

**MANOR BOROUGH COUNCIL  
MONTHLY BUSINESS MEETING – October 18, 2023**

1. **CALL TO ORDER** – Council President Mr. Tony Gockel called the Council Meeting to Order at 8:00 P.M. on October 18, 2023, in the Manor Community Room and led the
2. **PLEDGE OF ALLEGIANCE.**

3. **ROLL CALL** of Attendance:

(Present)	Tony Gockel, President	Dawn Lynn, Vice-President
	Chuck Charrie	Dave Gongaware
	Terry Nemitz	Jim Vacha
	Ed Malinoski, Mayor	Chelsea Dice, Solicitor
	Ed Cycak, Engineer	Randy Carlson, Chief of Police
	Mike Radakovich, Tax Collector	
(Absent)	Christine Marchand	Jason Krainbucher, Zoning Office

4. **APPROVAL OF THE MINUTES** for the meeting on September 20, 2023. Mr. Gongaware motioned to accept the meeting minutes held September 20, 2023. Seconded by Mr. Nemitz. The motion carried unanimously
5. **APPROVAL OF THE MINUTES** for the public hearing on September 20, 2023. Ms. Lynn motioned to accept the meeting minutes held for the public hearing. Seconded by Mr. Nemitz, the motion carried unanimously.

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

**Lauretta Kerber**, property owner in Manor, has no objection with being in a Commercial Zone, but she wants to stay as a conditional use. The land is in a flood plain and has adhered to all building requirements. The current use for the property is perfect as a bus depot. She asked Council to consider amending the proposed Ordinance to include the bus depot in a C-1 and not an I-1 as written in the amendment. She then inquired about what it means to show intent and at what cost.

**Denise Duball** of Manor stated she was not happy the park pavilion was torn down and stated the Borough did not have to tear it down. She thinks there is something wrong with Council. She thanked Mr. Charrie for getting the trailers on Third Street removed. Mr. Charrie stated he forwarded a letter to Council outlining his discussion with Adam Matis, PA DCNR about the park pavilion.

**Jeri Lewis** of Manor inquired about an ADA restroom in the park. Mr. Vacha stated Council is going to look at options for an ADA compliant restroom in the park. Ms. Lewis then stated the playground is disgusting and said the old Pavilion should not have been torn down. She also complained about a big tree cut down in the park. She then went to the Sewer Grant and stated the Borough has to stop with this grant stuff and it costs the Borough three times with state, local and federal funds. She intends to hold Council to a higher standard. She does not agree with the sewage thing.

7. **MAYOR’S REPORT** – Mayor Malinoski reported he held a Community Day Debrief and lessons learned meeting. The 2024 Community Day kick off meeting is October 19<sup>th</sup>. The Mayor met with Cub Scout Pack 230 to discuss the structure and functionality of local government. He asked for lighting on the police front door keypad and presented the police activity report for September.

**8. SOLICITOR'S REPORT** - None.

**9. ENGINEER'S REPORT** – Mr. Cycak reported on the CBDG / DCNR Project in the park. Work began on the park October 9, 2023. All erosion and settlement controls were installed. The pavilion was taken down and the excavation is complete for the sports court, the new pavilion and the walking track. Paving is scheduled for the sports court next week. Base repair for the walking track has been done and the ADA compliant section is expected to be completed by October 20. The contractor is on schedule to have the project completed by November 10, 2023, weather depending.

**10. ZONING OFFICER'S REPORT** – None.

**11. BOROUGH MANAGER'S REPORT** – None.

**12. TREASURER'S REPORT** – Ms. Lynn motioned to approve the Treasurer's Report for the Month of September 2023. Seconded by Mr. Vacha. The motion carried unanimously.

**13. TAX COLLECTOR'S REPORT** – Ms. Lynn motioned to approve the Tax Collector's Report for the month of September 2023. Seconded by Mr. Nemitz the motion carried unanimously.

