

PAXTANG BOROUGH COUNCIL
Regular Business Meeting
August 15, 2006

President Spackman called the monthly meeting of the Paxtang Borough Council to order at 7:15 pm followed by the Pledge of Allegiance to the Flag, led by Mayor Stambaugh.

Roll Call was taken.

Council Members present:	E. Denny Beaver Heather Misiti Virginia Panza John Rowe Deborah Seneca
Council President	F. Joseph Spackman
Council Vice President	John Ninosky
Mayor	Keldeen Stambaugh
Borough Manager/Chief	Kenneth Beard
Borough Engineer	W. Max Shradley
Borough Solicitor	Stanley Laskowski
Fire Chief	Todd Zwigart

MINUTES

*1) Councilman Rowe made a motion to dispense with the reading of the minutes and to approve same. The motion was seconded by Councilwoman Panza. The motion was approved unanimously. Councilwoman Seneca asked for a correction to the minutes: Page 4, Report of the Engineer, should read as: "The County will advertise the proposed scope of services including a section on evaluation and selection along with a plan for the downtown area. A section on evaluation and selection along with the plan for the downtown area is included along with the advertisement."

*2) Councilman Rowe made a motion to accept the reading of the minutes with the above mentioned amendment. Councilman Beaver seconded the motion. The motioned was approved unanimously.

FINANCIAL REPORT

*3) Councilman Ninosky made a motion to dispense with the reading of the Treasurers Report and to approve same. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

CONSIDERATION OF RESOLUTION NO. 12-06

President Spackman presented **Resolution No. 12-06** appointing Mr. Eric Pistilli to the vacant office of Auditor.

*4) Vice-President Ninosky made a motion to accept **Resolution No. 12-06** as read. Councilwoman Panza seconded the motion. The motion was approved unanimously.

OATH OF OFFICE - ZONING HEARING BOARD

Mayor Stambaugh proceeded with the Oath of Office for Mr. Nicholas Sagagis as the alternate member of the Zoning Hearing Board

REPORT OF THE FIRE CHIEF

Chief Zwigart presented Council with a report on the monthly activities for the Fire Company and Fire Police. Chief Zwigart mentioned the need for additional manpower in regard to the Fire Police. He indicated that he would prepare an article for the Paxtang Post.

OATH OF OFFICE - AUDITOR

Mayor Stambaugh proceeded with the Oath of Office for Mr. Eric Pistilli.

REPORT OF THE MANAGER

Clarifications to Resolutions: Manager Beard indicated corrections will be presented for consideration at the September Council Meeting for the Resolutions regarding the appointments of Councilwoman Seneca and Councilwoman Panza and their stated terms of office. The new Resolution shall indicate a term expiration of January 2008.

Public Works Employee Update: Manager Beard mentioned Saul Schmolitz has reported back to full duty work without limitation, as stated by his physician.

National Night Out: Participating block parties seemed to have gone well.

NIMS Training: Manager Beard offered **Resolution No. 13-06** for consideration, with the following corrections: Add John Rowe and remove John Ninosky and Frederick Joseph Spackman.

*5) Councilman Rowe made a motion to accept **Resolution No. 13-06** with the above amendments. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

Avenue Curb Invoice: Manager Beard met with representatives from PennDOT for the purpose of measuring curbs. Approximately 10 feet of curbing that was replaced at the Jewish Cemetery is in fact part of Paxtang Borough. This place of business does not pay taxes to the Borough, has never been considered a Borough entity, and was not designated for curb replacement, nor was the curbing initially measured by the borough as it was believed this was not a business within the borough boundaries. PennDOT will be in contact with Manager Beard regarding this matter.

Masonry Proposal: In the course of evaluating the back wall of the municipal building, a significant problem was found with regard to the mortar and pointing. Jones Masonry was contacted and gave the following estimates for repairs:

\$4,800.00 for the back wall of the first floor, \$14,690.00 for the west wall, \$8,760.00 to finish the tower, and \$2,500.00 to finish the chimney and the second floor rear wall. The estimated total would be \$30,750.00. Manager Beard asked council to consider repairs be made to the back wall of the first floor as emergency repairs, at an estimated cost of \$4,800.00. While bids are not required for this work, it is required that two more proposals be obtained in addition to the one from Jones Masonry.

*6) Councilman Rowe made a motion to allow Manager Beard to continue with seeking out the required quotes not to exceed \$9,999.00 to address the issues of the back wall of the borough building. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously. President Spackman asked if the Borough had insurance to cover the water damage to the gym floor. Manager Beard indicated he would look into this matter.

BCE Roofing Project: Manager Beard indicated the work on the roof is approximately 98% completed. An invoice has been received in the amount of \$14,097.36. Manager Beard recommended to council that we pay \$12,000.00 and retain \$2,097.36 until we receive the final punch list.

*7) Councilwoman Panza made a motion to pay BCE \$12,000.00 until final completion. The motion was seconded by Councilman Rowe. The motion was approved unanimously.

Penn Forestry: The representative from Penn Forestry evaluated the lumber growth in the Greenbelt area and indicated that the growth is of no value to him and therefore would not be soliciting contractors to clear the area.

