

MANOR BOROUGH COUNCIL
AGENDA FOR MEETING ON October 16, 2024

1. CALL TO ORDER – Acting Council President Ms. Dawn Lynn called the Council Meeting to Order at 6:30 P.M. on October 16, 2024, in the Manor Community Room and led the

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

(Present)	Dawn Lynn, Acting President	Ted Dornin
	Dave Gongaware	Terry Nemitz
	Jim Vacha	Chuck Charrie
	Tony Gockel, Acting Mayor	Chelsea Dice, Solicitor
	Ed Antonacci, Engineer	Randy Carlson, Chief of Police
	Mike Radakovich, Tax Collector	

(Absent) Jason Krainbucher, Zoning Officer

4. APPROVAL OF THE MINUTES for meeting on 09/18/2024 – Mr. Gongaware motioned to accept the meeting minutes for the meeting held on September 18, 2024. Seconded by Mr. Nemitz. The motion carried unanimously.

5. PUBLIC COMMENT – AGENDA ITEMS ONLY – Ms. Lewis commented on the zoning ordinance. She read from the finance section of the ordinance that said Council can receive gifts or grants from private sources and government. She read the definition of kennels from the ordinance and stated that a kennel is not a cage or pen, it is a building or structure. She asked why dilapidated and abandoned homes were not included in the ordinance. She stated that there is a rat-infested house near her home, and that she has been waiting for two and half years for it to be taken care of. Solicitor Dice stated that the abandoned and dilapidated homes are a code enforcement issue not zoning. Ms. Lewis stated she has gone to code enforcement, and that under state law, the zoning officer should take care of it. Ms. Lewis stated that there is stuff in there they are not allowed to do like putting a fence in the front yard. Mr. Charrie stated that the new ordinance has been worked on by the Planning Commission for two years with input from Council, the Engineer and two attorneys. He stated that the new ordinance makes the Borough consistent with the County and State, and it is not more restrictive than before. Ms. Lewis states she thinks it is more restrictive.

Ms. Dawson stated that they should add allowing a fence in the front yard back into the new zoning ordinance. Ms. Dawson stated she thinks Council should use ARPA funds to pay for the park restroom. Ms. Dawson stated that she has worked with many Council members previously on various community events and in her role on Planning Commission. She stated that this has given her insights on both the challenges and opportunities for the Borough. She stated her vision for Manor is to have a vibrant, inclusive and safe community. She stated public safety, community involvement, and economic development are areas that could improve. She stated that as mayor, she promises to lead with transparency and accountability. She stated that she will work tirelessly that every decision she makes will benefit everyone.

Ms. Quinter stated she did not know about the new zoning ordinance. She stated that if this was so important why was it not on the Borough sign. She stated it was advertised in places that no one sees, and that she heard the meeting ended early. She asked why it was not advertised in more public spaces. Solicitor Dice stated that under the MPC it was advertised twice in the newspaper. Ms. Quinter stated that it was not advertised on the sign because Council did not want people to know about it. Solicitor Dice stated that historically ordinances are not posted on the sign. She stated that since she has been here, every month, it has been on the agenda for Planning Commission meetings. She stated according to the MPC, it was properly advertised, and it was posted on the website. Ms. Quinter stated that she feels that everything is under scrutiny, and that she does not feel welcome at the Borough building. She stated that this was important and should have been advertised better.

