

**MANOR BOROUGH COUNCIL
MONTHLY BUSINESS MEETING – October 19, 2022**

1. **CALL TO ORDER** – Council President Mr. Tony Gockel called the Council Meeting to Order at 7:00 P.M. on October 19, 2022, 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 Antonacci, Engineer	Mike Radakovich, Tax Collector

(Absent) Christine Marchand
George Valmassoni, Chief of Police Jason Krainbucher, Zoning Office

4. **APPROVAL OF THE MINUTES** for the Special Meeting on September 14, 2022 – A motion “to accept the minutes of the Special Meeting held September 14, 2022, as read” was made by Ms. Lynn, and seconded by Mr. Vacha. The motion carried unanimously.

5. **APPROVAL OF THE MINUTES** for the meeting on September 21, 2022 – A motion “to accept the minutes of the meeting held September 21, 2022, as read” was made by Ms. Lynn, and seconded by Mr. Vacha. The motion carried unanimously

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

Nicole LeMaster of Observatory Street, Manor, inquired about the Recreation Board Meeting and Budget. The Recreation Board met October 5, 2022 and discussed additional activities for fundraising. They are unable to do small games of chance as they are not a non-profit organization and fall under the Borough. The Recreation Board is looking for a budget of \$3,150 for 2023. They would like to get more community involvement. Mr. Charrie suggested a budget of \$5,000.

Denise Duball of Third Street, Manor, inquired about the sanitary sewer project done in 2014 and fears she will have to replace her existing sewer lateral if she sells her house. If her sewer line is functioning properly, there would be no need to replace it.

Jeri Lewis of Manor, had comments about all items on the agenda. She asserts the Borough is in violation of the Sunshine Act. She also claims if a resident brings up an issue with regard to a contract or an agreement, the agency may take official action. She asked for President Gockel to put items on the agenda and it has not happened. She is asking for public comment to be an open forum on each item before voting, and cites Title 65 §721.1d Business arising at meetings. She asks for discussion, and raise concerns before voting. The Solicitor responded that Council has not opted for a Question and Answer session. Ms. Lewis then cited §701.1 Public Participation, and a court case regarding the Sunshine Act in Westmoreland County, and proclaimed she will not tolerate her civil rights being violated. The Solicitor advised the Third Circuit Court states meetings are not allowed to be recorded.

7. **MAYOR’S REPORT** – Mayor Malinoski reported numerous items: He represented the Borough at 2 community gatherings, held a cornhole tournament at the Legion, met with the community fair planning committee, authorized police schedule changes, engaged

with Representative Dunbar's office regarding Sandy Hill Road oil and chip issues and "Welcome to Manor" signage grant money, investigated a sound system for the community room, fielded feral cat complaints, and is researching GPS units for the Manor Police Department. He also provided Council with a police report, code enforcement letters, and the magistrate's report for the month of September.

8. SOLICITOR'S REPORT - None.

9. ENGINEER'S REPORT – Mr. Antonacci met with People's Gas as they are replacing a gas line beginning October 24 on Mount Pleasant Boulevard. The paving on upper Oak, Harding and Hill Streets is to begin October 21, 2022.

10. ZONING OFFICER'S REPORT – None.

11. BOROUGH MANAGER'S REPORT – Mr. Lapia reported

12. TREASURER'S REPORT – Mr. Gongaware motioned to approve the Treasurer's Report for the Month of September 2022. Seconded by Ms. Lynn. The motion carried unanimously.

13. TAX COLLECTOR'S REPORT – Mr. Gongaware motioned to approve the Tax Collector's Report for the month of September 2022. Seconded by Ms. Lynn the motion carried unanimously.

14. COMMITTEE REPORTS

- a. Building & Properties – They met to discuss the International Property Maintenance Code and adoption thereof.
- b. Community Betterment & Environment – The park structures have been painted and time clocks are to be installed on the restroom doors. Cameras need to be installed.
- c. Finance – The draft budget is complete.
- d. Personnel & Administration – There is a need for Executive Session.
- e. Planning & Zoning – The trailers at 35 and 36 Third Street are being addressed. The utilities have been disconnected from the lower trailer and have been verified except for the electric. Anticipated removal is mid-November. The Planning Commission has recommended a new member. Permit application issue regarding enforcement of transient signs. The Solicitor is to look at the Sign Ordinance. PT-Commercial Court development has asked to table review. The Planning Commission needs to be notified of fees.
- f. Public Safety & Maintenance – The new radios for the police department are in. The Manor VFD quarterly audit went well. A countywide Shake Out Drill is to occur October 20, 2022.

