

MONT ALTO BOROUGH COUNCIL MEETING

CALL TO ORDER – Council President Dennis Monn called the Regular meeting of August 2, 2010 of the Mont Alto Borough Council to order at 6:34 p.m.

ROLL CALL – Dennis Monn, Tom Lowson, Beverly Spicer, Rick Lee, Cheryl Sobun and Karlton Smith present. Shannon Strizziere absent.

MAYOR – Mayor John Esser present.

BOROUGH STAFF – Erik Vranich Engineer, Jeff Evans Solicitor and Patricia Kocek Borough Secretary

INVOCATION – P. Kocek

PLEDGE OF ALLEGIANCE

VISITORS – Jeremy & Cathy Fogelsonger arrived at 6:47 p.m.

VACANCIES

Zoning Hearing Board Alternate Term expires 9-2-2010 – No applicants.

ACCEPTANCE OF ZONING OFFICERS REPORT

July 2010

R. Lee made a motion to accept the Zoning Officer's Report for July 2010, B. Spicer seconded, any further discussion, any further discussion, 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: July, 2010

<u>Date</u>	<u>Name Project Address</u>	<u>Inspections</u>	<u>Comments</u>
<u>LAND USE PERMITS</u>			
7/6/2010	Edward Shaffer 409 S. Main Street	Install Vinyl Siding	Permit 10-11
7/6/2010	Carroll Cool 104 Maple Street	Install (2) Storage Sheds	Permit 10-12
7/7/2010	Richard & Debra Lee 207 Penn Street	New 2 Story with 2 Apartments and Garages Below	Permit 10-13
7/27/2010	John Wilders 211 Reynolds Avenue	Deck Addition and Walkway	Permit 10-14

DEMOLITION PERMITS

NONE

SUBDIVISION REVIEWS

NONE

Land Use Permits Issued This Month	4	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	13	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.

Proposed Check List for Land Use Permit Applications – M. Hansen is not in attendance this evening to address this issue. J. Evans told Council that one reason for the check list is to make sure that if the Land Use is requested by an entity instead of an individual that the entity is a lawful entity in the state of Pennsylvania. P. Kocek to provide copies of the check list to J. Evans and members of Council.

APPROVAL OF MINUTES

July 6, 2010

R. Lee made a motion to approve the Minutes of July 6, 2010, K. Smith seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

ACCEPTANCE OF TREASURER’S REPORT

June 30, 2010

R. Lee made a motion to accept the Treasurer’s Report for June 30, 2010, B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered,

Table the July 31, 2010 Treasurer’s Report until the September 2010 meeting.

ADOPT RESOLUTION NO. 510 TRANSFER OF FUNDS JULY 2010 – B. Spicer made a motion to adopt Resolution No. 510, Transfer of Funds for July 2010, R. Lee seconded,

T. Lowson pointed out to Council that \$150,000.00 (\$60,000.00 or 40% and \$90,000.00 60%) was transferred to the two (2) Capital Reserve Money Management Accounts. The money was available so that is why it was transferred, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

FINANCE AND ADMINISTRATION COMMITTEE

\$10,000.00 Grant/Historical Society – D. Monn told Council that the Historical Society is investigating historical signs that they would like to purchase for the entrances to the Borough to utilize their share of the grant.

Local Services Tax – Council held a very brief discussion concerning the LST. B. Spicer asked if the Council and Mayor would have to pay the \$52.00 per year instead of the \$10.00 OPT because they serve on Council. Council and the Mayor would have to pay the \$52.00 if the

Borough enacts this tax. Council will wait until there is a full Council before making a decision on whether to enact the Local Services Tax.

FEMA Funds – Council President D. Monn reported that the Borough has received \$3764.16 from the Federal government for reimbursement for the snow storms in February of 2010. This is 75% of the actual costs submitted for reimbursement.

ATTORNEY'S REPORT

Recreation fees for developers – No report at this time.

Ordinance 35 – An Ordinance Regulating Hawking, Peddling and other Borough Ordinances S. Strizziere/J. Evans – J. Evans reported that he has been working on this and recommends adopting two (2) ordinances to change the fees for the various ordinances.

1. Traffic regulations
2. Quasi criminal statutes

J. Evans told Council that there are a number of options on how to increase the fees and gave examples on how this could be accomplished.

