

MONT ALTO BOROUGH COUNCIL MEETING

CALL TO ORDER – Council Vice President Dennis Monn called the Regular meeting of June 1, 2009 of the Mont Alto Borough Council to order at 6:37 p.m.

ROLL CALL – Dennis Monn, Beverly Spicer, Debra Lee, Rick Lee and Tom Lowson present. Shannon Strizziere and Michael Gossard absent.

MAYOR – Mayor John Esser present.

BOROUGH STAFF – Maurice Gossert Engineer, James Powell Accredited Services and Patricia Kocek Borough Secretary. Jeff Evans Solicitor arrived at approximately 6:55 p.m.

INVOCATION – P. Kocek

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 4 and May 21, 2009

D. Lee made a motion to approve the Minutes of May 4 and May 21, 2009, B. Spicer seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

ACCEPTANCE OF TREASURER'S REPORT

April 30, 2009 – R. Lee made a motion to accept the Treasurer's Report of April 30, 2009, B. Spicer seconded, any questions on the motion, any questions on the motion, all in favor Aye, opposed No, so ordered.

Table the May 31, 2009 Treasurer's Report until the July 2009 meeting.

ADOPT RESOLUTION NO. 485 TRANSFER OF FUNDS MAY 2009 – T. Lowson made a motion to adopt Resolution No. 485, Transfer of Funds for May 2009, D. Lee seconded, any questions on the motion, any questions on the motion, all in favor Aye, opposed No, so ordered.

VACANCIES - None

MAYOR'S REPORT

June 1, 2009 – The June 1, 2009 report was provided to Council in their packets on May 29, 2009.

Mayor J. Esser briefly reviewed the June 1, 2009 Mayor's Report with the members of Council. (COPY ON FILE)

Basketball Net on Verdier – Council briefly discussed this situation. D. Monn suggested that the State Police write a letter to the family stating that you cannot play basketball in the street. Mayor Esser will talk to the PSP about this situation.

Cleanup Mont Alto Initiative – P. Kocek to contact Mike Hansen and check on the status of the first three (3) letters that were sent out to see if the situations have been corrected.

Burning – The residents are here to discuss the burning issue this evening but will table this discussion until the attorney arrives.

Weed letters – Brief discussion on who should send out the weed violation letters.

EOP – J. Esser and D. Monn are working on the EOP and hope to have the Plan completed by the end of the year.

ENGINEER'S REPORT

Report on progress of Borough boundary project – M. Gossert reported that there is one day of field work to be done at Penn State. This was cancelled several times because of the weather.

M. Gossert feels that he will be ready to meet with representatives of Council to review the boundary survey the week of June 15, 2009.

Preliminary review of 2 Subdivisions – Plans have been sent to the County for their review and approval.

Final Plat of a Subdivision of Land for Egolf Family Farms – M. Gossert reviewed the Plan and recommends approval subject to the minor changes noted in the Memo provided by Nassaux-Hemsley, Inc. M. Gossert reviewed the changes with Council.

Solicitor J. Evans arrived at the meeting.

Final Plat of a Subdivision of Land for Todd & Nancy Rock – M. Gossert reviewed the Plan and recommends approval subject to the minor changes noted in the Memo provided by Nassaux-Hemsley, Inc. M. Gossert reviewed the changes with Council.

The Request for Planning Waiver & Non-Building Declaration should be signed and sent to DEP.

Council will wait until the Plans are returned from Franklin County Planning Commission before considering the Plans for final approval.

VISITORS

Cheryl Sobun	Open burning issues
Karlton Smith	Open burning issues
Allison Schuchart	The Record Herald

Council Vice President D. Monn recognized C. Sobun and K. Smith.

C. Sobun told Council that she was here about a year ago asking to have open burning banned in the Borough of Mont Alto and she is back this evening to ask again to have open burning banned in the Borough.

C. Sobun read a letter to Council concerning an open burning incident (smoldering fire) on May 17, 2009 that happened in their neighborhood. In this letter C. Sobun quoted certain sections of Ordinance No. 318.

Councilperson D. Lee told C. Sobun that the fire was in their yard and that they did leave it unattended because of a family medical emergency. The fire was extinguished as soon they arrived home.

A lengthy discussion followed concerning enforcement of the Burning Ordinance, the pros and cons of banning open burning in the Borough and forbidding the use of wood stoves.

Discussion on various ways to poll the people of the Borough to see if they support open burning in the Borough of Mont Alto. It was decided that a survey concerning burning in the Borough will be placed on the August utility invoice. J. Evans and P. Kocek will work on the wording of the survey that will be on the utility bills.

