

PAXTANG BOROUGH COUNCIL
Municipal Building 3423 Derry Street
Regular Business Meeting
September 21, 2010

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 led by Mayor Stambaugh.

Roll Call was taken.

Council Members Present:

Council Vice President	E. Denny Beaver
Council Members	Lynn Kipp Raymond Patackis Virginia Panza Deborah Seneca
Mayor	Keldeen L. Z. Stambaugh

Council Members Absent

Council President	John R. Ninosky Sr. Sheilah Borne Fuller
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Borough Officials

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

At this point Mayor Stambaugh presented the Oath of Office to members of the Shade Tree Commission, Chairperson Rodger T. Faill and Commission Member, Darlene Kvaternik. Council Members took this opportunity to greet Mr. Faill and Ms. Kvaternik.

MINUTES

*1) Councilwoman Panza made a motion to dispense with the reading of the Minutes of the Regular Business Meeting of August, 2010. and to approve the same. Motion seconded by Councilwoman Kipp. Motion carried.

TREASURERS' REPORT

*2) Councilwoman Panza made a motion to dispense with the reading of the Treasurers' Report for the month of August, 2010, and to approve the same. Motion seconded by Councilwoman Kipp. Motion carried.

REPORT OF THE FIRE CHIEF:

Owing to the absence of Chief Zwigart attending a meeting of the Dauphin County Fire Chiefs Association, Vice-President Beaver referred Council to the August and July reports from Chief Zwigart. Mayor Stambaugh, along with Councilwoman Borne-Fuller attended a preliminary merger meeting with Swatara Township Fire Department on September 16th. Manager Beard read a letter from the Swatara Township Volunteer Fire Company dated August 31st, regarding a possible merger between Swatara and Lawnton Fire Departments. Councilman Patackis suggested that Council be represented at any further meetings.

REPORT OF THE MANAGER

Seminars: Information on future seminars was sent to Council Members prior to the Regular Business Meeting. Council was given the opportunity for questions and comments.

PPL Day of Caring: PPL held their annual community “Day of Caring” on September 26th, at which time they removed trees in the Greenbelt area as well as from behind the Visiting Nurse Association at 3315 Derry Street. PPL provides their services at no cost to the Borough.

Armed Forces Support Agreement: Manager Beard received a letter on behalf of the Pennsylvania Committee for Employer Support of the Guard and Reserve asking that we sign a Statement of Purpose pledging support to and recognition of the Uniformed Services Employment and Reemployment Rights Act.

*3) Councilwoman Panza made a motion to sign the statement of purpose. Motion seconded by Councilwoman Kipp. Motion carried.

Harrisburg Sewer Billing: Manager Beard has been in contact with the Borough Solicitor, who indicated no further demands have been received from the City of Harrisburg regarding the alleged underpayment of sewer billings from 2010.

A this point, Mayor Stambaugh proceeded to administer the Oath of Office to Shade Tree Commission Member, Jeremy Hower. Council Members took this opportunity to greet Mr. Hower.

Microsurfacing: The issues with regard to the workmanship provided by Asphalt Paving Systems have now been resolved. Engineer Shradley recommends approval of the final payment in the amount of \$2,586.44.

*4) Councilwoman Panza made a motion to pay Asphalt Paving Systems. Motion seconded by Councilwoman Kipp. Motion carried.

Zoning Ordinance Update: A meeting is scheduled for Thursday, September 23 at 6:30 a.m. The meeting will be held in Council Chambers.

Highway Garage: Manager Beard encouraged all to view the progress being made on the new highway garage.

Concrete Contract: Manager Beard received the following bids for the installation of a concrete floor for the highway garage: Sporting Hill Concrete, Dauphin Enterprises, and the low bid from C&S Concrete. The Borough will purchase the concrete through L&S Concrete at \$84.00 per cubic yard. The estimate is for 45 cubic yards, for an approximate cost of \$8,700.00. If the bill is paid by the 10th of the month following the completion of the project, L&S will deduct \$1.00 per yard.

*5) Councilwoman Panza made a motion to award the installation of the garage floor to C&S Concrete for \$4,920.00 and the bid for the concrete to L&S Concrete at \$84.00 per cubic yard. Motion seconded by Councilwoman Kipp. Motion carried.

Shade Tree: The Shade Tree Commission will hold a public meeting on Thursday, September 30th in Council Chambers, at which time they will entertain discussion on the planting and removal of Borough Shade Trees. Manager Beard placed the required advertisement of this meeting in the *Paxton Herald* at an approximate cost of \$31.00 per publication as opposed to the *Patriot News* at an approximate cost of \$308.00 per publication. Manager Beard asked Council to consider placing future advertisements with the *Paxton Herald* due to the significant cost savings involved. Council was in agreement.

Comcast Franchise Agreement: Manager Beard asked Council to consider the Franchise Agreement with Comcast in principal only, authorize the advertisement of the Ordinance adopting the franchise, and then finalize the agreement in October. Since the franchise agreement makes reference to the Borough scheduling a public hearing in order to receive input from the public, Solicitor Feinour suggested advertising the hearing along with the Ordinance. Solicitor Feinour noted this hearing could be scheduled as part of a Regular Business Meeting.

