

PAXTANG BOROUGH COUNCIL  
Municipal Building 3423 Derry Street  
Regular Business Meeting  
May 19, 2010

In the absence of President John R Ninosky and Vice-President E. Denny Beaver, Councilwoman Lynn Kipp called the monthly meeting of the Paxtang Borough Council to order at 7:35 p.m. followed by the Pledge of Allegiance to the Flag.

Roll Call was taken.

**Council Members Present**

Lynn Kipp  
Virginia Panza  
Raymond Patackis  
Deborah Seneca

**Council Members Absent**

Council President  
Council Vice-President

Sheliah Borne Fuller  
John R. Ninosky Sr.  
E. Denny Beaver

Mayor

Keldeen L. Z. Stambaugh

**Borough Officials**

Borough Manager-Chief  
Borough Engineer  
Borough Solicitor  
Fire Chief

Kenneth E. Beard  
W. Max Shradley  
Joshua Bonn, Nauman Smith  
Todd Zwigart

**MINUTES**

\*1) Councilwoman Seneca made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of April 20, 2010 and to approve the same. Motion seconded by Councilman Patackis. Motion carried.

**TREASURER'S REPORT**

\*2) Councilwoman Seneca made a motion to dispense with the reading of the Treasurer's Report for the month of April, 2010 and to approve the same. Motion seconded by Councilman Patackis. Motion carried.

**REPORT OF THE FIRE CHIEF**

Chief Zwigart referred Council to his written report for the Fire Company and Fire Police for the month of April. Chief Zwigart informed Council that the Fire Company has been awarded a FEMA grant in the amount of \$261,000.00. This grant is designated for the purchase of a new engine. Chief Zwigart will be meeting with President Ninosky, Vice-President Beaver, and Councilwoman Borne Fuller for the purpose of reviewing the funding for this project.

**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 or comments

**Arbor Day:** Arbor Day was celebrated at the Paxtang Elementary School on April 29<sup>th</sup>. Students representing the Fifth Grade participated in various aspects of the ceremony. Councilwoman Kipp received a report from Mr. Rodger Faill, Chairman of the Shade Tree Commission, regarding the Arbor Day program and she will submit this to office personnel for proper documentation and retention .

**EPA MS4 Violation:** The Environmental Protection Agency (EPA) listed provisions of the MS4 permit that need to be met in order to satisfy the Administrative Order previously received by the Borough. Engineer Shradley is working toward completing the provisions as listed by the EPA. Manager Beard will

be instituting a Pollution Prevention and Vehicle Equipment Operation and Maintenance Policy. Manager Beard will have more information relating to this matter at a later date in time.

**Dauphin County Conservation District MOU:** Manager Beard asked Council to consider executing a Memorandum of Understanding between the Borough and the Dauphin County Conservation District. One component of this memorandum required by the County Conservation District if adopted, is that the Borough enact an ordinance dealing with the West Nile Virus. Manager Beard will seek the assistance of the Borough Solicitor in order to draft such an Ordinance.

\*3) Councilman Patackis made a motion to execute the Memorandum of Understanding. Motion seconded by Councilwoman Seneca. Motion carried.

**DCED / CDGB Grant:** Manager Beard asked Council to consider authorizing the Manager and Borough Engineer to apply for a Community Development Block Grant through the Department of Community and Economic Development for the fiscal year 2011. This grant will be for purpose of finishing the Sub Division and Land Development Ordinance.

\*4) Councilwoman Seneca made a motion authorizing the Borough Manager and Borough Solicitor to apply for a CDBG for 2011. Motion seconded by Councilman Patackis. Motion carried.

**School Crossing Lights:** Two school crossing signals need to be replaced at a cost of \$350.00 per unit. Financing for this project is available through the Capital Reserve Highway Fund.

\*5) Councilwoman Seneca made a motion authorizing the Borough Manager to replace two school crossing signals. Motion seconded by Councilman Patackis. Motion carried.

**Resolution 3-10:** Disaster Relief money is available for costs associated with snow removal from the February, 2010 snowstorm. The Borough is eligible for approximately \$3,500.00 in reimbursement. In order to proceed, Manager Beard asked Council to consider Resolution 3-10, a resolution designating the Borough Manager as the Applicant Agent for submission of documentation for the FEMA grant.

\*6) Councilman Patackis made a motion to adopt **Resolution 3-10**. Motion seconded by Councilwoman Seneca. Motion carried.

