

**PAXTANG BOROUGH  
Workshop Meeting  
3423 Derry Street, Harrisburg, PA  
May 5, 2020**

**BOROUGH OFFICIALS PARTICIPATING**

Council President	Kathleen Bloss
Council Vice President	Christopher Spackman
Council Pro-Tempore	Jack Thomas
Council Members	Joshua Eisner Angel Gonzalez David Gui Thomas Wingert
Mayor	Sheilah Borne Fuller

**BOROUGH OFFICIALS**

Borough Manager	Keldeen Stambaugh
Borough Solicitor	J. Stephen Feinour
Borough Engineer	Jeremy Smith
Borough Fire Chief	John Tinari – <b>Absent</b>

Manager Stambaugh announced that due to the Novel Coronavirus COVID-19 and under the recommendations of Pennsylvania Governor Tom Wolf and Pennsylvania Secretary Rachel Levine of the Department of Health, “Social Distancing” has been put into practice by restricting public access to the Borough building and by Council conducting this meeting through the telecommunication service of “Zoom”. Details of the public meeting were provided through the Borough website, social media service of Facebook and an automated phone call to Borough residents and businesses.

An opportunity for audience participation would be offered. At the direction of Manager Stambaugh instructions would be provided and phone lines unmuted. As not everyone had the resources for visual recognition, Council members were asked to provide their name during discussion and when making a motion in order to be recorded for the purpose of meeting Minutes. At this time the meeting was turned over to President Bloss.

President Bloss announced that Councilman Eisner has now joined the meeting. President Bloss informed Councilman Eisner that at this point, there were no members of the public joining the meeting, but they may join at any time throughout the meeting.

**AUDIENCE PARTICIPATION**

Hearing no comments from the audience, President Bloss proceeded with the meeting.

**REPORT OF THE MANAGER**

Manager Stambaugh reported that Fire Chief John Tinari sent his April report to Council members. The Utility truck will go in for maintenance and inspection on May 26, 2020. Chief Tinari will be requesting a diagnostic test as batteries, even though they are being replaced, are not holding a charge.

**BOROUGH STAFF**

Borough staff remains diligent with providing updated information and general services to Borough residents and businesses during the COVID - 19 pandemic.

## **REPORT OF COMMITTEES**

*Administration* – Councilman Eisner said if Council members had questions or comments with regard to the revised mid-year review of the Budget, to contact Manager Stambaugh, President Bloss or himself.

*Property and Recreation* – Vice-President Spackman requested Manager Stambaugh provide a status on recent water leaks in the municipal building.

A leak originating from the restrooms on the first floor caused damage to the locker room in the basement. In house repairs have been made on a temporary basis while waiting for an assessment from a plumber.

Due to recent heavy rain, there was a leak in the gymnasium. Water possibly infiltrated from around a wall air conditioning unit. While sealing the area, it was discovered that the electrical outlet at the unit was damaged. Repairs will be done in house.

A minor leak was discovered in the hallway of the back stairwell. Public Works employees will look into repairing.

Vice-President Spackman said due to COVID-19, the pavilion at Saussaman Park and playground equipment at Saussaman Park as well as Paxtang Commons Park will be closed to the public until further notice.

Manager Stambaugh said a portable toilet has been ordered for the lower ball field. The unit will contain hand sanitizer.

Due to COVID-19, the Borough building will be closed to the public until further notice. Borough staff is working on site and are available for Borough residents via email or phone calls. Permits can be mailed to the office or office staff will meet outside.

*Public Safety* – Councilman Gui said the Fire Company received an offer from the Harrisburg Senators minor league baseball team to have their mascot, Rascal, tour the Borough aboard the fire engine. This is being offered as a positive activity during COVID-19. Members of the Public Safety Committee have given approval provided all safety precautions relating to COVID-19 are adhered to. President Bloss said it was fine to utilize the Fire Engine, but offer the activity when Governor Wolf upgrades Dauphin County to the Yellow Reopening Phase of COVID-19. Councilman Gui will relay this information to the Fire Company.

## **USE OF BOROUGH BUILDING**

Manager Stambaugh has relayed information to the Fire Company that as the State at this time is under the Red Phase of COVID-19 and if they anticipate more than 10 persons at a meeting, that they consider conducting business through “Zoom”.

*Health and Sanitation* - Councilman Thomas reported Waste Management will be raising rates due to increases passed along to them. To be addressed with Solicitor Feinour.

## **SEWER MAIN – PARK TERRACE AND PRINCE STREET**

Public Works employees will be addressing the collapse of a sewer main at Park Terrace and Prince Street. Costs to repair are estimated to be under \$500.00.

## **SEWER BACK UP – KELSO STREET**

Manager Stambaugh said an insurance claim is under review for a sewer back at a property on Kelso Street.

*Highway* – No Report from Councilman Wingert

*Public Relations* – No Report from Councilman Gonzalez

**REPORT OF THE MAYOR** – No Report from Mayor Borne Fuller

### **SWATARA TOWNSHIP – COMPOST FACILITY AGREEMENT**

Manager Stambaugh said an annual fee of \$590.00 will be assessed to Paxtang for use of the Swatara Township compost facility. The agreement would be reevaluated every 2 years. Participating in the agreement permits the drop off of leaf debris and branches while providing mulch for Borough residents. Solicitor Feinour reviewed the agreement and had no concerns.

