

PAXTANG BOROUGH
Municipal Building 3423 Derry Street
Regular Business Meeting
April 19, 2016

President Martin called the monthly meeting of the Paxtang Council to order at 7:00 p.m., followed by the Pledge of Allegiance.

COUNCIL MEMBERS PRESENT

Council President	Nathan Martin
Council Vice-President	Eric Fillman

COUNCIL MEMBERS

Kathleen Bloss - Arrived at 7:13 p.m.
Councilman Patackis
Councilman Spackman

Mayor

John R. Ninosky Sr.

COUNCIL MEMBERS ABSENT

Councilman Thomas
Councilman Wingert

BOROUGH OFFICIALS

Borough Manager	Keldeen Stambaugh
Borough Solicitor	Nathaniel J. Flandreau for J. Stephen Feinour
Borough Engineer	W. Max Shradley
Borough Fire Chief	Todd Zwigart

AUDIENCE PARTICIPATION

Mrs. Darlene Kvaternik, Shade Tree Chairperson and resident of 3309 Brisban Street informed Council that Mayor Ninosky and a student of the Paxtang Elementary fifth grade will share in the reading of a Proclamation declaring Friday, April 29 as Arbor Day in Paxtang Borough. The ceremony will take place at the Paxtang Elementary School.

A Flowing Cherry Tree will be planted at Saussaman Park in memory of former Councilman, Mr. Tony Surace. This is a replacement to a tree that was lost during a vehicular accident at the original memorial site at the corner of 29th and Derry Street. Funding is available through the Park and Recreation Budget. Documentation can be found on page 379 of the 2016 Minute Book.

Thirteen Shade Trees will be planted at a total cost of \$2,036.00. Funds from an Honors Tree and a private donation will help defray the cost leaving \$344.00 for future plantings.

The Tree Inventory is expected to be completed by the end of May 2016.

Mrs. Kvaternik completed an on-line course in Urban Forestry and would like to engage the services of local arborist, Mr. Jonathan Schach, who is recognized by the International Society of Arborists in Risk Management. Mrs. Kvaternik is requesting Council release \$320.00 from the planting budget in order to hire Mr. Schach for four hours of consultation. Mrs. Kvaternik will solicit opinions from members of the Shade Tree Commission before proceeding. Any proposed action will be discussed under New Business.

The Borough will incur the cost of removing a Shade Tree that fell onto a house located at 3613 Brisban Street.

Mrs. Vickie Mora of 222 North 30th Street asked Council what was the maximum number of canines permitted to be kept at one property. President Martin said the current Ordinance does not specify a determined number but Mrs. Mora could address her concern to Council and ask that the Ordinance be reviewed, noting any potential amendment to the Ordinance would not be retroactive. Mrs. Mora voiced concerns with the height of and material used for the construction of the fence.

Councilwoman Bloss entered at 7:13 p.m., during the discussion from Mrs. Mora

MUNICIPAL SEPARATE STORMWATER SYSTEM (MS-4)

President Martin asked if anyone in attendance had any questions or concerns with regard to the MS-4 program. Hearing none, President Martin continued with the meeting. Volunteers will be involved in a project to paint stormwater inlets with the phrase “*Dump No Waste, Drains To Stream*”. This will take place on Saturday, April 29.

MINUTES

*1) Vice-President Fillman made a motion to dispense with the reading of the Minutes and to approve the same. Motion seconded by Councilman Spackman. President Martin asked that the Minutes show Councilman Wingert as Chairperson of the Administration Committee.

*2) Vice-President Fillman amended his motion to approve the Minutes with the correction as indicted by President Martin. Motion seconded by Councilman Spackman. Motion carried.

TREASURER’S REPORT

President Martin asked Secretary Clark to read the Treasurer’s Report for the month ending March 2016:

GENERAL FUND	\$368,231.98
SEWER ACCOUNT	\$458,636.12
LIQUID FUELS	\$ 96,813.95
SOLID WASTE	\$ 25,396.04
CAPITAL RESERVE	\$189,498.98

*3) Vice-President Fillman made a motion to approve the Treasurers’ Report as read. Motion seconded by Councilwoman Bloss. Motion carried.

POLICE REPORT – SWATARA TOWNSHIP

Swatara Township Police Chief Jason Umberger presented an overview of police activities for the month of March stating a total of 175 calls for service were placed for Paxtang. Officers attended 6 school lunches, provided 10 foot patrols at the Paxtang Elementary School, 26 foot patrols throughout the Borough, and installed one vehicle safety seat for a Borough resident. Vice-President Fillman asked for a status on findings relating to “distracted driving”. Chief Umberger said distracted driving practices are targeted during “Smooth Operator” details. The Swatara Township Police will host their 5th Annual Bicycle Rodeo on May 21 at the Capital Blue Cross building located on TecPort Road in Swatara Township. Mayor Ninosky expressed his gratitude to Chief Umberger for the professional manner in which Swatara has handled matters within the Borough.

