIONS**

Manager Beard received a thank you letter from the Paxtang Lions Club for the use of the gymnasium for the Pancake Breakfast held in February.

**PRESENTATION OF THE BILLS**

\*15) Councilwoman Panza made a motion to pay the bills. Motion seconded by Councilwoman Borne Fuller. Motion carried.

At 8:45 p.m. President Ninosky announced that Council would retire to Executive Session for the purpose of discussing labor, staffing, and potential litigation.

At 9:09 President Ninosky reconvened the Regular Business Meeting with the announcement that Council discussed labor, employment issues, and potential litigation.

**ADJOURNMENT**

\*16) Councilwoman Panza made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Borne Fuller. Motion carried. At 9:10 p.m. President Ninosky adjourned the Regular Business Meeting.

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Secretary

1. Minutes
2. Treasurer's Report
3. Res 04-09-Establish Safety Committee
4. Res 05-09-Destruction of Audio Tapes, Notes
5. Res 06-09-DCNR Grant – PlayGround Equipment – Relocate Greenbelt Trail
6. Res 07-09-Adopt Mini Comp Plan
7. Res 08-09-CapTax Bureau-Ratify Amendments
8. Paxton Presbyterian Church-Sub-Division – Pass along costs – No Action
9. ComCast Franchise Renewal
10. EIT Delegates
11. Memorial Day Picnic
12. COPS Grant
13. Purchase Truck Bed
14. Purchase Highway Street Poles
15. Pay Bills
16. Adjourn