

**MONT ALTO BOROUGH COUNCIL MEETING**  
**June 7, 2010**

**CALL TO ORDER** – Council President Dennis Monn called the Regular meeting of June 7, 2010 of the Mont Alto Borough Council to order at 6:35 p.m.

**ROLL CALL** – Dennis Monn, Tom Lawson, Beverly Spicer, Rick Lee, Cheryl Sobun and Karlton Smith present. Shannon Strizziere absent due to injury.

**MAYOR** – Mayor John Esser absent due to illness.

**BOROUGH STAFF** – Jeff Evans Solicitor, Larson Wenger Maintenance Supervisor, and Patricia Kocek Borough Secretary

**INVOCATION** – P. Kocek

**PLEDGE OF ALLEGIANCE**

At this time Council President D. Monn apologized to Borough Council and the citizens of the Borough of Mont Alto for his actions last month. D. Monn told those present that he has decided to continue to serve the remainder of his term on Council. He made this decision after a lot of thought and a lot of citizen support. D. Monn thanked those present for the opportunity to serve.

**VISITORS**

Debra Lee      Conditional Use Hearing

**CONDITIONAL USE HEARING** – J. Evans Solicitor told Council that the Conditional Use proceedings will resume so that Council can make a decision to be recorded in the Minutes. The testimony phase of the Conditional Use Hearing will not be reopened. J. Evans said that Council can adjourn to an Executive Session if so desired to discuss the Conditional Use.

At this time J. Evans reconvened the Lee Conditional Use proceedings.

Council can place conditions on the proposed dwelling/business. Council discussed a periodical review of the Conditional Use, dropping the periodical review if there haven't been any complaints and the hours of operation.

J. Evans said that the request meets all of the provisions of 9.1 and 9.7 of the Zoning Ordinance for garages and the restrictions. The business at this location would all be located within the building and there wouldn't be any outside storage of vehicles. This location could not be turned into a more standard repair garage without coming back for another Conditional Use.

T. Lawson made a motion to approve the Lee Conditional Use with the condition that it be reviewed in one (1) year, D. Monn seconded,

C. Sobun asked if there were going to be any conditions set on the hours of operation.

T. Lawson stated that the Nuisance Ordinance would provide for noise control and such things as that and could be enforced and the only condition T. Lawson was placing by his motion was for a review in one (1) year.

Any further discussion on the motion, any further discussion on the motion,

Council President D. Monn called for a Roll Call Vote.

D. Monn	Yes	T. Lawson	Yes
B. Spicer	Yes	C. Sobun	Yes
K. Smith	Yes	R. Lee	Abstained

Motion carried unanimously.

J. Evans will do a written decision based on the motion of Council and provide that document. There is a 30 day appeal period with the Court of Common Pleas.

## **VISITORS**

### **Brian Phillips          Council Vacancy**

B. Phillips told Council that in the aftermath of last months' meeting he submitted a letter of interest in the vacant Council seat and he was under the assumption that Council would vote to fill the seat this evening.

J. Evans told B. Phillips that in terms of the law the resignation is not effective until Council votes to accept the resignation. Prior to that vote of acceptance the individual is free to withdraw the resignation. The resignation has been withdrawn so there is no further action to be taken on the matter by Council.

B. Phillips stated that his actions at the last meeting were not maliciously made against D. Monn personally or professionally. D. Monn asked that he and B. Phillips sit down and discuss this matter at a later time. D. Monn will contact B. Phillips to set up a meeting.

### **Shelva Eck          Electric issues**

S. Eck told Council at the May 3, 2010 meeting she asked T. Lawson to check out the information she provided about On Demand Direct Power to lower the electric rates for the Borough of Mont Alto. S. Eck stated that the electric rates for the Borough of Mont Alto are ridiculously high and she is very upset about this issue. S. Eck wants to know if T. Lawson looked into On Demand Direct Power.

T. Lawson stated that the Borough of Mont Alto rates are not ridiculously high. T. Lawson then went on to explain what On Demand Direct Power is and the reasons the Borough could not utilize On Demand Direct Power.

