

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
May 16, 2007

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

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

Mayor	Keldeen Stambaugh
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Borough Manager/Police Chief	Kenneth Beard
Borough Engineer	Chris Knerr
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

President Spackman announced a change in the order of business to accommodate the swearing in of part time police officer Wade Bloom by Mayor Stambaugh. Mayor Stambaugh proceeded with the administration of the oath of office to Patrolman Wade Bloom.

MINUTES

*1) Vice-President Ninosky made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of April 30, 2007 and to approve the same. The motion was seconded by Councilwoman Panza. Motion carried.

FINANCIAL REPORT

*2) Vice-President Ninosky made a motion to dispense with the reading of the Treasurers Report and to approve the same. The motion was seconded by Councilman Beaver. Motion carried.

REPORT OF THE FIRE CHIEF

Chief Zwigart presented Council with a report on the monthly activities for the Fire Company and Fire Police.

The Fire Chief made inquiry of Council if they would assume the cost of the "CrabFest" advertisement that was inserted into the recent edition of the Paxtang Post.

*3) Councilman Rowe made a motion to pay for printing the "CrabFest" advertisement insert for the Paxtang Post. The motion was seconded by Vice-President Ninosky. Motion carried.

Vice-President Ninosky offered his gratitude to all those offering their service during the recent fire on Derry Street.

REPORT OF THE MANAGER

Mini Comp Plan: The Steering Committee will hold their first meeting in June. Manager Beard is pursuing citizen representation for this committee.

Spring Clean Up: The date set is Saturday, June 16th. Waste Management will provide appropriate dumpsters and Borough Staff will be available to assist residents.

Borough Yard Sale: The date set is Saturday, June 9th.

Memorial Day Picnic: The date set is Monday, May 28th. Plans are proceeding according to schedule.

Summer Recreation Employees: Manager Beard asked for Council to authorize Borough staff or Councilwoman Lacour to hire the second individual for the summer recreation program.

*4) Vice-President Ninosky made a motion to authorize the Borough Manager to hire the appropriate number of employees for the summer recreation program. The motion was seconded by Councilman Rowe. Motion carried.

Saussaman Park:

A Soccer schedule from SYSA for use of Saussaman Park is needed.

Manager Beard read a letter from Bradley Strine, asking permission for a high school student group to use the pavilion at Saussaman Park on Mondays from 7:00 to 8:30 pm during the summer months for discussion and for a cookout.

*5) Vice-President Ninosky made a motion to approve the request of Mr. Strine for one month and to revisit his request after that point in time. The motion was seconded by Councilman Rowe. Motion carried.

The Manager read a request from Ricardo Duarte seeking the use of the southern end of Saussaman field and the adjacent tennis courts to conduct a "Paxtang/Swatara Area Youth Sports Mini Camp" from 5:45 to 8:00 on June 11th through June 13th, with a rain date of June 14th. Mr. Duarte informed Council he would like to see a total of 12-15 students for each session, requesting parents stay during their child's class. Vice-President Ninosky suggested approving the request from Mr. Duarte and for Councilwoman Lacour, on behalf of Property and Recreation, to present Council with a recommendation as to how any future clinics might be addressed.

*6) Vice-President Ninosky made a motion to approve the request of Mr. Duarte to conduct a Sports Mini Camp. The motion was seconded by Councilman Rowe. Motion carried.

A request has been received from Christian Mory to construct a community gathering area at the Paxton Presbyterian Church. Mr. Mory has proposed this plan for his Eagle Scout project and has also asked Council to have any related building permit fees waived.

*7) Vice-President Ninosky made a motion to waive any building permit fees for Christian Mory's Eagle Scout project. The motion was seconded by Councilman Beaver. Motion carried.

A request from Wendy Baker asking Council to maintain a gym reservation at the original price quoted of \$10.00 per hour for a reservation date of July 2007.

*8) Councilman Beaver made a motion to honor the contract at \$10.00 per hour. The motion was seconded by Councilwoman LaCour. Manager Beard asked President Spackman for a Roll Call Vote:

Councilman Beaver – Aye

Councilwoman LaCour – Aye

Councilwoman Seneca – Aye

The ayes being 4, the nays 2, the motion carried.

Councilwoman Panza - Aye

Councilman Rowe – Nay

Vice-President Ninosky – Nay.

Arbor Day: May 19 has been set for the date of the Arbor Day ceremony, to be held at the Community Area in the Greenbelt

Sewer Flushing Unit: Manager Beard informed Council that he was pursuing the possibility of joining with Penbrook Borough to purchase a trailer capable of flushing sewers. Discussion was held on the advantages

of this type of purchase, the cost factor (approximately \$30,000.00 to \$35,000.00), and an approximate purchase ratio of a 20 percent contribution from Penbrook and an 80 percent contribution from Paxtang. Paxtang would use monies available from the Sewer Fund. Solicitor Laskowski made a suggestion to have an inter-municipal agreement put together for the use of shared equipment.

