

**MANOR BOROUGH COUNCIL
MONTHLY BUSINESS MEETING – June 15, 2022**

1. **CALL TO ORDER** – Council President Mr. Tony Gockel called the Council Meeting to Order at 7:00 P.M. on June 15, 2022, in the Manor Community Room and led the
2. **PLEDGE OF ALLEGIANCE.**

3. **ROLL CALL** of Attendance

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|-----------|-------------------------|--------------------------------|
| (Present) | Tony Gockel, President | Dawn Lynn, Vice President |
| | Chuck Charrie | Christine Marchand |
| | Terry Nemitz | Jim Vacha |
| | John Greiner, Solicitor | |
| | Ed Antonacci, Engineer | Mike Radakovich, Tax Collector |

(Absent) Dave Gongaware
George Valmassoni, Chief of Police Jason Krainbucher, Zoning Office

4. **APPROVAL OF THE MINUTES** for meeting on May 18, 2022 – A motion “to accept the minutes of the meeting held on May 18, 2022, as read” was made by Ms. Lynn, and seconded by Ms. Marchand. The motion carried unanimously.

5. **PUBLIC COMMENT – AGENDA ITEMS ONLY**

Denise Duball of Third Street, Manor commenting on the trailers on Third Street.

Gene Zurawsky of Crimson Drive, Manor following up on the sewer lateral inspection program and reiterated the facts in his case of transferring deed to place his property into asset protection trust. He noted in April 2021 Council made an exception to a resident.

Ed Malinoski of Longview Drive, Manor applying for Mayoral appointment. Mr. Malinoski thanked Council and introduced himself: A 10-year resident of the Borough, part-time school bus driver and school bus trainer, retired from 21 years in the US Navy as a cryptologist. He has a degree in Management and summarized his service and post service achievements. Mr. Malinoski has a strong desire to see Manor Borough improve.

Jeri Lewis of Harding Street, Manor asked a series of questions regarding which fees will be updated; and what mobile radios and accessories will be purchased for the Police Department and the cost. Mr. Nemitz went out of order and detailed the items and the purchase prices. Ms. Lewis wants a truck log for the Borough pick-up truck. She also questions the spending of \$10,000 to improve parks to fix the bridge, gazebo, the pavilion and restrooms in both parks. The final question was about structures in easements. Mr. Gockel explained that subject about easements will be discussed later to help residents get what they need.

6. **MAYOR’S REPORT** – None.
7. **SOLICITOR’S REPORT** - None.
8. **ENGINEER’S REPORT** – Mr. Antonacci noted there was a pre-construction meeting with Derry Construction regarding the Woods of Brandywine. They will start paving

Phase V of Brandywine Drive sometime after July 4, 2022 and take 5 days to complete. Derry is to give the Borough a 7 day notice until work begins, and they are to inform the residents who will be affected by the mill and overlay.

9. ZONING OFFICER'S REPORT – None.

10. BOROUGH MANAGER'S REPORT – None.

11. TREASURER'S REPORT – Ms. Lynn motioned to approve the Treasurer's Report for the Month of May 2022. Seconded by Mr. Vacha. Mr. Charrie asked for the bill list to close on the Friday before the Council Meeting so the report can be emailed to Council for review. The motion carried unanimously.

12. TAX COLLECTOR'S REPORT – Ms. Lynn motioned to approve the Tax Collector's Report for the month of May 2022. Seconded by Ms. Marchand, the motion carried unanimously.

13. COMMITTEE REPORTS

- a. Building & Properties – None.
- b. Community Betterment & Environment – None.
- c. Finance – Mr. Vacha reported they met with the Teamsters on June 1, 2022 to further discuss the police contract.
- d. Personnel & Administration – Ms. Marchand reported the meeting with the Teamsters on June 1, 2022 to further discuss the police contract.
- e. Planning & Zoning – The Planning Commission will meet Monday June 20, 2022 and the members will review Solicitors Greiner's and Falatovitch's comments on the SALDO.
- f. Public Safety & Maintenance – Mr. Nemitz reported the radio proposal is complete. He then asked the Borough Engineer to take a look at the park restroom and to evaluate its condition.