J. Esser asked if C. Sobun could circulate a petition concerning open burning. J. Evans said that there is nothing to prevent her from doing this.

K. Smith and C. Sobun left the meeting at 7:21 p.m.

VISITORS

Council V. President D. Monn recognized Allison Schuchart of The Record Herald.

ACCEPTANCE OF ZONING OFFICERS REPORT

James Powell attended the meeting this evening in place of Zoning Officer Mike Hansen.

May 2009 – D. Lee made a motion to accept the Zoning Officer’s Report for May 2009, R. Lee seconded, any questions on the motion, any questions on the motion, all in favor Aye, opposed No, so ordered.

BOROUGH OF MONT ALTO ZONING OFFICERS REPORT TO THE BOROUGH COUNCIL

Michael Hansen
for Accredited Services, Inc.
Zoning Officer

Report Period: May, 2009

LAND USE PERMITS

<u>Date</u>	<u>Name</u> <u>Project Address</u>	<u>Inspections</u>	<u>Comments</u>
5/18/2009	Mark Garling 103 Park Street	New Dormers on existing building	Permit 09-10
5/18/2009	Paul Olson 15 Oak Street	New 16’ X 20’ Deck	Permit 09-11
5/26/2009	Andrew Baughman 2 Poplar Street	6’ X 6’ Deck with Stairs and Landing	Permit 09-12

DEMOLITION PERMITS

NONE

SUBDIVISION REVIEWS

NONE

Land Use Permits Issued This Month	3	Demolition Permits Issued This Month	0
Land Use Permits Denied This Month	0	Demolition Permits Denied This Month	0
Land Use Permits Issued To Date	12	Demolition Permits Issued To Date	0

Subdivision Reviews This Month	0
Subdivision Reviews Year To Date	0

Building Code Officials Report May 2009 and Complaint Log – J. Powell briefly reviewed the three (3) open issues listed on the Report with the members of Council. (Copy on file)

Item #8 Vehicles 108 Park Street – J. Evans has the criminal complaint ready for M. Hansen to sign.

Willow Street Sofas in front of buildings – J. Powell said there has been progress made but everything has not been removed.

J. Powell was instructed by Council to follow the directives in the Ordinance to bring this property in compliance since they did not complete the cleanup after being given a verbal warning.

2 Poplar Street Deck Construction – The Land Use Permit has been obtained for this project but the owner still needs to obtain a Building Permit.

Bender property Beech Street – A complaint letter has been received concerning this property. P. Kocek was informed that H. Bender is now deceased. The family is in the process of settling the estate. Arrangements have been made to mow the property. They are also trying to sell the land.

Code Enforcement Officers – Discussion about having Accredited Services as Code Enforcement Officers respond to complaints at night and on weekends.

J. Powell said that he lives in the Borough and would be available to provide this service. He also pointed out that in the case of burning the MAVFD can be called and in turn they would call the EMA's for the Borough to determine what is being burned.

Council Vice President D. Monn will talk to Mike Hansen and have him provide a cost for providing this service to the Borough. He will ask him to provide the cost for this service by the next meeting.

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

Accredited Services Report – For your information.

J. Powell left the meeting at 7:34 p.m.

FINANCE AND ADMINISTRATION COMMITTEE

COLA Policy – Councilperson D. Lee presented Council with a copy of the COLA Policy for their review. J. Evans reviewed the Policy prior to the meeting.

T. Lawson made a motion to adopt the Step Increase/Cash Awards/COLA Policy and it is to be included in any subsequent versions of the Handbook, R. Lee seconded, any questions on the motion,

T. Lawson explained to Council that this Policy is to inform the employees concerning the awarding of increases.

Any further questions on the motion, all in favor Aye, opposed No, so ordered.

P. Kocek was instructed to post this Policy at the Time Clock.

COLA Policy

M. Gossard will still be furnishing a COLA Policy pertaining to the effective date of the COLA as it relates to the pay period.

ATTORNEY'S REPORT

Recreation Fees for developers – Nothing

Countywide Earned Income Tax Collection Committee – J. Evans looked at the information concerning the EIT Committee and doesn't see anything in the Borough Code that makes it unlawful for the Borough to become a part of this. Council needs to appoint a representative to the Committee by September.

Council Vice President D. Monn said that Ron Strite, Tax Collector has been asked if he would serve on this Committee. D. Monn will have an answer from R. Strite by the next meeting as to whether or not he will serve on the Committee.

Apex at Mont Alto – J. Evans told Council that he would like to discuss this matter in an Executive Session because of the potential threat for litigation.

Liens against Grist Mill properties - J. Evans told Council that he would like to discuss this matter in an Executive Session because of the potential threat for litigation.

