

MONT ALTO BOROUGH COUNCIL MEETING

CALL TO ORDER – Council President Dennis Monn called the Regular meeting of January 3, 2011 of the Mont Alto Borough Council to order at 6:32 p.m.

ROLL CALL – Dennis Monn, Tom Lawson, Rick Lee, Shannon Strizziere, James Eck and Beverly Spicer present. Cheryl Sobun absent.

MAYOR – Mayor John Esser present.

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

INVOCATION – P. Kocek

PLEDGE OF ALLEGIANCE

VISITORS

Council President D. Monn recognized Jeff Greenwood – Jeff Greenwood is the Borough's representative to the Waynesboro Area Tax Bureau.

J. Greenwood gave his final report for the Waynesboro Area Tax Bureau because as of December 16, 2010 items began to be transferred to the Franklin County Area Tax Board. J. Greenwood briefly outlined how all additional items will be transferred to the FCATB. J. Greenwood noted that the final Audit will be provided to all Waynesboro Tax Bureau members when it is finalized.

One item J. Greenwood wanted to note is that he has concerns about an employer in Chambersburg that is not filing their EIT tax with the Tax Bureau and no one is taking any aggressive action to enforce this matter. J. Greenwood feels this is something that needs to be pursued because there are probably other businesses that are also not reporting to the Tax Bureau.

J. Greenwood thanked Council for the trust and confidence they placed in him when he was appointed to the Waynesboro Area Tax Bureau. He has served as representative for the Borough since May 16, 2000.

Council expressed their appreciation to J. Greenwood for representing them in such an excellent manner during his tenure.

J. Greenwood left the meeting at 6:38 p.m.

Council will provide a letter and/or certificate to express their thanks to J. Greenwood for serving on the Waynesboro Area Tax Bureau.

Council President D. Monn recognized Barbara Rotz – B. Rotz made a quilt of Mont Alto when it was known as Funkstown. Since this is a map of the original Borough, B. Rotz would like to display the quilt here before she allows it to be displayed anywhere else. She is also working on a quilt of modern day Mont Alto and eventually she would like to display this quilt at Mont Alto Borough Hall also. B. Rotz has a release form to be signed for the time the quilt will be displayed in Borough Hall.

Discussion on signing the release form. P. Kocek will call the insurance company to see if this item has to be added to the insurance plan. After checking with the insurance company and doing what is necessary the

agreement will be signed. B. Rotz will provide the items needed to display the quilt. B. Rotz left the meeting at 6:44 p.m.

VACANCIES

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

Alternate for the Franklin County Area Tax Board

After discussion it was decided that Council President D. Monn will contact J. Greenwood and ask him if he would be interested in filling one or both of these positions.

ACCEPTANCE OF ZONING OFFICERS REPORT – R. Lee made a motion to accept the Zoning Officer’s Report for December 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

Wm. David Lutz
for CCIS
Zoning Officer

Report Period: December, 2010

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

NO NEW LAND USE PERMITS FOR DECEMBER

DEMOLITION PERMITS

NONE

SUBDIVISION REVIEWS

NONE

Land Use Permits Issued This Month	0	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	19	Demolition Permits Issued To Date	5
Subdivision Reviews This Month	0		
Subdivision Reviews Year To Date	0		

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

UCC Building Permits Accredited Services Report – For your information.

APPROVAL OF MINUTES

December 6, 2010 –

Page 1 Paragraph14 Third sentence Change 2010 to 2001

R. Lee made a motion to approve the Minutes of December 6, 2010, S. Strizziere seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

ACCEPTANCE OF TREASURER’S REPORT

November 30, 2010

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

Table the December 31, 2010 Treasurer's Report until the February 2011 meeting.

ADOPT RESOLUTION NO. 523 TRANSFER OF FUNDS DECEMBER 2010 – R. Lee made a motion to adopt Resolution No. 523, Transfer of Funds for December 2010, B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

FINANCE AND ADMINISTRATION COMMITTEE

Cumberland-Franklin County Boroughs Association Payment of Dues \$25.00 – T. Lowson made a motion to pay the 2011 dues, S. Strizziere seconded, any further discussion on the motion, any further discussion, all in favor Aye, opposed No, so ordered.

