

PAXTANG BOROUGH COUNCIL  
Municipal Building 3423 Derry Street  
Regular Business Meeting  
June 21, 2011

Vice President Beaver called the monthly meeting of the Paxtang Borough Council to order at 7:16 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	Sheilah Borne Fuller Lynn Kipp Virginia Panza Raymond Patackis Deborah Seneca – arrived at 7:39 p.m.
Mayor	Keldeen Stambaugh

**Council Members Absent**

Council President	John R. Ninosky Sr.
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**Borough Officials**

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

**MINUTES**

\*1) Councilwoman Panza made a motion to dispense with the reading of the Minutes from the Regular Business Meeting of May 18, 2011 and to approve the same. Motion seconded by Councilwoman Kipp. Motion carried.

**TREASURER'S REPORT**

\*2) Councilwoman Panza made a motion to dispense with the reading of the Treasurer's Report from the Month of May and to approve the same. Motion seconded by Councilwoman Kipp. Motion carried.

**REPORT OF THE FIRE CHIEF**

Chief Zwigart presented a written report of Fire Company and Fire Police activities for the months of April and May and offered a verbal explanation as well. Chief Zwigart expressed his gratitude to everyone that was able to attend the Housing for the new Pierce Fire Pumper on Saturday, June 4<sup>th</sup>. Fire Police Captain Grunden was commended for dedicating his time and service during the event. The Fire Company will be taking part in Patriot Camp festivities as well as the 4<sup>th</sup> of July parade.

**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.

**Memorial Day Picnic:** Manager Beard expressed his gratitude to everyone that was able to assist with the Surace-Stohler Memorial Day Picnic on Monday, May 31<sup>st</sup>. Manager Beard reported a surplus of \$223.55 from picnic donations. A request has been made to acquire a tent for 2012 so residents would have a shaded area under which to dine. Manager Beard suggested using the funds from the picnic to purchase such a tent.

**Resolution No. 6-11:** Manager Beard presented for Council's consideration **Resolution No. 6-11**, a resolution severing the relationship with Capital Area Tax Collection Bureau and appointing Keystone Collections Group as the collector of the Earned Income Taxes for the Borough of Paxtang, both actions to take effect January 1, 2012.

\*3) Councilwoman Panza made a motion to adopt **Resolution No. 6-11**. Motion seconded by Councilwoman Kipp. Councilman Patackis inquired as to the degree of expertise of Keystone Collections Group. Speaking as the Borough's delegate to the Dauphin County Tax Collection Committee, Vice-President Beaver stated that the Committee met with Keystone Collections Group, gave them the Committee's endorsement, and is of the opinion that Keystone would do the best job. Councilwoman Borne Fuller asked if other agencies were considered. Vice-President Beaver said there were other agencies to consider but they were passed over for further consideration in the early stages of the decision making process. The motion carried by majority vote with Councilwoman Borne Fuller dissenting. Vice-President Beaver asked Councilwoman Borne Fuller her reason for opposition. Ms. Borne Fuller stated that Councilman Patackis posed a valid question and believes Council was not provided with sufficient information to form a vote. Vice-President Beaver stated that because of the recently enacted law mandating collections be done by a single agent within each county, this is an administrative formality to advise Capital Area Tax Collection Bureau (CAPTAX) that the Borough is departing from them and has appointed Keystone to conduct the collection of Earned Income Taxes. Councilwoman Borne Fuller asked Vice-President Beaver if he supported the decision for Keystone Collections Group. Vice-President Beaver indicated that he did not. Councilwoman Borne Fuller indicated she would stand by her vote.

**MS-4 Permit:** Rettew Associates has submitted the Municipal Separate Storm System (MS4) report to the Department of Environmental Protection on behalf of the Borough. A copy is available at the Borough office for review.

**Right to Know Request:** A Right to Know Request (RTK) has been received requesting information with regard to tax records. Manager Beard is in consultation with the Borough Solicitor on this matter.

**ARLE Grant:** Manager Beard asked Council to consider authorizing Rettew Associates to proceed with developing the proposed Scope of Work with regard to the PennDOT Automated Red Light Enforcement (ARLE) Grant. This grant would fund improvements to the traffic signal at the intersection of Paxtang Avenue and Derry Street. The recommended upgrades would include the installation of overhead street signs and new mast arms (if necessary), emergency preemption devices, video cameras, as well as installation of an emergency flashing warning signal device located near the Paxtang Fire Company. The proposed video cameras could be used to control traffic signals as well as provide video feeds for red light enforcement and the recording of images for use in law enforcement.

\*4) Councilwoman Panza made a motion to approve the ARLE Scope of Work. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**PennPRIME Grants:** Manager Beard informed Council that the Borough has awarded a grant from PennPRIME Insurance Trust for Emergency Vehicle Operator Course (EVOC) training for Police and a Worker's Compensation Grant to acquire work zone safety barricades.

