

MANOR BOROUGH COUNCIL
MONTHLY BUSINESS MEETING – October 19, 2016

The Manor Borough Council held its monthly business meeting on Wednesday, October 19, 2016 at 7:00 P.M., in the Manor Borough Building.

Council Vice President, Mr. Mike Matrisch, called the meeting to order and led the Pledge of Allegiance.

Roll Call of Attendance:

(Present)	Mike Matrisch, Vice President	Bruce Hartman
	Steve Ira	Dawn Lynn
	Christine Marchand	Terry Nemitz
	Jeremy Dixon, Mayor	John Campfield, Solicitor
	Ed Antonacci, Engineer	George Valmassoni, Chief of Police
	Mike Radakovich, Tax Collector	
(Absent)	Brian Woy, President	
	Edwin Howley, Planning & Zoning Office	

Minutes – A motion “to accept the minutes of the meeting held on September 21, 2016, as read” was made by Ms. Lynn, and seconded by Mr. Nemitz. The motion carried unanimously.

Public Comment on Agenda Items – Jodi Fedor of 118 Irene Drive, Manor, commented on the fowl ordinance under review. Ms. Fedor needed clarification on the proposed ordinance. The Solicitor explained the Ordinance is up for discussion, for rewording, since Council tabled the discussion at the previous meeting. Mr. Matrisch explained the changes are for better definitions so there is no confusion in the future as to the definition of Fowl. She wanted to know if ducks could be kept for emotional support or with a doctor’s excuse. Mr. Matrisch explained that would not be permissible in the revised ordinance.

Mayor’s Report (Mr. Dixon) – The PTARC Budget has reduced the membership rate. Police Qualifications went well, with another round coming up the second week of November, dependent upon the weather, at night. The new Police Interceptor is in process. It is currently being equipped with radios, sirens, lights and cage.

Solicitor's Report (Mr. Campfield) – None.

Engineer's Report (Mr. Antonacci) – The sidewalk project in the old part of Manor is nearly complete and should be complete before the end of the following week. Derry Construction will be paving Poplar Street October 24th, weather permitting. The CDBG application has been submitted for next year requesting \$167,000 to install pre-cast concrete restrooms in Manor Park. The PA Sewer Grant will be submitted to the DCED later in the week to pipe burst the sanitary sewer on Observatory Street from Fredrick up for 750 feet.

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

Borough Manager’s Report (Mr. Lapia) – Preliminary payment advice for Liquid Fuels is expected to be near \$96,000, which is approximately a \$2,000 increase from 2016.

Treasurer's Report – A motion “to approve the Treasurer's Report for the month of September 2016, as prepared” was made by Mr. Hartman and seconded by Ms. Lynn. Motion carried unanimously.

Tax Collector's Report – A motion “to approve the Tax Collector’s report for the month of September 2016, as prepared by Mr. Radakovich” was made by Ms. Lynn and seconded by Ms. Marchand. Motion carried unanimously.

Committee Reports

Administration (Mr. Nemitz) – None.

Finance (Mr. Ira) – None.

Parks & Recreation (Mr. Hartman) – None.

Personnel (Ms. Marchand) – Public Works committee has a meeting next week to discuss the Teamsters contract.

Planning & Zoning (Ms. Lynn) –The Planning Commission plans to meet October 24, 2016 at 7:00 PM in the Manor Community Room. The SALDO is on the agenda.

Public Safety (Mr. Woy) – None.

Public Works (Mr. Matrisch) – None.

