

**MANOR BOROUGH COUNCIL**  
**MONTHLY BUSINESS MEETING – July 17, 2019**

The Manor Borough Council held its monthly business meeting on Wednesday, July 17, 2019 at 7:00 P.M., in the Manor Borough Building.

Council Vice-President, Mr. Bruce Hartman called the meeting to order and led the Pledge of Allegiance.

Roll Call of Attendance:

(Present)	Bruce Hartman, Vice President	Dave Gongaware
	Ralph Hensell	Dawn Lynn
	Christine Marchand	Jim Vacha
	Mike Matrisch, Mayor	John Campfield, Solicitor
	Ed Antonacci, Engineer	
	Mike Radakovich, Tax Collector (late arrival)	
(Absent)	Brian Woy, President	George Valmassoni, Chief of Police
	Lee Miller, Planning & Zoning Office	

**Minutes** – A motion “to accept the minutes of the meeting held on June 19, 2019, as read” was made by Ms. Lynn, and seconded by Mr. Hensell. The motion carried by majority. Mr. Gongaware abstained as he was not at the June council meeting.

**Public Comment on Agenda Items** – None.

**Mayor’s Report** (Mr. Matrisch) – The Mayor reported the new Charger was wrecked while the officer on duty was assisting Penn Township. Repairs need to be made to the back bumper, and trunk.

**Solicitor’s Report** (Mr. Campfield) – None.

**Engineer’s Report** (Mr. Antonacci) – The Borough Engineer reported the Notice To Proceed for the paving on Crimson Drive and Gregory Drive is August 5, 2019 with an anticipated completion date of August 23, 2019 weather permitting. The Cameron Drive pre-construction meeting was Monday. Tree removal and shed removal has begun to prepare for the access road.

**Planning & Zoning Officer’s Report** (Mr. Miller) – None.

**Borough Manager’s Report** (Mr. Lapia) – The Lease has not been returned from the Irwin Miners regarding use of the baseball field. However, Mr. Lapia and council member did receive an email with comments regarding the lease prior to the council meeting. The email will be forwarded to the Solicitor for review. Mr. Lapia expressed a concern regarding the delay. The original Lease was sent for their review at the end of May and a response was received nearly 60 days later, after Mr. Lapia told the Irwin Miners Coach Testa he would recommend to Council to suspend their use of the ballfield until a lease agreement is in place. Mr. Lapia feels a Lease Agreement should be in place as soon as possible to protect the Borough from any liability or anything that should arise. The Borough received Act-13 money for 2018 in the amount of \$6,547.05. Mr. Lapia noted the park was hit hard the previous Thursday with flood water. The first storm front dumped 2.5-inches of rain on the area and the park fared well. It was the second storm front with nearly 1.4-inches of rain within 40 minutes flooded the park up to the far side of the basketball court. Nearly half of the rubber mulch was lost. Since it is now 2 flooding incidents in 10 months, Mr. Lapia recommends looking at options to relocate the playground to higher ground. Additionally, a lot of the cleanup issues in the park relates to fencing. As the flood water recedes, the debris is caught up in the fencing, causing for a lot of clean up. The building flooded above the doorknob. DRS is scheduled to clean the building from flood

water mud and debris. Luckily Mr. Lapia and Summer Help were able to get into the building prior to the flooding and either removed items or moved them to higher shelving. Mr. Lapia does not recommend storing many items in the building. Manor Park is closed until more clean up work is completed including tree removal. Mr. Hartman inquired as to next steps in remodeling the park. Mr. Lapia said it would depend if Council wanted it to be Borough funded or for any grants. If Borough funded, then plans could begin. He noted grants require a lot of paperwork, and master site plan from an architect is required and there is no guarantee funds will be received. Most of Manor Park is in a floodplain and he suggested the playground be moved to where the basketball court presently is located. The Summer Playground Program has been moved to the upper park at Mt. Manor. Council preliminarily approved to remodel Manor Park and see what it would take to obtain any grant money and how it would impact Capital Planning.

**Treasurer's Report** – A motion “to approve the Treasurer's Report for the month of June 2019, as prepared” was made by Mr. Gongaware and seconded by Mr. Hensell. The motion carried unanimously.

**Tax Collector's Report** – A motion “to approve the Tax Collector’s report for the month of June 2019, as prepared by Mr. Radakovich” was made by Mr. Gongaware and seconded by Ms. Lynn. The motion carried unanimously.

#### **Committee Reports**

- **Building & Properties** – None.
- **Community Betterment** – None.
- **Finance** – None.
- **Personnel** – None.
- **Planning & Zoning** – Ms. Lynn noted the Manor Trails Development has requested some modifications and submitted a letter from the Planning Commission. However, the letter has to be resubmitted as there were some inaccuracies. Furthermore, according to the Solicitor, the modifications should be accepted in the form of a Resolution. There is a concern about the HOA and HOA’s funding and the ability to take over stormwater management ponds.
- **Public Safety** – None.

Ms. Lynn motioned to go out of order and into Executive Session for personnel matters and matters of potential litigation. Seconded by Ms. Marchand, the motion carried unanimously at 7:34 P.M.

Mr. Hensell motioned to return to the Council Meeting. Seconded by Ms. Marchand, the motion carried unanimously at 8:12 P.M.

