

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
February 19, 2008

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:17 pm., followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

At this time President Ninosky asked that a moment of silence be acknowledged in remembrance of the recent passing of Sergeant Jim Nelson of Susquehanna Township.

Roll call was taken.

Council Members Present:

Council President	John R. Ninosky
Council Vice-President	E. Denny Beaver
Council Members	Heather LaCour Virginia Panza Deborah Seneca
Mayor	Keldeen Stambaugh
Borough Manager-Chief	Kenneth E. Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	J. Stephen Feinour
Fire Chief	Todd Zwigart
Council Members Absent:	Sheilah Borne Fuller John Rowe

MINUTES

*1) Vice-President Beaver made a motion to dispense with and approve the Minutes from the Regular Business Meeting of January 15, 2008. Motion seconded by Councilwoman Panza. Motion carried.

TREASURER'S REPORT

*2) Vice-President Beaver made a motion to dispense with and approve the Treasurer's Report from the Regular Business Meeting of January 15, 2008. Motion seconded by Councilwoman Panza. 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.

REPORT OF THE MANAGER

Advertisement: Manager Beard received a request to post a flyer on the outside bulletin board advertising an event sponsored by a local business with proceeds directed to the Paxtang Fire Company. There being no objections from Council, the flyer will be posted.

Seminars:

- 2008 Parks and Recreation Academy. Seminar to be held in Cumberland County. Dates to choose from are March 26, April 2, and April 29th.
- PA Leadership Institute 2008 will hold their seminar on March 12 in Dauphin Co. There will be a fee charged of \$75.00.

- PSAB Spring Legislative Conference will be held on March 30 and April 1st Nominations for 2nd Vice-President are being sought and need to be presented to the nomination committee by Monday, April 14th.

Public Works Employee Update: Manager Beard reported that Saul Schmolitz has returned to work effective January 25th after being on Workers' Compensation due to a recent work related injury.

Document Destruction: Manager Beard will begin the process of document destruction for the period of 1998 through 2001. President Ninosky asked if tapes are preserved to which Manager Beard commented we have retained some for future reference and that tapes are being recycled for future use.

Park Rental: Manager Beard asked Council to consider implementing a Rules and Regulations Policy for the use of Saussaman Park and pavilion similar to that of the Gymnasium.

Leaf/Branch Pickup and Snow Removal: Leaf and branch pick up has been completed throughout the Borough. It was not necessary to rent a "chipper" or to charge residents for this service as outlined at the January Council meeting. Mr. Schmolitz was able to accomplish this without the added expense. The process of snow removal to date has gone very well with no major issues.

Day Room Heaters: The heaters in the Fire Company Day Room need to be replaced. Due to the fact there was no heat in the Day Room, Manager Beard authorized the purchase of a heater for approximately \$300.00. Manager Beard made a recommendation that a second heater be purchased at an approximate cost of \$300.00. Vice-President Beaver indicated funds were available for the purchases through the General Fund Capital Purchase account.

*3) Councilwoman LaCour made a motion to authorize the purchase of two heaters for the Fire Company Day Room. Motion seconded by Vice-President Beaver. Motion carried.

Mini Comp Plan: The Steering Committee has not met since their January 15th, 2008 meeting where the topic of discussion included suggested types of businesses for the downtown area and parking accessibility.

Chesapeake Bay Litigation: Manager Beard referred Council to correspondence from the law firm of Hawke, McKeon & Sniscak offering to represent the Borough through the COG with a per hour fee of \$275.00. This matter will be tabled in order to obtain more information regarding the services that would be offered through this law firm.

COG Cable Franchise Negotiations: Manager Beard and Vice-President Beaver attended a seminar held by the Cohen Law Group on behalf of the COG regarding a cable franchise agreement with Verizon. Approximately 26-30 municipalities are expected to participate. The anticipated fee for each municipality would be \$2,625.00. The Cohen Law Group has been retained by CAPCOG to represent it's members that wish to participate. Vice-President Beaver explained for the benefit of Council that we have a franchise agreement with Comcast by which they pay the Borough five percent of the gross revenue generated through the Borough. With the Borough participating in the Verizon franchise venture, we should obtain revenues from Verizon as well. Manager Beard recommended that the Borough join with CAPCOG.

