

## MONT ALTO BOROUGH COUNCIL MEETING

**CALL TO ORDER** – Council President M. Gossard called the Special meeting of September 16, 2008 of the Mont Alto Borough Council to order at 6:33 p.m.

**ROLL CALL** – Thomas Lawson, Debra Lee, Dennis Monn, Beverly Spicer, Michael Gossard, and Rick Lee present. Shannon Strizziere withdrew her resignation and remained seated as a Council person.

**MAYOR** – Mayor John Esser present.

**BOROUGH STAFF** – Maurice Gossert Nassaux-Hemsley, Inc., Jeff Evans Solicitor, Michael Hansen Zoning Officer and Gloria Socks Administrative Assistant.

**INVOCATION** – G. Socks

**PLEDGE OF ALLEGIANCE**

**VISITORS**

None

**Legislative Grant** – Shannon Strizziere reported that the Legislative Grant Application has been completed and submitted electronically. The hard copy has to be signed by the President or Vice President of Borough Council.

J. Esser will hand carry the signed copy to Todd Rock's office. S. Strizziere will provide the 12 digit confirmation number on the signed copy.

**Constable** – S. Strizziere reported that she has one more weekend of classes and then her course work will be completed. She will receive her Certification on Sunday September 21, 2008.

S. Strizziere is already bonded and will obtain her insurance once she is certified. After she is certified she will enroll in the Firearm's Course. She will also be contacting area police departments and district justice's offices to make herself known.

B. Spicer left the meeting at this time because of a medical emergency in her family.

**VACANCIES**

**Letter of Resignation** – S. Strizziere explained that she tendered her letter of resignation based on the Clerk of Courts questioning whether or not she could hold both a Council seat and be a Constable.

PCCD (PA Commission on Crime and Delinquency) told S. Strizziere that this would be a conflict of interest.

At this point S. Strizziere tendered her letter of resignation to Mont Alto Borough Council. After thinking this over she decided to look further into the matter.

S. Strizziere researched this matter extensively and received information from the following:

1. Spoke to a defense attorney

2. PSAB – Shelley Houke

S. Houke does not feel there is conflict of interest

3. PA State Elections Board

Attorney for PA State Elections Board faxed S. Strizziere ethical opinions - No conflict of interest

4. State Ethics Commission – Faxed case law – No conflict of interest

At this time S. Strizziere withdrew her letter of resignation.

J. Evans asked S. Strizziere if they addressed Section 45.801 of the Borough Code with her.

That section of the Code states "No individual shall at the same time hold more than one elected Borough office."

S. Strizziere stated that they do not consider a Constable as a Borough elected office. J. Evans and S. Strizziere discussed case law concerning this subject. J. Evans will check into the Coatsville case.

Council President M. Gossard recommended that S. Strizziere provide all of her information concerning the possible conflict of interest to J. Evans for his review.

Council President M. Gossard said that until there is any other legal consideration made he recommends that things stay status quo. Short discussion.

S. Strizziere stated that if serving as a Constable and a Council Person becomes an issue she will step down as Council Person.

**Constable/Ordinance Enforcement** – J. Esser and S. Strizziere briefly discussed Ordinance Enforcement for the Borough of Mont Alto by the Constable. A Memo of Understanding would probably have to be enacted to enable the Constable to enforce Ordinances. If S. Strizziere would enforce the Ordinances she could not receive pay for enforcing the Ordinances.

Discussion on list of duties that Council had drawn up previously for a Constable for the Borough of Mont Alto. P. Kocek to research the computer for this list. Copy to be provided to J. Esser.

Discussion on Ordinances and the need to update the amount of the fines and the amount of time to be served for offenses.