J. Evans will summarize a number of the ordinances and get a recommendation from Council on the penalty structure.

Public Gathering/Festival Ordinance – Council President D. Monn told Council he did some work on this but it is not completed.

Mayor Esser said that he has had some complaints from neighbors concerning Apex. J. Esser would like to see this Ordinance enacted as soon as possible because of potential problems with Apex this fall and winter.

Council agreed that the issue was the fees in the original proposed ordinance and the possibility of the Mont Alto Volunteer Fire Company renting out their facilities to other entities.

Square Project Deed – J. Evans has not received a response from Penn Dot. The only thing that needs to be changed is the shading on the drawing. The correct area was not shaded on the original drawing that the Borough received.

J. Evans has prepared a Correctory Deed and will email it to Penn Dot. He will also do a corrected map and submit it to Penn Dot.

Mont Alto Film Project (PSU) – The Indemnification Agreement was approved at the July meeting. J. Evans will forward this document to Kevin Boone at Penn State University for his signature.

VISITORS

Cathy & Jeremy Fogelsonger

At this time Council President D. Monn recognized the above visitors. The Fogelsongers, at the request of Council President D. Monn, are here to discuss the water line to service their proposed new home on Yew Street

A very lengthy discussion was held concerning increasing the size of the water line on Yew Street and whose responsibility it is to increase the size of the water line.

The Zoning Ordinance states that all developers/subdividers are responsible for any improvements needed to serve the subdivision, this includes water lines.

On Main Street there is a double house that provides water service for a trailer that is located on Yew Street. If this property is ever subdivided the trailer would have to hook to the Yew Street water line. Because of this situation T. Lowson and D. Monn don't feel it is the responsibility of the Fogelsongers to have to bear the total cost of the new water line.

D. Monn and T. Lowson feel that a right of way through private property to Constitution Avenue to serve the Fogelsongers would be creating a situation that the Borough has been trying to eliminate.

J. Evans cautioned Council that if you make an exception for one subdivider other larger subdividers are going to want to know why they have to install the utilities.

T. Lowson and D. Monn feel that the Borough has some responsibility for this water line because of the situation with the double house on Main Street that serves the trailer on Yew Street.

C. Fogelsonger discussed removing the trailer on their property (not to be confused with the trailer served from a double house on Main Street) and then making it a two (2) lot subdivision. If the Fogelsonger trailer is removed a larger water line would not be required to be installed on Yew Street because the Fogelsongers would use the existing water tap from their trailer for the proposed new home.

Summary:

Fogelsongers have the following options:

1. Private right of way from Constitution Avenue
2. Remove trailer and use existing water tap
3. Build new water line

Borough action:

1. Borough will get a cost estimate to replace the water line back Yew Street
2. J. Evans and E. Vranich were instructed to research the situation concerning the double house on Main Street and the trailer on Yew Street that is served through the double house on Main Street
3. Hold mid-month meeting to discuss this situation – August 17, 2010

T. Lowson apologized to the Fogelsongers for taking so long to get an answer for them.

C. & J. Fogelsonger left the meeting at 7:55 p.m.

MAYOR'S REPORT

August 2, 2010 - Mayor's Report was provided to Council in their packets on July 30, 2010.

Mayor Esser briefly reviewed his report with the members of Council.

RRFB – E. Vranich reported that he made the required drawing that is needed to obtain the RRFB lights and he also has the bid packet prepared. The bids would be advertised with bid opening on September 7, 2010.

Council discussed the acquisition of the RRFB lights. The state approached the Borough offering the lights at no charge to the Borough and they are now requiring the Borough to bid the

project and submit drawings. There may only be one supplier for the type of lights the state wants installed. Council also discussed possibly refusing the lights.

E. Vranich told Council that he spoke with J. Hershock and he said that everything had to be wrapped up by the end of September. Nicole Kristi told E. Vranich that the federal funds are allotted and are available. There are mixed signals on whether or not the money will be available.

E. Vranich will email the above contacts and confirm that the money will be available before the Borough goes forward with the project. N. Kristi told E. Vranich that the engineering fees would be included in the installation fees.

The application to install the devices requires a Resolution. The Resolution was included in the information E. Vranich received. E. Vranich read the Resolution to those present.