*4) Vice-President Beaver made a motion that the Borough join with CAPCOG in the franchise negotiations through the Cohen Law Group. Motion. Seconded by Councilwoman Panza. Motion carried.

Trash Contract: Mr. Thomas Stang, Marketing Director for Waste Management, made a presentation at the January Workshop asking Council to reevaluate their position regarding the trash contract. On Wednesday, February 13th, Waste Management canceled trash pick up in the Borough due to inclement weather conditions. Mr. Stang indicated that this was done in error and that pick up should have occurred the next day instead of waiting till the following Wednesday. Manager Beard will be looking into reimbursement for the missed service to the Borough. Vice-President Beaver stated that Waste Management is seeking an additional \$810.00 per month from the Borough, starting in March 2008 and that it might be to our advantage to seek another hauler to service the Borough. President Ninosky acknowledged that he would have no objection to letting the current contract expire and begin the bidding process to secure a new vendor.

Tri County Region Planning Nominations: No new information to report.

Traffic Signal Maintenance: Our current vendor for servicing the traffic signal at Paxtang Avenue and Derry Street is through PERCS. The cost to the Borough for yearly maintenance is approximately \$1,100.00. Since the Borough does not have a contract with PERCS, Manager Beard will be looking into the possibility of obtaining another vendor that would be more cost effective and better able to meet the needs of the Borough.

DCNR Grant: The deadline for application submission is April 25th.

Dauphin County Planning Commission; Outreach meetings have been scheduled to review the draft of the Model Subdivision and Land Development Ordinances and Model Zoning Ordinances. The seminar closest to our area is scheduled for Thursday February 21st. 7:00

Police Report: The officer in charge of providing a written report for Council was unable to do so. Chief Beard stated no serious crimes have occurred in the Borough.

Councilwoman Fuller: Manager Beard announced that Councilwoman Sheilah Fuller has given birth to a son, Liam Joseph on Tuesday, February 12th. Mother and son are doing well.

AUDIENCE PARTICIPATION

Murv Grunden of 3323 Brisban Street presented the following:

- Crime Watch – a meeting was held with the directors of the Crime Watch Committee and it was agreed to donate the monies being held at the Mid-Penn Bank to the Fire Police. Mr. Grunden acknowledged that this has been carried out.
- Mr. Grunden extended his gratitude to the Borough and to Council for the Gift Card he received for helping with the duties of Crossing Guard earlier this year.

Ms. Vicki Matthey of 3175 Brookwood Street

- Ms. Matthey presented a proposal to Council asking permission to begin a fund raising project for the purpose of obtaining playground equipment for the park located at the north end of Quince Street, near the Greenbelt. This equipment would accommodate children between 2 to 5 years of age. Ms. Matthey anticipates raising between \$5,000 and \$7,000.00 through private donations with all contributions directed through the Borough and placed into an account set up expressly for this purpose. Suggestions were made to solicit Home Depot, take checks only, purchase quality merchandise and have the Borough cover expenses for fencing and ground cover. The time frame anticipated for this campaign would run until May..

*5) Vice-President Beaver made a motion to authorize the fund raising by a private group, the proceeds of which are to be submitted to the Borough for the purchase of playground equipment for the age group of 2 to 5 years and with the Borough picking up the cost for the fencing and ground cover. Seconded by Councilwoman LaCour. Motion carried.

REPORT OF THE MAYOR

Mayor Stambaugh received a letter from a resident on Brisban Street thanking the Borough for having their tree limbs picked up after a recent ice storm.

Mayor Stambaugh and Vice-President Beaver attended the Dauphin-Lebanon Borough Association Dinner Mayor Stambaugh now serves as 2nd Vice-President for this Association.

REPORT OF THE SOLICITOR

Solicitor Feinour presented Council with an overview of the new Right-to-Know Law affecting requests for public information submitted after December 31, 2008. The biggest change in this amended law is that all records are presumed to be public records and open unless they fit within one of the 30 enumerated categories of exceptions. The law will also entertain a much broader range of documents available for public inspection. There will also be an establishment of uniform fees to some extent and a standard request form that all covered agencies will have to adapt to. There will also be increased penalties for non-

compliance to the Right to Know Law. Solicitor Feinhour encouraged all to review the Right-to-Know policy to ensure we are in compliance with the new Act.

REPORT OF CODES ENFORCEMENT

Codes Enforcement Officer Ed Wenger referred Council to his written report for the month of January and offered a verbal explanation as well.