Franklin County Area Tax Board – J. Evans reviewed the items to be discussed/ approved/voted on:

1. **Amendment to the Bylaws** – The current by-laws provide for a weighted vote and the proposed amendment to the by-laws would provide for a one entity one vote. This is for your information and was provided to make sure the Borough's representative attends the January 27, 2011 meeting where the Amendment to the By-laws will be voted on.

Council briefly reviewed a letter from Larry Funk in reference to the weighted vote. L. Funk is encouraging all of the Tax Board representatives to attend the Tax Board meeting on January 27, 2011.

2. **Resolution 524** – This Resolution by Mont Alto Borough empowers the Franklin County Area Tax Board to collect delinquent taxes according to the fee schedule attached to the Resolution.
3. **Agreement** – This Agreement grants the Franklin County Area Tax Board the power to collect the Local Services Tax and outlines the terms under which they will collect this tax.
4. **Fifth Supplemental Agreement** – This Agreement outlines when each entity became involved in the Chambersburg Area Tax Bureau and the name of the entity when they joined. This Agreement is to approve the change of the name from the Chambersburg Area Tax Bureau to the Franklin County Area Tax Board.

Motions

T. Lowson made a motion to adopt Resolution 524, R. Lee seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

T. Lowson made a motion to enter into an Agreement with the Franklin County Area Tax Board to collect the Local Services Tax for the Borough of Mont Alto, R. Lee seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

T. Lowson made a motion to sign the Fifth Supplemental Agreement to change the name of the Chambersburg Area Wage Tax Board to the Franklin County Area Tax Board, S. Strizziere seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

ATTORNEY'S REPORT

Recreation fees for developers – T. Lowson and J. Evans will work on this Agenda item.

Public Gathering/Festival Ordinance – J. Evans is not sure where this item stands at this time.

Square Project Deed – J. Evans reported that L. Royer is in the process of doing the survey. Will wait for L. Royer to contact the Borough with his findings.

D. Monn has been in contact with Jess Smith and her son Michael Smith and explained to them what is being done at this time to move this project forward.

Guilford Township Share of Workers Comp for MAVFD – J. Evans, T. Lawson, D. Monn and P. Strite met with Greg Cook and Frank Hobbs of Guilford Township. Guilford Township is going to pay what was billed for 2003 through the present for their share of the Workers Comp for the MAVFD.

Yohe Water Line – T. Lawson said that during the meeting with Guilford Township, Guilford Township told T. Lawson that Guilford never received any money from the Sinking Fund when Guilford took over the Yohe Water Line.

P. Kocek researched the Minutes and on June 1, 1992 there was a motion made to send University Hill their portion of the fund. The amount was \$23,108.07 as shown on the Treasurer's Report for June 1992. This was sent to Dr. Shapiro who owned the water line. T. Lawson will provide this information to Guilford Township.

MAYOR'S REPORT

January 3, 2011–The Mayor's Report was provided to Council in their packets on December 30, 2010. Council briefly reviewed the Mayor's Report.

Home robberies/home invasions – Mayor Esser contacted the PSP about this issue and asked for extra patrols and he also contacted The Record Herald and asked them to print a general "public awareness" notice urging area residents (Mont Alto and beyond) to take normal precautions by locking their doors and reporting any unusual activity to the police.

Council briefly discussed this issue and from the Constable's standpoint S. Strizziere provided additional information to Council regarding these incidents.

RRFB Lights – E. Vranich reported that the RRFB lights have been ordered and will possibly be shipped on January 19, 2011. PSU will be billed for their portion of the Project after the RRFB lights are received.

PSU Land Use Permits – The question was raised concerning Penn State University Mont Alto obtaining Land Use Permits for the projects they do on their property that is within the Borough.