Manager Stambaugh said she received a letter from a resident inquiring about police patrols and coverage. Manager Stambaugh has reached out to this individual and shared the benefits now available through the Intergovernmental Agreement for Law Enforcement Services with Swatara Township. It was suggested residents be informed of the wide-range of benefits now available to the Paxtang community through this Agreement.

REPORT OF THE FIRE CHIEF

Chief Zwigart presented the report of Fire Company activities for the month of March. The Fire Company had a total of 31 calls with an average crew response of 4. Two company trainings were held for the month, one on Maintenance night, and one on Hose Lines and Pumps.

REPORT OF THE MANAGER

ELECTRIC CREDITS

Manager Stambaugh said lights within the municipal building are progressively being outfitted with light-emitting diodes (LED). With this in mind, the Borough may be eligible to benefit from current or forthcoming energy saving programs.

TREE REMOVAL – INVOICE

Manager Stambaugh said the Borough would be incurring an invoice for the removal of a Shade Tree that recently fell onto a house located at 3613 Brisban Street. The cost will be on the high end due to the extensive labor involved with removing the tree.

DONATION – COUNCIL NAME PLATES

Council name plates have been upgraded on an “as need” bases. A donation has been received from Council President Nathan Martin to purchase remaining name plates so all plates are uniform in appearance, style, and readability.

EVENTS AND MEETINGS

Capital Region Council of Governments (CAPCOG), Pennsylvania State Association of Boroughs, (PSAB) and Pennsylvania State Association of Township Supervisors (PSATS) all provide training on many topics. Council Members should contact Manager Stambaugh if they have an interest in upcoming seminars.

MUNICIPAL STORMWATER SYSTEM (MS-4)

Manager Stambaugh informed Council that there are many training sessions scheduled in the near future regarding MS-4 and encouraged members to participate if they so desired.

TOUR D BELT – BICYCLE TOUR

The Paxtang Special Fire Police will be assisting with traffic control for the Capital Area Greenbelt Tour D Belt that will traverse through the Borough on Sunday June 5.

WILHELM PAXTANG ATHLETIC ASSOCIATION

Manager Stambaugh encouraged everyone to attend the Opening Day of baseball for the Wilhelm Paxtang Athletic Association at Taylor Park located at Brisban Street in Swatara Township on Saturday, April 29.

PAXTANG CEMETERY – LUMINARY TRIBUTE

The 10th annual Luminary Tribute will take place at the Paxtang Cemetery on Saturday April 23. During this time people may drive through the display of over 3,000 luminaries placed throughout the cemetery. Entrance donations will be accepted for the Humane Society and Bethesda Mission.

TRUE VALUE HARDWARE – GRAND REOPENING

Hornung’s True Value Hardware located at 501 South 29th Street recently held a Grand Reopening event. The Paxtang Fire Company assisted with their celebration.

STREET CLEANING

Manager Stambaugh recommended Council retain the services of Mr. Jeffrey Sutton for the months of June, August, and October. Documentation can be found on pages 378 and 379 of the 2016 Minute Book.

EMPLOYEE MEETINGS

Manager Stambaugh, President Martin, and Administration Chairperson Councilwoman Bloss held individual meetings with persons employed with the Borough for six plus months. Topic of discussion was job duties and descriptions.

FIRE ENGINE RIDES

Manager Stambaugh is seeking a determination from the Borough Insurance Company as far as offering Fire Engine rides at the Memorial Day Picnic. A request has been made that the Engine provide rides at the Paxtang Elementary May Fair at Saussaman Park as well.

REPORT OF THE MAYOR

Mayor Ninosky asked for information with regard to provisions procured for the Centennial Celebration in 2014 for a movie night at Saussaman Park. Manager Stambaugh will forward information to Mayor Ninosky.

REPORT OF THE SOLICITOR

No Report from Nathaniel J. Flandreau

REPORT OF CODES AND ZONING

No Report from Manager Stambaugh

REPORT OF THE ENGINEER

Engineer Shradley presented for Council his monthly status report and highlighted the following areas:

2016 STREET PROJECT – MICROSURFACING

The schedule for the 2016 Street Microsurfacing Project was presented to Council.