S. Eck then asked that the Borough of Mont Alto get out of the electric business and let the citizens choose who they want for their electric. She also stated that the Borough has to lower the electric rates.

A very lengthy discussion followed concerning all aspects of the electric industry and how it affects the Borough of Mont Alto. Also discussed were the rates the Borough charges and what Allegheny Power charges their customers, items that the Borough is buying (generators), accusations that the Borough is making money off of the citizens of the Borough through the electric system, using solar and/or hydroelectric power for the Borough of Mont Alto and the electric budget plan. T. Lawson did tell those present that the PPA will most likely be lowered in July.

It was suggested that a Town Meeting be held. D. Monn said Council will set a meeting but this event would probably not be scheduled until September or October. The Borough electrical consultants Downes Associates have offered to come and discuss the electric situation with the citizens.

## **VISITORS**

Harold & Sue Coffman      Electric  
Suzanne Byers              Electric  
Kevin Geis                    Electric

D. Lee left the meeting at 8:00 p.m. S. Eck, H. & S. Coffman, B. Phillips and S. Byers left the meeting at 8:01p.m.

## **VACANCIES**

**Zoning Hearing Board Alternate Term expires 9-2-2010** - Before B. Phillips left the meeting Council told him there is a vacancy on the Zoning Hearing Board and this is a way he could serve if he so desires.

## **ACCEPTANCE OF ZONING OFFICERS REPORT**

### **May 2010**

There is a garbage complaint on S. Main Street that will require legal action if the situation has not been resolved. J. Evans will contact M. Hansen about this matter.

T. Lowson made a motion to accept the Zoning Officer's Report for May 2010, B. Spicer 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: May, 2010

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

NONE

### DEMOLITION PERMITS

NONE

### SUBDIVISION REVIEWS

NONE

Land Use Permits Issued This Month	4	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	6	Demolition Permits Issued To Date	3
Subdivision Reviews This Month	0	Subdivision Reviews Year To Date	0

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

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

## **APPROVAL OF MINUTES**

### **May 3, 2010**

T. Lowson made a motion to approve the Minutes of May 3, 2010, K. Smith seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

## **May 18, 2010**

T. Lawson made a motion to approve the Minutes of May 18, 2010, K. Smith seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, motion carried.

## **ACCEPTANCE OF TREASURER'S REPORT**

### **May 31, 2010**

Table until the July meeting.

## **ADOPT RESOLUTION NO. 507 TRANSFER OF FUNDS MAY 2010 – R. Lee**

made a motion to adopt Resolution No. 507, Transfer of Funds for May 2010, B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

K. Geis inquired about the transfer of funds and what it was. J. Evans showed K. Geis a copy of the Transfer of Funds. T. Lawson and J. Evans explained the Transfer of Funds to K. Geis.

S. Eck came back into the meeting at 8:11 p.m.

## **FINANCE AND ADMINISTRATION COMMITTEE**

**\$10,000.00 Grant/Historical Society** – T. Lawson told the members that the money has been received and placed into a non-interest bearing account.

D. Monn discussed the grant with Todd Rock. T. Rock would like to see the Borough give \$1200.00 of the Grant to the Historical Society. The Borough will need a letter from the Historical Society requesting the funds along with a spending plan for the funds. B. Spicer will follow up with the Historical Society on this project.

**Local Services Tax** – This tax has been discussed off on and for the past several months. T. Lawson did some additional research about the tax and found out the following:

1. The tax would be levied on people working in the Borough and those self employed within the Borough (approximately 520)
2. Would replace the \$10.00 Occupational Privilege Tax
3. \$52.00 instead of \$10.00 (\$5.00 of either tax would go to the Waynesboro School District)
4. Employers collect the tax
5. The Borough receives approximately \$2600.00 OPT per year
6. Local Services Tax would be approximately \$23,318.00
7. If someone makes less than \$12,000.00 per year the tax is totally refundable (the Waynesboro School District would still receive their \$5.00 but the Borough wouldn't get anything)
8. One time cost to notify the 520 people that the tax is going to be enacted
9. You have to register with the State before December 31, 2010 to enact the tax
10. There are restrictions on what the money can be used for. The OPT goes directly into the General Fund.
11. The Local Services Tax can only be used for: Police, Fire and/or Emergency Services, Road Construction and/or Maintenance or reduction of property taxes.
12. Delmos Oldham receives 5% for collecting the tax

T. Lawson told Council that the use the Borough would have for this tax money would be to repair the streets. Some of the streets in the Borough will need extensive work in the next few years and this would be a source of money to help pave the streets.

