

MONT ALTO BOROUGH COUNCIL MEETING

CALL TO ORDER – Council Vice President Dennis Monn called the Regular meeting of December 7, 2009 of the Mont Alto Borough Council to order at 6:33 p.m.

ROLL CALL – Thomas Lawson, Beverly Spicer, Dennis Monn, Richard Lee and Shannon Strizziere present. Michael Gossard arrived at 6:34 p.m.

MAYOR – Mayor John Esser present.

BOROUGH STAFF –Larson Wenger Maintenance Supervisor, Michael Hansen Zoning Officer and Gloria Socks, Borough Administrative Assistant

INVOCATION – J. Esser

PLEDGE OF ALLEGIANCE

VISITORS

Chad Ely 8 Locust Street – Appeared before Council in reference to his electric charges. Council Vice President D. Monn told C. Ely that he will have the Administrative Assistant do a print out of the electric usage for 8 Locust Street. D. Monn will review the information and contact C. Ely.

Discussion on various items that could be drawing electricity that would increase the electric bill at the Ely residence.

6:40 p.m. Council Vice President D. Monn turned the meeting over to M. Gossard Council President.

ACCEPTANCE OF ZONING OFFICERS REPORT

November 2009 – D. Monn made a motion to accept the Zoning Officer’s Report for November 2009, S. Strizziere seconded, any further comments, any further comments, 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: November, 2009

<u>Date</u>	<u>Name Project Address</u>	<u>Inspections</u>	<u>Comments</u>
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LAND USE PERMITS

NONE

DEMOLITION PERMITS

11/18/2009	Jay Barrett 606 Park Street	Demolish Mobile Home	Permit 09-05
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SUBDIVISION REVIEWS

NONE

Land Use Permits Issued This Month	0	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	33	Demolition Permits Issued To Date	5
Subdivision Reviews This Month	0		
Subdivision Reviews Year To Date	0		

Building Code Officials Report November 2009/Complaint Log - D. Monn made a motion to accept the Building Code Officials Report for November 2009, S. Strizziere seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

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

Accredited Services Report – For your information.

Compliance Notice Sunbeam Builders – A Hearing will be held on January 11, 2010 at 10:00 a.m.

APPROVAL OF MINUTES

November 2, 2009

T. Lowson made a motion to approve the Minutes of November 2, 2009, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

November 17, 2009

D. Monn made a motion to approve the Minutes of November 17, 2009, S. Strizziere seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

ACCEPTANCE OF TREASURER’S REPORT

October 31, 2009

D. Monn made a motion to accept the Treasurer’s Report of October 31, 2009, B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

Table the November 30, 2009 Treasurer’s Report until the January meeting.

ADOPT RESOLUTION NO. 496 TRANSFER OF FUNDS NOVEMBER 2009 – Transfers not available. Table until a future meeting.

FINANCE AND ADMINISTRATION COMMITTEE

Adopt 2010 Budget – The Budget is not available for adoption this evening.

Adopt 2010 Mill Rate Ordinance – Not available at this time.

VACANCIES

Term of Sidney Miller expired 12-6-2009 – Sid Miller has agreed to serve another term on the MAMA if Council so desires.

D. Monn made a motion to reappoint S. Miller to the Mont Alto Municipal Authority, T. Lowson seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

MAYORS REPORT

December 7, 2009 – The December 7, 2009 report was provided to Council in their packets on December 4, 2009. Mayor Esser briefly reviewed the report with the members of Council.

Rectangular Rapid Flashing Beacon (RRFB) Pedestrian Crosswalk at PSU – D. Monn and J. Esser met with David Rock of Penn Dot. Penn Dot is evaluating this new type of crosswalk light which is solar operated. Penn Dot will buy and install the unit if the Borough is willing to maintain the unit. The Borough agreed to this proposition.

D. Monn drafted a letter that was sent to Penn Dot last week asking for the unit to be installed.

Emergency Operations Plan – D. Monn reported that he has a meeting with Mark Garling on Wednesday morning to finalize the EOP.

NIMS Certificates – D. Monn will call and check on the Certificates.

ENGINEER'S REPORT

Borough boundary project – D. Monn reported that Nassaux-Hemsley, Inc. is going to provide some markers to look at and/or catalogs for consideration. Nothing has been received as of this date. Discussion on what type of markers could be installed.

D. Monn said that the Planning Office offered to put the boundary markers on GIS mapping when they are in place.

T. Lowson told those present that Scott Longstreth appears to be the only person working at Nassaux-Hemsley, Inc. at this time and Maurice Gossert has retired.

Jones Avenue Storm water drainage – Nothing at this time.

