

MANOR BOROUGH COUNCIL
MONTHLY BUSINESS MEETING – September 21, 2022

1. **CALL TO ORDER** – Council President Mr. Tony Gockel called the Council Meeting to Order at 7:00 P.M. on September 21, 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	Terry Nemitz
	Jim Vacha	Ed Malinoski, Mayor
	Chelsea Dice, Solicitor	Ed Antonacci, Engineer
	Mike Radakovich, Tax Collector	
(Absent)	Dave Gongaware	Christine Marchand
	George Valmassoni, Chief of Police	Jason Krainbucher, Zoning Office

4. **APPROVAL OF THE MINUTES** for meeting on August 17, 2022 – A motion “to accept the minutes of the meeting held on August 17, 2022, as read” was made by Ms. Lynn, and seconded by Mr. Nemitz. The motion carried unanimously.

Mr. Charrie motioned to place the International Property Maintenance Code on the October agenda. Seconded by Ms. Lynn, the motion carried unanimously.

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

Jeri Lewis of Manor, objected to the meeting under the Sunshine Act asserting the agenda was not made public. She also pointed out the Special Meeting minutes, from the meeting held on September 14, 2022 were not on the agenda to be approved. She also questioned the expenditures for Manor Park. She said she sent an email to Mr. Gockel for a public comment open forum and did not receive an answer. She claims there is public comment but no transparency. Mr. Charrie assured Ms. Lewis council would be voting on the expenditures.

6. **MAYOR’S REPORT** – Mayor Malinoski reported he received numerous complaints from residents on a variety of subjects; he visited Penn Township Ambulance; Patrolman Hall has been designated as Borough Code Enforcement Officer; Spotted Lantern Flies continue to plague the Borough; he is partnering with the Manor Legion for a cornhole tournament on October 15 and is planning a craft show on December 3; he wants to move the Police Department to the Borough Building; he continues to plan a 2023 Labor Day community fair. In addition, he noted the Faith Family Freedom Rally to be held at Hempfield Park which he will be attending. The resident who offered \$2,000 for a sound system for the Community Room withdrew the offer citing council fail to act. The Mayor requests, for inclusion on the October agenda, that all future mayor sponsored events in the Community Room be waived any fees and request revisions be made to the Community Room Rental Policy.
7. **SOLICITOR’S REPORT** - None.
8. **ENGINEER’S REPORT** – None.
9. **ZONING OFFICER’S REPORT** – None.

10. BOROUGH MANAGER'S REPORT – Mr. Lapia advised council of the EMC refund in the amount of \$4,336.42. Correspondence was received from Westmoreland County regarding a Municipal Infrastructure survey on water, sewer and infrastructure projects due by October 31, 2022. The County may be able to contribute matching dollars to municipal projects.

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

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

13. COMMITTEE REPORTS

- a. Building & Properties –The committee met to discuss the International Property Maintenance Code. She had no details at this time, but another meeting is scheduled before October Council Meeting.
- b. Community Betterment & Environment – Issues are being worked on. The dilapidated garage at 24 Atlantic is gone.
- c. Finance – The committee met with the Teamsters on the Police Collective Bargaining Agreement. The 2023 budget is being worked on.
- d. Personnel & Administration – None.
- e. Planning & Zoning –The Planning Commission met Monday September 19, 2022 and they reviewed the P-T Commercial Court development, and tabled any decision until the October meeting. They want to develop a new application format for Planning Commission.
- f. Public Safety & Maintenance – The garage on Atlantic Avenue is gone and they are doing Code Enforcement with the Police Department.

14. OLD BUSINESS

- a. Providing Borough Email addresses to members of the Planning Commission and Zoning Hearing Board. The cost per email address is \$73 per year. Mr. Charrie wants at least one email for the chairperson, at a minimum, and suggests each member have an email, including the Zoning Hearing Board. Mr. Charrie motioned to have email assigned to all Planning Commission and Zoning Hearing Board members who wish to be contacted by email. Seconded by Mr. Nemitz, the motion carried unanimously.

15. NEW BUSINESS

- a. Accepting the resignation of Jeff Herman from the Planning Commission. Mr. Vacha motioned to accept the resignation of Jeff Herman from the Planning Commission. Mr. Charrie then asked to revise the motion to include advertising the vacant seat, with letters of interest coming to the Borough Office. Planning Commission will review and meet with the applicants. The Planning Commission will then send a recommendation to Council. Letters of interest are due by October 7, 2022. Seconded by Ms. Lynn, the motion carried unanimously.
- b. Resolution 2022-17 appointing Charles Charrie to the Recreation Board. Mr. Vacha motioned to appoint Charles Charrie to the Recreation Board. Seconded by Ms. Lynn, the motion carried unanimously. Mr. Charrie then commented about people applying or interested in these positions. All of those interested

did not have a chance to submit an application. President Gockel responded with the people who did apply took the initiative to get the application submitted.