*6) Councilwoman Panza made a motion to advertise the Ordinance for the Comcast franchise agreement and to schedule a public meeting as well. Motion seconded by Councilwoman Kipp. Motion carried.

Penbrook Request: A request has been received from Penbrook Borough to detail a Police Officer for their Halloween Parade on Thursday, October 21st.

*7) Councilwoman Panza made a motion to provide an officer as requested by Penbrook Borough. Motion seconded by Councilwoman Kipp. Motion carried.

Halloween Parade: Manager Beard received a formal request from the Paxtang Lions Club to conduct their annual Halloween Parade on Tuesday, October 26th. If the parade would need to be canceled, judging of children's costumes will take place in the gymnasium. Councilwoman Kipp requested that the current parade route be changed. Councilwoman Kipp would like to see the parade route begin at 38th and Derry, continue up Wilhelm, cross over to Montour, down Paxtang Avenue, and conclude at the judge's stand. Councilwoman Kipp believes this route would allow more residents to view the parade and possibly help with crowd control and congestion. Manager Beard informed Councilwoman Kipp that changing the parade route might not alleviate the back up as he believes that it is due to each participant being judged individually in front of the reviewing stand, which interrupts the flow of the parade.

*8) Councilwoman Panza made a motion to approve the Paxtang Lions Club Halloween Parade for October 26, 2010. Motion seconded by Councilwoman Seneca. Motion carried.

Trick or Treat: Manager Beard stated Trick-or-Treat would take place on Thursday, October 28th, and asked Council to consider a motion to officially sanction this event.

*9) Councilwoman Panza made a motion to approve Trick or Treat for Thursday, October 28th. Motion seconded by Councilwoman Kipp. Motion carried.

Fire Police Request: Manager Beard received a request from Derry Township seeking assistance with traffic control from Special Fire Police for Sunday, October 3rd for the Hershey Half-Marathon.

*10) Councilwoman Panza made a motion authorizing Fire Police Captain Murvin Grunden to provide assistance as requested by Derry Township. Motion seconded by Councilwoman Kipp. Motion carried.

Norfolk Southern Railroad Bridge: Manager Beard informed Council that in the past month, the Norfolk Southern Railroad Bridge was struck on two different occasions by tractor trailers exceeding the height restriction of 12 feet 4 inches. This bridge is located at the underpass on South Paxtang Avenue. PennDOT has agreed to install signs at either end of Derry Street calling attention to this situation, but has requested the Borough identify the street by name and provide for signage. Manager Beard would like to see this accomplished by installing signs on the existing overhead traffic mast arms. PennDOT is requiring an Engineering study stating the devices would be structurally sound for the addition of new signs. PennDOT would in turn review the findings from this study. The cost of this project could run between \$900.00 and \$1,500.00. The Swatara Post Office recognizes the street as well as the alley as South Paxtang Avenue. Dauphin County Emergency Management Agency recognizes this same area as City Park Drive. Names for consideration were, South Paxtang Avenue, City Park Drive and Paxtang Park Drive. Manager Beard suggested discussing this at a Workshop meeting.

Shade Tree: In regard to a recent invoice from Shull's Tree Services, Manager Beard explained that Mr. Marsico did not list each address as he not only trimmed all the trees on the list, but also trimmed others as he saw fit and incorporated everything into one billing. Councilwoman Kipp asked if Mr. Marsico had been given authority to use his own discretion regarding the maintenance of trees not on the list originally given to him by the Borough.

Manager Beard stated Public Works employees were with Mr. Marsico for at least part of each day that he was in the Borough trimming trees. Public Works employee Ed Wenger said that when Mr. Marsico saw something that needed attention; he would go ahead and take care of it. Rodger Faill, Chairman of the Shade Tree Commission, requested he be notified when Shull's Tree Service was in the area and that a member of the Shade Tree Commission accompany Mr. Marsico in order to document any and all maintenance to Borough trees. Mayor Stambaugh and Councilwoman Kipp were in agreement with Mr. Faill. Councilman Patackis asked that a Public Works employee accompany Mr. Marsico if a Shade Tree member is unavailable.

Mr. Wenger believes Shull's go above and beyond what other tree services would provide for the Borough. Mr. Faill requested the office staff make personal contact with a member of the Shade Tree Commission if he cannot be contacted. Manager Beard explained that currently when a complaint comes into the office, it is logged in and forwarded to the Shade Tree Chairman electronically. If Public Works employees are able to handle the situation, they do so at no added expense to the Borough. Otherwise a call is made to Shull's or the matter is directed back to the Shade Tree Chairman for their opinion and direction.

Discussion was held on grouping certain streets together and have Shull's take care of everything listed at the same time. It was also suggested to have Shull's offer a quote for a set amount of work and bring the offer to the attention of Council for consideration. If Public Works employees are riding along with Mr. Marsico, Council would like them to document any and all maintenance done to any tree not on the list as given to Mr. Marsico and inform Mr. Faill.

Manager Beard suggested the Shade Tree Commission be given their budget and allow them to contact Shull's directly for maintenance and emergency issues. Manager Beard would like the Borough staff to be taken out of the picture with regard to Shade Tree issues.