Final Inspection at Apex

Apex As-Built Review – G. Socks told Council that she has two copies of the as-builts and S. Longstreth also has a copy. L. Wenger will provide his comments to S. Longstreth.

WATER/SEWER COMMITTEE

Water for Quincy Township – Council Vice President D. Monn told those present that the Mont Alto Municipal Authority has a verbal agreement with Quincy Township to provide them with up to 100 EDU's of water per day.

STREET COMMITTEE

Joint road maintenance with Quincy Township – D. Monn and L. Wenger will try to work on this project after the first of the year.

Mont Alto Borough Square Project Update

Proposals for Christmas Tree pruning and fertilizing – Donations in the amount of \$1958.63 have been received for moving the tree. The tree movers recommended that the tree have a treatment immediately. The treatment was done by the Borough maintenance employees.

Three (3) quotes were obtained to provide the pruning and fertilizer service to the Borough.

Green Arbor \$160.00 True Cut \$790.00

B & H \$190.00

Council accepted the quote from Green Arbor for 2010.

Mont Alto Borough Square Project Update

No Parking on Square – J. Evans sent a copy of a proposed Ordinance for No Parking on the square to Penn Dot. Penn Dot is now saying that they are not requiring No Parking on the square. This is on hold for the time being.

Deed – No information has been received concerning the Deed for the Square Project.

PROPERTY & SUPPLY COMMITTEE - Nothing

ELECTRIC COMMITTEE – Brief discussion on various electric items relating to deregulation and the steps that are required to obtain an electrical contract for the Borough.

PERSONNEL COMMITTEE

Ham or Turkey for employees for Christmas – T. Lowson made a motion to provide a ham or turkey to the employees for Christmas from Henicle's Market, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

SANITATION & SAFETY COMMITTEE – Nothing.

RECREATION COMMITTEE

Joint venture Mont Alto State Park – Nothing to report at this time.

Recreation Grant – T. Lowson reported that the final papers to complete the Grant and receive the remainder of the money will be submitted tomorrow. Council President M. Gossard commended T. Lowson on a job well done.

REPORT ON COG (COUNCIL OF GOVERNMENT) ISSUES – D. Monn reported that Matthew Fogal has been hired as the County District Attorney to replace Jack Nelson.

M. Fogal addressed the COG meeting and stated that he intends to continue the programs the way J. Nelson was proceeding.

EIT Committee – The EIT Committee is going to begin to hold their meetings during the daytime. Ronald Strite was appointed by the Borough to be their representative on this committee. R. Strite will not be able to attend daytime meetings.

Patti Strite has agreed to represent the Borough on the EIT Committee. J. Evans will have to prepare a new Resolution to appoint P. Strite to this position.

VISION 2015

A meeting will be held on December 8, 2009 at the Parlor House in Waynesboro.

Summit Health will be meeting with the Vision 2015 Committee tomorrow to discuss the services that Summit Health is moving from Waynesboro to Chambersburg

Franklin County Emergency Service Alliance

Radio proposal – D. Monn told Council that the start up date for the new 911 Center at Letterkenny will be May 7, 2010.

Money has been received for the radio project but they are waiting for more funds and also guidelines on how the money will be distributed to police departments. Money has not been found for municipalities.

D. Monn received a quote from Motorola for the radios the Borough will need. The cost is \$1772.45 for each radio.

M. Gossard questioned whether or not the Borough's insurance would cover damage to the radios or does Motorola offer any type of insurance. This is something that will have to be researched.

D. Monn said that Motorola will take \$100.00 off of each radio and extend the warranty by two (2) years if the radios are ordered by December 18, 2009 so that they can be shipped by December 31, 2009. The total proposal is \$8862.00 for five (5) radios, batteries and charger.

Discussion on various things relating to the purchase of the radios for Borough use by the Borough of Mont Alto. The radios will have the capability to allow the user to communicate with the state police, fire, emergency personnel and other municipalities. The cost will be divided between the General Fund, Water Fund and Sewer Fund. The Borough will pay \$2954.00

T. Lowson made a motion to authorize the expenditure of up to \$3000.00 for the new radio system for the Borough trucks, B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

FCESA Dues – The Alliance will be assessing dues for 2010. The dues will be 1 cent per citizen per the 2010 Census.

OLD BUSINESS

Public Gathering/Festival Ordinance – Nothing at this time.

Generator for Mass Care Center – D. Monn talked to Senator Alloway and DCED did not receive funds for grants to cover the generator.

The US Department of Agriculture has loans available for this type of equipment. The MAVFD would make application for the loan and the Borough would have to guarantee the loan.

The life expectancy of the generator would be approximately 30 years and the payback on the loan would be about \$1000.00 per year. There isn't any penalty for paying off the loan.

