

PAXTANG BOROUGH
Municipal Building 3423 Derry Street
Regular Business Meeting
February 21, 2012

President Ninosky 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.

Roll Call was taken.

Council Members Present

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

Council Members

Frank O. Forsyth
Sheilah Borne Fuller
Lynn Kipp
Raymond Patackis

Members Absent

Council Member Virginia Panza

Mayor Keldeen L. Z. Stambaugh

Borough Officials

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

MINUTES

*1) Vice-President Beaver made a motion to approve the Minutes from the January 17, 2012 Regular Business Meeting. Motion seconded by Councilwoman Borne Fuller. Motion carried.

TREASURER'S REPORT

*2) Vice-President Beaver made a motion to dispense with the reading of the Treasurer's Report for the month of January, 2012 and to approve the same. Motion seconded by Councilwoman Borne Fuller. Motion carried.

REPORT OF THE FIRE CHIEF

Fire Chief Zwigart presented Council with a written report of the Fire Company and Fire Police activities for the month of January and offered Council the opportunity for questions and comments. Chief Zwigart announced that he would be serving as the President of the Dauphin County Fire Chief's Association for the current year, and that as a result, he might be absent from some future Council meetings. He also announced that future Fire Company projects include the Election Day Fund Raiser and the exploration of a "Citizen Recruitment Program".

REPORT OF THE MANAGER

SEMINARS: Information about training and information seminars was sent to Council members prior to the Regular Business Meeting, Councilman Beaver noted that he had information about upcoming training from the Tri-County Regional Planning Commission that was not included. He will forward that information to the Borough Office in order that it can be distributed to Council members.

DAUPHIN COUNTY LIBRARY REQUEST

Manager Beard reported that he has arranged for a representative from the Dauphin County Library System to speak with Council at the March Regular Business Meeting about services and programs offered through the Library System.

PSAB NOMINATION

This is the last reminder on behalf of the Pennsylvania State Association of Boroughs that nominations for Second Vice-President are due Monday, March 5, 2012.

FLOODPLAIN ORDINANCE

Manager Beard reported that he has received notification from FEMA that new Floodplain maps would take effect on August 2, 2012 and that municipal revisions should take effect on that date as well. Paxtang's ordinance revision is ready for adoption. The Manager asked for authorization to advertise the revised Floodplain Ordinance.

*3) Vice-President Beaver moved to advertise the Floodplain Ordinance for adoption. Motion seconded by Councilwoman Kipp. Motion carried.

FLOOD INSURANCE

Councilman Forsyth and Manager Beard have been looking into the practicality of re-establishing the Flood Insurance Policy. It now appears that some items originally thought to be exempt may, in fact be covered. The Manager is seeking assistance for an authoritative source to define just what may be eligible before presenting a further recommendation to Council.

CHAPTER 94 WASTEWATER REPORT

Manager Beard explained that the annual report on wastewater management for the Borough will be due soon and recommended that, as in the past, the Borough engineering firm be authorized to complete the report on the Borough's behalf.

*4) Vice-President Beaver introduced a motion to authorize Rettew Associates to complete the Annual Chapter 94 Report on behalf of Paxtang Borough. Motion seconded by Councilwoman Kipp. Motion carried.

CITIZEN ALERT PROGRAM

The South Central Task Force, through the Dauphin County Emergency Management Agency, is making the "Everbridge Citizen Alert" program to municipalities, including Paxtang Borough. This is a program that uses electronic media, including phone, texting, and e-mail to notify residents of emergency conditions or community announcements and is being made available at no cost to the municipality.

*5) Councilwoman Borne Fuller made a motion to execute the Memorandum of Understanding with the South Central Task Force to utilize the "Everbridge Citizen Alert" program. Motion seconded by Councilman Forsyth. Motion Carried.

LIONS CLUB 5K RUN REQUEST

Manager Beard has received a request from the Paxtang Lions Club to conduct their Annual 5K Run on Saturday, April 28, 2012. There was no objection to permitting this event to take place.

RED CROSS FLAG REQUEST

Manager Beard presented a written request from the Susquehanna Valley Chapter of the American Red Cross asking the Borough to fly a 'Red Cross' flag on the municipal flagpole during March to honor "Red Cross Month".