**Highway Garage Survey:** Rettew Associates has completed the Municipal Lot Boundary Survey. Specifics will be provided to Manager Beard and made available at the Borough office.

**2011 Street Project:** Base repair work for the 2011 street project is scheduled for Monday, June 27<sup>th</sup>.

**Zoning Update:** Engineer Shradley has informed Manager Beard that they are approaching the limit to which Council had approved in terms of funding for this project. Chris Knarr of Rettew Assoc. will present the final draft. The draft will then be presented to the Borough Solicitor. Any comments from the Solicitor or Council would be incorporated into the final version and then be offered for review at a public hearing.

**Trash Contract:** The Solid Waste Trash Contract is up for renewal and will expire in January of 2012. Without objection from Council, Manager Beard will proceed to take the same criteria, prepare bid documents, and make arrangements for advertising. Councilman Patackis asked if the present contract

could be extended for one year at the same costs without having to go out for bid. Manager Beard said this matter could be negotiated but not to expect the cost for services to remain at the current contract quote.

**CDBG Grant:** The application for a Dauphin County Community Development Block Grant to conduct a comprehensive Shade Tree Study is moving along (Documentation can be found on page 16 of the 2011 Minute Book). One facet of the Study would be to look into the possibility of transferring some of the financial responsibilities relating to Shade Trees to homeowners. Mayor Stambaugh reported that she received a request from a resident on 32<sup>nd</sup> St. asking to have a tree removed as the tree produces debris that has been tracked into the house, subsequently soiling her carpets.

Councilwoman Seneca arrived at this point – 7:39 p.m.

This information will be referred to Mr. Rodger Faill, Chairman of the Shade Tree Commission for his recommendation. Vice-President Beaver stated that Borough Code allows for charging a resident for the removal of a Shade Tree. Vice-President Beaver feels the Borough should not be financially responsible for the removal of a tree just for the convenience of a resident.

**DCNR Grant:** Manager Beard encouraged all to stop by the lower ball field and view the progress made with the installation of playground equipment for the Tot Lot. Mayor Stambaugh noted recognition plaques are to be placed at the site acknowledging those contributing to the project in a monetary manner. The Manager reported that in addition to the recognition plaques/signs, the grant mandates installing two project signs. The signs would read: Paxtang Commons Park and Capital Area Greenbelt, a Public Recreation Facility provided by the Borough of Paxtang. Signs will be placed at the lower field as well as at the entrance to the Greenbelt from Derry Street. Manager Beard will look into a color scheme for the signs. Mayor Stambaugh requested Council officially recognize the name of the park. Councilwoman Seneca suggested naming the park after one who might have been instrumental in the baseball or park program.

\*5) Councilman Patackis made a motion that we just call it “Paxtang Commons” right now or “Commons Park” for the sake of getting the signs up and then later on if Council wishes to have a memorial or a dedication to somebody, it could be accomplished when appropriate. Vice-President Beaver asked for clarification as to the name being offered for consideration. Councilman Patackis suggested the park be named “Paxtang Commons” and the sign at the playground and Lower Ball Field say “Paxtang Commons Park”. Motion seconded by Councilwoman Kipp. Motion carried.

**Police Report:** Chief Beard presented for Council a report of police activity for the month of June and offered a verbal explanation as well. Mayor Stambaugh suggested that an article to be posted on the website offering information on safety issues. Chief Beard indicated that information has been posted to the web. Councilwoman Kipp would like an article published in the next Paxtang Post. Chief Beard encouraged all to not only lock the doors and windows of their homes, but to their vehicles as well.

**Call Blaster:** Councilwoman Borne Fuller asked for a status on the Call Blaster (Documentation can be found on page 20 of the 2011 Minute Book). Chief Beard stated that he is in the process of collecting data. Mayor Stambaugh asked if there was a way for residents to voluntarily offer their contact information. Manager Beard cautioned that the Borough would then be maintaining a record and the record would be considered public. Currently the Borough is not obligated to provide information in any form other than the collection method chosen by the Borough. Solicitor Feinour said one could redact and claim protection on personal information. Mayor Stambaugh agreed with claiming protection on personal information.

**Request for Executive Session:** Chief Beard asked Council to consider an Executive Session at the end of the Regular Business Meeting.

#### **AUDIENCE PARTICIPATION** – No Report

**REPORT OF THE MAYOR** – Mayor Stambaugh reported that she spoke at the following events:

- Borough Memorial Day Picnic
- Paxtang Elementary School, 2<sup>nd</sup> Grade, Tour of the Borough

- Fire Company Housing
- Keynote Speaker for the Central Dauphin East Middle School National Junior Honor Society Induction Ceremony.

As a representative to the Central Dauphin School District Enrollment Study Committee, Mayor Stambaugh stated the committee has developed a recommendation and will approach the School Board at a date to be announced.