D. Monn talked to Albert Dean at State Surplus and the generator is still available. If the generator isn't ordered before the first of the year the cost will rise by approximately 10%.

D. Monn recommends taking this route in obtaining a generator for the Mass Care Center.

This way each entity will be paying their fair share, Quincy, Guilford and Mont Alto.

D. Monn will send a letter to Quincy and Guilford Township requesting their participation in obtaining the generator. The MAVFD is willing to make the application for loan from the US Department of Agriculture.

All of the preparation work has been completed so that a generator can be installed at the MAVFD.

MAINTENANCE SUPERVISOR REPORT

L. Wenger reported on the following items:

1. There have been three (3) electrical outages. R. Wolf is checking to see where the squirrel guards should be installed.
2. Christmas Tree is ready for lighting.
3. Snow plows are ready to go.
4. Memory Lane is completed at the Recreation Area. Signs have not been installed at this time.
5. The employees attended a Hazardous Material Webinar. This Webinar showed how to identify the situation and who to contact in case of an emergency.
6. General maintenance and finishing up the winter projects
7. Will get back to looking for the curb stops when there isn't too much snow on the ground
8. Two curb stops to dig up and replace
9. Public Notification (Boil Water Notice) – May 2010 is the deadline to have a Public Notification system in place. Residents have to be notified within 1 (one) hour after the water line break. L. Wenger explained how this can be accomplished through a phone system that is available for a cost. The 911 Center also has reverse calling. The MAMA will have to take care of providing this notification.

Short discussion on the Sewer Treatment Plant upgrade.

NEW BUSINESS

Appoint Auditor for Year 2009 Audit – T. Lawson made a motion to appoint Boyer & Ritter to do the 2009 Audit for the Borough of Mont Alto, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

Review/Approve 2010 Meeting Dates - D. Monn made a motion to approve the meeting dates for Mont Alto Borough Council for 2010, T. Lawson seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

REGULAR MEETINGS

MONDAY	FEB 1, 2010	MONDAY	MARCH 1, 2010
MONDAY	APRIL 5, 2010	MONDAY	MAY 3, 2010
MONDAY	JUNE 7, 2010	TUESDAY	JULY 6, 2010
MONDAY	AUGUST 2, 2010	TUESDAY	SEPTEMBER 7, 2010
MONDAY	OCTOBER 4, 2010	MONDAY	NOVEMBER 1, 2010
MONDAY	DECEMBER 6, 2010	MONDAY	JANUARY 3, 2011

SPECIAL MEETINGS

TUESDAY	JANUARY 19, 2010	TUESDAY	FEBRUARY 16, 2010
TUESDAY	MARCH 16, 2010	TUESDAY	APRIL 20, 2010
TUESDAY	MAY 18, 2010	TUESDAY	JUNE 15, 2010
TUESDAY	JULY 20, 2010	TUESDAY	AUGUST 17, 2010
TUESDAY	SEPTEMBER 21, 2010	TUESDAY	OCTOBER 19, 2010
TUESDAY	NOVEMBER 16, 2010	TUESDAY	DECEMBER 21, 2010
		MONDAY	DECEMBER 27, 2010

Review/Approve 2010 Employee Holidays – T. Lawson made a motion to approve the 2010 Employee Holidays for 2010, D. Monn seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

2010 HOLIDAYS

HOLIDAYS	HOLIDAY	DATE OBSERVED
MARTIN LUTHER KING DAY	MONDAY, JAN 18	MONDAY, JAN 18
PRESIDENT'S DAY	MONDAY, FEB 15	MONDAY, FEB 15
MEMORIAL DAY	MONDAY, MAY 31	MONDAY, MAY 31
INDEPENDENCE DAY	SUNDAY, JULY 4	MONDAY, JULY 5
LABOR DAY	MONDAY, SEPT 6	MONDAY, SEPT 6
VETERAN'S DAY	THURSDAY, NOV 11	THURS, NOV 11
THANKSGIVING DAY	THURSDAY, NOV 25	THURS, NOV 25
CHRISTMAS EVE (1/2 DAY)	THURSDAY, DEC 23	THURS, DEC 23
CHRISTMAS DAY	FRIDAY, DEC 24	FRI, DEC 24
NEW YEARS DAY	SAT JAN 1, 2011	FRI, DEC 31

PSAB Borough News Subscription Renewal – D. Monn made a motion to renew the subscriptions to PSAB Borough News to include the new council members, T. Lowson seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

Memorial Dedication Red Run Park – For your information.

Franklin County Drug Task Force Update – A letter was received from the Drug Task Force informing the members that because of the death of Jack Nelson there will be some realignment and changes made to the schedule of events.