*9) Councilman Beaver made a motion to authorize the Borough Manager to collaborate with Penbrook in forming a proposal to purchase a Sewer Flushing Truck (Trailer). The motion was seconded by Councilman Rowe. Motion carried.

Police Report: Manager Beard presented Council with a written report for the month of April. There being no discussion, Manager Beard asked Council to retire to Executive Session for the purpose of discussing Police Personnel matters.

President Spackman announced at 8:25 pm that Council would retire to Executive Session. President Spackman reconvened the public meeting at 8:32 pm.

*10) Vice-President Ninosky made a motion to approve the request that Officer Fiala be placed upon administrative leave for a period of time no longer than 6 months. The motion was seconded by Councilman Beaver. Motion carried.

AUDIENCE PARTICIPATION

Murv Grunden reported the following:

Paxtang Crime Watch as of May 10 had a bank balance of \$589.96.

National Night Out is scheduled for Tuesday, August 7. Registration of the Borough as a participant will be carried out by Mr. Grunden.

Dauphin County Parks and Recreation will conduct a tour entitled: "Recapturing Paxtang Parkway" on August 8th, 6:00 to 8:15 pm. More information may be found on the Capital Area Greenbelt website.

The Paxtang Historical Society unveiled their long range plans which are as follows:

1. Support and maintain strong programming during the year.
2. Pursue and secure a site for housing artifacts.
3. Complete a catalogue system.
4. Improve website.
5. Increase visibility in the community.

Alex Lemmon of 423 North 32nd Street made inquiry of Council as to what construction requires a building permit in the Borough. After much discussion, it was requested that Mr. Lemmon confer with Mr. Wenger, the Borough Code Enforcement Officer for further clarification.

REPORT OF THE MAYOR

Mayor Stambaugh reported on the following:

She addressed the Lions Club as to the State of the Borough.

The Mayor is pursuing the possibility a grant from the makers of 'Hamburger Helper' for community improvements.

The Tennis Court lease agreement with Paxtang Presbyterian Church. President Spackman stated that a bill should be submitted to the Borough for consideration of payment.

Mayor Stambaugh conveyed a thank you to those offering their service in distributing the Paxtang Post.

The Mayor encouraged Council to attend the Arbor Day celebration.

REPORT OF THE SOLICITOR

Solicitor Laskowski reported the following:

The Proposed Rental Housing and Leash Ordinances will be advertised.

A payment plan has been negotiated with PennDOT concerning the Paxtang Avenue curb reconstruction project. Monthly payments will begin on January 1st 2008, ending on December 1st, 2008, with a monthly payment of approximately \$5,472.63. There will be a 'balloon' payment on January 1st, 2009, of approximately \$21,890.52. This is the arrangement that PennDOT has proposed. No interest is being charged over the life of the payment plan. Advance payments will be accepted should monies be available to the Borough. A letter will be drafted collectively through Mayor Stambaugh and the Solicitor.

*11) Vice-President Ninosky made a motion to authorize the Borough Solicitor to enter into the payment arrangement with PennDOT and for the agreement to be executed by the President of Borough Council. The motion was seconded by Councilman Beaver. Motion carried.

Due to recent changes in the law, Solicitor Laskowski will be reviewing the Borough Real Estate Transfer Tax Ordinance to make sure we are in compliance with existing law. The Solicitor will contact Codes Officer Ed Wenger for his input on this matter.

If Council so desires, Solicitor Laskowski will review the Open Burning Ordinance. After much discussion it was decided to review this Ordinance in regard to the definition and with reference to "open burning" within the borough.

REPORT OF CODES ENFORCEMENT

Codes Officer Ed Wenger referred Council to his written report for the month of April. Mr. Wenger suggested that the borough ordinances be posted on the web as a matter of convenience for residents. Several Members of Council expressed their desire that a review of the ordinances be conducted prior to posting to ensure accuracy. Manager Beard recommended conducting this procedure through the office. Solicitor Laskowski suggested a disclaimer be attached to any code information uploaded to the web.

REPORT OF THE ENGINEER

Mr. Shradley reported on the following:

The Walker Street reconstruction project is scheduled to begin the last week in May.

He has contacted the West Shore COG for a notice to proceed in reference to the Mill and Overlay contract.

His office is in the process of completing the MS-4 (Stormwater Management) annual report on behalf of the Borough. He will be in contact with Manager Beard in regard to permit responsibilities.