Mr. Faill and Councilwoman Kipp would like Public Works employees to continue maintaining what trees they can and then report back to the Shade Tree Commission as to what action was taken. At this point, Vice-President Beaver suggested this matter be discussed at the Shade Tree Commission meeting scheduled for Thursday, September 20th at 7:00 p.m. in Council Chambers.

Grant - Buckle Up PA: Manager Beard asked Council for authorization to proceed with the application for a grant providing overtime funding for officers to provide traffic enforcement for the *Buckle Up PA, Click It or Ticket* program for a three week period in November.

*11) Councilwoman Panza made a motion authorizing Manager Beard to apply for the Buckle Up Grant. Motion seconded by Councilwoman Kipp. Mayor Stambaugh asked Chief Beard if there would be enough manpower to fulfill the time required for the program. Chief Beard said it would be available strictly after shifts are filled. Motion carried.

Pension MMO: Manager Beard asked for Council's consideration in certifying the Minimum Municipal Obligation (MMO) for the Uniform and Non-Uniform Pension Plans for 2011.

*12) Councilwoman made a motion to certify the MMO for the Uniform and Non-Uniform Pension Plans for 2011. Motion seconded by Councilwoman Kipp. Motion carried.

Resolution 8-10: Manager Beard presented for Council's consideration **Resolution 8-10**, a Resolution waiving the five (5%) contribution or contributions of any kind by members of the Police Department to the Pennsylvania Municipal Retirement System for the uniformed pension plan.

*13) Councilwoman Panza made a motion adopting **Resolution 8-10**. Motion seconded by Councilwoman Kipp. Motion carried.

Police Report: Chief Beard offered for Council the written report for the month of August and 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 and potential litigation matters. Vice-President Beaver will honor this request at the end of the Regular Business Meeting.

AUDIENCE PARTICIPATION

Mr. Murvin Grunden of 3323 Brisban Street stated he attended a meeting of the 150th Anniversary of the Dauphin County Sesquicentennial Civil War on August 28th. Mr. Grunden will represent Paxtang Borough at any future committee meetings.

REPORT OF THE MAYOR

Mayor Stambaugh attended a meeting at Swatara Township on September 16th regarding the possible merger of area Fire Departments. Mayor Stambaugh reminded Council members of the upcoming meeting

of the Dauphin Lebanon County Boroughs Association dinner to be hosted by Jonestown Borough on Wednesday, 20th. The Paxtang 100th Anniversary meeting will take place on Sunday, October 17th at 6:00 p.m. in Council Chambers.

REPORT OF THE SOLICITOR

Solicitor Feinour informed Council that a new Senate Bill has just been introduced amending the Right To Know Law and to keep a watch for further developments.

REPORT OF CODES ENFORCEMENT

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

REPORT OF THE ENGINEER

Engineer Shradley referred Council to his written report and offered a verbal explanation as well.

COMMITTEE REPORTS

Administration – Vice-President Beaver would like to have a budget analysis from Engineer Shradley and Solicitor Feinour for 2011. Vice-President Beaver will be contacting committee members for their projections.

Highway – Councilwoman Seneca made a request that a street name sign be made and installed for the identification of Ivy Lane.

Property and Recreation – Councilwoman Kipp would like to meet with the Chairperson for the Paxtang Lions Halloween Parade and suggested Mayor Stambuagh attend with her to discuss parade issues for 2011.

Public Safety – No report due to the absence of Councilwoman Borne Fuller.

Public Relations – Councilwoman Panza informed Council that the deadline for the final newsletter of 2010 would be October 15th. Councilwoman Kipp requested an article concerning the annual Tree Lighting ceremony be addressed in the newsletter. Manager Beard stated that the Paxtang Lions Club is responsible for the annual tree lighting ceremony, not the Borough, and that information on this matter should be addressed by this organization.

Health and Sanitation – No report

UNFINISHED BUSINESS – No Report

NEW BUSINESS – No Report

COMMUNICATIONS – No Report

PRESENTATION OF THE BILLS

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

At 8:55 p.m. Vice-President Beaver announced that Council would retire to Executive Session for the purpose of discussing personnel matters and potential litigation.

At 9:15 p.m. Vice-President Beaver reconvened the Regular Business Meeting announcing that labor matters were discussed.

ADJOURNMENT

*15) Councilwoman Panza made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Kipp. Motion carried. At 9:16 p.m. Vice-President Beaver adjourned the Regular Business Meeting.

Secretary

1. Minutes
2. Treasurers Report
3. Armed Forces Agreement
4. Pay Asphalt Paving – Microsurfacing
5. Award C&S Concrete – Concrete Floor Highway Garage
6. Advertise Ord – Comcast Franchise Agreement
7. Penbrook Detail Halloween Parade
8. Sanction Halloween Parade
9. Sanction Trick or Treat
10. Special Fire Police Detail – Hershey Half Marathon
11. Buckle Up PA Grant
12. Certify MMO – Uniform and Non Uniform Pension
13. Res. 8-10 Waive Police Pension Contributions
14. Pay Bills
15. Adjourn