- c. Resolution 2022-18 appointing Christian Hunter to the Civil Service Commission. Ms. Lynn motioned to re-appoint Christian Hunter to the Civil Service Commission. Seconded by Chuck Charrie, the motion carried unanimously.
- d. Resolution 2022-19 appointing Shannon L. Malinoski to the Recreation Board. Mr. Charrie motioned to appoint Shannon L. Malinoski to the Recreation Board. Seconded by Ms. Lynn, the motion carried unanimously.
- e. Resolution 2022-20 appointing Nicole LeMaster to the Recreation Board. Mr. Charrie motioned to appoint Nicole LeMaster to the Recreation Board. Seconded by Ms. Lynn, the motion carried unanimously.
- f. Approving MMO for Borough pension plans. Ms. Lynn motioned to approve the MMO for 2023 for the Borough pension plans. Seconded by Mr. Vacha the motion carried unanimously.
- g. Setting date and time for Trick or Treat. Ms. Lynn motioned to set the date and time for Trick or Treat at October 31, 2022 from 6:00 P.M until 8:00 P.M., and for years hereafter unless changed by Council. Seconded by Mr. Nemitz, the motion carried unanimously.
- h. Dirt, Gravel and Low Volume Road Grant Program for 2023. Mr. Lapia recommended the Borough apply for a grant to be used to mitigate issues on Rowe Road. Mr. Charrie motioned to apply for a Dirt, Gravel and Low Volume Road Grant for 2023. Seconded by Mr. Nemitz, the motion carried unanimously.
- i. Expenditures for improvements to Manor Parks. Mr. Charrie commented it is a problem the restroom is not open in the park. He had paint and stain ordered at Sherwin Williams with 2 dates set up. He was told in August he needed a purchase order, submitted the information for the Purchase Order but they were not signed. Mr. Charrie then voiced his displeasure and asserted there was no Borough input. The motion in June was not done to allow project to proceed and Mr. Charrie requested that he be allowed to make his own motions in the future. The Borough Manager asked if would be prudent to have Public Works do the work and save on the labor cost. Council decided it was best to proceed with the work using outside labor in order to complete the project.

Mr. Charrie motioned, "It was assumed that Council made a motion to approve a \$10,000 budget for the restoration of the two borough parks. This Motion makes that assumption an act of Council herein. That there is a Scope of Work and Budget Justification for the project. Therefore all listed items on the Budget, including materials and selected laborers, providing invoices, not exceeding the budget, of \$10,000 are hereby instructed paid by this Motion. Further, this Motion instructs the President, and/or Manager to make such payments, upon submission to the borough administration office during working hours. This motion provides that all actions by Council with respect to the need for Council's actions has been met and no further acts of Council will be needed." The motion was seconded by Mr. Vacha.

Mr. Nemitz commented the Public Works department, a union shop, could have an issue with a third party doing the work. Motion carried unanimously.

- j. DCNR Community Conservation Partnership Program Grant. Mr. Lapia gave an update on the grant status. The grant agreement and project start up letter is expected in the next 4-6 weeks.
- k. Payment request from Derry Construction. Ms. Lynn motioned to pay Derry Construction in the amount of \$112,132.91. Seconded by Mr. Vacha, the motion carried unanimously.
- l. Payment request from KGD Contracting. Mr. Vacha motioned to pay KGD Contracting \$3,420. Seconded by Ms. Lynn, the motion carried unanimously.
- m. Opening additional Borough Bank Accounts. At issue is setting up a bank account for the Mayor's Labor Day fundraising. Mr. Charrie motioned to go with the recommendation from the Borough Auditor. If the Auditor recommends setting up a separate account, then have the Borough Manager open up an account at the bank. Seconded by Mr. Vacha, the motion carried unanimously.

16. CORRESPONDENCE

- a. None.

17. APPROVAL TO PAY BILLS – Ms. Lynn motioned to pay the bills as of September 21, 2022. Seconded by Mr. Nemitz, the motion carried unanimously.

18. EXECUTIVE SESSION – There was no Executive Session.

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

Patricia Eathorne of Observatory Street, Manor, reminded Council 10 months ago she offered to buy a sound system for the Community Room stating it's hard to hear people speaking at Council meetings. That offer has not been acted upon and therefore she is withdrawing the offer with regrets.

Jeri Lewis of Manor, referred back to the August Council meeting and asserted the Mayor and Council were rude to her and states she will be filing a Civil Rights Complaint with the Justice Department. She further stated the minute approval from the September 14 Special Meeting should have been on the agenda, and she will be filing a complaint with the ADA, Civil Rights, and Justice Department. Council has not complied with ADA since 2010. Her complaints are not being addressed and she will not tolerate it anymore.

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 adjourned at 9:46 P.M.

Joseph N. Lapia
Borough Manager