The bids could be advertised and opened but if the money is not available the Borough doesn't have to accept a bid for the RRFB lights.

K. Smith made a motion to adopt Resolution 511 to install the RRFB lights at Park Street and Slabtown Road, T. Lawson seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

T. Lawson made a motion to authorize E. Vranich to advertise the bids for the acquisition of the RRFB lights and associated equipment for installation at Park Street and Slabtown Road, with bid opening on September 7, 2010, K. Smith seconded, any further discussion on the motion, any further discussion, all in favor Aye, opposed No, so ordered.

ENGINEER'S REPORT

Jones Avenue Storm Water Drainage – Council President D. Monn, E. Vranich and L. Wenger met to discuss the storm water situation. D. Monn will coordinate a meeting between Nelson Rock, Paul Dunlap, E. Vranich, L. Wenger and himself to decide the best way to handle the storm water drainage issue.

Todd Rock Subdivision – E. Vranich reminded Council that at the last meeting the subdivision was conditionally approved pending receipt of better as-builts drawings from Bob Angle at Brindle Associates.

Tuesday of last week E. Vranich received basically a draft utility drawing from Brindles office.

E. Vranich red lined the drawing and sent it to L. Wenger for his review and comments. E. Vranich received comments from L. Wenger and the corrections have been sent back to B. Angle at Brindle Associates. One item that has to be shown on the drawings is the utility easements for the three townhouses. If all of the corrections are incorporated into the drawing E. Vranich said there isn't any reason the drawings can't be signed.

Corrected drawing will be returned from Brindles to E. Vranich for final approval – if E. Vranich approves

Then:

1. B. Angle will make the paper copies for signatures
2. B. Angle will take the drawings to the County to have them restamped
3. B. Angle will bring the drawings to the Borough for signatures
4. The subdivision will be recorded at the Court House

WATER/SEWER COMMITTEE

Fogelsonger Subdivision – Covered previously.

Water and Sewer Construction Specifications – The specifications were approved by the Mont Alto Municipal Authority at their July 12, 2010 meeting. The specs also have to be adopted by Borough Council. J. Evans said the Borough will probably have to adopt these documents through an Ordinance.

Council has not had an opportunity to review the documents. P. Kocek will provide copies of the documents to J. Evans and Borough Council. Table until the midmonth meeting.

STREET COMMITTEE

Joint road maintenance with Quincy Township – Nothing to report this evening.

Four-way stop Jones & Greenwood – E. Vranich previously obtained information from LTAP about using their equipment for a traffic study. At a previous meeting L. Wenger mentioned another source for obtaining this equipment. D. Monn will check with L. Wenger about this matter.

PROPERTY & SUPPLY COMMITTEE

Glessner's Borough Alarm System – Council President D. Monn received information from Glessner's concerning an extended warranty on the alarm system. The cost for the warranty would be \$1737.00. There haven't been any problems with the system. Consensus of Council was not to purchase the extended warranty.

ELECTRIC COMMITTEE

Town Meeting – After discussion it was decided to hold the Town Meeting on Thursday October 21, 2010 at 7:00 p.m. This time and date will be dependent on the availability of the meeting room at the MAVFD and on whether or not someone is available to attend the meeting from Downes Associates.

D. Monn will make contact with the MAVFD and T. Lawson will contact Downes Associates. The meeting will have to be advertised.

Electric Invoices from DTE – T. Lawson explained that Downes Associates reviews the invoices from DTE and then P. Strite pays the invoices. There have been errors on the invoices on the part of DTE (some credits and some underpayments).

S. Hirsch has gone to DTE and told them they need to do better bookkeeping. S. Hirsch also suggested that the Borough contact DTE about this problem.

This yo-yoing up and down makes it very hard to determine the financial position of the electric fund. At this time T. Lawson is not sure how to resolve this problem. It is definitely an accounting problem within DTE. T. Lawson discussed the possibility of establishing a reserve account to take care of the up and down utility invoices.

T. Lawson reported on the FTR's and their performance in the market so far this year. They are doing better than they were.