6. MAYOR'S REPORT – Mr. Gockel reported that Council should have received the police and code violation reports, and that trick or treat will be on October 31 from 6-8 PM. He thanked Council and Chief Carlson for their help while he was acting mayor.
7. SOLICITOR'S REPORT – None.
8. ENGINEER'S REPORT – The Engineer reported that there is a pre-construction meeting Friday with S&E Utility for the Oak Street/ McKelvey Street project. He also reported that they have approved 41 submittals and that the project will be starting soon.
9. ZONING OFFICER'S REPORT – None.
10. BOROUGH MANAGER'S REPORT – The Borough Manager reported that he is working on closing out the DCNR Park Grant and the DCED Community Day grant.
11. TREASURER'S REPORT – Mr. Vacha motioned to approve the treasurer's report for the month of September 2024. Seconded by Mr. Gongaware, and the motion carried unanimously.
12. TAX COLLECTOR'S REPORT – Mr. Gongaware motioned to approve the tax collector's report as presented. Seconded by Mr. Dornin, and the motion carried unanimously.
13. COMMITTEE REPORTS
 - a. Building & Properties – None.
 - b. Community Betterment, Parks & Recreation – Mr. Dornin reported that there will be a trunk or treat Saturday, October 19 at 11 AM at the Norwin Elks.
 - c. Personnel & Finance – None.
 - d. Community Outreach & Communication – None.
 - e. Planning & Zoning – Mr. Charrie stated that the Planning Commission had received an application for consolidation, and that they had to ask applicant for more information. He stated that the application should be reviewed by the Engineer and Solicitor first, and the chairman should have the application before it goes on the agenda. He stated that the applicant or their representative should attend the meeting. The Borough Manager stated that the Planning commission, Engineer, and Solicitor were sent the application on September 23. Mr. Charrie stated he did not see it, and Solicitor Dice stated

that she did receive it prior to the meeting. She stated the issue was that the application was not signed, and that they did not have the larger plans. Mr. Charrie stated that he wants to fix this process. Mr. Charrie stated that the sound system for the Community Room was approved last meeting, and that he spoke to the company about feedback from a prior meeting. Mr. Charrie asked if it was typical for the Borough to pay and then order, and the Borough Manager answered no, and it is the reverse. Mr. Charrie asked about how purchasing works in the Borough. The Borough Manager stated that there is a purchasing policy, and that purchase orders are required for orders over \$500. He also stated that an invoice would be needed to purchase. Mr. Charrie stated he has an invoice.

- f. Public Safety & Public Works – Mr. Nemitz asked if the Fire Department will be patrolling during trick or treating, and Ms. Kolbosky stated that there will be one truck patrolling. Mr. Nemitz asked if the Police Department will be patrolling on trick or treating, and Chief Carlson stated that there will be two cars patrolling.

At this time a motion was made to go into Executive session. See Agenda item #18 below.

14. OLD BUSINESS

- a. Discussion and/or Deliberation and/or Official Action on adopting Resolution 2024-12 updating sewer rules and regulations. – Mr. Nemitz motioned to adopt Resolution 2024-12, and Mr. Dornin seconded. Mr. Charrie asked to amend the motion. He asked for clarification about who in the Borough would make decisions on a case-by-case basis. Solicitor Dice stated it was written in a way to be any borough employee. Mr. Charrie stated he was concerned about potential litigation if someone unqualified would give an opinion. Mr. Vacha stated that public works employees could get NASSCO certified. The Borough Manager stated that public works employees already camera resident's laterals if there is a problem to help them solve it. Solicitor Dice stated that it can be changed to say a NASSCO certified borough employee or the engineer. Mr. Charrie stated he is concerned that employees would make decisions based on biases. Mr. Gockel stated that if they are NASSCO certified and make a decision based on bias, they would be liable and not the Borough. Mr. Charrie asked what would happen if an employee made a wrong call based on Borough ordinance. Mr. Gockel stated that if they were following the Borough ordinance, they would usually not make the wrong call. The Borough Manager stated that this would give residents more options for repairs and replacements. Solicitor Dice stated she changed it to say NASSCO certified borough employee or engineer. Mr. Vacha asked if it to change to NASSCO certified inspector because there are currently no certified borough employees, and Solicitor Dice changed it. Mr. Nemitz asked how employees qualify and how much does it cost. The Borough Manager stated it is a two-day class and test, and it costs about \$1,500. He also recommended getting two employees certified next year, and the other two the following year. Mr. Nemitz amended is motion to include a NASSCO certified inspector or engineer. Mr. Dornin seconded. The roll call vote is as follows:

Ms. Lynn	- Yes	Mr. Gongaware	- Yes
Mr. Charrie	- Yes	Mr. Nemitz	- Yes
Mr. Dornin	- Yes	Mr. Vacha	- Yes

b. Discussion and/or Deliberation and/or Official Action on Manor Park restroom.
 – Mr. Charrie motioned to set a budget for the existing restroom building to convert to an extended sized and ADA accessible restroom of \$40,000. Mr. Gongaware seconded the motion. Mr. Charrie stated it can be paid out of the American Resue funds because it benefits the community. He stated it would be open year-round and it would be ADA accessible. He stated the backwall would need to be extended. Mr. Charrie stated that in the future the concession window can be opened up and converted into a second restroom. Mr. Nemitz asked about the concrete pad in front of the restroom. Mr. Charrie stated it would need to be replaced with concrete pads. Mr. Nemitz asked how wheelchairs would go over these pads. Mr. Charrie stated there would be no gaps and a wheelchair should be able to go over it. Me. Nemitz asked if it includes the roof, and Mr. Charrie stated it does not. Mr. Nemitz asked if it included ventilation. Mr. Charrie stated it included an electric heater, and the restroom could be used year-round. The Borough Manager stated the pipes would still freeze in the winter because the meter pit is near Brush Street, and it is not below the frost line. Mr. Charrie stated that this is a problem that needs solved because people use the park in the winter. Mr. Gockel stated that the restrooms in Trafford close in the winter because it is risky for the pipes, and it is too expensive to heat them in the winter. Mr. Nemitz asked how the pipes not freeze now even with turning the water off. The Borough Manger stated the lines get drained completely and blown out. Mr. Charrie stated that it would be better to renovate the current restroom because it is cheaper, and the building is already in the park. Mr. Charrie asked if the rest of the park is ADA compliant, and the Borough Manager answered yes, other than the upper track. Mr. Gockel asked the Solicitor if they could discuss installing a new restroom now, and Solicitor Dice answered yes. Ms. Lynn stated she met with the Community Betterment, Parks, & Recreation committee, and they thought it would be more efficient to install the prefabricated restroom using the ARPA funds. Mr. Vacha asked Mr. Charrie what would happen if the renovation came in over budget. Mr. Charrie stated he would bring it back to Council. Mr. Charrie stated it would need to be put out for bid since it is over the threshold. Mr. Vacha stated that a bid takes 30 days, and it needs to be done by December 31st. Mr. Gockel asked who would write the bid specifications, and Mr. Charrie stated he would work with the Borough Engineer. Mr. Gockel asked if the Building Inspector would need to be involved in this, and the Borough Manager stated yes because a commercial building permit is required. The roll call vote is as follows:

Ms. Lynn	- No	Mr. Gongaware	- Yes
Mr. Charrie	- Yes	Mr. Nemitz	- No
Mr. Dornin	- No	Mr. Vacha	- No

Mr. Dornin motioned to get the pre-manufactured restroom with ARPA funds. Mr. Nemitz seconded. Mr. Gongaware asked if they wanted to spend \$275,000 of the ARPA funds. Mr. Vacha answered that it would not cost \$275,00 because a lot of the work would be done in house. He stated that the building cost \$157,000, and most of the rest is site preparation that would be done in house. Mr. Vacha stated that he would like to discuss this further and have an agreement. Mr. Charrie stated that \$275,000 on the restroom is too expensive and that there are other things that need done in the Borough. He stated that resident gave information about a new sign that at a previous meeting, but that Council has not made a decision on it. Mr. Charrie stated

that the sign can be used for communication to residents. Ms. Lynn Called for a roll call vote. The roll call vote is as follows:

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

Mr. Gockel stated that this needs to be discussed further and that a decision needs to be made at the next meeting.

- c. Discussion and/or Deliberation and/or Official Action on American Rescue Plan Funds. – Mr. Charrie motioned to purchase a sign out of the American Rescue funds as presented by Tyler Gnesda of the Planning Commission. Mr. Gongaware seconded. Mr. Gockel stated he spoke to Mr. Gnesda about the location because there is an issue where the current sign is located. He stated he spoke to the Borough Manager about placing the sign in the Sandy Hill lot. Mr. Gockel stated he asked Mr. Gnesda if this would increase the cost, and he has not gotten a reply. Mr. Charrie stated that this was discussed at the Planning Commission meeting. He stated that there has been a sign at the current location, and that the land can be claimed as an adverse possession. Mr. Gockel asked Mr. Charrie to amend his motion to include looking at both locations. Mr. Charrie agreed and stated that he wanted the sign to reach as many people as possible. Mt. Nemitz asked if the sign was controlled from the Borough office, and Mr. Charrie answered no. The Borough Manager stated it is controlled by a laptop that is near the sign. Mr. Charie stated that the sign can be signed over to a sign marketing company that could sell advertising space. Solicitor Dice asked if Mr. Charrie would amend his motion to include looking at both locations, and he answered yes. Solicitor Dice asked Mr. Gongaware if he seconded the amendment, and he answered yes. The roll call vote is as follows:

Ms. Lynn	- Yes	Mr. Gongaware	- Yes
Mr. Charrie	- Yes	Mr. Nemitz	- Yes
Mr. Dornin	- Yes	Mr. Vacha	- Yes

Mr. Charrie stated that there is still \$300,000 in funds that needs to be allocated. He asked for an explanation of the reimbursement to the general fund. Mr. Gockel stated that is not what the money is going to be used for. Mr. Gockel asked if there were any more ideas on how to spend the ARPA funds. Mr. Vacha stated that council has previously discussed the park restroom, the sewage project, and the sound system.

At this time a motion was made to go out of order. See Agenda item #19 below.

15. NEW BUSINESS

- a. Discussion and/or Deliberation and/or Official Action on appointing a Borough Resident to fill the position of Mayor. – Ms. Lynn asked both candidates if they wanted to speak. Ms. Dawson declined. Mr. Brant stated he is a 28 year resident of the Borough, and that he has been a member of the zoning Hearing Board for the past 10 years. He stated he has a background in business as a sales manager and district manager. He stated this experience would help to be able to manage people and finances. Mr. Charrie asked Mr.

Brant if he would be the type of mayor who just uses what works and reports back to Council or if he would come in and make changes, and Mr. Brant answered that he would be both. Mr. Charrie asked Mr. Brant if he believes that there are some issues that need to be changed. Mr. Brant stated that lack of staff is the biggest task he would have to work on, and that he is not currently aware of any other issues. Mr. Nemitz motioned to appoint Lewis Brant as Mayor. Mr. Gongaware seconded. The roll call vote is as follows:

Ms. Lynn	- Yes	Mr. Gongaware	- Yes
Mr. Charrie	- Yes	Mr. Nemitz	- Yes
Mr. Dornin	- Yes	Mr. Vacha	- Yes

At this time, the Administrative Assistant swore Mr. Brant in as Mayor. Mr. Gockel resumed his duties as Council President

- b. Discussion and/or Deliberation and/or Official Action on a conference table and podium for council meetings. – Mr. Charrie stated that on the floor is taped in the size of a new conference table. He stated that there are six seats across the middle and four seats on each side. Mr. Vacha stated that it does not look to be big enough. Mr. Charrie stated that this was the size that was discussed at the previous meeting. Mr. Nemitz asked how everyone would be seated, and Mr. Charrie described where everyone would be seated in relation to the taped cardboard. Solicitor Dice stated that in other townships that have conference tables, the seats are closer together. Mr. Vacha stated that the table is big enough, but it will be tight seating. The Borough Manager asked if slots can be installed in front of the table for name tags, and Mr. Charrie stated he would ask. Mr. Charrie motioned to accept the proposal of \$12,000 from McCurdy Cabinetry to build the council table as laid out on the floor. Ms. Lynn seconded, and asked Mr. Charrie to amend the motion to state not to exceed \$12,000. Mr. Charrie agreed to the amendment. Mr. Vacha asked how many pieces the table is. Mr. Charrie stated that there are three pieces that is bolted together, but the bolt can be taken out to move it. Mr. Vacha asked if the center piece could be two pieces, and Mr. Charrie stated he would ask. The motion carried by majority, and Mr. Gongaware voted nay.
- c. Discussion and/or Deliberation and/or Official Action on purchasing welcome to Manor Borough signs. – Ms. Lynn motioned to purchase 10 signs and 20 posts. Mr. Dornin seconded, and the motion carried unanimously.
- d. Discussion and/or Deliberation and/or Official Action on advertising for interest in a veteran banner. – Mr. Dornin motion to advertise for interest in veteran's banners. Seconded by Ms. Lynn. The borough Manager asked how this would be advertised, and Mr. Vacha answered in the newspaper, on the Borough website and flyers. The motion carried unanimously.
- e. Discussion and/or Deliberation and/or Official Action on installation of outdoor basketball systems for sport court. – The Borough Manager stated that this was spoken about at the last meeting. He stated it would be approximately \$2,000 to do the installation in-house, and that he is not comfortable with them doing it. He stated he spoke to Jeffrey & Associates, and the installation process is more involved than originally thought. Mr. Gongaware motioned for Jeffrey & Associates to install the basketball systems. Ms. Lynn seconded. Mr. Charrie asked how much it would cost, and the Borough Manager answered \$3,700. Mr. Charrie stated he does not understand why the Publics Works department cannot install it. Mr. Vacha stated that \$2,000 was already