\*1) Councilman Thomas made a motion to enter into an Intergovernmental Cooperative Agreement for use of the Swatara Township's compost facility. Motion seconded by Councilman Gonzalez. Motion carried.

### **RESOLUTION – 2020-06 – SUPPORT OF DAUPHIN COUNTY RESOLUTION 2020-10**

Manager Stambaugh presented for Council's consideration Resolution 2020-06, a Resolution in support of Dauphin County Resolution 2020-10, a Resolution supporting the Real Estate Tax deferral of interest and penalties adopted by the Dauphin County Board of County Commissioners pursuant to their Resolution number 2020-10. A copy of Resolution 2020-06 shall be sent to the Tax Collector by May 20, 2020.

\*2) Councilman Gui made a motion that Council approve Resolution 2020-06, supporting Dauphin County Resolution 2020-10. Motion seconded by Councilman Thomas. Motion carried.

### **RESOLUTION – 2020-07 – DAUPHIN COUNTY REAL ESTATE TAX – EXTEND DISCOUNT PERIOD**

Manager Stambaugh presented for Council's consideration Resolution 2020-06, Resolution extending the discount period for payment of 2020 Real Estate Taxes until August 31, 2020 and or waive any fee or penalty if taxes are paid in full by December 31, 2020.

\*3) Councilman Thomas made a motion that the Borough of Paxtang extend the discount period for the payment of 2020 Real Estate Taxes until August 31, 2020 and waive any penalty provided the taxes are paid in full by December 31, 2020. Motion seconded by Councilman Wingert. Vice-President Spackman noted a grammatical error. Motion carried after correction.

### **MOBILE FOOD TRUCK VENDORS**

Manager Stambaugh has received three separate requests for food truck vendors to sell food and or beverages in the Borough. One vendor has not responded to information sent to them regarding permits, one vendor decided not to move forward, and one interested party has decided to continue with setting up on private property but wishes not to apply for a Zoning permit. The individual was invited by phone and email, to join in the Workshop meeting to voice their comments, but has chosen not to attend.

Discussion was held on the length of time a vendor would be set up in the Borough, locations allowable for set up, penalties for proceeding without a permit, enforcement, party responsible for obtaining a permit, liability insurance, certifications, hours of possible operation, noise levels, drafting an ordinance regarding food trucks, and other issues.

Council inquired about non-compliance penalties. Manager Stambaugh said at this point if the interested party did not obtain a Zoning permit and continued to conduct business, a notice of noncompliance would be sent to the owner of the food truck along with the following information: a permit was not applied for, the permit fee of \$75.00 was not paid, and the fine for not obtaining a permit was an additional \$75.00.

Manager Stambaugh will reach out to the property owner stating Council is requesting an Ordinance be drafted with regard to long term visions for mobile food trucks but in the meantime if permits are not applied for and food trucks were to conduct business in the Borough, Council would proceed with enforcement including any applicable fines. The property owner would be advised that a notice of noncompliance would be sent to the owner of the food truck as well. Councilman Wingert asked that the Borough noise ordinance be enforced as applicable.

### **STORMWATER AUTHORITY**

Solicitor Feinour has distributed an additional memorandum regarding Council's limited authority in the removal of an Authority member. A Board member could be removed if they missed 3 consecutive meetings or if there was a reason for cause, a petition would be filed with the Court of Common Pleas. While the Authority is an independent entity, it is a related municipal entity as well. It would be beneficial to both the Authority and Council to have 4 of the required 5 Board members be members of Council as well. President Bloss suggested addressing the possibility

of having Solicitor Feinour advertise an Ordinance of Intent to Form a Stormwater Authority at the May 19, 2020 Regular Business Meeting. Councilman Thomas was in favor of advertising.

**AUDIENCE PARTICIPATION**

Manager Stambaugh said there were no members of the general public in attendance at this time.

**PROPOSED FOOD TRUCK ORDINANCE**

Manager Stambaugh suggested if members of Council had concerns, suggestions, or specific items relating to the proposed food truck ordinance, that they mail her electronically.

**WASTE MANAGEMENT – BULK PICK UP**

Manager Stambaugh said bulk pick up was interrupted due to COVID-19 but will be resuming in the near future. Manager Stambaugh will be placing an automated informational call to Borough residents. Notices have been sent to property owners stating items already set out for pick will need to be removed.

**EXECUTIVE SESSION**

At 8:18 p.m. President Bloss announced Council would retire to Executive Session to discuss matters of personnel, potential litigation, and to seek Solicitor guidance. Solicitor Feinour, Manager Stambaugh, and Mayor Borne Fuller were invited to attend. President Bloss relieved Secretary Clark from her secretary duties for the remainder of the evening. Manager Stambaugh resumed the responsibility of the taking of the minutes for the Regular Business Meeting following Executive Session.

At 8:46 p.m. President Bloss reconvened the Workshop Meeting stating matters of personnel, and Solicitor advice were discussed.

**ADJOURNMENT**

\*4) Councilman Thomas made a motion to adjourn the Workshop Meeting. Motion seconded by Council Spackman. Motion carried. Meeting adjourned at 8:47 p.m.

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Secretary

- 1.Approve Intergovernmental Cooperative Agreement – Swatara Township – Compost Facility
- 2.Approve Resolution 2020-06 – Support Dauphin County Resolution 2020-10 – Defer Interest/Penalties
- 3.Approve Resolution 2020-07 – Extend Discount Period for 2020 County Tax Year
- 4.Adjourn