ATTORNEY'S REPORT

Status of letter to Bernadette Barattini (in regards to using Liquid Fuels money to pay for the construction on University Drive) - T. Lowson reported that J. Evans sent the letter and he also called them. J. Evans will provide a copy of the packet he sent to DCED to the Borough Office. T. Lowson is keeping track of this situation to make sure the paperwork gets completed and sent to DCED.

Parking in square Public Safety Distances – Covered previously.

Recreation Fees for developers – Nothing at this time. T. Lowson told B. Spicer that they will get together and work on this project after the first of the year.

EXECUTIVE SESSION - Council President M. Gossard called for an Executive Session at 7:39 p.m. to discuss personnel issues.

Council President M. Gossard called the Regular Meeting of the Mont Alto Borough Council of December 7, 2009 back to order.

Solicitor J. Evans arrived at 8:27 p.m. during the Executive Session.

ATTORNEY'S REPORT (Continued)

Local Services Tax – In 2007 this was called the Emergency Services Tax and was discussed in Council. Council did not pursue enacting the Emergency Services Tax at that time.

The Local Services Tax can be \$52.00 but it takes the place of the Occupational Privilege Tax, you cannot collect both taxes.

The tax applies to employees that work in the Borough of Mont Alto and it also applies to self-employed people that work in the Borough. Self-employed people would be required to file returns with Delmos Oldham. It would affect anyone with a home business. The most people can pay is \$52.00 per year and if they work some other place in addition to their home business they only pay the tax to one entity. The School District would still receive their \$5.00 share of this tax.

Discussion on how much revenue would be realized if this tax was enacted. J. Evans will look into this subject.

This tax can be enacted now but collection could not begin until January 2011. DCED would have to be notified by December 1, 2010 so that the Borough could begin to collect the Local Services Tax.

T. Lawson reminded J. Evans that he has to draft a new Resolution appointing Patti Strite to the EIT Committee. She will be replacing Ronald Strite as the Borough's representative to the EIT Committee.

Latrobe Leasing properties Notice of Violations – Discussion on whether or not these properties were sold at auction. J. Evans told Council that he doesn't think Latrobe can deliver marketable title to the properties. Continued discussion on various items relating to Latrobe/Sunbeam Builders and the properties on Grist Mill Drive and Willow Street.

J. Evans has documents to be signed by M. Gossard. J. Evans doesn't feel that the properties have changed hands at this time. J. Evans will call Matt Hurley and check at the Court House to see if the properties have been sold.

Civil Action against the Borough of Mont Alto – The Borough of Mont Alto, Mont Alto Borough Council and J. Evans have been sued by Sunbeam Builders.

The Hearing Date is January 11, 2010 at 10:00 a.m. G. Socks, L. Wenger, M. Hansen and P. Kocek have been subpoenaed to appear for Sunbeam Builders. J. Evans is trying to get this issue dismissed.

Continued discussion concerning the Civil Action filed against the Borough and the strategy J. Evans will use.

1. The Borough, Borough Council and J. Evans are immune from being sued under the Immunity Act.
2. Sunbeam Builders is not permitted to sue anyone because it is a fictitious name that has not registered with the State. Because the name is not registered he cannot sue anyone.

M. Gossard asked if the attorney fees will be paid in a judgment against Sunbeam Builders. J. Evans said they would be part of the settlement, but collecting the money is another matter.

J. Evans instructed G. Socks to make a copy of a check that Latrobe Leasing uses to pay the utility invoices and provide him with that copy.

Christmas Tree in Borough Office – D. Monn acknowledged that Mr. Heiss from Penn National donated the tree for the Borough Office.

Letter of Termination – S. Strizziere made a motion authorizing J. Evans to write a letter of termination to Nassaux-Hemsley, Inc. and in the letter instruct them to return any and all Borough property, T. Lowson seconded, any further discussion,

M. Gossard told J. Evans that he can reference a document from 1976 referencing a Contract with Nassaux-Hemsley, Inc.

Any further comments, all in favor Aye, opposed No, motion carried.

Adjournment – S. Strizziere made a motion to adjourn the Regular Meeting of the Mont Alto Borough Council of December 7, 2009 at 9:15 p.m., D. Monn seconded, all in favor Aye, opposed No, motion carried.

Respectfully submitted,

Submitted to Council for their approval on
February 1, 2010

Patricia A. Koczek
Borough Secretary

Patricia A. Koczek was not in attendance at this meeting. The Minutes were prepared using tapes and notes taken by Gloria Socks, Administrative Assistant.

Michael Gossard President

Dennis Monn Vice President