allocated for this, and it would only be \$1,700 more. The motion carried by majority, and Mr. Charrie voted nay.

- f. Discussion and/or Deliberation and/or Official Action on purchasing a broom attachment for the Ventrac. – The Borough Manager stated that the Ventrac cuts grass, and there are other attachments for it. He stated that the broom attachment can be used for snow removal, sweeping, and other uses. Mr. Charrie asked if it would offset the street sweeping cost, and the Borough Manager answered no because it does not pick-up. Ms. Lynn motioned to purchase the broom attachment for the Ventrac. Mr. Nemitz seconded. Mr. Nemitz asked how it would be paid for, and the Borough Manager stated from the general fund and the capital expenditure fund. Mr. Vacha stated it can be taken out of the cell phone tower revenue. The motion carried unanimously.
- g. Discussion and/or Deliberation and/or Official Action on hiring a part time police officer. – Ms. Lynn motioned to hire a part-time police officer. Mr. Gockel stated that when he was mayor, Rich Grande applied to be a part time officer when he retired. He stated that his goal when mayor was to get the police department fully staffed. Mr. Charrie asked about part-time officers leaving due to the lack of hours. The Borough Manager stated that it was a few years ago when there were four full-time officers, and only one extra shift available. He stated now they are budgeted for three full time officers, and there are enough hours to have four part-time officers. Mr. Charrie asked if the current goal is to get part-time officers to take more shifts. Mr. Gockel stated the goal was to give the Chief the ability to supplement the full-time officers with part-time officers, but that they are currently down to one full-time officers. Mr. Brant asked how many full-time and part-time officers are they budgeted for. The Borough Manager stated they are budgeted for three full-time officers, and 21 shifts a week. Mr. Vacha stated that the part-timers will get full shifts, and it gives more flexibility for the schedule. Mr. Nemitz asked who covers time off, and the Borough Manager stated that by contract, full-time then part-time. Ms. Lynn amended her motion to hire Rich Grande pending passing a drug screening and psychological testing. Mr. Dornin seconded, and the motion carried unanimously.
- h. Discussion and/or Deliberation and/or Official Action on approving the renewal of Employee health insurance with UPMC. – The Borough Manager stated that there is 3.5% increase which is normal. Mr. Gongaware motioned to approve the renewal of employee health insurance with UPMC. Mr. Vacha seconded, and the motion carried unanimously.
- i. Discussion and/or Deliberation and/or Official Action on draft 2025 budget. – Mr. Nemitz asked to add the purchase a new police radio because the repeated taking on and off breaks wires and this keeps up with new technology. The Borough Manager asked how much a new radio costs, and Mr. Nemitz answered \$2,500. Mr. Vacha stated it could be purchased from the Act 13 fund. Mr. Charrie asked why building permit fees decreased. The Borough Manager stated last year they made an educated guess, and that it was adjusted based on this year. Mr. Charrie asked who is doing Community Day because there is a \$10,000 budget for it. Mr. Gockel stated that they are working on it. Mr. Vacha stated he wanted it in there for discussion, and it can be removed. Mr. Vacha stated that there is a \$26,900 carryover from last year, and that they are upside down by \$3,961. He stated that they should be able to easily balance the budget. He stated that they have not raised taxes in seven years and stated that they should think about a small increase in the future. Mr. Vacha stated that the fire department asked for an additional 1 mil,

but taxes would have to increase 1 mil. He stated that instead of a tax increase, give them a donation from the interest earned. Mr. Charrie stated that something else would have to be cut because the interest currently pays for other items. Mr. Vacha stated we could make it a percentage of interest earned because interest rates change. He stated it is a way to help them without raising taxes. Mr. Vacha asked Council to think about it, and it can be discussed next meeting. Ms. Kolbosky stated the fire department does not want the 1 mil fire tax because it would decrease their donations. Mr. Gockel stated that they need to pass the preliminary budget next meeting, and for Council to give their requests to Mr. Vacha and the Borough Manager.

