

## **MONT ALTO BOROUGH COUNCIL MEETING**

**CALL TO ORDER** – Council President Dennis Monn called the Special meeting of February 16, 2010 of the Mont Alto Borough Council to order at 6:35 p.m.

**ROLL CALL** – Beverly Spicer, Cheryl Sobun, Dennis Monn, Rick Lee and Thomas Lowson present. Shannon Strizziere absent.

**MAYOR** – Mayor John Esser present.

**BOROUGH STAFF** – Jeff Evans Solicitor and Patricia Kocek Borough Secretary

**INVOCATION** – P. Kocek

### **PLEDGE OF ALLEGIANCE**

**OATH OF OFFICE** – Mayor J. Esser swore Richard Lee in as a member of Mont Alto Borough Council. R. Lee was appointed to fill the Council seat that was not filled at the November 2009 election.

**VISITORS** - None

**ADOPT RESOLUTION NO. 501 TRANSFER OF FUNDS JANUARY 2010** – T. Lowson made a motion to adopt Resolution No. 501, Transfer of Funds January 2010, R. Lee seconded, any further questions, any further questions, all in favor Aye, opposed No, so ordered.

### **ATTORNEY'S REPORT**

**EIT Committee Bylaws** – J. Evans reviewed the Bylaws. J. Evans explained the structure of the EIT Committee and how the taxes will be collected and remitted to the Borough.

Council and J. Evans discussed various aspects of the collection of the Earned Income Taxes. J. Evans told Council that the bylaws comply with the language of the statute.

Council discussed whether or not they can opt out of this committee at a later date if they are not satisfied with what is going on. J. Evans said that he didn't see any penalty provision for withdraw and Council just has to express that they are going to get out.

**Adopt Resolution No. 502 A resolution of the Borough of Mont Alto approving the Bylaws of the Franklin County Earned Income Tax Collection Committee and authorizing the participation of the Borough of Mont Alto with the Franklin County Earned Income Tax Collection Committee** – T. Lowson made a motion to adopt Resolution No. 502, R. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

### **OLD BUSINESS**

**Borough Boundary Project** – Council President D. Monn told Council that the Project is not complete and to date the Borough has paid \$24,347.14 for the Boundary Project. Phase I was to cost \$2500.00 and Phase II \$14,500.00.

D. Monn recapped the Boundary Project to date and the attempts that have been made to meet with Nassaux-Hemsley, Inc. to make plans to complete the Project.

J. Evans has had multiple faxes from Rick Curtis stating that Nassaux-Hemsley, Inc. will finish the Project at a cost estimate of not more than \$5000.00.

J. Evans has a letter prepared to go out to R. Curtis addressing the overall cost of the Project.

J. Evans told Council that he has not received any response to the last two (2) letters he sent to Nassaux-Hemsley, Inc.

1. Terminating the contract with Nassaux-Hemsley, Inc.
2. Recovery of the Borough property held by Nassaux-Hemsley, Inc.

Borough Council discussed how and when to recover the Borough property.

Council President D. Monn reported that the Mont Alto Municipal Authority is hiring a new engineering firm because Nassaux-Hemsley, Inc. did not complete the plans for the Sewer Plant Upgrade Project. The Project was thought to be ready to go out for bid but the plans are not complete enough to go out on bid.

Personally, D. Monn does not think Council should spend any more money by using Nassaux-Hemsley, Inc. but they should complete the Boundary Project with another surveyor.

Any surveyor would need the points ascertained by Nassaux-Hemsley, Inc. to complete the Boundary Project.

Council discussed ways to complete the Boundary Project and various local surveyors that they could use to complete this Project. It was decided that nothing can be completed until the weather clears.

Council will continue to negotiate with Nassaux-Hemsley, Inc. to obtain the items needed to complete the Boundary Project.

It was the consensus of Council that J. Evans write a letter to Nassaux-Hemsley, Inc. telling them that the Borough wants their property by such and such a date. He will email a draft of the letter for Council review before sending it to Nassaux-Hemsley, Inc.

#### **Apex Final Inspection/Apex as-Built Review**

**Letter from John E. Walsh** – J. Evans discussed these items with T. Misner. There is an old Deed of Dedication for the streets but the Borough never accepted the Deed of Dedication, even though there is record of it at the Court House.

J. Evans told Council that the Borough should require a Deed of Dedication from the Plans for the Apex property. They can call it a Correctory Deed of Dedication so the Borough can make sure it matches up with the Plans that were approved for Apex.

**Electric Deed of Easement** – The Plan will have to be recorded to show the as-builts for the electric system. This will have to be accepted by Ordinance.

J. Evans was instructed to proceed with obtaining the proper documents for the dedication of the streets and the electric system.

D. Monn will check with Raymond Slouthour to make sure there are as-built drawings for the electrical system.

Short discussion on the tax assessment for Apex.

### **NEW BUSINESS**

**Letter from MAVFD/Ambulance Squad** – (Copy on file). Council President D. Monn received a letter from the above entity offering the hospitality of the MAVFD/Ambulance Squad during inclement weather for the Borough employees. They are offering a place for them to rest and receive light food and beverages.

D. Monn will pass this information to L. Wenger Maintenance Supervisor. The employees will be cautioned not to make this a hang out but to only be used on an “as needed” basis.

Council President D. Monn expressed his appreciation to the MAVFD/Ambulance Squad for offering the use of their facilities to the employees of the Borough.

### **STREET COMMITTEE**

**Snow removal Good and Bad** – Council President D. Monn read two (2) notes from residents commending the Borough employees for the fine job they did during the recent snows. D. Monn and others on Council also received verbal thanks for the great job the employees were doing with the streets during the snow events.

D. Monn also informed Council of several negative comments, an accident involving the Borough dump truck and two (2) mail boxes that were damaged.

### **OLD BUSINESS (Continued)**

**Borough Engineer** – Council discussed the best way to handle the engineering needs for the Borough of Mont Alto. No decision was made at this time.

### **RECREATION COMMITTEE**

**Joint venture Mont Alto State Park** – B. Spicer has not been contacted by Quincy Township regarding a meeting to discuss the Mont Alto State Park.

### **OLD BUSINESS (Continued)**

**Appointment of Committees** – Council President D. Monn provided copies of the Committee Appointments by email to the members of Council.

Discussion on the appointments. C. Sobun expressed her desire to serve on the Recreation Committee. D. Monn will review the committees and take this under consideration.

### **STREET COMMITTEE (Continued)**

**Main & Oak Streets** – Brief discussion about the response that Mayor Esser received from the PSP concerning speeding on Main Street. C. Sobun feels it was a vague response. Mayor Esser will pursue this matter.

**Adjournment** – T. Lawson made a motion to adjourn the Special Meeting of the Mont Alto Borough Council of February 16, 2010 at 7:46 p.m., B. Spicer seconded, all in favor Aye, opposed No, so ordered.

Respectfully submitted,

Submitted to Council for their approval on  
March 1, 2010.

Patricia A. Kocek  
Borough Secretary

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Dennis W. Monn Council President

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Thomas Lowson Vice President

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Beverly Spicer President Pro Tem