#### **Unfinished Business**

- Discussion on updating Rules, Regulations and Standards for access drives. Mr. Lapia, Mr. Vacha and Mr. Woy met to discuss and made comments and recommendations. More discussion is needed for what constitutes a repair and when a permit is needed. Mr. Antonacci noted that in the case of uneven slabs, grinding is ok which is considered a repair, but no digging. Slab jacking can also raise a slab to make it even which is also considered a repair and a permit is not needed. Any digging, regardless of size should have a permit. Mr. Lapia suggested if a PA One call is required for digging or excavating, then a permit is needed. Mr. Antonacci agreed that it was a good rule to follow. Sight distance requirements use SALDO language, which is more restrictive than PennDOT. The Engineer is to come up with a sight distance requirement.
- Discussion on replacing mulch at Mount Manor Playground. Mr. Vacha and Mr. Lapia previously discussed the mulch at Mount Manor Playground. They both agreed that it would be practical and cost effective to move the rubber mulch to Mount Manor Playground until it is decided what will be done at Manor Park. Mr. Hartman pointed out the playground in the lower park will have to be closed, however, it is already closed due to the flood damage. Mr. Lapia cautioned the amount of

rubber mulch left may not be sufficient for the Mount Manor Park playground as the old mulch will have to be removed, geo tech fabric and stone has to be installed and then the mulch. Mr. Lapia estimates 30-40 supersacks of mulch for Mount Manor. There is a big unknown until the project is started. He also pointed out the playground in the lower park should be scrapped and needs to be moved away from the immediate flood area. The 4 super sacks of rubber mulch council approved to order last meeting was cancelled. Work can't begin at Mount Manor Park for at least a month until the paving project is over. Ms. Lynn motioned to move the rubber mulch from the lower park to the Mount Manor Park. Ms. Marchand seconded. Mr. Lapia questioned the motion's intent on "moving" as he explained moving the mulch really means removing the current mulch, prepping the area with stone and geo tech fabric, and then placing the rubber mulch. Council expressed a few ideas to repurpose the rubber mulch and to enhance the Mount Manor Park. The motion was withdrawn.

### **New Business**

- Consideration "to award bid for Woods of Brandywine Phase 1 & 2 Storm Water Pond." Three bids were received. KGD Contracting was the lowest bid at \$150,000 for both Contract 1 and Contract 2: Same cost to install an asphalt road or grassy pavers. The scope of the project is to convert the detention pond to a retention pond by clearing away the vegetation and leaving minimal plantings and then creating the access road to maintain the pond. The grassy surface requires more maintenance. The Engineer further explained the differences between the two types of paving. Council has 60 days to decide which option to select. Mr. Hartman addressed Mr. Christian Hunter and Mr. Fred Kelly advising them the Borough Engineer will be up there staking out the access road. He further noted there is an issue with Mr. Kelly's air conditioning unit and landscaping and once the road is staked out, Mr. Kelly will be advised what will have to be corrected. Mr. Lapia noted all 3 contractors expressed concern over Mr. Kelly's air conditioning unit being in the right of way. Mr. Kelly emphatically stated the air conditioning unit is not moving and he wanted to ensure his statement was recorded in the meeting minutes. He asserts the Borough approved placement of his air conditioning unit although the Borough has no document showing the air conditioning unit placement was approved and does not show placement of the air conditioning on the building plans for Mr. Kelly's home. Mr. Hartman told Mr. Kelly his air conditioning unit is in the right of way and it is an issue for the access road. Mr. Kelly feels there is room to navigate around the air conditioning unit. Ms. Lynn motioned to table the bid award until the August meeting. Seconded by Ms. Marchand, the motion carried unanimously.
- Discussion on updating Borough Codification Chapter 21, Part 3, Streets and Sidewalks. Mr. Lapia stated this section needs updated to include rules for dumpsters, PODs, etc. that are damaging to the roads and sidewalks. The Planning and Zoning Committee will meet to develop standards.
- Consideration "to approve Grant of Right of Way and Easement with WWMA." The Borough Engineer recommends the old line not being used be grouted shut which would eliminate the future possibility of a sinkhole forming and causing more issues. Mr. Hensell motioned to table the consideration to next month's meeting so WWMA can be made aware of our concerns. Seconded by Mr. Vacha, the motion carried unanimously.
- Consideration "to approve Handicap Parking Space Permit for Dave Gongaware." Mr. Hensell speaking for the Public Safety Committee, noted he needs to meet with the neighbors as well as confer with Council President Mr. Woy. Mr. Lapia noted Mr. Gongaware lives on Observatory Street, however, parking is prohibited on Observatory Street. The Ordinance states the handicap parking space is for in front of the applicant's house. His permit is for a street where he doesn't live. Mr. Hensell motioned to table the consideration until next month's Council meeting. Seconded by Ms. Lynn, the motion carried unanimously. Mr. Gongaware abstained.

### **Correspondence**

- None.

**Payment of Bills** – A motion “to approve payment of the bills as of June 19, 2019, as presented” was made by Ms. Lynn and seconded by Mr. Hensell. The motion carried unanimously.

**Public Comment** – None.

There being no other business to discuss, a motion "to adjourn the meeting" was made by Ms. Lynn and seconded by Ms. Marchand. The motion carried unanimously. The meeting adjourned at 9:21 P.M.

Joseph N. Lapia  
Borough Manager