

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
October 21, 2008

President Ninosky called the monthly meeting of the Paxtang Borough Council to order at 7:25 p.m. followed by the Pledge of Allegiance to the Flag.

Roll call was taken

Council Members Present:

Council President	John R. Ninosky, Sr.
Council Vice-President	E. Denny Beaver

Council Members	Sheilah Borne Fuller
	John Rowe
	Deborah Seneca

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

Council Members Absent:	Councilwoman LaCour
	Councilwoman Panza

Mayor	Keldeen Stambaugh
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MINUTES

*1) Vice-President Beaver made a motion to dispense with and approve the Minutes from the Regular Business Meeting of September 16, 2008. Motion seconded by Councilwoman Rowe. 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 September 16, 2008. Motion seconded by Councilwoman Borne Fuller. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart referred Council to his written report for the month of September and offered a verbal explanation as well.

Chief Zwigart extended his gratitude to everyone for their support during the recent Crabfest fundraiser.

The Fire Company is offering free smoke detectors to anyone that is in need of one. Contact Chief Zwigart for details.

REPORT OF THE MANAGER

Manager Beard acknowledged that Council members were sent information regarding upcoming seminars and offered Council an opportunity for discussion.

Halloween: A letter has been received from The Paxtang Lions requesting authorization to host the annual Halloween Parade on Tuesday, October 28th. Appropriate arrangements have been made with the Fire Police and Police Departments for coverage as well as with PennDOT for the closing of Derry Street and Paxtang Avenue during the parade.

Building Renovations: Renovations to Council Chambers are underway. Painting has been completed and the installation of carpet has been scheduled pending approval of Council for the expenditure. A quote for \$1,578.00 has been received from Brewer Flooring for installation of carpet.

*3) Councilman Rowe made a motion authorizing the Borough Manager to spend \$1,578.00 to carpet the Council Chambers. Motion seconded by Councilwoman Borne Fuller. Vice-President Beaver asked if carpet padding was included in this price. Manager Beard acknowledged that padding was included. Motion carried.

Manager Beard stated the gymnasium floor has been refurbished and invited Council to stop in and see the newly refinished floor.

Trash Contract: Manager Beard advised Council that there were three responses to the advertisement requesting bids for the Solid Waste Contract for the period of February 1, 2009 through January 31, 2012. The low bid received is from Waste Management, Inc., who offered a bid of \$460,895.00 for the entire three year period for the base bid. They have offered a bid of \$47,596.00 for the addendum which would include the collection of bulk items. Other bids have been filed.

*4) Vice-President Beaver made a motion to award the bid to Waste Management for the full service that includes bulk items. Motion seconded by Councilman Rowe. Motion carried.

President Ninosky made a request of Mr. Tom Stang, the representative from Waste Management, to offer information referencing what items will be suitable for bulk pick up. Mr. Stang will provide a list of acceptable items for bulk pick up. When the contract goes into effect, this information will be posted on the Borough web site.

Verizon Franchise Ordinance: Manager Beard offered for Council's consideration Ordinance 614 authorizing the Borough to execute a Franchise Agreement with Verizon.

*5) Vice-President Beaver made a motion to approve Ordinance 614, authorizing the Borough to execute a Franchise Agreement with Verizon. Motion seconded by Councilwoman Borne Fuller. Motion carried.

*6) Vice-President Beaver made a motion to approve the Agreement with Verizon for the Franchise. Motion seconded by Councilman Rowe. Motion carried.

Property Maintenance Ordinance: Manager Beard informed Council that he would move forward with advertising the Property Maintenance Ordinance so that Council could consider the issue at the November General Business meeting.

Sewer Changes Ordinance: In order to comply with new Federal mandated water treatment regulations, the Borough's current Sewer Ordinance will need to be amended. Manager Beard offered for Council's consideration Ordinance 615 which will bring the Borough into compliance with the regulations of Harrisburg City, the Borough's wastewater treatment provider.