PPA Rate Decrease (0.02017 to 0.00985 cents per KWH) – T. Lawson made a motion to approve the PPA decrease from 0.02017 to 0.00985 cents per KWH, R. Lee seconded, any

further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

PERSONNEL COMMITTEE

Employee Handbook Update

Record of Discussion and Disciplinary Action Form – R. Lee reported that he has received positive feedback on this form and he will be incorporating it into the Employee Handbook. R. Lee said he should have the Handbook ready for distribution before the next meeting.

Worker's Comp/Volunteer Help – The Borough utilized a worker from a self-help program through the Lincoln Intermediate Unit. This program ran out June 30, 2010. The worker is still in the program and the program can now allow her to volunteer to work at the Borough office but the program will no longer pay her Worker's Comp insurance.

The Borough's worker's comp insurance does not cover volunteers. If the Borough wanted to continue to utilize the worker the Borough would have to pay the worker a stipend. After discussion Council decided not to utilize this program/worker. P. Kocek will contact Dave Bumbaugh and inform him of the Council's decision.

SANITATION & SAFETY COMMITTEE

Burning – C. Sobun has not been able to meet with her Committee. She will schedule a meeting with the Committee and then bring their findings back to Council.

Short discussion on various aspects of the burning issues. Council also discussed establishing burning bans during dry weather. The whole burning issue needs to be reviewed extensively.

Committee Meetings – Council discussed whether or not committee meetings need to be advertised and whether or not committee meetings are open to the public. J. Evans told Council that he doesn't feel the Borough will get in trouble if they don't advertise committee meetings. P. Kocek will post a sign on the door when a committee will be meeting.

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

RECREATION COMMITTEE

Joint Venture Mont Alto State Park – D. Monn attended the meeting at Quincy. There are two (2) issues that are discussed at these meetings. The Joint Venture for Mont Alto State Park, and establishing a recreational area in Quincy Township. The decision was made to hold two separate meetings, one to discuss the joint venture and another to discuss Quincy's recreational area.

The committee has been discussing/reviewing the agreement to maintain and operate Mont Alto State Park. The tentative agreement is quite involved and it was agreed that the Solicitor for Quincy and the Solicitor for Mont Alto will review the tentative Agreement. D. Monn will provide J. Evans with a copy of the agreement.

The next meeting of the Committee will be on August 18, 2010 at 7:00 p.m.

REPORT ON COG - D. Monn reported that the COG meeting provided a time for each entity to discuss what was going on in their area.

VISION 2015 – No meeting.

FRANKLIN COUNTY EMERGENCY SERVICE ALLIANCE – Council President D. Monn has not attended any meetings this year.

MAINTENANCE SUPERVISOR’S REPORT - L. Wenger absent.

OLD BUSINESS

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. Council President D. Monn did not complete the form because he has not received the certificates from C. Myers.

RRFB Lights (Park Street) – Covered previously.

Generator for Mass Care Center – D. Monn told Council that there are still issues with getting the generator up and running. It was finally determined that a bigger regulator was required. After several attempts were made to obtain a regulator the gas company finally decided to donate a regulator.

The regulator will be installed within the next day or two. D. Monn told Council that \$2400.00 has been paid for the start up of the generator. The gentleman has been here two (2) times for start up and now will have to come back a third time. D. Monn is not sure if there will be an additional charge for the third trip. There will be a charge for someone from Winters to come in and program the transfer switch.

NEW BUSINESS

Invitation Pipeline safety emergency response program – D. Monn told Council that basically the presentation is the same year after year. This is an evening meeting and would require paying overtime. Council President D. Monn recommends not sending anyone to the program this year.

Burn Ban – Discussion on whether or not it is necessary to put on a burn ban at this time. It was the consensus not to put on a burn ban at this time.

Discussion on adding an amendment to the Burning Ordinance to include burn bans or to write a new ordinance for a burn ban. J. Evans will email the ordinances he has been looking at to C. Sobun.

ADJOURNMENT – R. Lee made a motion to adjourn the regular meeting of Mont Alto Borough Council of August 2, 2010 at 9:14 p.m., T. Lawson seconded, all in favor Aye, opposed No, so ordered.

Respectfully submitted,

Submitted to Council for their approval on
September 7, 2010.

Patricia A. Kocek
Borough Secretary
Dennis W. Monn Council President
Thomas Lawson Vice President
Beverly Spicer President Pro Tem