MUNICIPAL SEPARATE STORMWATER SYSTEM – AUDIT

Engineer Shradley met with Manager Stambaugh and President Martin to review comments as presented by the Department of Environmental Protection and discussed steps necessary to move forward for compliance.

MUNICIPAL SEPARATE STORMWATER SYSTEM – ANNUAL REPORT

Engineer Shradley is compiling information for the report which has a due date of June 30.

MUNICIPAL SEPARATE STORMWATER SYSTEM – BEST MANAGEMENT PRACTICES FUNDING

Engineer Shradley is waiting to hear from the Department of Environmental Protection with regard to funding for the construction of urban storm water Best Management Practices.

UTILITIES FOR THE HIGHWAY GARAGE

Engineer Shradley is preparing information to solicit proposals to provide sewer and water services to the Borough garage.

TELEVISIONING OF SANITARY SEWERS

Engineer Shradley said discussions were held with Borough staff concerning the resumption of inspections of the sanitary sewer system. Engineer Shradley asked that Council inform him if he was to move forward on this project. President Martin thanked Engineer Shradley and Manager Stambaugh for their assistance with the Department of Environmental Protection audit.

TREE ROOTS – 3517 BRISBAN STREET

Manager Stambaugh said that during the televising of the sanitary sewer line on Walnut Street, equipment came in contact with roots of a tree at 3517 Brisbane Street. Engineer Shradley said the tree in question could be cut down, however the roots of the tree would continue to grow for some time and suggested the roots be cut inside the main sewer pipe and then apply a root sealer to inhibit growth.

REPORT OF COMMITTEES

Administration – No Report from Councilwoman Bloss

Highway – Due to the absence of Councilman Wingert, Manager Stambaugh reported that highway employees will be installing a new frame for the sewer inlet at 32nd Street and Apple Street.

Property and Recreation – Councilman Patackis said the consulting firm of Affiliated Power Purchasers International is asking if Council would like them to assist with procuring electricity at a more economical rate for the Borough. Councilman Patackis directed Council to a proposal from GDF SUEZ who is offering a 48 month contract showing a potential savings of \$1,200.00 annually for the 48 month term. GCF SUEZ would replace PPL as an energy resource provider, not as a service provider. President Martin said this matter would be brought up under Old Business.

Councilman Patackis would like to discuss the Memorial Day picnic at an upcoming Workshop. It was suggested to reconfigure the food line to keep it moving freely and to provide an offering for vegetarians.

Public Safety – Vice-President Fillman echoed the sentiments of Mayor Ninosky for the service extended by the Swatara Police Department and expressed his gratitude to the Paxtang Fire Department as well, stating their dedication should not be overlooked. Vice-President Fillman took this opportunity to formally include Paxtang's name to the congratulatory remarks with regard to Chief Umberber with the solving and charging of an individual for the 1986 murder of Harrisburg resident, Kelly Ann Ward. While this incident had the support of the FBI and forensic technology, it clearly was a result of investigators and personnel showing their dedication to this case. Vice-President Fillman stated he is grateful to know these additional resources are now available to the community of Paxtang and offered his congratulations to Chief Umberger.

Public Relations – Councilman Spackman said the Paxtang Post will be delivered via the United States Postal Service and will plan on proceeding with this method, budget permitting.

Health and Sanitation – No Report due to the absence of Councilman Thomas

NEW BUSINESS

RESOLUTION No. 10-16 - WINTER STORM JONAS

President Martin presented for Council's consideration **Resolution No. 10-16**, a Resolution authorizing the Borough Manager to execute all required forms and documents for the purpose of obtaining financial assistance due to winter storm Jonas 2016.

*4) Councilman Spackman made a motion to approve **Resolution 10-16** naming Manager Stambaugh as agent on record for the PEMA and FEMA report. Motion seconded by Vice-President Fillman. Motion carried.

SALDO – PAXTANG GRILL - REAPPROVAL

President Martin presented for Council's consideration a Subdivision and Land Development Plan for the Paxtang Grill located at 3323 Derry Street. Council will need to reapprove the Plan as it was not filed with the Dauphin County Court House in a timely manner. President Martin read for Council the modifications as was presented and approved at the April 21, 2016 Regular Business Meeting stating the Plan was approved contingent upon completion of requests made by the Borough Engineer and Borough Codes Official. Documentation can be found on pages 309-310 of the 2015 Minute Book.

*5) Vice-President Fillman made a motion to reapprove the Plan as was previously endorsed by Council at the Regular Business Meeting on April 21 of 2015 with regard to Zoning variations for the Paxtang Grill. Reapproval is to include all conditions as was listed and passed by Council at the April 21, 2015 meeting. Motion seconded by Councilwoman Bloss. Motion carried.