**Resolution 4-10:** Manager Beard asked Council to consider adopting **Resolution 4-10**, formalizing the appointments of E. Denny Beaver as the voting delegate and Kenneth Cramer, Penbrook Borough Mayor, as the alternate delegate, to the Dauphin County Tax Collection Committee.

\*7) Councilwoman Seneca made a motion to adopt **Resolution 4-10**. Motion seconded by Councilman Patackis. Motion carried.

**Susquehanna EMS:** Manager Beard reported that he is monitoring the situation as suggested at the Regular Business Meeting of April 19, 2010. (Documentation can be found on page 428 of the 2010 Minute Book.) Manager Beard feels it is prudent at this point to wait things out and reevaluate this issue over the next few months.

**Borough Email Accounts:** Manager Beard informed Council that email accounts could be set up on the Borough web site allowing Council members the ability to receive individual emails sent to them from Borough residents by forwarding these communications to the council member's personal e-mail account. A record of the transaction would then be documented through the Borough server. A reply however, would be directed only to the individual in question and not through the server. Manager Beard encouraged caution with regard to this option. A alternate option would be to have separate email boxes set up through the web site. All inquiries and replies would be documented through the Borough Server. There is a \$400.00 set-up cost and a \$25.00 per month maintenance fee associated with this method.

Manager Beard is of the opinion that it is vital that the Borough has proper documentation when a Right-To-Know request is received and that the information be able to be retrieved in an efficient and economical manner. Manager Beard asked Council to table this matter until all Council members have the opportunity to review the options and offer their opinion. Councilman Patackis suggested contacting area municipalities to see what procedure they have in place for documenting emails.

**Resolution 5-10, Pavement Escalator Clause:** Manager Beard asked Council to consider **Resolution 5-10**, a Resolution allowing for an “escalator clause” regarding price adjustments in the purchase of bituminous materials.

\*8) Councilwoman Seneca made a motion to adopt **Resolution 5-10**. Motion seconded by Councilman Patackis. Motion carried.

**Microsurfacing Project:** Manager Beard asked Council to consider awarding the Microsurfacing Project, previously outlined to Council by the Engineer, in the amount of \$27,480.35, to Asphalt Paving System. Funding for this project is available through the Capital Reserve Highway Fund.

\*9) Councilwoman Seneca made a motion to award the Microsurfacing Project to Asphalt Paving System. Motion seconded by Councilman Patackis. Motion carried.

**Street Reconstruction:** Manager Beard reported bids have been received for the following street reconstruction work: Plum Street, from Swan Street to Oak Street (base bid), alternate bid one, Cherry Street, from Swan Street approximately 100 feet west, and alternate number two, Queen Street from Greenwood Street to the north end. The total for the three projects is \$60,414.00, of which a portion may be applied to Solid Waste.

Manager Beard recommended using funds from the Sewer Fund for alternate number two. Manager Beard asked Council to consider awarding the bid for reconstruction for the base bid, alternate one, alternate two, or any combination of the three projects, to the low bidder, Rogele Inc. Manager Beard informed Council that allocations for the projects could be expended from Liquid Fuels, Capital Reserve (Highway), Sewer, and Solid Waste. Manager Beard reminded Council that the final payment for the highway pick-up truck would be expended from the Liquid Fuels account at an approximate cost of \$7,500.00. Councilwoman Seneca questioned the low bid from Rogele Inc. Engineer Shradley stated that he is familiar with the company and is satisfied with their work product.

\*10) Councilwoman Seneca made a motion to award the Street Reconstruction Project to Rogele Inc. Manager Beard asked for a clarification of the motion, if it was to include the base bid as well as both alternates. Councilwoman Seneca stated the motion was for the base bid and both alternates. Motion seconded by Councilman Patackis. Motion carried.

**Street Base Repair:** Manager Beard informed Council that before the actual Microsurfacing process begins, some areas are in need of base repair work. Manager Beard asked Council to consider awarding the Base Repair Project, at an estimated cost of \$6,929.00, to the low bidder, Rogele, Inc.

\*11) Councilwoman Seneca made a motion to award the Base Repair Project to Rogele Inc. Motion seconded by Councilman Patackis. Motion carried.

**Highway Garage:** Vice-President Beaver and Manager Beard have been in contact with Pioneer Poles in an effort to determine if this project would need to be bid as a “prevailing wage” project (a threshold of \$25,000.00). The project will be divided into four (4) phases; 1. Demolition of the existing building, 2. the erection of a “pole building”, 3. the pouring of the additional concrete floor and, 4. inside renovation and improvements once the building is up. Manager Beard asked Council to consider advertising for bids to complete Phase Two (the construction portion of the pole building) only. Phase One, as well as the site preparation, is expected to be accomplished 'in house' with assistance offered from Penbrook Borough employees. Concrete work will be a separate bid project with the final work being accomplished in house, along with the hiring of sub contractors.

