

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
February 21, 2006

Vice-President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:14 p.m. followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh

Roll Call was taken.

Council Members present:	E. Denny Beaver
	Virginia Panza
	John Rowe
	Heather Misiti
	Deborah Seneca

Council Vice President	John Ninosky
Mayor	Keldeen Stambaugh

Council President Joe Spackman was absent

Borough Manager/Chief	Ken Beard
Borough Engineer	Max Shradley
Borough Solicitor	Stan Laskowski
Fire Chief	Todd Zwigart

PRESENTATION TO THE VERHOVAY HOME

Mayor Stambaugh presented a plaque to the Verhovay Home Association in appreciation for their generous contribution to the Paxtang Police Department and Law Enforcement. On behalf of the members of the Verhovay Home, their representative extended a thank you to council and the citizens of Paxtang for this presentation.

SWEARING IN OF PART-TIME POLICE OFFICERS

Mayor Stambaugh proceeded to administer the Oath of Office to Officer Ryan Shellenhammer and Officer Marci Fureman.

MINUTES

Councilwoman Misiti made a motion to dispense with the reading of the minutes and to approve the same. The motion was seconded by Councilwoman Panza. Manager Beard made note that the final version of the minutes will include the names of the Fire Police that were sworn in. With the aforementioned modification the motion was approved unanimously.

FINANCIAL REPORT

Councilwoman Misiti made a motion to dispense with the reading of the Treasurers Report and to approve same. The motion was seconded by Councilwoman Panza. The motion was approved unanimously.

REPORT OF THE FIRE CHIEF

Chief Zwigart reported that the Fire Police responded to four incidents in January for a total of 2.9 man hours. There was no Fire Police training for the month of January.

The Fire Department responded to a total of 30 calls, 4 of which were in the Borough. The average crew was 4, for a total of 166 men responding. The average response time was 5 minutes. The total hours in service was 7 hours 53 minutes. Total man hours being 1,162 hours 53 minutes. There were 18 runs for the engine and 24 for the rescue. There were 2 trainings with a total of 17 man power. Total hours spent in training was 5 hours bringing the total to 41 hours.

Chief Zwigart also brought to council's attention the need to locate barbeque pit under roof to comply with health regulations. Due to the cost factor of wood, Chief Zwigart indicated that the Fire Company is looking into the possibility of a metal roof. The purchase of a shed is also being considered to store items for the Crabfest as well as for Chicken BBQs. A diagram of the pit was presented to Council. The diagram indicated that the location of the pit will not change. Chief Zwigart would like the shed to be placed out in the parking lot area or back on the grounds with a concrete pad. Depending on the size of the shed, approximately 2 ½ or 3 parking spaces would be eliminated. The cost for all procurement and construction would be absorbed by the Fire Company. Depending on the final placement, the project could possibly involve some minor excavating. Councilwoman Seneca asked if there any parking ordinances indicating the number of parking spaces required. Engineer Shradley indicated that this is a Code issue. Councilman Rowe made a motion to allow the Fire Company to proceed with the project as presented to install a 12 x 26 metal roof over the current existing pit and immediately adjacent to that a shed, with the possibility of a concrete slab, and to waive any license/permit fee and as long as parking requirements are met. The motion was seconded by Councilwoman Seneca. The motion was approved unanimously.

Mayor Stambaugh asked Chief Zwigart to identify the recipients of awards that were presented at the Fire Company Banquet. Chief Zwigart advised that the Fireman of the Year was awarded to Jesse Berdanier, the Officer of the Year was Deputy Chief Turner, and that Michael Powers was named Honorary Fire Chief for his long service both to the Company and to the community.

REPORT OF THE MANAGER

Manager Beard presented an update on the cell tower project, indicating he has been in contact with the solicitor on matters concerning the lease. Solicitor Laskowski commented that the lease is for 24 years and is renewable automatically every five years.

Manager Beard told Council that he had requested the Civil Service Commission to entertain the possibility of allowing the Borough to go in with other agencies under the Dauphin County Chiefs of Police umbrella for a master hiring list. This would enable the Borough to be able to maintain a first stage eligibility list every year without interruption. In the long term this could save the Borough several thousand dollars. In order to accomplish this, the Civil Service regulations needed to be modified. Civil Service held a meeting on February 6 to entertain Manager Beard's requests. As approval of the changes is required by Borough Council, Manager Beard introduced Resolution 5-06. Vice President Ninosky made a motion to adopt Resolution 5-06. The motion was seconded by Councilman Rowe. The motion was approved unanimously.