15. OLD BUSINESS

- a. Providing Borough Email addresses to Boards and Commissions. Mr. Charrie motioned for an email address be set up for Recreation Board and Civil Service. Seconded by Mr. Gongaware, the motion carried unanimously.
- b. Adopting the International Property Maintenance Code. After discussion, Ms. Lynn motioned to table action until the Committee makes further notification. Seconded by Mr. Nemitz, the motion carried unanimously.

16. NEW BUSINESS

- a. Purchasing a new computer server for the Administration Office. Mr. Gongaware motioned to purchase the new computer server for the Borough Administration Office. Seconded by Ms. Lynn, the motion carried unanimously.
- b. Penn Dot Right of Way agreement for SR4012 (Brush Creek Rd.) bridge replacement project. Ms. Lynn motioned to approve the agreement with the condition the Solicitor approves with storage conditions needed by the Borough. Seconded by Mr. Vacha, the motion carried unanimously.
- c. Forming an Ad Hoc Planning Committee for the 2023 Labor Day Celebration or having the Recreation Board serve in that capacity. Mr. Charrie motioned to use the Recreation board as a liaison to Council for the Labor Day Celebration but must provide monthly updates. Seconded by Mr. Vacha, the motion carried unanimously.
- d. The Mayor's use of the Community Room and waiving all rental/cleaning fees. Ms. Lynn motioned to remove this item from the agenda. Seconded by Mr. Nemitz, the motion carried unanimously.
- e. Revising the Community room rental policy. Mr. Nemitz motioned to remove this item from the agenda. Seconded by Ms. Lynn, the motion carried unanimously.
- f. UPMC Health Insurance renewal. Ms. Lynn motioned to renew the UPMS Health Insurance Plan for employees. Seconded by Mr. Vacha, the motion carried unanimously.
- g. The purchase of a police car and a dump truck. The Borough Manager recommended not to purchase a dump truck at this time due to cost. Ms. Lynn motioned to purchase a Dodge Charger for \$35,916. Seconded by Mr. Nemitz, the motion carried unanimously.
- h. Oak Street and McKelvey Street Sanitary Sewer Project. The expense for the project has increased due to fuel and resin cost. Mr. Gongaware motioned to have the Engineer proceed with the project specifications. Seconded by Ms. Lynn, the motion carried unanimously.
- i. 2023 Draft Budget. Council had few comments about the draft budget. Mr. Charrie requested \$5,000 for the Recreation Board for Community Events. Mr. Vacha questioned the amount when they were seeking \$3,150. No response.
- j. Resolution 2022-21 appointing member to the Planning Commission. Mr. Vacha motioned to appoint Frank Febbraro to the Manor Planning Commission based on their recommendation. Seconded by Ms. Lynn, the motion carried unanimously. The roll call vote is as follows:
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Mr. Gockel	- Yes	Ms. Marchand	-Absent
Ms. Lynn	- Yes	Mr. Nemitz	- Yes
Mr. Charrie	- Yes	Mr. Vacha	- Yes
Mr. Gongaware	- Yes		

17. CORRESPONDENCE

- a. None.

18. APPROVAL TO PAY BILLS – Ms. Lynn motioned to pay the bills as of October 19, 2022. Seconded by Mr. Charrie, the motion carried unanimously.

19. EXECUTIVE SESSION – Mr. Charrie motioned to go into Executive Session. Seconded by Ms. Lynn, the motion carried unanimously at 9:08 P.M.

Ms. Lynn motioned to return to the Council Meeting. Seconded by Mr. Nemitz, the motion carried unanimously at 10:40 P.M. Topics discussed were: Potential litigation regarding stormwater, employee discipline, and the police union contract.

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

Melinda Hunter of Brian Lane, Manor, requested for a streetlight on Sandy Hill Road at Briar Lane.

Lauretta Kerber of 1st Street, Irwin, is co-owner of the Kerber Building on Main Street and is citing a paving concern in the alley between the Kerber Building and Kistler's Barber Shop. She wants to fix the water issue but feels she cannot due to the recent paving of Ash Street. She has threatened litigation.

Jeri Lewis of Manor, was recognized but declined to comment.

Pat Smith of Fredrick Drive, Manor, was seeking an update on the blighted property in the Borough.

21. MOTION TO ADJOURN - There being no business to discuss, a motion "to adjourn the meeting" was made by Ms. Lynn and was seconded by Mr. Nemitz. The motion carried unanimously. The meeting adjourned at 10:50 P.M.

Joseph N. Lapia
Borough Manager