

**PAXTANG BOROUGH COUNCIL**  
**Regular Business Meeting**  
**December 19, 2006**

President Spackman called the monthly meeting of the Paxtang Borough Council to order at 7:15 pm., followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Roll Call was taken.

Council Members present:

Council President	F. Joseph Spackman
Council Vice-President	John Ninosky

E. Denny Beaver  
Heather Misiti  
Virginia Panza  
John Rowe  
Deborah Seneca

Mayor	Keldeen Stambaugh
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Borough Manager/Chief	Kenneth Beard
Borough Engineer	Chris Knerr (for Max Shradley)
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

**MINUTES**

\*1) Vice-President Ninosky moved to dispense with the reading of the Minutes of the Regular Meeting of November 21<sup>st</sup>, 2006 and to approve same. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

**TREASURER'S REPORT**

\*2) Vice-President Ninosky moved to dispense with the reading of the Treasurer's report and to approve same. The motion was seconded by Councilwoman Panza. The motion carried unanimously. \_

**REPORT OF THE FIRE CHIEF**

Chief Zwigart presented Council with a written report on the monthly activities for the Fire Company and Fire Police along with a request for the Fire Police to be sworn in at the January 2007 meeting.\_

**REPORT OF THE MANAGER**

- **Request for Executive Session:** Manager Beard made a request for an Executive Session for the purpose of discussing personnel and labor contract issues.

President Spackman announced at 7:18 pm that Council would retire to Executive Session.

President Spackman reconvened the public meeting at 8:00 pm.

\*3) Vice-President Ninosky made a motion to accept the resignation of Marci Fureman as a part-time Police Officer. The motion was seconded by Councilman Rowe. The motion carried unanimously.

\*4) Councilman Beaver made a motion to accept the resignation of Charles Wevodau as a Highway worker. The motion was seconded by Councilman Rowe. The motion carried unanimously.

\*5) Councilman Beaver made a motion to hire H. Edward Wenger as a Highway worker with an effective date of December 11, 2006 and at a rate of \$15.00 per hour. Upon Mr. Wenger's completion of Codes training, he would also become the Borough Codes Officer. The motion was seconded by Councilwoman Misiti. Councilman Beaver amended his motion to read that Mr. Wenger would be hired as a Highway worker and Code Officer. The motion was seconded by Councilwoman Misiti. The motion carried unanimously.

Mayor Stambaugh proceeded with the administration of the Oath of Office to H. Edward Wenger as Codes Officer.

\*6) Vice-President Ninosky made a motion to accept the Police contract for the years 2007-2008. The motion was seconded by Councilman Rowe. The motion carried unanimously.

- **Dauphin Co. Comp Plan/DCED Mini Comp Plan:** Manager Beard received two sets of evaluation forms from Council members, as well as a verbal evaluation report from Councilman Ninosky concerning the two proposals. All three favor the proposal made by Rettew Associates.  
\*7) Vice-President Ninosky made a motion to accept the DCED Mini Comp Plan as submitted by Rettew Associates. The motion was seconded by Councilman Beaver. After discussion, it was suggested to amend the motion to read: "to accept the proposal as submitted by Rettew Associates". The motion carried unanimously.
- **Laskowski Eagle Project:** For the benefit of those in attendance, Manager Beard explained the Eagle Scout project initiated by David Laskowski. The project consists of the improvement renovation of a portion of the Capital Area Greenbelt, north of Derry Street. At the November meeting Council authorized an expenditure of up to \$500.00 for this project. The approximate expenditure to date is \$220.00. Manager Beard encouraged all to stop by take a look at the completed project. David Laskowski addressed Council and thanked Mayor Stambaugh, Manager Beard, Councilman Beaver, and Mr. Grunden, for all their help and support.
- **T-Mobile Cellular Antenna Project:** Representatives of the T-Mobile Company have directly approached the Zoning Hearing Board to secure the necessary variance to construct the cellular flagpole/antenna in the Paxtang Cemetery. The board has scheduled the appeal hearing for January 24<sup>th</sup>, 7:00 pm at the Municipal building.
- **Police Hire:** Manager Beard has extended a conditional offer of employment to Joshua Reager as a Part-Time Police Officer contingent upon the receipt of his MPOETC certification.
- **Engineering Contract:** A proposal has been received from Rettew Associates to extend their contract with Paxtang Borough through 2007. Manager Beard has forwarded a copy of the Rettew contract to Solicitor Laskowski for review. This matter will be tabled until the January Council meeting.
- **PennDOT Billing:** Manager Beard received a revised billing from PennDOT for the curbing on Paxtang Avenue. The new billing is \$1,079.00 less than the original invoice due to the measurement of actual curbing installed versus the estimate. Mayor Stambaugh noted that she is still looking into this matter to effectuate a resolution.
- **Yard Sale:** A request was received to advertise the annual June Yard Sale twice in the Paxtang Post prior to the Yard Sale. Discussion was held to set the dates of Saturday, June 9<sup>th</sup> and Saturday, September 8<sup>th</sup> as Community Yard Sale Days.
- **Schedule of 2007 Meetings:** Manager Beard inquired of Council for direction in scheduling meetings for 2007. After discussion, it was decided to conduct regular business meetings on the

third Tuesday of every month with the exception of May. Due to Election Day being on the third Tuesday of May, Council will meet on Wednesday, May 16<sup>th</sup>. Council also agreed to hold Workshop meetings on the last Monday of every month with the exclusion of July, August, and December.