Pension Trustee: Trustees need to be updated on the Non-Uniformed Pension Plan. Councilman Rowe made a motion to adopt Resolution 6-06 naming the President and Vice President as trustees of the plan. Manager Beard asked Solicitor Laskowski if it was necessary to include the Social Security numbers and dates of birth on the Resolution due to this being a public record. Solicitor Laskowski indicated he did not feel the information was necessary but could be added later with an affidavit if need be. Rowe amended his motion to omit this portion of the proposed resolution. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

Manager Beard presented a request that he had received from Mike Clark of 3109 Derry St. for a designated handicapped parking area. Manager Beard indicated that he has reviewed the request, believes it is appropriate, and would ask council to authorize this on a motion. The motion was made by Councilwoman Panza. The motion was seconded by Councilman Rowe. The motion was approved unanimously. Discussion was posed as to other permit parking in the Borough. Manager Beard indicated this matter would be looked into.

Manager Beard reported to Council there remains a vacancy at the Auditor position and this should either be filled or be directed to the Vacancy Board. Solicitor Laskowski suggested to actively pursue the matter by assigning to a committee, an individual, or an officer and to make it part of the record that we are in good faith and moving forward in trying to obtain an auditor. This could be from personal contact, placing

an ad in the Paxtang Post, placing signs, advertising in the newspaper, talking to neighbors and get the word out that an auditor is needed. Solicitor Laskowski also indicated that one could pay an independent auditor. This would require a change in the Ordinance. There was discussion on having a job description available and the possibility of this being on the Borough website. Solicitor Laskowski indicated citizens could come forth and they could petition the court themselves. He encouraged anyone that has a name to bring them forward. Past auditors could also be asked to fill the position. Manager Beard will bring this to the attention of the vacancy board. Solicitor Laskowski indicated for the record that the Borough has advertised this position in the Paxtang Post.

Manager Beard reported that the term of a seat on the Health Board being filled by Donna Powers has expired. Mrs. Powers has agreed to continue to serve if Council is willing to reappoint her. Discussion was held as to who does health inspections and the role of the Health Board. Manager Beard stated that the Borough has a Health Inspector – Sue Yeager, and the responsibility for all health inspections. Councilman Ninosky made a motion to reappoint Donna Powers to the Health Board. The motion was seconded by Councilman Rowe. The motion approved unanimously.

CITIZEN COMMENTS

Pat Appleby expressed concern that the proposal by the Fire Company to locate the barbeque pit does not allow for keeping space available if the opportunity arises to locate a train station in the future. Mrs. Appleby offered her thanks for the coverage of the Historical Society in the newsletter, and stated that the newsletter should not be put into individual mailboxes as this delivery violates the postal service regulations and could result in fines.

Mrs. Appleby also indicated that she believed that the Borough building is not in compliance with ADA requirements. And she also expressed concern that the Council Minutes were not available for review before the meeting. Solicitor Laskowski indicated that the Minutes do not have to be made available until they are approved by Council. Corrections can be made through amendments if need be.

Murv Grunden inquired as to the status of the curbing construction on Paxtang Avenue from 2005. Engineer Shradley stated that he believes that contact should be made with the District Engineer. Engineer Shradley also indicated that possibly Manager Beard and Mayor Stambaugh could work with Councilwoman Seneca on this.

Mr. Grunden expressed concern with not receiving a report from the Police Chief at Council meetings. He also stated the lighting in the hallway/stairwell is out again.

REPORT OF THE MAYOR

Nothing to report

REPORT OF THE SOLICITOR

Solicitor Laskowski presented Ordinance No. 601, regarding the licensing and inspection of retail food establishments, to Council for their consideration. This ordinance provides for the fee for health inspections to be enacted and modified through resolution. Councilman Rowe made a motion to adopt Ordinance No. 601. Councilman Beaver seconded the motion. The motion approved unanimously. Solicitor then presented Resolution 7-06, establishing a fee of \$60.00 for the annual health inspection for food service establishments. The solicitor indicated that provisions could be added to the resolution to provide for re-inspections or additional inspections if required by the Health Inspector. Solicitor Laskowski also pointed out that the borough does not have an ordinance directing the appointment of a Board of Health. The existing ordinances provide only for a Health Officer. Councilman Rowe made a motion to adopt Resolution No. 7-06 as presented. Councilwoman Misiti seconded the motion. The motion approved unanimously.