**14. COMMITTEE REPORTS**

- a. Building & Properties (Ms. Lynn) – None.
- b. Community Betterment & Environment (Mr. Nemitz) – None.
- c. Finance (Mr. Vacha) – None.
- d. Personnel & Administration (Mr. Vacha) – None.
- e. Planning & Zoning (Mr. Charrie) – Mr. Charrie requested the Borough office post fliers on the vehicles that are parking near the Borough office doors. He feels apartment residents should park at the end of the lot and away from the doors. The backfill on the First Street properties, from the utility work, should be done soon. He then wanted to appoint two members to the Zoning Hearing Board. The second appointment was not on the agenda and will have to wait until the November meeting.
- f. Public Safety & Maintenance (Mr. Gongaware) – Mr. Gongaware and Mr. Nemitz will work with the Solicitor to reach out to the surrounding communities of North Huntingdon Township, Hempfield Township and Penn Township regarding the Volunteer Service Credit and possible intermunicipal agreements.

**15. OLD BUSINESS**

- a. None.

**16. NEW BUSINESS**

- a. Adopting Ordinance 597-23-03 Amending Chapter 27 (Manor Borough Zoning Ordinance) of the Code of Ordinances and the Manor Borough Zoning map. Mr. Charrie motioned to accept Zoning Ordinance Amendments and the map, along with the changes recommended by the Westmoreland County Planning Department to include a correction for Section 6.5.a.3 from a time designation to a trip amount designation in the afternoon. The changes also include a correction for the parcel ID of Sangill properties from 19-03-70-0-076 to 19-03-07-0-076 in Section 3B, and in Section 6, the phrase "permitted uses" is to be

replaced with “conditional uses”. Seconded by Mr. Gongaware, the motion carried by majority. The roll call vote is as follows:

Mr. Gockel	- Yes	Ms. Marchand	- Absent
Ms. Lynn	- Yes	Mr. Nemitz	- No
Mr. Charrie	- Yes	Mr. Vacha	- Yes
Mr. Gongaware	- Yes		

- b. Adopting Ordinance 598-23-04 approving a Restricted License Agreement to erect a fence within the Borough’s Right of Way on Parcel ID 19-01-12-0-023. Mr. Vacha motioned to approve Ordinance 598-23-04 for a Restricted License Agreement to erect a fence within the Borough’s Right of Way on Parcel ID 19-01-12-0-023. Seconded by Mr. Gongaware, Mr. Charrie questioned if the Borough is required to uphold building in a Right of Way. The motion carried unanimously. The roll call vote is as follows:

Mr. Gockel	- Yes	Ms. Marchand	- Absent
Ms. Lynn	- Yes	Mr. Nemitz	- Yes
Mr. Charrie	- Yes	Mr. Vacha	- Yes
Mr. Gongaware	- Yes		

- c. Approving and signing grant agreement with Westmoreland County for the Oak Street sanitary sewer project. Westmoreland County solicited the distribution of \$10 million from ARPA funds for infrastructure projects. Ms. Lynn motioned to approve and sign the agreement with Westmoreland County for the Oak Street sanitary sewer project in the amount of \$271,463, half of the estimated project cost of the project. The project is estimated to begin in late 2024. Seconded by Mr. Vacha, the motion carried unanimously. The roll call vote is as follows:

Mr. Gockel	- Yes	Ms. Marchand	- Absent
Ms. Lynn	- Yes	Mr. Nemitz	- Yes
Mr. Charrie	- Yes	Mr. Vacha	- Yes
Mr. Gongaware	- Yes		

- d. Approving Resolution 2023-11 appointing Sonny R. Melnick to the Zoning Hearing Board. Mr. Charrie motioned to approve Resolution 2023-11, appointing Sonny R. Melnick to the Zoning Hearing Board. Seconded by Mr. Gongaware, the motion carried unanimously. The roll call vote is as follows:

Mr. Gockel	- Yes	Ms. Marchand	- Absent
Ms. Lynn	- Yes	Mr. Nemitz	- Yes
Mr. Charrie	- Yes	Mr. Vacha	- Yes
Mr. Gongaware	- Yes		

- e. UPMC Health Insurance renewal. Mr. Gongaware motioned to accept the UPMC Health Insurance renewal for 2024. Seconded by Mr. Vacha, the motion carried unanimously.