- **Police Report:** Chief Beard referred Council to his written report and offered a verbal explanation as well. Chief Beard asked for Council's endorsement to once again participate in the joint police application and eligibility testing coordinated through the Dauphin County Chiefs of Police. This process has been adopted by the Paxtang Civil Service Commission and complies with the regulations. The Borough would not incur a cost for this testing.  
\*8) Vice-President Ninosky made a motion to participate in the Dauphin County Chiefs of Police application and testing process. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

A request has been received for the services of the Fire Police on December 20<sup>th</sup> for a funeral at the Beth El Cemetery. Since this request is out of the normal realm for the Fire Police, Manager Beard asked for Council's authorization to participate. Vice-President Ninosky asked Fire Police Captain Murv Grunden for his input to which Mr. Grunden gave his approval.

\*9) Vice-President Ninosky made a motion to authorize the Fire Police to offer their services in conjunction with an upcoming funeral at the Beth El Cemetery. The motion was seconded by Councilman Beaver. The motion carried unanimously.

Councilwoman Seneca asked for information regarding the January 11<sup>th</sup> EMA meeting. EMA Assistant Director Ed Wenger stated he would contact Robin Bloss and send information to Councilwoman Seneca. Manager Beard explained that every year municipalities are required to conduct an exercise to show they are familiar with and are able to carry out an emergency plan.

Manager/Chief Beard extended well wishes and a Merry Christmas to all.

#### **Audience Participation**

- Brenda Noell of 19 North 30<sup>th</sup> Street made inquiry as to the condition and serviceability of the highway trucks. Manager Beard explained that some repairs are scheduled for this week and that there are measures in the budget for replacing one of the trucks. Manager Beard has asked Saul Schmolitz to look into some different truck configurations that may suit the Borough's use. Schmolitz is making additional inquiries. Depending on the configuration chosen it may be possible to purchase a vehicle under the State contract. If not, the project must be put out for bid with Council's authorization.

President Spackman said he is aware of the need for a replacement and that provisions are in the budget for the purchase of another vehicle.

- Helen Koser of 468 North 32 Street, speaking on behalf of her son-in-law, Alex Pitzner of 108 Paxtang Avenue. Mrs. Koser addressed Fire Chief Zwigart concerning an incident that occurred at the tree lighting ceremony, December 3rd. This incident involved the Fire Engine pulling out from the station in response to an emergency call at a rather fast pace, given the crowd conditions that evening. Mrs. Koser wanted to publicly state that she believed that taking a couple of extra seconds and pulling from the station in a slow manner would not have held up their response time.

President Spackman asked Fire Chief Zwigart for his comment in reference to the concerns of Mrs. Koser. Chief Zwigart said he was not there at the time of the incident but would look into the situation.

- Murv Grunden of 3323 Brisban Street: Mr. Grunden provided Council with an update and overview of the activities of the Paxtang Historical Society, the Citizens Advisory Committee, and the Capital Area Greenbelt Cleanup.

Mr. Grunden made a request that the painted white speed reference lines be remarked on Paxtang Avenue. This request was referred to Manager/Chief Beard.

Mr. Grunden asked if 'No Parking' signs would be placed at Fleming's Sub Base located at 3697 Derry Street. This request was referred to Manager/Chief Beard.

Mr. Grunden asked what the guidelines have been established for the submission of articles to the Borough website. After much discussion, it was decided that all web articles would be directed to Manager Beard for review and he would direct them to the web master.

- Deb Appleby of 3124 Duke Street: Made inquiry into the resignation of Public Works employee Mr. Charles Wevodau. She presented a request to view the Borough financial records for 2005 and 2006 along with a listing of Grants applied for and implemented in that time period.
- Jim Kling of 441 North 32<sup>nd</sup> Street: Presented Council with a written request to view Borough records and made the statement that there has been some interest from residents in putting together a Paxtang Taxpayers Association.

#### **REPORT OF THE MAYOR**

There being no report, Mayor Stambaugh wished all a Happy Holiday.

#### **REPORT OF THE SOLICITOR**

There being no report, Solicitor Laskowski wished all a Happy Holiday.

#### **REPORT OF CODES ENFORCEMENT**

Manager Beard informed Council that three permits were issued. Beard stated that he had received a request from Councilman Rowe to ascertain the status of two specific complaints in the 3500 block of Pear Street. It was found that a written warning had been issued on August 11<sup>th</sup>, but there had been no follow-up after that. Mr. Rowe asked if there was a course of action to be taken. Manager Beard and Codes Officer Ed Wenger have made arrangements to look into this at the end of week.