- j. Discussion and/or Deliberation and/or Official Action on adopting Ordinance 602-24-04 related to zoning, also know as the “Manor Borough Zoning Ordinance” and replacing Chapter 27 in its entirety. – Mr. Charrie motioned to table this until the November meeting. Mr. Nemitz seconded, and the motion carried unanimously.

16. CORRESPONDENCE – None.

17. APPROVAL TO PAY BILLS – Mr. Gongaware motioned to pay the bills as of October 16, 2024. Seconded by Ms. Lynn, and the motion carried unanimously.

18. EXECUTIVE SESSION for personnel matters and matters of potential litigation. – Mr. Vacha motioned to go out of order and into executive session. Seconded by Mr. Nemitz, the motion passed unanimously at 7:04 PM. Mr. Nemitz motioned to return to regular session. Seconded by Mr. Gongaware, the motion passed unanimously at 7:51 PM. Discussed were matters of potential litigation regarding Sandywood Place lots 11 and 12.

19. CITIZEN COMMENTS/PUBLIC COMMENTS (From Sign-Up Sheet) – Mr. Charrie motioned to go out of order to allow Ms. Troper to speak. Mr. Gongaware seconded and the motion carried unanimously.

Ms. Troper of Mt. Pleasant Boulevard stated that her son has Duchenne muscular dystrophy. She explained that her neighbor has erected a privacy fence in her side yard and has a bush near the street that makes it difficult for her to exit her driveway. She stated that it is not safe for her to load her son on Mt. Pleasant Boulevard in front of her home because it is not safe. She stated that there used to be “Handicap Person in the Area” signs, but they were taken down 10 years ago. She stated that there is nothing that states her son lives there and that she does not feel safe driving him in her neighborhood. Ms. Troper stated she wanted to complain about the bush in her neighbor’s yard, and that she knew that the neighbor was installing a fence. She stated the Borough Manger told her the fence was legal in the front yard. The Borough Manager stated that he referred her to the Chief of Police for code enforcement, and that he never said the bush was perfectly legal. Ms. Troper stated the Chief suggested a blue loading sign, and the Chief confirmed. Ms. Troper stated the Borough Manger said that the Borough does not do that. The Borough Manager stated he did not say that. Mr. Charrie stated that there are Handicap signs throughout the town, and the Borough Manger stated that they are handicap parking signs not handicap loading signs. Ms. Troper stated that Council is welcome to walk her driveway out to the road and stated that they will not be seen coming out of the driveway. She stated that by allowing a privacy fence six feet from the road, that children will get killed. She stated that if it was a wired fence, it would not be a

problem. Mr. Charrie asked if they had a fence permit. The Borough Manager stated that he spoke to the building inspector, and he stated that they did, and the fence followed all regulations. Mr. Charrie stated that from looking at the pictures of Ms. Troper that the bush looks to be in the right of way. The Borough Manager stated that he referred to code enforcement because of that. Ms. Lynn states the Public Safety committee will go with the Chief and make an assessment. Mr. Gockel stated that he will work with the Borough Manager and the Chief to get signs. Mr. Vacha asked if we got VASCAR lines painted can the police sit in her driveway, and Ms. Troper answered yes.

Mr. Dornin motioned to go back to regular order. Mr. Gongaware seconded, and the motion carried unanimously.

Ms. Lewis asked Council if they read the final rules for ARPA funds. She gave her bucket list for ARPA funds, and it is as follows: \$150,000 for the fire department, \$24,000 for the library, \$75,000 for the food bank, and \$40,000 for a sign. Mr. Vacha stated that they cannot give money to the fire department because they are not a part of the Borough. Mr. Gockel stated that they are a separate entity, and by giving them money, they would have to be run by the Borough.

20. 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 was adjourned at 10:18 PM.

Joseph N. Lapia
Borough Manager