Solicitor Laskowski commented on the Civil Service modifications that were approved are appropriate.

Councilman Rowe inquired as to how copies of the Borough Code could be obtained. The solicitor indicated that copies could be obtained from the Pennsylvania State Association of Boroughs for a fee. A copy is in the office also.

REPORT OF THE CHIEF OF POLICE:

Chief Beard indicated arrests have been for motor vehicle violations and a number of arrests and investigations for controlled substances. Councilwoman Seneca asked as to what types of drug arrests were taking place. Chief Beard indicated it would not be appropriate to go into further detail at this time. Chief Beard indicated he would present a report if the situation was of an epidemic nature.

REPORT OF CODES ENFORCEMENT

Manager Beard provided a written report to council members on behalf of the codes officers.

Manager Beard asked for approval from council for a request from a college student interested in obtaining copies of older borough minutes. There was no objection from Council due to the fact the aforementioned are public documents. Manager Beard will forward the requested material.

REPORT OF THE ENGINEER

Engineer Shradley stated that the street reconstruction project is ready to be advertised for bid. If authorized to proceed the bids should be ready for consideration next month. He also received information that the West Shore COG would be advertising for bids for the micro surfacing of selected streets on the eastern side of the borough.

Engineer Shradley indicated that the land development plans from BRM concerning the self-storage units behind True Value would have to be reapproved by Borough Council due to the fact the plans were not signed and not recorded within a 90 day period of the prior approval and the County will not accept the plans under these conditions. It was noted that when previously approved by Council, the plans that had been prepared were presented to the borough without the proper signatures. Engineer Shradley presented the plans to Council for review. Included in the plans are provisions for privacy fencing, landscaping, and storm water retention ponds with fencing. There is also an agreement for perpetual care. Councilman Beaver made a motion to reapprove the BRM/True Value plans for the rental storage units. The motioned was seconded by Councilman Rowe. The motion approved unanimously.

Vice President Ninosky indicated the first Council Workshop meeting is scheduled for next Monday.

COMMITTEE REPORTS:

Administration: Councilman Beaver indicated items would be discussed in an executive session.

Highway: Councilwoman Seneca indicated she would be conducting a sign inventory throughout the borough by means of videotaping. Councilwoman Seneca also discussed evaluating the sidewalks. It was suggested that items be documented and a written account be given to the codes officer for further review. It was also suggested that the Shade Tree Commission be made aware of the above intentions.

Property and Recreation: No report

Public Safety: No report

Public Relations: No report

Health and Sanitation: No report

UNFINISHED BUSINESS:

Manager Beard stated that appointees for the positions of representatives to the Capital Tax Collection Bureau are pending. Councilwoman Panza indicated she had an interest in attending but needed more information. Councilwoman Misiti indicated she would be willing to serve as the borough alternate.

Mayor Stambaugh stated the grant application team has submitted for a Federal grant for the street revitalization project. Areas for the revitalization project are from Park Terrace to Swan and from Derry to Brisbane.

NEW BUSINESS:

No new business

COMMUNICATIONS:

- Mr. Thomas Toone, requesting that old faded green and white street signs on Paxtang Avenue be replaced.
- Diane Knight, regarding the issue of skunks in the borough. Mayor Stambaugh suggested that this matter be looked into.
- Lions Club member Dave Colestock, thanking Council for the use of the gym for their pancake breakfast. There were also letters of thanks to the borough employees for their help in disposing of old signs, to the fire company members for their help in serving and cooking, and to the fire police officer for helping with traffic control.
- Scholarship Fund (details on borough website)
- State Association of Boroughs – Awards Deadline March 1

PRESENTATION OF THE BILLS:

Motion made by Councilman Rowe to pay the bills as presented. The motion was seconded by Councilwoman Panza. The motion approved unanimously.

Mayor Stambaugh stated for the record that the Citizens Advisory Committee is reactivating the Crime Watch. More details will be available in the upcoming Workshop.

EXECUTIVE SESSION:

Vice-President Ninosky announced at 8:45 that Council would retire to Executive Session to discuss personnel issues as well as potential litigation. Vice-President Ninosky reconvened the public meeting to order at 9:23.

ADJOURNMENT:

Councilman Rowe made a motion to adjourn the meeting, seconded by Councilwoman Panza. The meeting was adjourned at 9:24 pm

Faye A. Clark, Secretary