\*12) Councilwoman Seneca made a motion to advertise for bids for the construction of the pole building. Motion seconded by Councilman Patackis. Motion carried.  
Councilman Patackis voiced his concern in keeping the total price down to a minimum.

**Pavilion Locks:** Manager Beard will be replacing the current locks at the pavilion restrooms with new locks that will now be in line with our security key system, at a cost of \$500.00.

**Paxtang Post Reminder:** Manager Beard encouraged Council that if they are going to send articles to the Public Relations Committee for publication in the Paxtang Post, to please copy the items to the office for proper documentation and retention purposes.

**Harrisburg Sewer Billing:** The billing for the first quarter sewer bill has been received from the City of Harrisburg. In the invoice the billing period was incorrectly noted for service between January 1, 2010 and April 30, 2010. Manager Beard requested that the City send a corrected billing indicating that the billing should read from January 1, 2010 to March 31, 2010. Manager Beard noted that a revised invoice was received and this bill has been paid.

**Memorial Day Picnic:** Manager Beard reported things are progressing well and that he will email a sign-up sheet to Council members encouraging them to sign up to help in the kitchen.

**Non-Uniform CBA:** The Non-Uniform contract has been signed and will go into effect on July 1<sup>st</sup>, 2010.

**Summer Recreation Workers:** Swatara Township will not be providing Paxtang with funding for a third staff person this year for the summer recreation program. Swatara is, however, hiring a “floater”. Paxtang may be able to utilize this person if for some reason we would need to fill a temporary vacancy. Manager Beard has received applications from two new candidates and interest has been expressed from an applicant that has worked the summer recreation program for the past several years.

Manager Beard asked Council for their preference regarding interviewing the interested parties and specifically asked Councilwoman Kipp if she wanted to participate in the process of interviewing prospective employees. Councilwoman Kipp indicated she would be sitting in on the interview process.

Councilman Patackis asked if the prospective employees understood that a condition of hire is that they would be expected to dedicate themselves to the entire six (6) week program with no leave of absence expected. Councilman Patackis feels that since this is a “paid by the hour” position instead of a “salaried” position, wages would only be paid for the actual time worked. Councilwoman Kipp was in agreement with Councilman Patackis, realizing also that an employee may not be able to work the entire program due to any possible unforeseen illness.

Councilman Patackis again stated since the position is at an hourly rate of pay, they would not receive payment for the time they did not work. Manager Beard asked Council if they prefer an applicant not be considered or not be given preference if they were unable to commit to the entire length of the program.

Councilman Patackis suggested that when the interview takes place, the applicant must commit to the 30 days. Councilwoman Panza agreed with Councilman Patackis. Manager Beard will relay this information to the interviewing party and in turn asked Council their wishes if an applicant indicated they were interested but could not commit to the entire program. Councilwoman Panza suggested posting the position at local churches in order to find applicants interested in working the entire program. Council members were in agreement with Councilwoman Panza.

**Fire Police Request:** Manager Beard received a request from Londonderry Township seeking assistance with traffic control for their Stars and Stripes Salute on July 3rd. Fire Police Captain Murvin Grunden is in agreement with this request.

\*13) Councilwoman Seneca made a motion to approve Paxtang Fire Police be authorized to assist Londonderry Township for their Stars and Stripes Salute on July 3, 2010. Motion seconded by Councilman Patackis. Motion carried.

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

**Police Vehicle:** Manager Beard indicated that the Borough has received a donation from the Borough of Penbrook of a 1990 4 Wheel Drive Chevrolet Blazer. The vehicle has been inspected and is equipped for use as a winter patrol vehicle during snowstorms, and may also be used for recovery of large sized items.

**AUDIENCE PARTICIPATION** - Mr. Murvin Grunden of 3312 Brisban Street reported on the following: The Paxtang Historical Society will hold their meeting on August 2<sup>nd</sup> at Saussaman Park . Mr. Grunden has received information that the Borough is registered for National Night Out, scheduled for Tuesday, August 3rd.

The committee for the 100<sup>th</sup> anniversary of the incorporation of Paxtang Borough has held two meetings. The committee would like permission to use the Borough copier in order to copy documents pertaining to the 50<sup>th</sup> anniversary. Council agreed to Mr. Grunden's request. Mr. Grunden took this opportunity to thank Council, Fire Chief Zwigart, and Police Chief Beard for the support given to the Fire Police and the positive working relationship exhibited among the departments.