Council discussed the pros and cons of enacting the Local Services Tax. T. Lawson is not asking Council to make a decision this evening but to think about whether or not to enact this tax.

**Earned Income Tax** – T. Lowson reported that the Borough is not receiving any Earned Income Tax money for the month of May 2010. The Borough usually receives about \$3-4000.00 per month. In fact the Borough is \$930.82 in the hole. This situation relates directly to the local economic situation. Council will have to tighten up on spending.

#### **ATTORNEY'S REPORT**

**Conditional Use Hearing Lee** - Covered previously in the meeting.

**Recreation fees for developers** - Nothing

**Ordinance 35 – An Ordinance Regulating Hawking, Peddling and other Borough Ordinances S. Strizziere/J. Evans** – This item is near completion and J. Evans hopes to have this wrapped up soon.

**Public Gathering/Festival Ordinance** – Council President D. Monn told J. Evans that he is working on this item.

#### **Apex**

**Correctory Deed Streets** – J. Evans explained that the original Deed of Dedication was prepared by their attorney, signed by the Mills' and recorded but the Deed of Dedication was never provided to the Borough for their review. There were errors on the original Deed so that is why there is a Correctory Deed.

J. Evans has reviewed the Correctory Deed for the Streets which has been signed by Mills. The Correctory Deed has been formally tendered to the Borough so that the streets can be ordained and taken over by the Borough. The streets have to be accepted through an Ordinance. J. Evans is asking for permission to advertise the Ordinance.

R. Lee made a motion to authorize J. Evans to advertise the Ordinance for adoption at the July 2010 regular meeting, B. Spicer seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, motion carried.

**Deed of Dedication Electric** – J. Evans reviewed the drawings of the utility facilities. The Deed of Dedication and the drawing is here for the Electric. This Deed doesn't require an Ordinance but does require a motion to accept the electric system.

R. Lee made a motion to accept the Deed of Dedication for the electric system, K. Smith seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

J. Evans will record this information at the Court House.

**Square Project Deed** – J. Evans is still working on getting the descriptions changed on the Deed of Dedication. This is another case where the Deed was recorded without Borough review. The Deed of Dedication can be changed by a Correctory Deed.

**Square No Parking** - J. Evans still hasn't received any information on whether or not there has to be "No Parking" at certain areas around the square. Discussion.

**University Drive Storm Water Project** – J. Evans has the last piece of information he needs to send in so that the Borough can use Liquid Fuels money to repay the loan that was taken out to pay for this Project. J. Evans will overnight this information tomorrow.

## **MAYOR'S REPORT**

**June 7, 2010** – The Mayor's Report was provided to Council in their packets on June 4, 2010.

In the absence of Mayor Esser Council President D. Monn briefly reviewed the report with the members of Council.

Discussion about the weeds at 225 S Main Street. It was decided that the maintenance crew will cut the weeds in the small front yard but not the back yard at this property.

RRFB – D. Monn has received approval to use Liquid Fuels money to install the RRFB lights. D. Monn will continue to work on this project.

## **ENGINEER'S REPORT**

**Borough Boundary Project** – L. Wenger passed around one of the markers that will be placed to mark the boundary.

All of the pins have been set and numbers and the markers will be installed in the near future. L. Royer will provide drawings with the points numbered.

L. Royer took longer to get started on this project because all of the pins put in by Nassaux-Hemsley, Inc. were 8' off.

The report and map will be kept on file in the Borough Office. The boundary markings are coordinated with GPS.

L. Wenger will provide a copy of the report to the Historical Society for their files.

Lowry Lane is in the Borough and T. Lowson will attempt to get Liquid Fuel Funds for Lowry Lane.