*7) Councilman Rowe made a motion to approve Ordinance 615, amending the Sewer Ordinance. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Traffic Signal: Installation of the LED light system for the traffic signal at Derry Street and Paxtang Avenue has been completed.

Avenue Curb Project: Out of 35 bills that have been sent out, we have received payment for 14 properties.

Appointments, Zoning Hearing Board: Currently Ms. Louise Nenadovich serves as a regular member to the Zoning Hearing Board. Ms. Nenadovich has made a request to be relieved from this position and asked to be considered for reappointment as an alternate. Mr. Nicholas Sgagias, the alternate on the Board, has agreed to be the full appointment.

*8) Councilman Rowe made a motion to appoint Nick Sgagias as the regular Zoning Hearing Board representative and allow Ms. Nenadovich to be the alternate. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Surplus Property Bid: Manager Beard offered for Council's consideration the two bids that were received for the sale of the surplus GMC pick-up truck and snowplow. Mr. Don Wood has submitted a bid for \$1,200.00 while Mr. Saul Schmolitz has submitted a bid for \$750.00.

*9) Vice-President Beaver made a motion to accept the bid of \$1,200.00 from Mr. Don Wood for the sale of that vehicle. Motion seconded by Councilwoman Borne Fuller. Motion carried.

Solvency Fee: The Department of Labor and Industry has billed the Borough for the 'Election from Relief from Charges and notice of Solvency Fee' for the calendar year 2009, in the amount of \$525.76. Manager Beard explained this is basically an insurance policy that would reserve the rights of the Borough to move forward and contest unemployment compensation claims should they be arise during the 2009 calendar year.

10) Vice-President Beaver made a motion to approve payment of \$525.76 for the Unemployment Compensation billing. Motion seconded by Councilman Rowe. Motion carried.

Vacation of Right-of-Way: Manager Beard received a complaint from a resident concerning a large pile of brush and rubbish located at the property adjoining the back of their house. Manager Beard, along with the Codes Enforcement Officer, has looked into this situation, found that the property in question belongs to the Borough, and is in need of clean up. Manager Beard has been in contact with the Borough Solicitor and the Borough Engineer and once again would recommend to Council that in the best interest of the Borough, Council vacate those alleys that the Borough does not have any need for, and forever vacate the rights of the Borough, within certain limitations, to those alleys. Manager Beard, along with the Borough Solicitor and Borough Engineer will determine what unopened alleys the Borough has no interest in, list them as a blanket form, present them in an Ordinance, and then notify the property owners of this action.

*11) Councilman Rowe made a motion to permit the Borough Manager, along with the Borough Solicitor and Borough Engineer to take the necessary steps to vacate the right-of-ways that are deemed unnecessary and to expend whatever professional fees are necessary to do so. Motion seconded by Councilman Beaver. Motion carried.

Codification: Manager Beard has been in contact with General Code to clarify the payment schedule. Payments can be spread over three budget periods. Twenty-five percent of the cost would need to be paid in the 2008 calendar year, fifty percent in 2009 and the remaining twenty-five percent in 2010.

*12) Vice-President Beaver made a motion to contract with General Code to supply services for Codification to begin as soon as possible for the price as submitted. Motion seconded by Councilman Rowe. Motion carried.

Pension MMO: Resolution 03-08, dealing with the Municipal Employee Pension, as it applies to contributions by the Police Officers, was passed by Council at the September Regular Business Meeting. When this resolution was submitted to PMRS, they found it to be unacceptable as it did not specifically state for which calendar year the resolution dealt with. Manager Beard suggested that Council amend Resolution 03-08 by inserting the year 2008 and the word "for" in paragraph three. The amended Resolution may be viewed by contacting the Borough office.

*13) Councilman Rowe made a motion to amend Resolution 03-08 with the changes as requested by Manager Beard. Motion seconded by Councilwoman Borne Fuller. Motion carried.