### **ACCEPTANCE OF ZONING OFFICERS REPORT**

**August 2008** – D. Lee made a motion to accept the Zoning Officer's Report for August 2008, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

## **BOROUGH OF MONT ALTO ZONING OFFICERS REPORT TO THE BOROUGH COUNCIL**

Michael Hansen  
for Accredited Services, Inc.  
Zoning Officer

Report Period: August 2008

### LAND USE PERMITS

<u>Date</u>	<u>Name</u> <u>Project Address</u>	<u>Inspections</u>	<u>Comments</u>
8/7/2008	Ronald & Patti Strite 317 Park Street	Above-Ground Pool and Deck	Permit # 08-37
8/7/2008	Tim and Mary Kelley 307 Park Street	14' X 21' Deck	Permit # 08-38
8/8/2008	Donald W. Hickock 210 Reynolds Ave.	Addition to Existing Porch	Permit # 08-39
8/22/2008	Sandy Ely 8 Locust Street	14' X 20' Addition	Permit # 08-40
8/22/2008	Dorothy Fraker 7 South Main Street	Widen and Repave Driveway	Permit # 08-41

### DEMOLITION PERMITS

8/28/2008	Jerry Zinn 21 Beech Street	Demolish and remove mobile home	Permit 08-3
-----------	-------------------------------	---------------------------------	-------------

### SUBDIVISION REVIEWS

*NONE*

Land Use Permits Issued This Month	5	Demolition Permits Issued This Month	1
Land Use Permits Denied This Month	0	Demolition Permits Denied This Month	0
Land Use Permits Issued To Date	41	Demolition Permits Issued To Date	3
Subdivision Reviews This Month	0		
Subdivision Reviews Year To Date	1		

### **Building Code Officials Report August 2008 and Complaint Log –**

1. Fence 414 Spruce Street – The time limit has expired and the property owner has not taken action to correct the problem.
2. Fire Hydrant corner of Beech and Park Street – The time limit has expired and the property owner has not taken action to correct the problem.

M. Hansen will provide the information to J. Evans and he will draw up the complaints for signatures.

3. Student Housing Development – M. Hansen reported that one of the units (Lot 5) was initially zoned and approved as three individual townhouses to be used as residences for students. As such, they are occupancy R3, but are in a residential area and that is fine. M. Hansen was on site looking at the prints and they are making the end unit a common area that will contain a tanning room, an exercise room, etc. and as such it is commercial and it is not in accordance with the Zoning for the District it is in.

M. Hansen will staple a Cease & Desist Order on the building tomorrow; pull the Land Use Permit and Building Permit. M. Hansen will provide a copy of the Order to J. Evans.

**Commonwealth Code Inspection Service, Inc. Report** - For your information.

**Accredited Services Report** – For your information.

## **APPROVAL OF MINUTES**

**August 4, 2008**

**Page 9 Paragraph 2** “D. Monn told Mayor Esser that the NIMS Certification is more important than the Emergency Operations Plan at this time.”

**Change to** “D. Monn told Mayor Esser that the Emergency Operations Plan is more important than the NIMS Certification at this time.”

D. Monn made a motion to approve the Minutes of August 4, 2008, D. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

## **ACCEPTANCE OF TREASURER’S REPORT**

**July 31, 2008** – D. Monn made a motion to accept the Treasurer’s Report of July 31, 2008, D. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

Table the August 31, 2008 Treasurer’s Report until the October 2008 meeting.

**ADOPT RESOLUTION NO. 470 TRANSFER OF FUNDS AUGUST 2008** – D. Monn made a motion to adopt Resolution No. 470, Transfer of Funds for August 2008, D. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

## **FINANCE AND ADMINISTRATION COMMITTEE**

**Fixed Assets** – P. Strite contacted the Auditors concerning the Fixed Assets. Boyer & Ritter provided her with a program for Fixed Assets. P. Strite is setting up spreadsheets from the program provided by Boyer & Ritter.

**PMRS Minimum Municipal Obligation** – D. Lee made a motion to authorize Patti to pay the MMO in the amount of \$9971.00, S. Strizziere seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

**Budget** – T. Lawson sent everyone on Council an email advising them to provide P. Strite with any items you want to include in the 2009 Budget. Council will begin working on the Budget at the next regular meeting (October 6, 2008).