**REPORT OF THE MAYOR** – Due to the absence of Mayor Stambaugh, no report was presented.

**REPORT OF THE SOLICITOR** – No Report.

**REPORT OF CODES ENFORCEMENT:** Manager Beard referred Council to the written report from Codes Enforcement Officer Ed Wenger and offered a verbal explanation as well. Councilwoman Kipp asked when the new Building Permit Fee Schedule would be available. She feels the Ordinance dealing with this schedule should be changed as quickly as possible. Councilwoman Kipp believes time is of the essence and that the Borough is creating problems by not having the Ordinance updated in a timely manner. Councilwoman Kipp asked if it was possible to change a single ordinance instead of waiting for the completion of the Codification process.

Manager Beard stated this could be done but that it would be more advantageous to compile as much information at one time as possible under the new codification. Manager Beard said problems that regularly arise are not from the monetary threshold for a building permit, but rather from those neglecting to obtain a proper license or a lack of insurance certification.

Councilwoman Kipp requested that Manager Beard inquire as to the completion date for this project. Manager Beard will contact General Code per the request of Councilwoman Kipp.

**REPORT OF THE ENGINEER:** Engineer Shradley referred Council to his written report for April and noted that a draft of the Zoning Ordinance Update has been sent to the Steering committee for their review. May 26<sup>th</sup> 2010 will be their next meeting.

### **COMMITTEE REPORTS**

*Administration* – Due to the absence of Councilman Beaver, no report was presented.

*Highway* – No Report

*Property and Recreation* – Councilwoman Seneca presented Council with an outline of a program entitled *Patriot Camp*. This program could be offered at Saussaman Park during the week of June 28 to July 2. The program will focus on facts and events relating to the founding of our Country. Councilwoman Seneca asked Council for gratis use of the pavilion, and that the program be sponsored by the Borough. Councilwoman Seneca would also like to use the name “Paxtang Borough” for endorsement, advertising, and insurance purposes. Manager Beard discussed the following options regarding insurance: Allow use of the pavilion (no insurance coverage) alongside the Summer Recreation Program or, sanction the event as a Borough program in which case waivers would be required for every child participating in the program. Waivers would be obtained through the Borough office. All adults involved with the program would need to comply with a Child Care check through the Pennsylvania State Police.

\*14) Councilman Patackis made a motion for the Borough to sponsor *Patriot Camp* led by Councilwoman Seneca and that the program would meet the requirements of the Borough Solicitor and office staff. Motion seconded by Councilwoman Seneca. Motion carried.

*Public Relations* – Councilwoman Panza said the newsletter is a work in progress and the advertising signs for the Yard Sale are ready to be placed throughout the Borough.

*Health and Sanitation – No Report*

**UNFINISHED BUSINESS** – No Report

**NEW BUSINESS** – Councilman Patackis made a request that the Borough web site be reviewed and be brought up to date. Manager Beard will contact the Web Master and pass this information along.

**COMMUNICATIONS**

Manager Beard presented the following communications:

- A communication from the Offices of the Pennsylvania Gaming Commission, advising the Borough that they might be eligible to apply for funding under the PA Race Horse Development and Gaming Act.
- A letter from PSAB, endorsing the insurance program of AFLAC.

**PRESENTATION OF THE BILLS**

\*15) Councilwoman Seneca made a motion to pay the bills. Motion seconded by Councilman Patackis. Motion carried.

**ADJOURNMENT**

\*16) Councilwoman Seneca made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilman Patackis. Motion carried. At 9:35 p.m. Councilwoman Kipp adjourned the Regular Business Meeting.

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Secretary

1. Minutes
2. Treasurer Report
3. Memorandum of Understanding
4. Apply for CDBG 201 Grant
5. Replace School Crossing Signals
6. Adopt Res. 3-10 – Snow Removal Relief Monies
7. Adopt Res. 4-10 – Appointments Dauphin Co. Tax Collection Committee
8. Adopt Res. 5-10 – Escalator Clause – Bituminous Materials
9. Award Microsurfacing – Rogele Inc.
10. Award Street Reconstruction – Rogele Inc.
11. Award Base Repair – Rogele Inc.
12. Advertise Bids – Construction of Pole Building Highway Garage
13. Fire Police Assist Londonderry Township
14. Sponsor Patriot Camp
15. Pay Bills
16. Adjourn