PSU is installing a parking lot and a scoreboard. T. Lawson pointed out that water runoff could be a potential problem from the parking lot.

J. Evans told Council that the Zoning Officer should look at this situation. P. Kocek will call D. Lutz and have him contact Council President D. Monn. D. Monn will discuss these problems with D. Lutz. Continued discussion concerning water runoff and impervious surfaces as it pertains to the parking lot being installed at Penn State University.

ENGINEER'S REPORT

RRFB Lights – Covered previously.

WATER/SEWER COMMITTEE

Water Line Yew Street – T. Lawson developed a plan to install a water line on Yew Street to correct a water hookup problem for a trailer on the Rex Benchoff property. The water line runs through the house to a trailer he owns on the same property. T. Lawson provided an email to the Council members outlining his proposal to correct the problem on Yew Street.

T. Lowson presented this plan to the MAMA and they agreed to pay their portion to install the water line on Yew Street. T. Lowson is now asking Council to approve the additional funds to install the water line.

This water line has nothing to do with the water line that the Fogelsongers will have to install if they decide to continue with their subdivision and new home on Yew Street.

A very lengthy discussion was held concerning the pros and cons of installing this water line, the legalities of installing the line and whether or not the landowner can be forced to pay a tap fee and hook this trailer to the water line.

After discussion it was decided that R. Benchoff will be sent a letter stating that if there is a problem with the water line to the trailer or if he subdivides the trailer he will be required to hook to the new water line and pay a tap fee.

T. Lowson will have to take this proposal back to the Mont Alto Municipal Authority and let them know they will not receive a tap fee at this time for the project and explain to them the conditions under which R. Benchoff will be required to pay a tap fee.

This item will be on the Agenda for the February 7, 2011 Council meeting.

STREET COMMITTEE

Joint road maintenance with Quincy Township – Nothing

Four-way stop Jones & Greenwood – Nothing

2011 Street Sweeping – D & S Parking Lot Services did the 2010 street sweeping at a cost of \$1920.00 and the quote for 2011 is \$2070.00. The quote for 2011 will include sweeping the streets in the Apex complex.

S. Strizziere made a motion to accept the quote of \$2070.00 from D & S Parking Lot Services to do the 2011 Street Sweeping which will include Apex; R. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, motion carried.

PROPERTY & SUPPLY COMMITTEE

Repairs to Borough office building – This project is on hold until spring.

Borough lot problems – This project is on hold until spring.

ELECTRIC COMMITTEE

Allegheny power rate increase – Short discussion about an article that appeared in the newspaper regarding the Allegheny power rate increase.

High electric use – President D. Monn reported to Council that there was a complaint by B. Phillips concerning his high electric invoice for January 1, 2011. Council briefly discussed this situation.

Ron Pezon Chambersburg Borough electric – Council President D. Monn told Council that he and T. Lowson are going to contact R. Pezon and set up a meeting to discuss the Mont Alto Borough electrical system with him and explore some ideas that R. Pezon has to help the Borough with electrical issues.

PERSONNEL COMMITTEE

Employee Evaluations – R. Lee reported that L. Wenger did the all of the reviews for the Maintenance Department. D. Monn said that he will get the other evaluations completed.

SANITATION & SAFETY COMMITTEE - Nothing

RECREATION COMMITTEE

Pen Mar Youth League use of the Mont Alto Recreation Area – B. Spicer met with Chad Miller and discussed the problems that have occurred with the Pen Mar Youth League using the Mont Alto Recreation Area.

The Mont Alto Athletic Association has the following issues with the Pen Mar Youth League.

1. They do not provide the ball schedules to the Mont Alto Borough Office in a timely manner
2. Proof of Insurance needs to be provided
3. Mont Alto Athletic Association would like the Mont Alto teams to have first chance for use of the practice fields
4. Schedules need to be provided by a certain date because of conflict with the pavilion rental
5. The Concession Stand needs to be cleaned by a certain date after the schedule is completed for the year

The Mont Alto Athletic Association would like to meet to discuss the problems with the Pen Mar Youth League use of the Recreation Area and to draw up guidelines for use of the area by the Pen Mar Youth League and present this to Pen Mar for their review and acceptance.