14. OLD BUSINESS

- a. Updating fees charged by the Borough. Mr. Gockel requested the Finance Committee and Mr. Charrie to review the fees and make recommendations. Mr. Charrie suggested only a few fees need to be changed. Ms. Lynn motioned to move this review to the Finance Committee. Seconded by Mr. Nemitz, the motion carried unanimously.
- b. Police Communications. Mr. Nemitz updated the cost for new radios from WestCom Wireless at \$16,960.51, including necessary accessories, with immediate availability. Ms. Lynn motioned to purchase the radios for the Manor Police Department from Westcom, not to exceed the purchase quote of \$16,960.51. Seconded by Mr. Nemitz. Council discussed how the radios would be paid which would likely be an Unusual Expense from surplus budgeted funds or the radios could be paid with money from the American Rescue Fund grant. The motion carried unanimously. Mr. Nemitz also reported the cameras at the Police Station are not working. He spoke to Strategic Security Solutions to get an estimate that will be forwarded to Council.

15. NEW BUSINESS

- a. Appointing a registered elector to fill the office of Mayor. Ms. Lynn motioned to nominate Mr. David Sturgess. Seconded by Ms. Marchand. Mr. Charrie

interjected to voice his displeasure with the process and claims there was not enough information provided. A verbal dispute broke out between Mr. Charrie and Ms. Lynn. Ms. Marchand exited the meeting at 8:00 P.M. stating she resigns immediately. Mr. Charrie admitted he called and talked to each mayoral candidate. Mr. Sturgess briefly spoke about residents upset with traffic, wants more police visibility and he has previous experience. Mr. Charrie expressed his choice in Mr. Malinoski. Mr. Sturgess failed to be appointed due to lack of majority of vote. The roll call vote is as follows:

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|---------------|-----------|--------------|-------|
| Mr. Gockel | - Abstain | Ms. Marchand | - N/A |
| Ms. Lynn | - Yes | Mr. Nemitz | - No |
| Mr. Charrie | - No | Mr. Vacha | - Yes |
| Mr. Gongaware | - Absent | | |

Mr. Charrie then motioned to nominate Mr. Ed Malinoski. Seconded by Mr. Nemitz, Mr. Malinoski received the appointment. The roll call vote is as follows:

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|---------------|-----------|--------------|-------|
| Mr. Gockel | - Abstain | Ms. Marchand | - N/A |
| Ms. Lynn | - No | Mr. Nemitz | - Yes |
| Mr. Charrie | - Yes | Mr. Vacha | - Yes |
| Mr. Gongaware | - Absent | | |

- b. Appointing an Emergency Management Coordinator. Ms. Lynn motioned to nominate Mr. Terry Nemitz as Emergency Management Coordinator, seconded by Mr. Charrie, the nomination carried unanimously. The roll call vote is as follows:

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|---------------|----------|--------------|-------|
| Mr. Gockel | - Yes | Ms. Marchand | - N/A |
| Ms. Lynn | - Yes | Mr. Nemitz | - Yes |
| Mr. Charrie | - Yes | Mr. Vacha | - Yes |
| Mr. Gongaware | - Absent | | |

- c. Conditions of mobile homes at 35 and 36 Third Street. Mr. Charrie was responding to a citizen complaint. He visited the area and finds it deficient. After considerable discussion, Mr. Charrie motioned to have the Borough Manager send a notice to the property owner, citing 5-204, giving them 30 days to repair the property or to remove the mobile homes. Seconded by Mr. Nemitz, the motion carried unanimously.
- d. Maintaining a log for Borough Vehicles. Mr. Charrie asserts there are complaints and concerns about the usage of the Borough pick-up truck. He is unhappy about not receiving trade in value documentation on the truck replacement. He claims if it is an emergency management vehicle there needs to be a daily log with mileage. Mr. Nemitz motioned to table the subject until the next meeting. The motion died for lack of a second. Mr. Charrie motioned to require the F250 to have a usage log, regardless of approved use, that details the department using, person using, date, time in, time out, mileage in, and mileage out. The motion died for lack of a second.
- e. Sewer Lateral Inspection program. Ms. Lynn motioned to leave the Ordinance as is. The motioned died for lack of a second. After considerable discussion, Mr. Vacha motioned to suspend taking action on the letter from Mr. Zurawsky, granting him an exception, and feels there should be an exception in certain cases. Mr. Vacha also suggested to alter the Ordinance to allow for new technology, and to authorize the Solicitor to recommend changes. After

technical clarification, the motion was seconded by Mr. Charrie. The Solicitor explained the way the Ordinance was written, there is no allowance for exceptions. There are concerns about how broad the Ordinance is and the intent was likely for change in ownership and possession. The motion was amended to authorize the Solicitor to review the Ordinance and recommend changes. The motion carried unanimously.