September 8th is slated to be the “*Day of Caring*” for PPL. This is a Community Service project provided by PPL where they will thin out the entire lower section of the Greenbelt at no charge to the Borough. Discussion was held on what to do with the cut wood. The decision was to offer the wood for free with advertisement in the Paxtang Post.

Block Party/Movie Night: A request was received from Mr. and Mrs. Gregory Seetoo of 206 Kelso Street to have a neighborhood block party and movie night.

*8) Councilman Rowe made a motion to allow the use of the ballpark and to close off the area of Rutherford Street between Quince and Kelso for a neighborhood block party/movie night on September 8th. Manager Beard indicated that Quince Street from Brisbane to Rutherford would temporarily be made two way and bags would be

placed over the Do Not Enter signs. The motion was seconded by Councilman Beaver. The motion was approved unanimously.

Yard Sale Request: Several requests have been received from residents as to a Fall Community Yard Sale.

*9) Councilman Beaver made a motion to proceed with a borough wide Fall Yard Sale for September 9th. The motion was seconded by Councilwoman Misiti. The motion was approved unanimously.

Energy Audit: At the July Council meeting it was discussed having an energy audit with UGI and PPL for the gym. PPL will perform an audit but UGI will not. Since UGI will not perform an audit, Manager Beard contacted Engineer Shradley who indicated in order to conduct such an audit it would cost approximately \$500.00. Discussion was held on the value of conducting an audit at a cost of \$500.00.

*10) Vice-President Ninosky made a motion to authorize Engineer Shradley to proceed with an audit with a spending limit of \$250.00. The motion was seconded by Councilwoman Panza. Discussion was held on obtaining the hours the gym was actually in use by participants that were charged a fee. The motion was approved unanimously.

Request for Executive Session: Manager Beard requested Council conduct an Executive Session at the end of the regular business meeting.

Police Report: Chief Beard referred to his written report provided to Council members. Requests were made for detailed information in regard to some of the items outlined. Chief Beard offered an explanation in regard to the requests made.

AUDIENCE PARTICIPATION

Brenda Noell, of 19 North 30th Street. Ms. Noell voiced concern with the following:

- Issues of trash in regard to certain areas within the borough
- Issues in regard to weeds and tall grass
- General condition of certain properties

Ms. Noell asked Council what is being done with regard to these areas of concern. President Spackman, Manager Beard, and Councilman Beaver all offered explanations to Ms. Noell in regard to what the borough can do on a legal basis when handling these concerns. Manager Beard also explained in detail the procedures the borough has been taking on these issues. Ms. Noell thanked council for their time.

Murv Grunden, of 3323 Brisban Street reported the following:

- National Night Out was held at 3323 Brisban Street with 26 members of the neighborhood along with four police officers, including Chief Beard, five firemen, including Chief Zwigart and Deputy Chief Turner. Mr. Grunden thanked the Police Department and the Fire Company for participating in National Night Out.
- The Historical Society had their meeting at the pavilion and would like to thank the borough for cleaning the concession area and getting tables for them. Mr. Grunden indicated approximately 55 people were in attendance.
- Citizens Advisory Committee had a meeting and is working on a mission statement. An article will be supplied for publication in the Paxtang Post.
- Crime Watch – No activity at this time.

REPORT OF THE MAYOR:

- Mayor Stambaugh indicated that a borough student along with a student from Lawnton were members of a team that received the silver medal in basketball at the Keystone State Games. They were recognized by Governor Rendell and participated in a procession down Derry Street. They would like to extend their thanks to Lawnton and Paxtang Fire Companies and to Swatara and Paxtang Police as well. They also had the support of Derry Beverage and Fleming's Sub Base.
- In regard to the Paxtang Avenue curbing issues, Mayor Stambaugh has two meetings scheduled this week and feels progress is being made.

- Cast-A-Way-Critters is a community based animal rescue group. They are working with a group called Cats with No Names offering surgical procedures within their mobile units. They would like to use the gym towards the end of October for registration and animal pick up. The cats would be in crates while in the gym.
- Requests have been presented for a Fall Clean Up program. Discussion was held on setting a fee of \$20.00 per household to participate plus \$10.00 for appliances with Freon. The \$10.00 fee is mandated by Waste Management and not the borough.

*11) Councilman Rowe made a motion to move forward with setting up a Fall Clean Up allowing the Manager to seek dates and availability of Waste Management and to set a flat rate of \$20.00 per household with an additional \$10.00 for any appliance involving Freon. The motion was seconded by Vice President Ninosky. The motion was approved unanimously.

- Dinner With Your Neighbors has been moving along nicely. Mayor Stambaugh would like to talk to the restaurant owners about continuing the program.

REPORT OF THE SOLICITOR

Solicitor Laskowski presented **Ordinance No. 602**, Stormwater Management (Act 167) for final consideration. He stated that it has been advertised and a copy given to Manager Beard.

*12) Councilman Rowe made a motion to adopt **Ordinance No. 602**, the Stormwater Management Act. The motion was seconded by Vice President Ninosky. The motion was approved unanimously.