It was also pointed out that Pen Mar is requesting the Mont Alto Athletic Association to turn over the money from the Funnel Cake Stand to Pen Mar. S. Strizziere pointed out this issue has been resolved and Pen Mar is not going to get the money.

The MA Athletic Association has been paying for the use of the Concession Stand out of their funds but Pen Mar does not share the proceeds of the Concession Stand with the MA Athletic Association.

The children on the Mont Alto teams must pay \$40.00 to play ball, sell \$50.00 worth of Joe Corbi's Pizzas or they are benched.

J. Evans asked, is this really a Borough issue? He feels this is a problem between the Mont Alto Athletic Association and Pen Mar Youth League.

B. Spicer feels the Borough needs to send Pen Mar the bill for the use of the Concession Stand.

J. Evans said that if Pen Mar is not following the rules for the Recreation Area then it is a Borough issue. Discussion.

J. Evans will draft an Agreement that addresses these issues and the terms under which Pen Mar Youth League can use the Mont Alto Recreation Area. B. Spicer will provide the information to J. Evans so he can draft the Agreement.

DCED \$10,000.00 Grant – Council President D. Monn reported that he has received a letter from DCED stating that the request for an amendment to the \$10,000.00 Grant has been withdrawn per the request from the Borough.

D. Monn will provide the letter to P. Kocek so she can contact DCED and have the mailing address and name changed that they use for items they mail to the Borough of Mont Alto.

REPORT ON COG – D. Monn and T. Lowson attended the COG meeting. The COG met with area legislators and the following items were discussed:

1. Transportation funding increase for municipalities and the County

2. Eliminating the Prevailing wage in PA
3. Increase bid limits and permit electronic advertising vs. print advertisement
4. Permit local police departments to use radar technology
5. Assist municipalities in dealing with the new MS4 federal regulation working with DEP to develop a regional approach to managing storm water

Lower priorities that were discussed:

- 1 Local police departments keeping the fine money they collect
- 2 Review veterans preference laws, civil service
- 3 Develop new and add additional funding to existing infrastructure programs offered to municipalities by the state
- 4 Take PSP funding out of Penn Dot's Budget and fund from the state's general fund which would free up additional funding for roadway improvements

VISION 2015 – There was not a meeting in the past month.

FRANKLIN COUNTY EMERGENCY SERVICE ALLIANCE

Appoint a representative and alternate to FCESA – T. Lawson made a motion to reappoint Dennis Monn as the representative and Beverly Spicer as the alternate for 2011, R. Lee seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

MAINTENANCE SUPERVISOR'S REPORT

1. Tree trimming has been completed
2. L. Wenger sent out an email concerning the repairs at the pavilion. D. Knepper said when he did the repairs he noticed that in the future there may be more areas to repair. He explained to L. Wenger how these can be repaired if the need arises. The cause of the problem may be the weight of the ceiling.
3. Replacing the fence on Lowry Lane - L. Wenger reported that he spoke with Patti Nitterhouse, owner of the land and then to John Miner, Nitterhouse representative. Vision Quest (tenant) is going to replace the fence and Vision Quest will move the fence back two or three feet and will send the Borough a letter to that affect. P. Nitterhouse called L. Wenger last week and told him that Vision Quest does not have the money to complete the entire fence this year. There is not a problem with this but when it is done the fence needs to be moved back two or three feet. The letter should still come concerning the fence being moved back. At this time they are only replacing the fence at the horse pasture. Nitterhouse is going to have a dead tree removed on Lowry Lane.
4. Water leak on Constitution Thursday December 30, 2010. Discussion on valve replacement and drawings for the water system. L. Wenger has been mapping the water leaks since he has been here and making drawings of those areas. L. Wenger thanked the employees (T. Sharrah, J. Bakner and C. Miller) for their hard work during this difficult water line repair. He also thanked D. Monn for his help during the water leak. D. Monn explained to Council what was done to get the water shut off so that the leak could be repaired.