## **VACANCIES**

**Letter of Resignation / Shannon Strizziere** – Covered previously.

**Letter of Interest in Vacant Council seat** – No vacancy since S. Strizziere withdrew her resignation.

**Zoning Hearing Board (Alternate) Term expires 09-07-2008** – G. Socks reported that Michael Doncheski is willing to serve another term on the Zoning Hearing Board.

D. Monn made a motion to appoint M. Doncheski to serve as an alternate on the Zoning Hearing Board, D. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

## **ATTORNEY’S REPORT**

**Recreation Fees for developers** – J. Evans and M. Gossert met to discuss this item. The first step would be to meet with the Recreation Committee to discuss the uses of the facilities now and what the Borough of Mont Alto would like to see expanded, how you would to see it expanded, if there are properties that you would want to identify as future areas of interest for recreational development. This all has to be part of a Comprehensive Plan. J. Evans told

Council that a study will have to be done on the items listed previously and also to determine if there is a need for additional recreation areas.

T. Lawson pointed out that B. Spicer is the only person on the Recreation Committee. T. Lawson and J. Esser will work with B. Spicer on this Plan.

Council President M. Gossard instructed G. Socks to email the Committee Assignment List to him.

J. Evans told Council that they will be spending a significant amount of money for very little gain, because there isn't that much undeveloped land in the Borough that would fall under the Recreation Fees for developers. He also explained that any money that is received from developers has to be used within three (3) years. T. Lawson feels J. Evans is talking about something different than T. Lawson is. T. Lawson is interested in developing the Official Map. The Borough will have to adopt a "formally adopted recreation plan". J. Evans explained what is involved in developing the recreation plan and also explained how to determine the formula in order to charge the developers.

T. Lawson would like to get together and discuss this matter and develop the map and then decide whether or not to go any farther.

T. Lawson and J. Esser will work with B. Spicer on the official map.

**Ordinance #35 "An Ordinance regulating Hawking, Peddling . . . . ."** – The fees for this Ordinance need to be updated. Is there a source that can be used to see what other municipalities charge for various Ordinance fees and violations?

J. Evans told Council that there is a web site that lists quite a bit of this type of information. J. Evans will email this site to the Borough and then it can be disbursed to Council by email.

**Trailers corner of Reynolds and Poplar** – D. Monn reported that these trailers have been sold and renovated.

#### **MAYOR'S REPORT**

**September 02, 2008** – The September 2, 2008 report was provided to Council in their packets on August 29, 2008.

Mayor J. Esser very briefly reviewed the September 2, 2008 Mayor Report with the members of Council. (COPY ON FILE)

#### **#3 9 Aug and 19 Aug, 2008**

**Resident Complaints/Issues** – J. Esser and D. Monn responded to several Burning Ordinance issues. J. Esser would like to see the Burning Ordinance changed to specify that all burning must be extinguished by dark. Discussion on changing the Burning Ordinance. M. Gossard told Council to review the Burning Ordinance, jot down their thoughts and email your thoughts and ideas to the Borough Office by September 24, 2008 and then a discussion will be held at the October 6, 2008 to discuss the best avenue to pursue.

M. Hansen left the meeting at 7:40 p.m.

#### **ENGINEER'S REPORT**

M. Gossert said he will address his issues under Item #17.

#### **WATER/SEWER COMMITTEE**

**Sewer Plant Upgrade** – T. Lawson reported that the Mont Alto Municipal Authority has decided to go ahead with the Sewer Plant Upgrade. This Project is in the design stage at this point. The existing Plant will be able to continue to run while the Upgrade is completed. T. Lawson gave a brief overview of different aspects of the Sewer Plant Upgrade.

**Water** – D. Monn informed Council that they will be addressing what has been happening in Antrim Township at the Executive Session.