**Jones Avenue Storm Water Drainage** – Table.

**Todd Rock Subdivision** – No discussion because the approved plans have not been received from Franklin County Planning Commission.

**WATER/SEWER COMMITTEE** – L. Wenger reported that the plans for the upgrade at the Sewer Treatment Plant are on schedule and moving forward.

The NPDES Permit has been received. The new permit requires additional testing which will be an increased cost to the Mont Alto Municipal Authority.

## **STREET COMMITTEE**

**Joint road maintenance with Quincy Township** – K. Smith called several municipalities concerning joint road maintenance for snow plowing. K. Smith explained some of the situations concerning snow plowing.

**Four-way stop Jones & Greenwood Email from E. Vranich** – The email from E. Vranich explained that LTAP does have equipment available to do traffic studies. This equipment has to be reserved and LTAP will come in and do the study.

J. Eck was concerned about a four way stop at this intersection because in the snow and/or ice cars would be unable to stop on the hill and get started again.

K. Smith told J. Eck that the Borough had a request for a four way stop because of speeding in that area. Continued discussion about speeding.

L. Wenger said that Penn Dot has the equipment to do traffic studies. L. Wenger will check with Penn Dot about this equipment and have the information for the next meeting.

K. Smith asked what steps would be taken after a traffic study is done.

J. Evans said that an Ordinance would have to be enacted and then street signs erected.

**2010 street paving** – L. Wenger said that most of the patches will have to be paid for by the Mont Alto Municipal Authority.

There is one patch on Lowry Lane that will have to be paid out of Borough funds.

Willow Street is completed and will be paid out of Liquid Fuel Funds.

On University Drive at Penn Gate the garbage trucks are cracking the street. Ganoë suggested putting concrete in that area instead of black top. L. Wenger will discuss this matter with Penn State University.

#### **PROPERTY & SUPPLY COMMITTEE**

**Comcast** – Comcast is providing free boxes to provide additional reception. The Borough only needs one box for the garage. L. Wenger will take care of obtaining the box.

#### **STREET COMMITTEE (continued)**

**2010 Street Paving** – T. Lawson told Council that in the fall there may be enough Liquid Fuel money to pave University Drive.

L. Wenger recommends using Triple A Paving. L. Wenger will be taking this information to the MAMA on Monday for the water and sewer patching.

R. Lee made a motion to authorize L. Wenger to use Triple A to do the designated patch work, D. Monn seconded, any further discussion on the motion, all in favor Aye, opposed No, motion carried.

#### **ELECTRIC COMMITTEE**

**Retail Rate Comparison** – T. Lawson said that it is late and he isn't going to go into too much detail on this subject this evening.

T. Lawson recommends reducing the PPA in July for the August 1, 2010 billing.

B. Spicer made a motion to reduce the PPA starting in July 2010, R. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

T. Lawson briefly reviewed a report from Downes Associates concerning FTR's.

#### **PERSONNEL COMMITTEE**

**Employee Handbook Update** – R. Lee, several members of Council and L. Wenger have reviewed the suggested changes. Council discussed various changes and clarifications within the Handbook.

R. Lee will incorporate the suggestions and make the clarifications. After that time he will provide copies for final review by the members of Council.

### **SANITATION & SAFETY COMMITTEE**

**Burning** – C. Sobun reported that she has been doing extensive research into burning issues. She is also setting up a meeting with B. Spicer and J. Esser to discuss the burning issues. C. Sobun will report to Council after the committee has met.

J. & S. Eck discussed the burning issue with the members of Council. The Ecks' have a fire pit and hold cookouts so they would be opposed to losing this privilege. Continued discussion.

**Amendment to Nuisance Ordinance** – M. Hansen is not in attendance to address the amendment.

### **RECREATION COMMITTEE**

**Joint Venture Mont Alto State Park** – B. Spicer reported that the Committee met last month and will be meeting again in June.

B. Spicer and several others reviewed an Agreement that another community used in a similar type of situation. B. Spicer is asking for feedback. This is to help Quincy and the Borough draw up an agreement for the possible acquisition of Mont Alto State Park.