Letter to Comcast Cable – J. Evans and M. Gossard discussed this matter and J. Evans doesn't feel that there is anything Council can do about the loss of various services. No letter will be written to Comcast Cable.

Resolution forbidding signs on any Borough property – J. Evans has this resolution ready in draft form. Discussion on forbidding all signs on Borough property or only forbidding political signs.

It was the consensus of Council that only political signs will be forbidden.

Home Improvement Consumer Protection Act (Act 132 of 2008) – J. Evans briefly explained Act 132 of 2008 to Borough Council.

Liquid Fuels DCED letter – J. Evans told Council that he still has to write the Resolution. He will have it ready this week for review by Council. The letter and Resolution has to be completed and mailed to DCED so that Liquid Fuels money can be used to pay on the Loan for the storm water drain work that was done on University Drive.

After discussion, it was decided to hold the mid-month meeting in June to pass this Resolution.

WATER/SEWER COMMITTEE

Monitoring Water Treatment Plant and Wells on weekends and holidays – Council Vice President D. Monn told Council the elaborate SCADA system that is installed at the Water Plant and the wells is not as valuable as thought because according to DEP the facilities still have to be monitored physically on weekends and holidays.

T. Lowson feels the PA regulations haven't kept pace with the new technology. Continued discussion.

T. Lowson and D. Monn will formulate a letter to Jon Price, Director of Legislation, DEP explaining the entire process for monitoring the facilities with the SCADA system. A copy of the letter will be sent to Todd Rock.

STREET COMMITTEE

Joint road maintenance with Quincy Township – Nothing at this time.

Mont Alto Borough Square Project Update – Nothing at this time.

Request from MAVFD to close Walnut Street on June 19, 2009 – Council Vice President D. Monn told Council that the MAVFD would like to close Walnut Street and redirect traffic on June 19, 2009 when the fireworks are held at the carnival grounds. The MAVFD will take care of the signage for the closure.

D. Lee made a motion to authorize the MAVFD to close down Walnut Street and set up their traffic patterns to reroute traffic on June 19, 2009, T. Lawson seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

PROPERTY & SUPPLY COMMITTEE

Glessner's Alarm and Communications

NAC ACT Division Alarms (fire & intrusion)/Card Access System – Council Vice President

D. Monn read the quotes from the above firms to supply alarm systems for the Borough Office building, Maintenance garage and the Mont Alto Recreation area.

Glessner's \$8,915.00

Nitterhouse \$12,838.00

The Borough has received the two (2) quotes and a third company (Dynamark) did not submit a quote for this project.

Short discussion on having employees/answering service monitor the alarm systems.

T. Lawson made a motion to accept Glessner's quotes for designated sections of the proposal that the Borough wants installed, R. Lee seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

Borough cell phones - Council Vice President D. Monn told Council that three (3) quotes have been received for cell phones. Nextel, AT&T and Verizon submitted quotes. T. Lawson and D. Monn recommends Nextel since it is the lowest quote and the MAVFD and several local municipalities use Nextel. This gives the Borough the capability to communicate with the other entities.

If the Borough adds insurance to their cell phone plan the employees will be able to get new phones.

D. Lee made a motion to upgrade the Nextel program to include equipment insurance for \$28.00, T. Lawson seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

Skid Loader – Council was provided with a quote for a new CAT skid loader from Cleveland Brothers and a quote from Landmark Equipment, LLC for a John Deere skid loader. The quote for the CAT is \$30,936.00 and the John Deere is \$35,498.16.

Discussion on buying new versus buying a used machine and also discussed the need for a skid loader and what it would be used for.

This piece of equipment does not have to be bid because it would be purchased through the CoStars Program.

T. Lawson explained that money can be used each year to purchase this piece of equipment out of the Liquid Fuels fund.

T. Lowson made a motion to purchase the CAT skid loader under the lease to buy program at a cost of \$30,936.00, D. Lee seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

T. Lowson said that he will have to obtain paper work from Harry Krot to fill out to purchase the skid loader in order to use Liquid Fuel money.

ELECTRIC COMMITTEE

Report on meeting with Steve Hirsch and adopt Electric Ordinance No. 486 – T. Lowson said that the electric rates are increasing by approximately 10%. T. Lowson feels that there was going to be a 5% increase now and then a 5% increase at a later date. T. Lowson will look into this.

J. Evans has the Electric Ordinance ready but he wants T. Lowson and D. Monn to review the Ordinance prior to passage. The Ordinance will be considered for adoption at the mid-month meeting.

Electrical Grant – This is being worked on.