OLD BUSINESS

Community Service – M. Pfeffer – Michael Pfeffer has completed his Community Service that he needed to obtain a Merit Badge. T. Lawson suggested that he help with Toy Drive at the Mont Alto Volunteer Fire Department. M. Pfeffer wrapped gifts for the Toy Drive.

Comprehensive Plan – Nothing.

TruCut Lawn Service – Council President D. Monn addressed this issue. The question has been raised whether or not a business is being operated out of the building at 301 Penn Street. D. Monn told Council that

the phone book shows the address for TruCut Lawn Service as 301 Penn Street. According to Dennis Koons, who owns the building on Penn Street it is an agricultural building and only used as a storage facility for TruCut. The true address for TruCut is on Grist Mill Drive in Mont Alto.

D. Monn said that there are lots of cars parked at the building, a large propane tank and a satellite dish was installed and D. Monn understands there is quite an elaborate office attached to the pole barn.

There is not a sewer hook up to the building and there aren't any signs of port a potties at the site.

D. Koons told D. Monn that he rents the building to TruCut Lawn Service, which his son operates, for storage purposes only. D. Koons is not happy that these questions are being asked about his property.

T. Lowson pointed out since the Boundary Survey was completed it has been determined that this building is in the Borough. At the time the building was built it was thought that this area was in Quincy Township. The Building Permit was obtained from Quincy Township and Allegheny Power provides electric to the building.

The Borough is losing property tax and some income because Allegheny Power is providing the electric to the property.

D. Monn does not want to see D. Koons to have to come across the stream to hook to the Mont Alto Sewer system because the Quincy sewer line runs right in front of his property. It would be more feasible for this property to hook to the Quincy sewer line.

Discussion on whether or not this is a business. J. Eck and S. Strizziere will look into this matter.

Radios – D. Monn sent everyone an email concerning the radios for the Borough. After researching the information he received it turned out that the radio had to be ordered after December 16 in order to meet the conditions of the Grant. The Borough's radio was ordered December 5. If this money was received it would have been used to offset part of the cost of the radios that were already ordered.

The County is going to provide another radio and charger to the Borough so D. Monn took care of ordering it.

NEW BUSINESS

2011 Pennsylvania Municipal Yearbook & Annual Report Approve \$40.00 Who's Who listing fee - T. Lowson made a motion to approve the \$40.00 payment, D. Monn seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

Request for donation Renfrew Museum House – No action was taken on this matter.

Invitation to the Annual Pennsylvania Farm Show Public Officials Day Luncheon – For your information and attendance if you so desire.

Approve Mont Alto Volunteer Fire Department activities for 2011 – P. Kocek received this information today for approval by Council.

J. Evans told Council that this information is provided for approval by Borough Council to meet the guidelines for Worker's Compensation coverage and the Governmental Immunity Act.

T. Lawson made a motion to approve the 2011 activities for the Mont Alto Volunteer Fire Department, J. Eck seconded, any further discussion on the motion, any further discussion on the motion, all in favor Aye, opposed No, so ordered.

Home Sprinkler Systems – D. Monn and L. Wenger briefly reported on the Seminar they attended concerning Sprinkler Systems. D. Monn has the books outlining the requirements for the new sprinkler systems in Pennsylvania.

Short discussion on the matter and the importance of home sprinkler systems.

ADJOURNMENT – T. Lawson made a motion to adjourn the regular meeting of Mont Alto Borough Council of January 3, 2010 at 9:27 p.m., B. Spicer seconded, any further discussion, any further discussion, all in favor Aye, opposed No, so ordered.

Respectfully submitted,

Submitted to Council for their approval on
February 7, 2011.

Patricia A. Kocek
Borough Secretary

Dennis W. Monn Council President

Thomas Lawson Vice President

Beverly Spicer President Pro Tem