

MANOR BOROUGH COUNCIL
MONTHLY BUSINESS MEETING – December 20, 2023

1. **CALL TO ORDER** – Council President Mr. Tony Gockel called the Council Meeting to Order at 7:18 P.M. on December 20, 2023, in the Manor Community Room and led the
2. **PLEDGE OF ALLEGIANCE.**

Solicitor Dice announced due to a clerical error the meeting agenda was not placed on the web page until 7:18 P.M Tuesday evening, therefore the meeting did not start until 7:20 P.M. to adhere to the 24-hour posting notice on the web page. Ms. Jeri Lewis argued Council was ignoring state law. Solicitor Dice stated the Borough is not in violation of the Sunshine Law as the defect was remedied and the Borough did adhere to the 24-hour posting notice on the web page. Ms. Lewis threatened to sue the Borough.

3. **ROLL CALL** of Attendance:

(Present) Tony Gockel, President
Dave Gongaware
Jim Vacha
Chelsea Dice, Solicitor
Mike Radakovich, Tax Collector

Terry Nemitz
Ed Malinoski, Mayor
Ed Antonacci, Engineer

(Absent) Dawn Lynn, Vice-President
Christine Marchand
Jason Krainbucher, Zoning Office

Chuck Charrie
Randy Carlson, Chief of Police

4. **APPROVAL OF THE MINUTES** for the meeting on November 15, 2023. Mr. Gongaware motioned to accept the meeting minutes held November 15, 2023. Seconded by Mr. Nemitz, the motion carried unanimously.

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

None.

6. **MAYOR’S REPORT** – Mayor Malinoski thanked Mr. Lapia and Public Works for their help with the Christmas tree for Light Up Night. They also had additional lighting installed at the police station. The Mayor and the Personnel Committee interviewed 2 part-time police officer applicants. The Police Chief received a desktop computer. The Mayor has directed the police department to assist with traffic control for the VFD during a fire call at Mill Street and Manor Harrison City Road. The mayor presented the police activity report for the month of November.
7. **SOLICITOR’S REPORT** – Solicitor Dice reached out to neighboring municipalities regarding Act 172. Once their Council reaches a decision, they will respond to the Solicitor.

The Solicitor went out of order and allowed Ms. Jeri Lewis to make a comment on an agenda item as she claimed her Civil Rights were being violated. She claimed a disability allowance as she cannot stay until the end of the meeting and was not in the building when Public Comment period was announced. She disagrees with Council’s decision regarding 554 posting an agenda 24-hours, on the website, before a meeting, stating it was not met. She brought up a court case concerning the Reading Eagle vs Council and claimed an objection can be raised at any time during a Council Meeting.

She also claimed a violation of the Executive Session on the agenda as the reason is general and not specific, per the Reading Eagle case.

8. ENGINEER'S REPORT – Mr. Antonacci reported the specifications and drawings for Rowe Road are ongoing. He expects the project to go out to bid in February. Mr. Gongaware inquired about the police station study. Mr. Antonacci clarified the building has not moved much, if at any, in the past 11 months, according to his measurements. The 1/16 of an inch in variation can be considered insignificant. Mr. Nemitz inquired about additional structural issues. Mr. Antonacci said those items will be looked at in the future.

9. ZONING OFFICER'S REPORT – None.

10. BOROUGH MANAGER'S REPORT – None.

11. TREASURER'S REPORT – Mr. Vacha motioned to approve the Treasurer's Report for the Month of November 2023. Seconded by Mr. Nemitz. The motion carried unanimously.

12. TAX COLLECTOR'S REPORT – Mr. Gongaware motioned to approve the Tax Collector's Report for the month of November 2023. Seconded by Mr. Nemitz the motion carried unanimously.

13. COMMITTEE REPORTS

- a. Buildings & 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.
- f. Public Safety & Maintenance (Mr. Gongaware) – Mr. Gongaware thanked the Mayor for having the police department stop traffic on Manor Harrison City Road, to allow the fire trucks easier access to a fire call.

14. OLD BUSINESS

- a. Purchasing a sound system for the Community Room. Mr. Gockel and Mr. Lapia met with a vendor for a sound system to gather more information. The cost involved requires the Borough to go out for bid on a sound system. Mr. Gongaware motioned to go out to bid for a sound system for the Manor Community Room. Seconded by Mr. Vacha, the motion carried unanimously.