#### **STREET COMMITTEE**

**Status Phase II Storm water Project University Drive** – T. Lawson reported that the Project is basically finished. Nassaux-Hemsley, Inc. is still withholding \$9,086.29. This will be withheld until all of the final paper work is completed.

**Memo from Nassaux-Hemsley, Inc.**

**Application for payment – R & D Contractors**

Nassaux-Hemsley, Inc. presented an invoice in the amount of \$86,849.64.

D. Monn made a motion to authorize payment to R & D Contractors in the amount of \$86,849.64, M. Gossard seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

T. Lawson reported that the Project came in under budget at \$1307.55 and the original bid was \$183,033.34. T. Lawson said that the Project was well done by R & D Contractors.

**Painting lines on University Drive** – T. Lawson told Council that he is arranging to have the lines painted on University Drive and other streets within the Borough. Brief discussion on possibly paving from Willow Street to Slabtown Road.

**Change Orders – University Drive Project** –

Change Order #1 – (Quantity Adjustment) - \$9,987.48

Change Order #2 – (Asphalt Adjustment) + \$8,679.93

R. Lee made a motion to approve Change Order #1 and Change Order #2, for the cost of the Storm Water Project Phase II, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

D. Monn told Council that the Borough has a very good working relationship with R & D Contractors.

**Joint road maintenance with Quincy Township** – R. Lee and D. Monn has not had the opportunity to meet with Kerry Bumbaugh.

**Basketball net/Paint cart way on Verdier Street** – The basketball net will be removed after the cart way is painted. If it is not claimed within 30 days, the basketball net will be discarded.

**Center Square Update** – T. Lawson meet with Todd Rock and Penn Dot representatives. T. Lawson received a Plan, but the Plan only shows who owns what portion of the land where Center Square is located.

The update has not been designed at this time so those present discussed the basic concept of how the square will be changed. Nothing will be done before spring.

**Sign maintenance** – Nancy Helman researched and compared prices for signs from various companies. U S Municipal Supply's prices are less than if the signs are purchased locally. T. Lawson instructed N. Helman to only order what signs are needed at this time.

**Crosswalks** – Short discussion about installing crosswalks.

## **PROPERTY & SUPPLY COMMITTEE**

### **Glessner's Alarm and Communications**

**Alarms (fire & intrusion)/Card Access System** – Nothing at this time.

**Gas Pump Replacement** – D. Monn and T. Lawson met with a representative of Keystone Petroleum Equipment, LTD and received a quote in the amount of \$21,652.00. S. Strizziere explained the new gas pump system to the members of Council, as presented by Keystone Petroleum Equipment. S. Strizziere has submitted the gas pump replacement as part of the Legislative Grant.

**Paint Ranger pickup truck** – Discussion about painting the Ranger Pickup Truck. Consensus of Council is that Maintenance will sand and paint the truck over the winter months.

## **ELECTRIC COMMITTEE**

D. Monn attended a meeting of the newly established PMPA (Pennsylvania Municipal Power Association). The Borough is a member of this organization. The by-laws were distributed to the members. D. Monn would like J. Evans to review the by-laws. D. Monn will check with P. Koczek to see if she has copies of this information. PMPA is planning to have their next meeting during the PMEA Conference next month in State College and will adopt the by-laws. D. Monn will be attending the PMEA Conference, representing Mont Alto Borough Council.

**PPA** – T. Lawson explained that the PPA may be able to be dropped slightly in a month or so, but not until after there is more history under the new contract. T. Lawson shared the background information that would result in lowering the PPA.

## **PERSONNEL COMMITTEE**

**SANITATION & SAFETY COMMITTEE** - Nothing

## **RECREATION COMMITTEE**

### **Recreation Grant**

**Players Benches and Bleachers** – T. Lawson reported that these items have been installed. The practice board at the tennis court will be installed once the bleachers and benches are completed.