#### **REPORT OF THE ENGINEER**

In the absence of Engineer Shradley, Rettew Associates was represented by Mr. Chris Knerr. Mr. Knerr asked Council to authorize a survey and design for the reconstruction of Walker Street. This will establish a timetable to allow for bids in February or March.

\*10) Vice-President Ninosky made a motion to authorize the survey for the Walker Street repair project as per the recommendation of the Borough Engineer. The motion was seconded by Councilwoman Panza. The motion was carried unanimously.

#### **COMMITTEE REPORTS**

##### *Administrative:*

Councilman Beaver gave an overview of the proposed 2007 budget, millage, Chart of Accounts, revenue, and anticipated expenses.

\*11) Councilman Beaver made a motion to approve the second reading of the 2007 budget. The motion was seconded by Vice-President Ninosky. The motion carried unanimously.

\*12) Councilman Beaver made a motion to approve the second reading of Tax Ordinance # **603**. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

\*13) Councilman Beaver made a motion to authorize Council to advertise for the EMS tax. Solicitor Laskowski proposed a correction to read: to authorize the preparation and advertisement of the appropriate ordinance to enact an EMS tax. Vice-President Ninosky amended the motion to authorize the Borough Solicitor to prepare the appropriate ordinance for review, advertisement and adoption to pass the \$52.00 EMS tax. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

##### *Highway:*

No Report

*Property and Recreation:*

Councilwoman Misiti presented a request from Ricardo Duarte to use the gym for a Soccer clinic in February. Manager Beard advised Council that he had received the following requests for use of the gym also;

Mr. Duarte, asking if Paxtang and Swatara soccer parents could use the gym for pick up games and if there would be a fee charged,

Mr. Greg Long, a resident of the borough associated with North 17<sup>th</sup> Church of God would like to use the gym once a month for a basketball ministry outreach and, Holy Family, St. Patrick's, and St. Francis parishes, to use the gym two to four days a week.

The gym is currently being used by many different organizations to which most of these are gratis rentals.

Manager Beard also received a request from resident Michael Bowmaster representing Swatara Paxtang Softball Association. They would like unlimited, guaranteed use of the ball field at Saussaman Park seven days a week from March through June. After much discussion it was decided to take these requests up at the January Workshop but to discuss the Duarte Soccer clinic due to the fact it is time sensitive.

\*14) Councilwoman Misiti made a motion to allow Ricardo Duarte to schedule a Soccer clinic for February 1, 6, 15, and 22 providing the dates are available and that the Borough will advertise in the Paxtang Post and the website. The motion was seconded by Councilwoman Panza. The motion carried with Councilman Ninosky dissenting.

*Public Safety:*

No Report

*Public Relations:*

Councilwoman Panza established and served notice that the deadline for submitting articles to the Paxtang Post would be January 5<sup>th</sup> 2007

*Health and Sanitation:*

\*15) Councilman Rowe made a motion to adopt the second reading of the Solid Waste Ordinance # **604**. The motion was seconded by Vice-President Ninosky. The motion was carried unanimously.

**UNFINISHED BUSINESS:**

No Business to Report

**NEW BUSINESS:**

No Business to Report

**COMMUNICATIONS:**

Manager Beard received a letter from the Capital Area Income Tax Office regarding a proposed change in their regulations. Manager Beard explained their proposal would change the composition of the board from having a guaranteed representative from the original CD Area Income Tax Office to a new proposal of opening all seats with no guarantee that seats would go to those from the original CD Area Income Tax Office.

\*16) Vice-President Ninosky made a motion to keep the vote "as is" and keep our representation. The motion was seconded by Councilman Rowe. The motion carried unanimously.

Manager Beard read a letter from an organization called The Hero's Fund requesting support from Paxtang Borough to construct a "Hero's Grove", to be located in Lower Paxton Township.

\*17) Vice-President Ninosky made a motion to approve Resolution 15-05 supporting the Hero's Grove. The motion was seconded by Councilwoman Panza. The motion carried unanimously.

A flyer from the Pennsylvania Association of Boroughs announcing their Spring Legislative Conference in March, 2007.

**PRESENTATION OF BILLS:**

\*18) Vice-President Ninosky made a motion to pay the bills. The motion was seconded by Councilman Beaver. The motion carried unanimously.

**ADJOURNMENT:**

\*19) Vice-President Ninosky made a motion to adjourn the public meeting. The motion was seconded by President Spackman. The motion carried unanimously. The meeting was adjourned at 9:33 p.m.

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Secretary

1. Approve Minutes
2. Approve Treasurers Report
3. Resignation Officer Fureman
4. Resignation Charles Wevodau – Highway/Codes
5. Hire H. Edward Wenger – Highway/Codes
6. Accept Police Contract
7. Accept DCED Mini Comp Plan
8. Police eligibility list
9. Fire Police
10. Authorizing Road Survey
11. Second reading, Budget
12. Second reading, Tax Ord. 603
13. Advertise EMS Tax
14. Soccer Clinic
15. Second reading, Solid Waste Ord 604
16. Capital Area Income Tax Office
17. Hero's Grove
18. Pay the Bills
19. Adjourn