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

Labor Negotiations: Manager Beard acknowledged that he had nothing new to report as this point in time regarding labor negotiations.

AUDIENCE PARTICIPATION

Murv Grunden of 3323 Brisban Street presented the following:

On behalf of the Paxtang Historical Society, Mr. Grunden expressed his gratitude to Borough Council for allowing them use of the gymnasium and kitchen for their meeting held on October 6th. Mr. Grunden asked for permission from Council to use Council Chambers for a short meeting on Sunday, January 11th, at 3:00 p.m. before their tour of the State Capital.

*14) Councilwoman Borne Fuller made a motion allowing the Paxtang Historical Society use of Council Chambers on January 11th, 2009. Motion seconded by Vice-President Beaver. Motion carried. Mr. Grunden asked Council for approval to scan the black and white photos located in Council Chambers for restoration purposes. Council granted permission for Mr. Grunden to scan the photos as he requested.

REPORT OF THE MAYOR – No Report

REPORT OF THE SOLICITOR –

Solicitor Feinour stated that the Office of Open Records has published their 'Statement of Policy' outlining rules and regulations. These guidelines will serve as guidance until formal regulations are approved. Solicitor Feinour will be in contact with Manager Beard to see that our records management policy is in compliance. Manager Beard asked Council if they would allow authorization, without the need to revisit the subject, for any necessary changes in order to comply with the public Open Records Act.

*15) Councilman Rowe made a motion authorizing approval for any necessary changes to comply with the Open Records Act as requested by Manager Beard. Motion seconded by Councilwoman Borne Fuller. Motion carried.

REPORT OF CODES ENFORCEMENT

Codes Enforcement Officer Ed Wenger referred Council to his written report for the month of September and offered a verbal explanation as well. Mr. Wenger explained for the benefit of Council a concern involving a property on 31st Street. Mr. Wenger has been in contact with the resident in order to remedy the situation. President Ninosky expressed his gratitude to Mr. Wenger for the job well done regarding the gymnasium floor and to convey his sentiments to Mr. Schmolitz as well.

REPORT OF THE ENGINEER

Engineer Shradley referred Council to his monthly status report of projects performed for the Borough for the month of September.

COMMITTEES

Administration – Vice-President Beaver mentioned he would like to get together with the committee chairs at the next Workshop scheduled for Monday, October 27, in order to discuss their budgets. Those not able to attend this meeting will be asked to contact Vice-President Beaver in order to go over their budgets with him.

Highway – No Report

Property and Recreation – No Report

Public Safety – Vice-President Beaver acknowledged that Union negotiations are on-going.

Health and Sanitation – No Report

Public Relations – No Report

UNFINISHED BUSINESS – No Report

NEW BUSINESS – No Report

COMMUNICATIONS – Manager Beard acknowledged a notice from PSAB regarding the passing of PSAB President Mr. Donald E. Carmen.

PRESENTATION OF THE BILLS

*16) Councilman Rowe made a motion to pay the bills. Motion seconded by Councilwoman Borne Fuller. Motion carried.

ADJOURNMENT

*17) Councilman Rowe made a motion to adjourn. Motion seconded by Councilwoman Borne Fuller. Motion carried. President Ninosky adjourned the Regular Business Meeting at 8:05 p.m.

Secretary

1. Minutes
2. Treasurer's Report
3. Carpet Council Chambers
4. Award Bid – Waste Management
5. Adopt Ord 614 Verizon Franchise
6. Verizon Agreement
7. Adopt Ord 615 – Sewer Ord. Hbg, Sewer Treatment
8. Zoning Hearing Board Appointments
9. Award Bid – Surplus Highway Truck and Plow
10. Solvency Fee – UC Claims 2009
11. Vacate Right-of-Way – Alleys
12. Codification – Contract General Code
13. Adopt Res. 03-08 – Amend MMO
14. Paxtang Historical Society – Council Chambers
15. Open Records Act – Management Policy
16. Pay Bills
17. Adjournment