**REPORT OF THE SOLICITOR** – Solicitor Feinour reported the State Supreme Court handed down a decision in the case *Fross vs. Allegheny County* dealing with the issue of whether municipalities could regulate the residency of sex offenders. The *Fross* case held that local regulations are preempted by the State’s Megan’s Law which has it’s own criteria for determining where certain registered sex offenders may and may not reside. Mayor Stambaugh stated that the Borough already has regulations set in place regarding this matter. It is Solicitor Feinour’s opinion that the *Fross* decision would preempt anything the Borough might already have enacted.

**REPORT OF CODES ENFORCEMENT** – Vice-President Beaver referred Council to the written report from Codes Enforcement Officer Ed Wenger.

**REPORT OF THE ENGINEER** – Engineer Shradley referred Council to his written report stating the information provided had been addressed at this evening’s meeting.

#### **COMMITTEE REPORTS**

*Administration* – No Report from Vice-President Beaver

*Highway* – No Report from Councilwoman Seneca

*Property and Recreation* – Councilwoman Seneca reported that Patriot Camp has an enrollment of approximately 86 students, 16 helpers, and 30 volunteers. A service project is planned to collect items for the troops overseas. Councilwoman Seneca invited Council and Borough staff to their closing picnic on Friday July 1<sup>st</sup> at Saussaman Park. Mayor Stambaugh suggested Councilwoman Seneca have a cut off date for those interested in registering for the parade. Manager Beard asked Council for authorization to coordinate the distribution of leftover refreshments from the Memorial Day Picnic. Councilwoman Seneca asked that the hot dogs and rolls be donated to Patriot Camp. Manager Beard will contact an individual who has expressed their interest in purchasing leftover ice cream and soda at cost.

\*6) Councilwoman Panza made a motion allowing the Borough Manager to expedite the distribution of leftover refreshments. Motion seconded by Councilwoman Kipp. Motion carried.

*Public Safety* – Councilwoman Borne Fuller commended Fire Chief Zwigart and his Department for a “Job Well Done” regarding the Housing of the new engine on Saturday, June 4<sup>th</sup>. Councilwoman Borne Fuller said it speaks volumes for the meticulous planning involved as Paxtang had the support of a US Congressman (T. Holden), State Senator (J. Piccola), and State Representative (S. Helm) at the ceremony. Councilwoman Borne Fuller shared the inscription of a plaque presented to the Paxtang Borough Council thanking them for their support shown to the Company and for the new engine.

*Health and Sanitation* - No Report from Councilman Patackis.

*Public Relations* – Councilwoman Panza informed Council that three Yard Sale signs advertising the Saturday, June 4<sup>th</sup> event are missing.

Councilwoman Panza said the Paxtang Post is ready for distribution.

**UNFINISHED BUSINESS** – Manager Beard presented to Council the 100<sup>th</sup> Anniversary photo mosaic from the Pennsylvania State Association of Boroughs. This mosaic depicts various sites throughout the Boroughs of Pennsylvania, including the Borough of Paxtang.

Manager Beard noted that two dogs picked up from the 400 Block of 13<sup>th</sup> Street had been dropped off at the Derry Animal Hospital. The dogs were taken to the Humane Society with the understanding that the Borough would not be billed for their services. Harrisburg.

**NEW BUSINESS** – Councilwoman Borne Fuller asked if there was an Ordinance regulating the placement of temporary “Slow Down” signs within the curb and sidewalk “right-of-way”. Manager Beard said he would review the language of the present Ordinance. Councilwoman Kipp voiced her concern with advertisement signs placed at a local Borough establishment. Manager Beard suggested that if Councilwoman Kipp would like to lodge a formal complaint, the matter would be looked into.

**COMMUNICATIONS** – Mayor Stambaugh shared a letter from students of the Paxtang Elementary Second Grade class thanking her for meeting with them during a recent tour of the Borough. The Mayor spoke with students regarding the duties and responsibilities of being Mayor for the Borough. Councilman Patakis asked if a summer recreation program was scheduled for this year. Manager Beard said this event was not a Budget line item for 2011.

At 8:23 p.m. Vice-President Beaver announced that Council would retire to Executive Session for the purpose of discussing personnel issues.

At 8:43 p.m. Vice-President Beaver reconvened the Regular Business Meeting announcing that personnel issues were discussed.

**PRESENTATION OF BILLS**

\*7) Councilwoman Panza made a motion to pay the bills. Motion seconded by Councilwoman Borne Fuller. Motion carried.

**ADJOURNMENT**

Vice-President Beaver declared the Regular Business Meeting to be adjourned at 8:44 p.m.

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Secretary

1. Minutes
2. Treasurer’s Report
3. Resolution 6-11 – Earned Income Tax Collection Agency – One No Vote
4. ARLE Grant –PennDOT Automated Red Light Enforcement
5. Name Lower Ball Field – Paxtang Commons/Park
6. Memorial Day Picnic Food Distribution
7. Pay Bills