The only other item to complete is some of the ADA paving and the small pavilion. The small pavilion will probably not be started any more this year. The Borough has until 2012 to complete the work.

**Certificate /Receipt for purchase of pavers** – Council was provided with copies of this document in their packet on August 28, 2008.

The picture of the Borough Office shown on the Certificate/Receipt will be replaced with a picture of the Veteran's Memorial. This document will then be sent to the people who have purchased brick pavers for placement at the Veteran's Memorial.

## **REPORT ON COG (COUNCIL OF GOVERNMENT) ISSUES**

**Prevailing Wage Review Committee** - Council Vice President D. Monn attended the meeting where Prevailing Wages were discussed. D. Monn told Council that every one needs to become aware of the Prevailing Wage and what it is costing the taxpayers in Pennsylvania when work is done under the Prevailing Wage scale. Some local contractors are not bidding Prevailing Wage jobs because of the issues with Prevailing Wages. D. Monn told Council that they are trying to educate people about Prevailing Wages.

## **WATER/SEWER COMMITTEE (Continued)**

**Sewer Specifications** – T. Lawson provided an information packet that he developed to assist in the installation of sanitary sewer laterals and inspection of sanitary sewer laterals. He pulled sections out of Sewer Ordinance 156, upgraded some of the practices used by maintenance employees and acquired information from other communities.

M. Hansen will be inspecting sewer laterals and this information will be provided to help him in doing these inspections. This information will also be provided to the Sewer Plant Operator.

D. Monn made a motion to adopt the specifications pursuant to the Sanitary Sewer Lateral Installation Ordinance 156, M. Gossard seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

T. Lawson told Council that he will be working on specifications for the water system similar to those for the sewer.

**VISION 2015** – Council Vice President D. Monn briefly reported on the Vision 2015 meeting.

## **OLD BUSINESS**

**Appointment of committees** – G. Socks will email the committee list to M. Gossard.

**NIMS Certification** – Nothing new at this time.

**Public Gathering/Festival Ordinance** – Will wait to work on this after the final festival for the year.

## **NEW BUSINESS**

**Set date for Trick or Treat night** – D. Lee made a motion to set Trick or Treat night for Thursday October 30, 2008 from 6 – 8 p.m., S. Strizziere seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

S. Strizziere will send a letter to the Fire Police asking them to participate on October 30, 2008.

**Tree Lighting Ceremony** – The Historical Society has planned the Tree Lighting Ceremony for Friday December 5, 2008. Time to be announced.

**Franklin County Emergency Services Alliance Minutes** – Vice President D. Monn told Council that in the upcoming Borough Budget money will have to be set aside for radios.

**Ditch at Eberly property on Ash Street** – T. Lowson reported that Todd Rock has Quincy Township willing to provide some people and equipment, Guilford Township will provide some people and White Rock will provide some dump trucks to fix that ditch after the paving is completed. T. Lowson is asking for grass seed and straw to sow the area after the work is finished.

D. Monn made a motion to provide grass seed and straw for this project, T. Lowson seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

**Central Tri-County Boroughs Association** – No one expressed an interest in attending this meeting.

**EXECUTIVE SESSION**

Council President M. Gossard called for an Executive Session at 8:45 p.m. to discuss personnel matters.

Council President M. Gossard called the Special meeting of September 16, 2008 of the Mont Alto Borough Council back to order at 9:50 p.m.

**Adjournment** – D. Lee made a motion to adjourn the Special Meeting of the Mont Alto Borough Council of September 16, 2008 at 9:51 p.m., R. Lee seconded, all in favor Aye, opposed No, motion carried.

Respectfully submitted,

Submitted to Council for their approval on  
October 6, 2008

Patricia A. Kocek  
Borough Secretary

P. Kocek did not attend this meeting but transcribed the Minutes from tapes and notes provided by G. Socks

---

Michael Gossard President

---

Dennis Monn Vice President

---

Debra Lee President Pro Tem