*6) Councilwoman Borne Fuller made a motion to fly a 'Red Cross' flag during the month of March, provided that the cost to do so does not exceed \$75.00. Motion carried with Councilman Beaver in opposition.

SCHOLARSHIP ANNOUNCEMENT

The Pennsylvania State Association of Boroughs has published an announcement for the Robert C. Edwards Scholarship Foundation soliciting application from eligible students. This announcement will be placed on the Borough website and published in the *Paxtang Post*.

ART ASSOCIATION DONATIONS

Two donations have been received in the Borough Office that were made by the Paxtang Art Association: one in the amount of \$150.00 to defray the costs of the Surace-Stohler Memorial Day Picnic, and a second in the amount of \$750.00.

VERIZON FRANCHISE SERVICE COMPLAINT

Manager Beard received correspondence from the Cohen Law Group, the law firm representing Paxtang as well as the other member municipalities of the CAPCOG in the most recent cable franchise negotiations. The subject of the letter was a complaint to Verizon and Newport Television regarding a recent interruption of services defined in the franchise agreement. Several Council members identified themselves as Verizon customers and, citing a potential conflict of interest, no action was taken.

CONSIDERATION OF RESOLUTION 3-12

Manager Beard presented for consideration **Resolution 3-12**, a resolution appointing Councilman Raymond Patackis as the Borough's representative to the Dauphin County Tax Collection Committee, and Penbrook Mayor Kenneth Cramer as the alternate representative.

*7) Vice-President Beaver made a motion to adopt Resolution 3-12. Motion seconded by Councilwoman Kipp. Motion carried.

CONSIDERATION OF RESOLUTION 4-12

Manager Beard presented for consideration **Resolution 4-12**, a resolution appointing Vice-President Denny Beaver as the Borough's representative to the Capitol Region Council of Governments (CAPCOG), and President John R. Ninosky, Sr. as the alternate representative.

*8) Councilwoman Borne Fuller made a motion to adopt Resolution 4-12. Motion seconded by Councilman Forsyth. Motion carried.

CONSIDERATION OF RESOLUTION 5-12

Manager Beard presented for consideration **Resolution 5-12**, a resolution naming Borough Manager Beard as the authorized agency representative designated to apply for a FEMA Flood Grant.

*9) Vice-President Beaver made a motion to adopt Resolution 5-12. Motion seconded by Councilwoman Kipp. Motion carried.

CONSIDERATION OF RESOLUTION 6-12

Manager Beard presented for consideration **Resolution 6-12**, a resolution adopting a memorandum of understanding with the Tri-County Regional Planning Commission. Vice-President Beaver commented on the purpose of the resolution being offered; that it formalized the relationship with the Tr-County Regional Planning Commission and that without this agreement being in place, Paxtang would be ineligible for any grant monies available through the Commission.

*10) Vice-President Beaver made a motion to adopt Resolution 6-12. Motion seconded by Councilman Forsyth. Motion carried.

POLICE RESIGNATION

Part time Police Officer Jason Cleck has submitted a letter of resignation and this was presented to Council for action.

*11) Councilwoman Fuller made a motion to accept Officer Cleck's resignation. Motion seconded by Councilman Forsyth. Motion carried.

POLICE REPORT

Chief Beard presented a written report of activities of the Police Department for the month of January and offered Council the opportunity for questions and comments..

REQUEST FOR EXECUTIVE SESSION

Manager Beard requested that Council consider an Executive Session to discuss issues of labor, personnel and potential litigation. President Ninosky said he would honor this request at the end of the Regular Business Meeting.

AUDIENCE PARTICIPATION

Mr. George Murphy of 213 Kelso Street inquired if the minutes of prior Council Meetings were available on the Borough website and, if so, how one could navigate the site to get to them. Mr. Murphy was advised that the minutes are posted online, but are not made available until after the Council Meeting where they have been approved.

REPORT OF THE MAYOR

No report due to the absence of Mayor Stambaugh.

REPORT OF THE SOLICITOR

No Report from Solicitor Feinour

REPORT OF CODES ENFORCEMENT

Codes Enforcement Officer Ed Wenger referred Council to his written report and offered Council the opportunity for questions or concerns. Councilman Patackis reminded Mr. Wenger that his attendance at Council Meetings on a regular basis was not necessary unless requested or if something extraordinary was on the agenda.