- f. Spending \$10,000 for park improvements. Mr. Charrie mentioned both parks and restroom buildings. He wants a list of improvements not to exceed \$10,000 to renovate the restrooms and is soliciting participation from Manor Recreation and PTARC. He also wants cameras to monitor people going in and out of the restrooms. After discussion, Ms. Lynn motioned to allow the Manor Recreation Board to list expenditures of needed repairs for both parks not to exceed \$10,000. Seconded by Mr. Vacha, the motion carried unanimously.
- g. Allowing structures within easements. Mr. Gockel briefed Council regarding Mr. Krainbucher's dilemma over fences and sheds falling into easements. Not wanting to deny the structures, Mr. Krainbucher was looking for a solution. An Ordinance is drafted to allow for fences and sheds in an easement on a case by case basis, with both parties signing and recording an agreement. Once the Ordinance is adopted with the signed agreements, and recorded, the structure can be placed. Mr. Nemitz motioned to advertise the Ordinance for adoption. Seconded by Ms. Lynn, the motion carried unanimously.

16. CORRESPONDENCE

- a. None.

17. APPROVAL TO PAY BILLS – Ms. Lynn motioned to pay the bills as of May 18, 2022. Seconded by Mr. Vacha, the motion carried unanimously.

18. EXECUTIVE SESSION – There was no Executive Session.

19. CITIZEN COMMENTS/PUBLIC COMMENTS (From Sign-Up Sheet)

Rich Tomko of Fairview Dr, Manor has flooding in his back yard and driveway. He asserts the water is coming from the woods or Woodview Drive, above his property, runs down his driveway and across the property of the next 4 neighbors. This was also affecting the former Mayor's property. Mr. Lapia noted the Borough has looked at this multiple times, have placed camera down pipes, and part of the issue is Mr. Tomko's house was the site of an old retention pond. He explained the water is a combination of the 3 houses above his house and the house on Woodview Drive. Mr. Lapia suggested capturing the water and piping it to the street or installing a dry sump. Mr. Nemitz is having a similar issue and wants the Borough to take a look at it.

Jeri Lewis of Harding Street, Manor said she is donating \$500 to the Recreation Fund. Ms. Lewis mentioned 15 Harding Street, now a vacate house, and says there is a problem with rats and wants the property demolished. Mr. Lapia asked if she knew if the estate would be willing to sign up with the County to receive money for demolition.

Tiffany Kolbosky of Oak Street, Manor is the President of the Manor VFD and she has concerns about the parking lot under renovation. She asserts in 2019 when the vote to renovate the parking lot was passed it evoked a breach of contract, based on a 1971 lease agreement stating no building or structure of a permanent nature can be constructed without an amendment to the lease. Ms. Kolbosky stated an amendment

was made in 1992 to construct the Borough Building. The 1971 lease stated 3 persons from the fire department and 3 persons from the Borough are to meet and discuss and come up with a compromise. She asserts in 2019 the fire department was neither consulted nor informed of the renovation final design, but admits the parking lot needs renovation. Her hope is to again have a community celebration similar to the Labor Day Celebration and feels the parking lot may now be too small, including parking for fish fries. Ms. Kolbosky is also concerned about getting apparatus into the parking lot, and access to a fire hydrant by the railroad tracks. She wants to go about this in a civil way, but is preparing to take legal action of breach of contract if necessary. She asked for construction to halt until the Elsie Court access is redesigned. After discussion, Mr. Gockel quickly formed a Borough Committee to get with the Manor VFD committee to resolve any modifications in the design if necessary. Mr. Greiner recommended both parties get together and talk as all items of concern appear fixable.

Mr. Charrie commented on how the Borough should spend the American Rescue Plan money: Splitting half of the \$175,000 already received giving it to the school districts for emergency preparations. Mr. Lapia pointed out there are no schools in the Borough and it may be an unallowable expense according to the Borough Code.

20. MOTION TO ADJOURN - There being no business to discuss, a motion "to adjourn the meeting" was made by Mr. Vacha and was seconded by Mr. Nemitz. The motion carried unanimously. The meeting adjourned at 10:24 P.M.

Joseph N. Lapia
Borough Manager