The Engineer informed Council of a potential problem of a retaining wall on Walker Street leaning out into the street. This condition will probably affect the manner in which the street resurfacing project proceeds. Solicitor Laskowski stated this is a Property and Maintenance issue and an inspection should be in order. Manager Beard stated he has been in contact with Engineer Shradley and Solicitor Laskowski in regard to any possible legal concerns. Engineer Shradley stated he is not concerned with any safety issues at this time.

Inquiry was made previously on the issue of water pooling at the intersection of Queen and Apple Streets. Options to remedy this condition include reconstructing the pavement and to regrade it to provide more adequate drainage. Engineer Shradley is not sure there would, in fact, be enough fall for this to be successful. Another option would be to remove the curb ramp and some of the pavement and raise those levels to increase drainage. Engineer Shradley stated getting this area to drain without constructing a stormwater system is not feasible. Engineer Shradley is aware of the situation and has been in contact with Manager Beard.

COMMITTEE REPORTS

Administration

Councilman Beaver recently attended a Capital Area Tax Bureau meeting and presented Council with a verbal report regarding the proposed dollar-for-dollar audit to take place. Councilman Beaver read for

Council Resolution 05-07 which would amend the dollar-for-dollar audit and allow the normal audit to take place.

*12) Vice-President Ninosky made a motion to approve Resolution 05-07 amending Resolution 04-07. The motion was seconded by Councilman Rowe. Motion carried.

Councilman Beaver commented on the proposal by BCE Construction for the Borough to 'rent with the option to purchase' the property at 2930 Derry Street and recommended that Council not enter into an agreement of this nature. Council asked Engineer Shradley to locate the plans for the multiple renovation options of the existing Borough building for the benefit of Council members.

Highway

Manager Beard brought Council up to date on the purchase of a new highway truck and plow. Manager Beard explained the process of obtaining monies from Liquid Fuels for this purchase. The Liquid Fuels auditors expressed concern with a snowplow purchase attached to the truck purchase and indicated that the proper procedure would be to obtain separate bids for the plow.

The Traffic Direction project at the Paxtang Elementary School has been started and three crosswalks have been painted in the initial phase. Manager Beard commented that the police would conduct the traffic study regarding the No Parking issue and traffic pattern at the Paxtang Elementary School. Enforcement will be instituted with the start of the 2006 opening of school. Considerable discussion was held on the responsibility for handling the No Parking issue and traffic pattern at the school.

Information should be available in regard to the Street Sign Name Grant for next month's meeting.

Property and Recreation

Councilwoman LaCour asked Council members to contact her if they would like to volunteer their time at the Memorial Day picnic.

Public Safety – No Report

Public Relations

Councilwoman Panza would appreciate volunteers for delivering future issues of the Paxtang Post. Contact her if you would be willing to volunteer.

Health and Sanitation – No Report

UNFINISHED BUSINESS

Solicitor Laskowski reported on the Indoor Smoking Ban that was tabled at the April Meeting, stating that if Council so desired the enactment of a smoking ban on Borough property may be accomplished through a Resolution, as an Ordinance is not needed. Much discussion took place on this matter and Solicitor Laskowski will prepare a summary regarding this matter for Council's consideration.

NEW BUSINESS

Mayor Stambaugh has been in contact with Principal Stewart, Paxtang elementary School, regarding skateboarding in the Borough. Solicitor Laskowski suggested providing Principal Stewart with a copy of the Ordinance regarding skateboarding.

COMMUNICATIONS

Recycling Coordinators Round Table Announcement – May 24th

Camp Hill Memorial Day Announcement – May 28th, 1-8 pm

Assessing your Financial Condition Seminar – May 31st, Cumberland County

PSAB Convention – Valley Forge June 24-27th

Heroes Grove Preview Show – CD East High School, June 28th and 29th

Letter from 'Heroes Grove' requesting funding

Letter from Lower Paxton Township regarding the Capital Area Tax Bureau Resolution

If there are no objections, Manager Beard will renumber the amended Capital Area Tax Bureau Resolution to read: 05-07.

PRESENTATION OF THE BILLS

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

ADJOURNMENT

*14) Vice-President Ninosky made a motion to adjourn the regular business meeting. The motion was seconded by Councilman Rowe. Motion carried. President Spackman adjourned the regular business meeting at 10:35 pm.

1. Minutes
2. Treasurers Report
3. CrabFest Advertisement
4. Hire Summer Rec. Employee
5. Mr. Strine – Pavilion Rental
6. Ricardo Duarte – Cardio Sports Clinic
7. Christian Mory – Waive Building Fee – Eagle Scout
8. Wendy Baker – Gym Rental
9. Sewer Flushing Truck
10. Officer Faila – Administrative Leave
11. PennDOT Payment Agreement – Curbing
12. Capital Tax Bureau Resolution 05-07 amending 04-07
13. Pay the bills
14. Adjourn