REPORT OF THE ENGINEER

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

As part of his report Mr Shradley offered three proposals for the rehabilitation, resurfacing or reconstruction of Duke Street. What followed was a lengthy discussion about the projected cost of the proposals, and options to pay for the project. Manager Beard was directed to ascertain if "Liquid Fuels" monies could be used to remove shade trees if and when necessary. There was also discussion as to the possibility that Sewer Fund monies could legitimately be applied to the project.

*12) Councilman Forsyth made a motion to authorize Engineer Shradley to prepare bidding documents for advertisement for the street rehabilitation project of Duke Street, identified in the Engineer's Report as Option #3. Councilwoman Fuller seconded the motion. Motion carried.

Engineer Shradley explained that, in consultation with Mr. Knarr, Planner for Rettew, and Manager Beard, it was the consensus to recommend to Council that the same individuals who had previously been appointed to serve on the committee to prepare the pending Zoning Ordinance be appointed to a committee to prepare a revision to the Subdivision and Land Development Ordinance. There being no objection from any Council Member, President Ninosky proceeded to appoint a committee consisting of Vice-President Beaver, Manager Beard, Code Official Wenger, Engineer Shradley, Planner Knarr, and Mr. David Transue to prepare a SALDO Ordinance revision.

Councilwoman Kipp asked Engineer Shradley to elaborate on that portion of his report regarding the ongoing project at the Paxtang Commons and the Paxtang Commons Park. Engineer Shradley obliged and stated that further action will be taken as the weather gets warmer, particularly for paving.

COMMITTEE REPORTS

Administration – No Report.

Highway – Councilman Forsyth and Manager Beard reported that they have conducted an inspection of the masonry steps leading from Park Terrace to the Greenbelt between Brisban and Greenwood Streets. There is substantial deterioration occurring as a result of excessive storm water being directed onto the steps from Park Terrace. A mason has been contacted to provide a price, but that quote has not yet been received. The problem can not be completely solved until the pavement surface on Park Terrace has been regraded. A discussion followed concerning extending the scope of the previous motion to solicit bids for the rehabilitation of Duke Street to include the necessary modifications of Park Terrace..

*13) Councilman Forsyth made a motion to authorize Engineer Shradley to develop an "alternate" portion of the Duke Street highway bid that would consist of milling and repaving Park Terrace at the steps. The motion was seconded by Vice-President Beaver. Motion carried.

Property and Recreation – Councilwoman Kipp said that the committee for the 4th of July Parade held their second meeting and she asked for volunteers to join.

Public Safety – No Report.

Public Relations – In the absence Councilwoman Panza, Manager Beard reported that \$460.00 has been received for Paxtang Post advertisements and reminded Council that March 15th is the deadline for submission of articles for the next issue.

Health and Sanitation – No Report.

UNFINISHED BUSINESS – None

NEW BUSINESS – None

COMMUNICATIONS – No Communications to Report.

PRESENTATION OF THE BILLS

*14) Vice-President Beaver made a motion to pay the bills. Motion seconded by Councilman Forsyth. Motion carried.

At this point, 8:12 p.m., President Ninosky announced that Council would retire to Executive Session for the purpose of discussing personnel, labor, and potential litigation issues.

At 9:02 p.m., President Ninosky reconvened the Regular Business Meeting reporting that personnel, labor, and potential litigation issues had been discussed.

*15) Vice-President Beaver made a motion to authorize Manager Beard to prepare and record the Minutes for this Meeting due to the absence of the Secretary. Motion seconded by Councilman Forsyth. Motion carried.

ADJOURNMENT

*15) Councilwoman Borne Fuller made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Kipp. Motion carried. President Ninosky declared the Regular Business Meeting to be adjourned at 9:04 p.m.

Acting Secretary

1. Minutes Regular Business Meeting January, 17, 2012
2. Treasurer's Report
3. Advertise Floodplain Ordinance
4. Authorize Engineer to complete Chapter 94 Report
5. "Citizen Alert"/DEMA Memorandum
6. Red Cross Flag
7. Adopt Resolution 3-12
8. Adopt Resolution 4-12
9. Adopt Resolution 5-12
10. Adopt Resolution 6-12
11. Cleck Resignation
12. Prepare Highway Bids
13. Prepare Alternate Highway Bid
14. Pay Bills
15. Adjournment