- f. 2024 Draft Budget. Mr. Lapia, Mr. Vacha and Mr. Gockel reviewed the budget and projections based on the information available at the time. Notable items include a \$1,155 increase to the Manor Volunteer Fire Department budget and a slight increase to Penn Township Rescue #6 of \$1,500 at the request of Ed

Grant, Director. Mr. Charrie requested the draft budget change format to include the current budget, year to date. Mr. Vacha commented the budget is currently \$4,800 income over expenses, but Mr. Lapia cautions the insurance rates have not come in yet and could change the overall budget.

- g. 2024 Street Paving. Mr. Lapia noted the Rowe Road Drainage Project finished October 18 as part of the Dirt and Low Volume Road Grant. Catch basins were installed as well as new piping and outfalls. The Engineer recommends concentrating on Rowe Road for 2024, paving from State Route 993 through the end of the project, pick up with a prior Rowe Road enhancement at the hill and pave towards the Penn Township line. The money will come from \$150,000 from the General fund and \$100,000 from Liquid Fuels. The engineer estimate came in at \$275,000, and the Borough can take money from other sources. The hope is an early bid will result in an overall lower bid total for the project. Mr. Cycak stated Rowe Road is the worst road in the Borough and it needs attention. Mr. Gongaware motioned to move forward with the Rowe Road reconstruction project. Seconded by Mr. Nemitz, the motion carried unanimously.
- h. Restroom in Manor Park. Mr. Lapia gave council an updated estimate on a precast concrete restroom from several years ago. Mr. Vacha is looking at 2 options: Upgrading the current park restroom to ADA compliance or install a new restroom out of the flood zone. The updated specification for a new restroom is \$153,820, with an approximate \$75,000 in site preparation. Mr. Nemitz asked how the restroom would be funded, and that would depend on the final cost estimate. Mr. Vacha and Mr. Lapia also looking into other options. Mr. Charrie stated he doesn't think the prefabricated restroom is worth even \$100,000.
- i. Request from Manor VFD for use of the Community Room. Ms. Lynn motioned to waive the Community Room rental fee for the Manor Volunteer Fire Department for the use of the room for their annual banquet February 10, 2024. Ms. Lynn will pay the \$75 cleaning fee. Seconded by Mr. Vacha, the motion carried unanimously.

#### **17. CORRESPONDENCE**

- a. None.

**18. APPROVAL TO PAY BILLS** – Mr. Gongaware motioned to pay the bills as of October 18, 2023. Seconded by Mr. Nemitz, the motion carried unanimously.

**19. EXECUTIVE SESSION** – Mr. Nemitz motioned to go into Executive Session for matters of Potential Litigation and Personnel Matters. Seconded by Ms. Lynn, the motion carried by majority at 9:31 P.M. Mr. Gongaware voted No. Mr. Nemitz motioned to return to the Council Meeting. Seconded by Ms. Lynn, the motion carried unanimously at 9:49 P.M. Potential Litigation and Personnel matters were discussed.

#### **20. CITIZEN COMMENTS/PUBLIC COMMENTS (From Sign-Up Sheet)**

**Kacy McGill**, representative from Congresswoman Summer Lee's office, introduced herself and highlighted services offered by the office.

**Jeri Lewis** of Manor, inquired about the restrooms in Manor Park and asked Council their opinion. She then queried the new walking track and how it connects to everything

in the park. She thinks the existing restroom should be remodeled as it would be convenient to park activities especially those with disabilities. Mr. Vacha stated the earlier discussion about a new restroom was an idea to be discussed, not a certainty, and all ideas are welcome.

- 21. MOTION TO ADJOURN** - There being no business to discuss, a motion "to adjourn the meeting" was made by Mr. Nemitz and was seconded by Mr. Charrie. The motion carried unanimously. The meeting was adjourned at 10:00 P.M.

Joseph N. Lapia  
Borough Manager