VERIZON CABLE FRANCHISE RENEWAL

President Martin presented for Council a Proposal to Perform Verizon Cable Franchise Renewal Services as submitted to the Capital Region Council Of Governments (CAPCOG) by the Cohen Law Group of 413 South Main Street Pittsburgh, PA at a cost of \$4,875.00. Councilman Patackis voiced concern with the cost for an attorney when he was of the opinion that the Public Utility Commission (PUC) has regulatory oversight. President Martin said the PUC does not negotiate contracts but regulates the industry and providers.

*6) Vice-President Fillman made a motion authorizing Paxtang to join in with the CAPOG Agreement for purposes of the Verizon Cable Franchise renewal. Motion seconded by Councilwoman Bloss. Motion carried. Vice-President Fillman asked for clarification from Councilman Patackis as to how he cast his vote. Councilman Patackis stated he voted "Aye".

TEMPORARY ROAD CLOSURE – OAK STREET

Mr. Donald Follett of 3625 Brisban Street is requesting temporary closure of Oak Street between Apple Street and Brisban Street for Saturday June 11 during the Community Yard Sale.

*7) Vice-President Fillman made a motion to approve the request to block off Oak Street from Apple to Brisban for the day of the Community Yard Sale from 7:00 a.m. to 1:00 p.m. Motion seconded by Councilman Spackman. Motion carried.

REQUEST – FIRE APPRATUS – OFF SITE

President Martin said the Fire Company is seeking permission for the Pierce Engine and some members to travel to Schuylkill County during the weekend of June 10-12, 2016 to assist with fire calls.

*8) Councilman Spackman made a motion authorizing the Fire Company to take the fire engine and a few firefighters to assist on calls over the weekend of June 10-12 in Schuylkill County. Paxtang Fire House will be manned by the Lawnton Fire Company located at 52 South 46th Street in Swatara Township. Motion seconded by Vice-President Fillman. Motion carried.

REQUEST – SHADE TREE – ALLOCATION OF FUNDS

President Martin presented for Council's consideration a request from the Shade Tree Commission to authorize the use of up to \$320.00 from the planting budget to acquire the services of Arborist, Mr. Johnathan Schach, for the assessment of Shade Trees within the Borough.

*9) Vice-President Fillman made a motion to honor the request by the Shade Tree Commission. Motion seconded by Councilwoman Bloss. Vice-President Fillman expressed his gratitude to Mrs. Kvaternik in keeping within their budgetary constraints, noting this seems to be a very worthwhile use of appropriations. After discussion, motion carried.

STREET SWEEPING

President Martin presented for Council a request from the Borough Manager to approve the expense for street sweeping for the months of June, August, and October.

*10) Vice-President Fillman made a motion to approve in like manner, substance, and costs for street sweeping for June, August, and October as requested by the Borough Manager. Motion seconded by Councilwoman Bloss. Motion carried.

OLD BUSINESS

REQUEST USE OF SAUSSAMAN PARK – RETIKIS OPEN ARMS CHILD CARE

Present Martin presented a request from RETIKIS Open Arms Child Care located at 3869 Derry Street for use of Saussaman Park. RETIKIS is a for-profit organization who is asking to rent the facilities at a reduced rate. This was tabled from the March 15, 2016 Regular Business Meeting due to obtaining more information.

*11) Vice-President Fillman made a motion to table discussion until the May 17, 2016 Regular Business Meeting. Motion seconded by Councilman Spackman. Motion carried.

HANDICAPPED PARKING – 3520 DERRY STREET

*12) Upon review of the discussion from the Swatara Police and a discussion at a Council Workshop, Vice-President Fillman made a motion to approve the handicapped parking space at 3520 Derry Street. Motion seconded by Councilwoman Bloss. Motion carried. Documentation can be found on page 375 and 379 of the 2016 Minute Book.

INTERGOVERNMENTAL AGREEMENT – SWATARA CODES/ZONING

President Martin presented for Council's consideration, a proposal to approve the Intergovernmental Agreement with Swatara Township for Code Enforcement Office Services.

*13) Vice-President Fillman made a motion to approve the Intergovernmental Agreement with Swatara Township as Swatara also so presented for Codes Enforcement Office Services. Motion seconded by Councilwoman Bloss. President Martin said the service rate is to be \$66.72 per hour. The hourly rate shall be escalated 3 percent per year beginning on January 1, 2017 and again each year the Agreement is in effect. Paxtang will compensate Swatara for services on an "as need bases". After discussion, motion carried.