REPORT OF THE ENGINEER

Engineer Shradley referred Council to his memorandum and presented the following to Council:

Micro-surfacing project: Information has been submitted to the COG for inclusion to their bidding process.

Reconstruction and Resurfacing Project: Plans were made available for Council. Engineer Shradley asked for authorization to advertise, open the submitted bids, evaluate them, and have a recommendation available for the March meeting. The estimated cost of this project is \$22,600.00 which would reconstruct the area between the unnamed street south of Sharon Street extending west from Elm St. and Walnut Street between Derry and Pike.

*6) Vice-President Beaver made a motion to authorize Rettew Associates to place the reconstruction project out for bid. Motion seconded by Councilwoman LaCour. Motion carried.

Pike Street: No action has been taken regarding the Pike Street Right-of-Way.

Mini Comp Plan: Engineer Shradley stated that there has been no recent activity.

Chapter 94 Report: Engineer Shradley has received the necessary paperwork for the annual waste management report and will submit the documents to the City. This report is due by mid-March.

County Subdivision and Zoning: The County has been involved in putting together documentation for subdivisions and zoning ordinances. Municipalities would be able to view these documents as a “starting point” and tailor them to their specific needs.

Greenway Study: A meeting is scheduled for Thursday, February 21. Rettew will send a representative to this committee on behalf of the Borough.

COMMITTEES

Administration – No Report

Highway –No Report

Property and Recreation –No Report

Public Safety –No Report

Public Relations –Councilwoman LaCour stated the deadline for submitting articles for the next addition of the Paxtang Post newsletter is March 5th. Councilwoman Seneca made inquiry as to the status on the contest for the Logo

Health and Sanitation –Manager Beard will pass along an article to Councilwoman LaCour concerning stormwater management for inclusion in the newsletter along with an article regarding the Mini Comp Plan.

UNFINISHED BUSINESS – Councilwoman Panza expressed her gratitude to everyone for their cards, flowers and visits during her recent time away from Council. President Ninosky remarked that we are all very pleased to have Councilwoman Panza back with us.

NEW BUSINESS – No Report

COMMUNICATIONS

Manager Beard presented the following:

- March 18th - Invitation to a Legislative breakfast sponsored by the Pinnacle Health Children's Resource Center in celebration of the grand opening of their expanded facility at the Community Health Center Lobby located at 2645 North Third St. 1st floor. RSVP by March 12th.
- May 2nd Deadline for the Robert C. Edwards Scholarship Foundation established by PSAB. This is a scholarship awarded to a student entering their freshman year in college. One student from each of the six districts shall be selected to receive a \$1,000.00 scholarship with payment made directly to their college.
- Communication from Ms. Chris Whitmer. Ms. Whitmer reported a street light out to the Borough office and was concerned with the lack of communication she received which resulted in Ms. Whitmer contacting PPL directly in order to have the situation resolved. Office staff has been made aware of this for future reference.
- Letter from the Auditor General reporting on the Liquid Fuels Tax Fund for the year ending December 31, 2006. Manager Beard commented there were no adverse findings.
- Letter from Centax, a private tax collection concern, encouraging Paxtang Borough as a member of the CAP COG to consider endorsing House Bill 1458 as opposed to House Bill 1550 and Senate Bill 1063 dealing with the collection of the local earned income tax.

PRESENTATION OF BILLS

*7) Vice-President Beaver made a motion to pay the bills. Motion seconded by Councilwoman Panza. Motion carried.

At 8:09 pm., President Ninosky announced that Council would retire to Executive Session for the purpose of discussing personnel matters. President Ninosky invited Mayor Stambaugh, Solicitor Feinour, and Manager Beard to participate.

At 9:07 pm., President Ninosky reconvened the regular business meeting announcing that personnel matters and potential litigation had been discussed during the Executive Session.

ADJOURNMENT

*8) Vice-President Beaver made a motion to adjourn the regular business meeting. Motion seconded by Councilwoman LaCour. Motion carried. President Ninosky adjourned the regular business meeting at 9:08 p.m.

Secretary

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- Minutes
 - Treasurer Report
 - Purchase Heaters – Fire Day Room
 - Join COG – Verizon Franchise
 - Fundraising – Playground equipment
 - Rettew – Bid Street Reconstruction
 - Pay Bills
 - Adjourn