15. NEW BUSINESS

- a. Adopting a 2024 Budget. Mr. Vacha motioned to approve the 2024 Budget. Seconded by Mr. Gongaware, the motion carried unanimously.
- b. Resolution 2023-13 setting real estate tax millage for 2024. Mr. Vacha motioned to approve Resolution 2023-13, keeping the real estate millage at 17.5%, no change. Seconded by Mr. Nemitz, the motion carried unanimously. The roll call vote is as follows:

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

- c. Resolution 2023-14 setting monthly sewer rates for 2024. Mr. Gongaware motioned to approve Resolution 2023-14, setting the monthly sewer rates for 2024. The motion carried unanimously. The roll call vote is as follows:

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

- d. Calendar of monthly meetings for 2024. Mr. Nemitz motioned to approve the Calendar of monthly meetings for 2024. Seconded by Mr. Vacha. Mr. Gockel asked to have the calendar amended to include 3 Council workshop meetings on March 6, June 5 and September 4, and that the meetings start at 6:30 P.M. Mr. Nemitz amended his motion to include the workshop dates and the meeting start time of 6:30P.M. and seconded by Mr. Vacha, the motion carried unanimously.

- e. Naming Penn Trafford News as the Official Borough Newspaper for 2024. Mr. Gongaware motioned to name the Penn Trafford News as the Official Borough newspaper for 2024. Seconded by Mr. Nemitz, the motion carried unanimously.

- f. Resolution 2023-15 reappointing Frank Febbraro to the Planning Commission. Mr. Gongaware motioned to reappoint Frank Febbraro to the Planning Commission. Seconded by Mr. Nemitz. The motion carried unanimously. The roll call vote is as follows:

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

- g. Resolution 2023-16 reappointing Keith Biskup to the Zoning Hearing Board. Mr. Gongaware motioned to reappoint Keith Biskup to the Zoning Hearing Board. Seconded by Mr. Vacha, the motion carried unanimously. The roll call vote is as follows:

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

- h. Resolution 2023-17 waiving Employee contributions to the Police Pension Plan and approving pension plan amendment agreement. Mr. Vacha motioned to waive the employee contribution to the Police Pension Plan and approve the pension plan amendment agreement. Seconded by Mr. Gongaware, the motion carried unanimously. The roll call vote is as follows:

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

- i. Soliciting bids for Municipal Waste Services. The current contract with Noble Environmental/County Hauling expires March 31, 2024. Mr. Gongaware motioned for the Solicitor to prepare a bid package. Seconded by Mr. Nemitz, the motion carried unanimously.
- j. Hiring a part-time police officer. Mr. Vacha motioned to hire one part time officer, Brandon Shaber. Seconded by Mr. Gongaware, the motion carried unanimously.
- k. Approving contract Sable Kennels for animal control services. Mr. Gongaware motioned to approve the 2-year contract with Sable Kennels. Seconded by Mr. Vacha, the motion carried by majority. Mr. Nemitz voted No.

16. CORRESPONDENCE

- a. None.

17. APPROVAL TO PAY BILLS – Mr. Nemitz motioned to pay the bills as of December 20, 2023. Seconded by Mr. Gongaware, the motion carried unanimously.

18. EXECUTIVE SESSION – Mr. Nemitz motioned to go into Executive Session for matters of potential litigation. Seconded by Mr. Gongaware, the motion passed at 8:17 P.M. Mr. Nemitz motioned to return to regular session. Seconded by Mr. Vacha, the motion passed at 8:23 P.M. Discusses was matters of litigation over Borough property.

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

Bonnie Dawson of Manor asked if Rowe Road will be widened during the project. Mr. Lapia explained the section of Rowe Road worked on this year is limited in width due to the terrain and it is wider than before the project, but it cannot be widened further. She asked if more can be done as drivers aren't yielding to each other, and she has had too many close calls and feels the narrow road is a safety issue. Mr. Lapia has offered to do a traffic study and put up a speed sign to help slow down vehicles. Regarding Sable Kennels, she hopes the Borough can resolve any issues as she feels alternate dog control kennels are terrible.

Jeri Lewis of Manor questions who is in charge of the sound system research since it was assigned to the Buildings and Properties Committee. Mr. Gockel stated the Committee is comprised of him, Mr. Gongaware and Ms. Lynn.

President Gockel wished everyone a Merry Christmas and a Happy New Year.

20. 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. Vacha. The motion carried unanimously. The meeting was adjourned at 8:30 P.M.

Joseph N. Lapia
Borough Manager