ADVERTISEMENT – PROPOSED ORDINANCE NO. 653

President Martin asked for a motion to authorize the advertising of proposed **Ordinance No. 653**, An Ordinance Authorizing An Intergovernmental Agreement With Swatara Township For Code Enforcement Office Services Pursuant To The Intergovernmental Cooperation Law.

*14) Vice-President Fillman made a motion to advertise proposed **Ordinance No. 653**. Motion seconded by Councilman Spackman. Motion carried.

ENERGY RESOURCE CONTRACT – APPI

President Martin presented for Council's consideration an Agreement to engage the services of Affiliated Power Purchasers International Energy for the purpose of securing competitive electrical rates.

*15) Councilman Patackis made a motion to enter into an Agreement with APPI for the procurement of electricity over a four year period at a reduced rate of 0.06635, at an expected savings of over \$1,200.00 in electric costs annually at the current rate of 0.07516 from that of Pennsylvania Power Light. Motion seconded by Councilman Spackman. Motion carried.

*16) Councilman Patackis made a motion for the Borough Manager to enter into an agreement with APPI to bring to fruition this contract with SUEZ. Motion seconded by Councilman Spackman. Discussion was had that Pennsylvania Power Light will be the electric distribution company and SUEZ would provide generation and transmission of electric. After discussion motion carried.

HARRISBURG SEWER – DISBURSEMENT

President Martin presented notification from Saltzmann Hughes, P.C., the law firm representing the Borough for the City of Harrisburg sewer payment dispute, of the proposed distribution of funds for 2016. Barring any objections from the Borough or other municipalities involved, funds will be released in the amount of \$26,700.00 to Paxtang. Funds from these distributions will be deposited into the Borough Sewer Fund.

*17) Vice-President Fillman made a motion, consistent with the other Boroughs and Townships in The Escrow Release and Settlement Agreement dated March 19, 2014 that Council approve the distribution settlement agreement. Motion seconded by Councilwoman Bloss. Motion carried.

COMMUNICATIONS

Manager Stambaugh said students from the Harrisburg Academy will be volunteering their services with the dispersal of mulch at Paxtang Commons and Saussaman Park on Wednesday April 20.

RECOGNITION - HOUSE OF REPRESENTATIVES

A Citation from The House of Representatives of the Commonwealth of Pennsylvania and State Representative Patty Kim was presented to the Borough in recognition of the conscientious work ethic put forth during winter storm Jonas. The citation was read for all in attendance by President Martin.

PRESENTATION OF THE BILLS

*18) Vice-President Fillman made a motion that the Borough pay its just and lawful debts. Motion seconded by Councilman Spackman. Motion carried.

EXECUTIVE SESSION

At 8:15 p.m., President Martin announced that Council would retire to Executive Session to discuss personnel matters and pending litigation.

At 9:00 p.m., President Martin reconvened the Regular Business Meeting stating that personnel matters were discussed. President Martin asked if there would be any further business to entertain.

*19) Councilwoman Bloss made a motion authoring payment of \$1,040.00 to Public Works employee Saul Schmolitz as payment for longevity. Motion seconded by Vice-President Fillman. Motion carried.

President Martin said if any Council member is interested in sponsoring a street banner at a cost of \$250.00 they may contact Borough resident Donald Follett.

ADJOURNMENT

*20) Vice-President Fillman made a motion to adjourn the Regular Business Meeting. Motion seconded by Councilwoman Bloss. Motion carried. Meeting adjourned at 9:02 p.m.

Secretary

1. Minutes
2. Amended Minutes
3. Treasurer's Report
4. **Res 15-16** – Winter Storm Jonas
5. SALDO-Paxtang Grill Reapproved
6. Verizon Franchise – Renew
7. Temporary Road Closure – Oak Street
8. Fire Engine – Schuylkill County
9. Shade Tree Budget Allocation - Arborist Mr.
10. Street Sweeping – Remainder of 2016
11. Use of Saussaman Park – RETKIS Day Care – Tabled
12. Handicapped Parking – 3520 Derry St. - Install
13. Approve Proposed Intergovernmental Agreement – Swatara – Codes
14. Advertise Proposed Ordinance **653** – Intergovernmental Agreement – Swatara Codes
15. APPI - Contract for Electricity Rates
16. APPI - Enter Into Agreement with SUEZ – Electric Generation/Transmission
17. Harrisburg City Sewer Distribution Payment
18. Pay Bills
19. Longevity Payment – Public Works Employee – Saul Schmolitz
20. Adjourn