Sign Ordinance: Solicitor Laskowski indicated he does not have the comments back from County Planning as of yet and therefore cannot make a recommendation to pass the sign ordinance at this meeting. Solicitor Laskowski introduced Mr. Brian Dickson from the County Planning Office. Discussion was held on the issue of the 10 foot setback for signs. Mr. Dickson discussed the possibility of conditional usage for areas where the 10 foot setback is not feasible. This would be reviewed case by case with approval from Council. Mr. Dickson also brought up the issue of being more specific on what is desirable for clear site distance at intersections. Manager Beard indicated to look at PennDOT regulations regarding site distances. Mr. Dickson mentioned the need for the signs to be made of durable materials.

REPORT OF CODES ENFORCEMENT

Manager Beard referred to the written report presented to Council.

Manager Beard reminded Council of the Zoning Hearing Board Appeal on August 22nd for the Paxtang Cemetery in regard to the construction of a sign they wish to replace, and which is larger in size both in the ordinance and than that of the present sign. Manager Beard asked Council if they would like to send a representative on their behalf. No interest was expressed on sending a representative.

REPORT OF THE ENGINEER:

Engineer Shradley indicated he sent the comments from the last Council meeting concerning the Mini Comp Plan to the borough for review and final approval.

COMMITTEE REPORTS

Administration:

Councilman Beaver indicated Diana Reed and Associates made a recommendation that the borough go with the basic audit at a cost of \$8,500.00 initially and \$7,250.00 after that. Councilman Beaver recommends the borough go with a private auditor and the basic audit. Discussion was held to contact Mr. Eric Pistilli in regard to conducting an audit

Highway:

Councilwoman Seneca indicated Mayor Stambaugh would be checking with Representative Mark McNaughton in regard to the street sign grant and has not heard back as of yet.

Property and Recreation:

Mr. Rodger Faill will be commissioned in September for the Shade Tree Commission

Public Safety:
No Report.

Public Relations:
Councilwoman Panza indicated the newsletter is a work in progress.

Health and Sanitation:
Councilman Rowe commented on the concerns as stated by Ms. Brenda Noell under Audience Participation and indicated he would continue to monitor the situation. Discussion was held on alternate ways of delivery other than Certified Mail when dealing with correspondence to borough property owners including personal service and posting on the property itself. Councilwoman Seneca indicated she would be willing to help out in the Codes area if need be.

Councilwoman Seneca asked if anyone had any information on upcoming Pandemic seminars to which Councilman Rowe indicated he did not.

UNFINISHED BUSINESS

Manager Beard indicated the Code of Ordinance CDs that were previously distributed to Council Members will be collected and reissued when the new and updated version is received from the Solicitor.

After much discussion concerning the temporary event sign ordinance, it was decided to table the matter till the September Council meeting. Comments concerning this matter should be directed to Manager Beard.

NEW BUSINESS

Councilwoman Panza inquired as to a date for borough leaf collection. Manager Beard indicated leaf collection is dictated by when the leaves start to fall and that leaf pick up will be ongoing.

Councilwoman Panza asked if there was a Judge of Elections. Manager Beard indicated there is not a Judge of Elections at this time. Councilwoman Panza mentioned the fact that the borough does not have a procedure for obtaining the names of tenants for the purpose of collecting taxes.

Councilman Panza indicated that businesses are not reporting the sale of their property or the rental of their property for tax purposes. Councilman Beaver suggested this be discussed at the September workshop.

Councilman Beaver indicated it is time to start the Budget process and for everyone to look at their budget requirements.

COMMUNICATIONS

Manager Beard brought the following communication to the attention of Council:

- Note from Mrs. Mike Ross thanking the borough for the floral arrangement for Mike's funeral.
- Richard Wiley, Chief of Police – Swatara Township thanking Officers Fureman and Corkle for their assistance in a recent pursuit.
- Delores Forsyth and Brenda Noell regarding the condition of the borough.
- Lisa Cunningham requesting assistance with a procession for the Keystone State basketball team.
- Penn Prime Insurance indicating a grant for the Taser X 26 has been approved in the amount of approximately \$10,000.00.
- Senator Rick Santorum Central PA First Responders Conference – August 17th.
- State Association of Boroughs Fall Leadership Conference – October 20-22.
- Developing and Managing your Municipal Budget – September 22.
- Promoting Revitalization in PA – September 21-22 PA Brownfields

PRESENTATION OF BILLS

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

EXECUTIVE SESSION

Council adjourned to Executive Session at 9:20 p.m. to discuss personnel matters

ADJOURNMENT

President Spackman reconvened the regular meeting at 9:30 p.m. He entertained a motion to adjourn which was properly seconded. The motion carried unanimously.

Secretary

1. Approve Minutes
2. Amend Approval
3. Approve Treasurer Report
4. Res. 12-06 Auditor
5. Res. 13-06 NIMS
6. Quotes Building Repairs
7. Pay BCE Roofing
8. Neighborhood Block Party
9. Fall Yard Sale
10. Audit Gym Utilities
11. Fall Clean Up
12. Ord. 602
- 13 Pay the Bills