Senate Bill 168 – D. Monn said that Bill 168 seems to be dead but there are other attempts being made in other areas to change things so there has to be a close watch kept on these items.

PERSONNEL COMMITTEE

Request from Mont Alto Volunteer Fire Department – D. Lee has written a Policy and copies were provided to the members of Council and J. Evans. Council and J. Evans reviewed the Policy.

D. Lee will add this additional statement to the Policy “If an employee is a member of the MAVFD the following Policy applies.”

R. Lee made a motion to adopt the Policy, as amended, T. Lowson seconded, any further questions on the motion, any further questions on the motion, all in favor Aye, opposed No, so ordered.

D. Lee will email the Policy to P. Kocek and it will be posted at the Time Clock.

SANITATION & SAFETY COMMITTEE - Nothing.

RECREATION COMMITTEE

Joint venture Mont Alto State Park – B. Spicer reported that a meeting was held on May 19, 2009.

R. Gunder (Quincy Township) was going to contact the solicitors to have them begin to work on a Draft Agreement.

There is the possibility of Grant money available for equipment to take care of the Park.

At the next meeting of the Committee a Five Year Plan has to be developed. The State wants to lease the Park out for 25 or 35 years.

The DCNR will still be responsible for the maintenance of the pavilion and the bathrooms.

The whole process will take at least one year to complete. No date has been set for the next meeting.

REPORT ON COG (COUNCIL OF GOVERNMENT) ISSUES – D. Monn told the members of Council that the main topic of the meeting was the 2010 Census. D. Monn has information that has to be filled out and submitted for the Census.

VISION 2015 – No meeting.

Franklin County Emergency Service Alliance – B. Spicer attended this meeting.

Items discussed at the meeting:

1. New trunking system that will be used
2. NIMS Certification – The municipality has to make sure the MAVFD is certified. Grants are being denied if not NIMS certified.

Council Vice President D. Monn will contact Craig Myers from Emergency Services and ask him to attend the next regular Council meeting and explain what the Borough has to do concerning NIMS Certification.

3. The Fire Chief's Association was represented at the Alliance meeting.

OLD BUSINESS

NIMS Certification – Covered previously.

Public Gathering/Festival Ordinance – Nothing at this time.

Ordinance 35 – An Ordinance Regulating Hawking, Peddling and other Borough Ordinances – Nothing at this time.

Generator for Mass Care Center – Council Vice President D. Monn told Council that this on hold until money is available.

Emergency Operations Plan – Council Vice President D. Monn pointed out that it is very important for the EOP to be updated and be on file at the Borough Office.

Emergency Management Coordinators – Mayor Esser and D. Monn sent an email to the Coordinators to set up a meeting with them. A response has not been received from either coordinator. P. Kocek to send another email to the Coordinators to arrange a meeting for D. Monn and J. Esser to meet with them.

Franklin County Drug Task Force Breakfast 5-8-2009 – B. Spicer, S. Strizziere and T. Lawson attended the breakfast. T. Lawson gave a brief report on the drug activity in the area.

Gas and Diesel Pumps – The diesel pump wouldn't work over the weekend because the motor is shot.

The Borough/MAVFD previously applied for a Grant to replace these pumps. J. Esser told Council that the Grant has not been approved yet but once it would be approved it would be at least one year before the money would be available.

NEW BUSINESS

PMRS letter from Tim Brulia – Tim Brulia came to the Borough and presented an overview of the Retirement Plan to the employees.

Mont Alto Volunteer Fire Department Carnival/Kitchen Detail – It was determined that June 12, 2009 will be Mont Alto Borough night to work the kitchen detail at the carnival. P. Kocek will report this to Linda Finney.

EXECUTIVE SESSION – Council Vice President D. Monn called for an adjournment to go into an Executive Session at 9:14 p.m. to discuss potential litigation and personnel issues.

Council Vice President D. Monn called the Regular Meeting of June 1, 2009 back to order at 9:54p.m.

Cease & Desist Order Apex – T. Lawson stated that after careful consideration, he will make motion that we remove the Cease & Desist Order and let them continue, B. Spicer seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

J. Evans will notify the attorney for Apex and Mike Hansen of this decision.

Adjournment –R. Lee made a motion to adjourn the Regular Meeting of the Mont Alto Borough Council of June 1, 2009 at 9:55 p.m., T. Lawson seconded, no discussion, all in favor Aye, opposed No, so ordered.

Respectfully submitted,

Submitted to Council for their approval on
July 6, 2009.

Patricia A. Kocek

Patricia A. Kocek
Borough Secretary

Michael Gossard President

Dennis Monn Vice President

Debra Lee President Pro Tem