B. Spicer did inform Council that there are grants available for what the Committee wants to do at the Mont Alto State Park. They will also be looking for volunteer help for this project. The State will still take care of all of the maintenance for the big pavilion. The Historical Society is responsible for taking care of Chestnut Springs and the maintenance was taken care of for this spring.

### **REPORT ON COG**

#### **VISION 2015**

**FRANKLIN COUNTY EMERGENCY SERVICE ALLIANCE** – There hasn't been any meetings of these entities since the last Borough Council meeting.

**MAINTENANCE SUPERVISOR'S REPORT** - L. Wenger briefly reported:

1. Grass keeps maintenance busy
2. Christmas Tree – L. Wenger talked to John Beck from Green Arbor and he said it looks normal for a transplanted tree. If there is not a significant amount of rain over the weekend maintenance will water the tree sometime later this week
3. Worked on the boundary pins and markers
4. Worked at the sewer plant on the blower that blew apart
5. Helped when Willow Street was paved
6. General maintenance

S. & J. Eck left the meeting at 9:35 p.m.

### **OLD BUSINESS**

**Mont Alto Film Project (PSU)** – C. Sobun said that they are going to film the outside of the building and then do two shots in the building. One scene will be shot behind the counter and then someone sitting at the table looking at a document. At this time the film schedule is not available.

Council discussed their concerns regarding damage to the premises and contents. J. Evans has a draft of an addendum to the PSU Agreement for liability. J. Evans will email the document to Kevin Boon [kab25@psuedu.com](mailto:kab25@psuedu.com) and Tressa Bellows [tmb992@psuedu.com](mailto:tmb992@psuedu.com). C. Sobun supplied the email addresses.

**Files** – S. Longstreth from the former Nassaux-Hemsley, Inc. office dropped off several more boxes of files and drawings this past week.

## **NEW BUSINESS**

**Letter from Quincy Township Supervisors Re: Multi-party Agreement** – The Borough of Mont Alto, Quincy Township and several other municipals entered into this agreement to create a Board of Appeals for the Uniform Construction Code.

Quincy Township is now going to form their own Board of Appeals. The Borough will reply to Quincy Township acknowledging their withdrawal from the Agreement.

T. Lowson would like to have this Agreement reviewed to make sure that there is still a Board of Appeals available for the Borough.

**NIMS** – C. Myers emailed a form that has to be completed. C. Myers still has not provided the certificates for those people that completed the NIMS course in October when the class was given here at the Borough building.

D. Monn will contact C. Myers concerning both matters. Short discussion about the employees and Councilpersons that do not have NIMS certification and how they can become certified.

D. Monn feels it is easier to go online and take the training.

NIMS is the National Incident Management System. This was initiated under a presidential order after 9-11.

**Franklin County Library Annual Appeal** – After discussion it was decided the Borough would not contribute to the Library.

**Boyer & Ritter Free Webinar/Update on the Healthcare Reform Laws June 16, 2010 9:00 a.m. – 10:30 a.m.** – G. Socks will not be working that day so P. Kocek cannot attend this Webinar. After discussion it was decided that maintenance can fill in for P. Kocek during that time.

P. Strite, B. Spicer and P. Kocek will view the Webinar. P. Kocek to inquire if there will be written material available after the Webinar is held.

**Council meetings** – Visitor K. Geis suggested that Council think of ways to get more citizens to the meetings to see what Council is doing, get them to come about positive issues instead of negative issues. He suggested advertising the meetings on the sign board a week before the meeting. K. Geis complimented the Council members on the jobs they do for the Borough of Mont Alto.

**ADJOURNMENT** – T. Lawson made a motion to adjourn the regular meeting of Mont Alto Borough Council of June 7, 2010 at 9:58 p.m., K. Smith seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

Respectfully submitted,

Submitted to Council for their approval on  
July 6, 2010.

Patricia A. Kocek  
Borough Secretary

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Dennis W. Monn Council President

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Thomas Lawson Vice President

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Beverly Spicer President Pro Tem