Unfinished Business

- Discussion on Lease Agreement for Sandy Hill Road open space. Mr. Lapia reported the Borough has done all it needs to do to satisfy the PennDOT requirements. The driveway will be paved by Derry Construction as soon as they complete the paving of Poplar Street. The next step is deciding how access will be controlled in and out of the lot. It will cost \$3,500 to put in a gate. A Grant of Use was discussed as the Borough will not be held liable for anyone using the lot, and the lot will not be maintained by the Borough in the winter. Council is considering allowing non-profits to use the lot as most of the usage has been by the Manor VFD, the Manor Lions, and a few other sports groups having fundraiser. Mr. Hartman noticed it was used for overflow parking at the Manor Grille. Mr. Lapia noted others have used the lot in the past with or without the Borough’s knowledge for a variety of things. The Solicitor noted the lot is close to being completed and Council needs to make a decision on how the lot will be used, if at all. He advised Council cannot lease on a case by case basis as it could be considered discriminatory. Council is concerned about liability and maintenance. Mr. Lapia concurred the Borough has not maintained that lot in the past. Members of the Manor VFD in attendance spoke up and voiced their discontent with the restricted access of the lot. Mr. Lapia reiterated the process the Borough is following was set by PennDOT. If pricing is set for the way the lot is used, Mr. Lapia advised the insurance may change based on the way the lot is used. Mr. Hartman reiterated the options are: Open the lot for a fee, Close the lot, or Sell the lot. Ms. Lynn motioned to set lease agreement and pricing for the Sandy Hill Road Lot the same as the Community Room, but with usage from April to October, with no cleaning fees. There was no second to the motion. Mr. Nemitz motioned to table the discussion until the next meeting. Seconded by Mr. Hartman, the motion carried by majority. Mr. Matrisch voted “No”.
- Discussion on Amendment to PTARC Inter-municipal Agreement. The Solicitor made changes to the agreement because as it was written, it wasn’t accomplishing what needs to be done. Mr. Hartman motioned to forward the changes to PTARC. Seconded by Mr. Nemitz, the motion carried unanimously.
- Discussion on Rowe Road Sewer Line Agreement from PTSA. Mr. Matrisch noted the Borough got everything asked for and recommends Council accept all 3 of the Agreements. Mr. Lapia noted PTSA met the previous evening and approved all 3 of the agreements. Ms. Lynn motioned to approve the Rowe Road Sanitary Sewer Trunk Line Agreement with PTSA. Seconded by Ms. Marchand, the motion carried unanimously. Ms. Lynn motioned to accept the Crimson Pointe Sanitary Sewer Amendment Agreement with PTSA. Seconded by Ms. Marchand, the motion carried unanimously. Ms. Lynn motioned to accept the Sandywood Place Sanitary Sewer Amendment with PTSA. Seconded by

Mr. Nemitz, the motion carried unanimously. The Solicitor noted PTSA requires a Bill of Sale as part of the agreement. Ms. Lynn motioned to have the Solicitor prepare and advertise the necessary Ordinances and/or Resolutions for the transfer of Rowe Road Sewer trunk line, and the amendments to the Inter-Municipal agreements. Seconded by Mr. Hartman, the motion carried unanimously.

New Business

- Consideration “to approve Resolution 2016-09 reappointing Al Markijohn to Civil Service Commission.” Mr. Hartman motioned to approve Resolution 2016-09 reappointing Al Markijohn to the Civil Service Commission. Seconded by Ms. Lynn, the motion carried unanimously.
- Consideration “to adopt Sidewalk Ordinance 565-16-04.” Ms. Lynn motioned to adopt Sidewalk Ordinance 565-16-04 (Sidewalk Maintenance). Seconded by Mr. Hartman, the motion carried by majority. The roll call vote is as follows:

Mr. Matrisch	- No	Ms. Lynn	- Yes
Mr. Hartman	- Yes	Ms. Marchand	- Yes
Mr. Ira	- Yes	Mr. Nemitz	- No
- Consideration “to approve Resolution 2016-10 for Sidewalk Specifications.” Ms. Lynn motioned to approve Resolution 2016-10 for Sidewalk Specification. Seconded by Mr. Hartman, the motion carried by majority. Mr. Nemitz and Mr. Matrisch voted “No”.
- Consideration “to approve Resolution 2016-11 setting fees & charges per Ordinance 565-16-04.” Mr. Lapia recommended the Application Fee and the Permit Fee be set at \$25 each with the Review Fee and the Inspection Fee be set at the actual cost incurred by the Borough. Ms. Lynn motioned to accept these fees. Seconded by Mr. Hartman, the motion carried by majority. Mr. Matrisch voted “No”.
- Consideration “to renew UPMC Health Insurance Plan.” This is the last year the Borough can have this plan. Next year the Borough will have to have a new Affordable Care Act plan. Ms. Lynn motioned to renew the UPMC Health Insurance Plan for the Borough employees for December 1, 2016-December 31, 2017. Seconded by Mr. Nemitz, the motion carried unanimously.
- Consideration “to enter into IT Service Agreement with Excelos Pro Tech.” Ms. Lynn motioned to approve entering into an IT Service Agreement with Excelos Pro Tech. Seconded by Mr. Nemitz, the motion carried unanimously.
- Discussion on amending Zoning Ordinance to eliminate the keeping of Animals & Fowls in certain Districts. The Planning Commission submitted a letter recommending Council accept and adopt the ordinance for Domestic Pets as drafted by the Solicitor. Mr. Matrisch questioned the draft and if there needed to be changes to or clarification on definitions. The assumption was there would be a better definition of what is “fowl”. The request was to remove the statement “anything other than ordinary household pets is a special exception in an R-1, R-2 and C-1”. The Solicitor discussed options of expressing the restriction and types of animals allowed based on health and safety factors and if the animal is creating a nuisance. Mr. Hartman suggested the Borough prohibit farm animals in an R-1, R-2, and C-1 Zoned area. Ms. Fedor interjected out of order stating the Borough is prohibiting farm animals. Ms. Lynn clarified farm animals would be allowed in A-1 (agricultural zone). Further discussion surrounded explicitly defining what animals could not be kept, including exotic animals. Mr. Hartman motioned to advertise, and send to the County for review, the amendment to the Zoning Ordinance to prohibit the keeping of fowl in residential areas and hold a Public Hearing December 21, 2016 at 6:30 PM to adopt the Ordinance at the December 21, 2016 Council Meeting. Seconded by Ms. Lynn, the motion carried unanimously.

Correspondence

- Camo Kennels.

Payment of Bills – A motion “to approve payment of the bills as of October 19, 2016, as presented” was made by Ms. Lynn and seconded by Mr. Hartman. The motion carried unanimously.

Public Comment – Terrence Dunn of 107 Forest Court, Manor, is concerned about the crime in his neighborhood. Mr. Dunn asked if there was a curfew for underage kids and if it is enforced. The Borough does have a curfew. Chief Valmassoni stated curfews are problematic due to the ACLU so care has to be taken and it is difficult to enforce. Normally, a child found violating curfew is detained until the parents have been called to pick them up. Mr. Dunn has nuisance neighbors and for the past year they are speeding, driving through the cul-de-sac island, and his yard. He was advised to file a police report regarding the speeding. He also wanted more information about Crime Watch, as there are signs posted throughout the Borough. Mayor Dixon explained the Crime Watch program as a network of concerned citizens acting as an extra set of “eyes” in the community. Any citizen wishing to join should contact Chief Valmassoni, or contact Christine Jolly via Facebook. The semi-annual Crime Watch meetings are run by the citizens. Mr. Dunn then asked about the street light taken down on Forest Court. Mr. Lapia responded 57 lights were removed in 2014 after a streetlight audit done by the Police Chief and a Councilman in an effort to save money. Lights were left at intersections but were removed mid-block, unless it was a long street and then 1 light remained in the middle of the block. Mr. Dunn feels restoring a light might help with his neighborhood issues. Otherwise, Mr. Dunn was advised to call 911 to have the police check out the street the next time he sees something unusual.

Dale Baccari of 136 Birchwood Way, Manor, is concerned about the Sandywood Place paving and the loose chips on the roads. He reviewed the meeting minutes from prior months and wanted an explanation of why this method of paving was chosen. Mr. Matrisch explained it was a cost saving decision to preserve the current road. It is like a tar and chip process, except this Fibermat process has an extra layer containing fiberglass that adheres better, filling in cracks, to extend the life of the road. Mr. Baccari was comparing Sandywood Place to Hyland Avenue and asserts Hyland Avenue was installed better. Mr. Lapia noted Sandywood Place was a candidate to have this done because it was a maintenance issue. Other streets in plans in the Borough are not candidates for Fibermat because they are too far gone and need to be milled, base repaired, and repaved because they have been let go for so long. Mr. Matrisch stated Sandywood Place streets will have likely begun a quick deterioration within the next 1-2 years, which was met with uproar from several of the residents in attendance who spoke out of turn. Mr. Baccari then asked about the remaining stones. Mr. Lapia noted Russell Standard made 2 passes to sweep up the loose stones. In the interim Mr. Lapia and the Borough Engineer are assembling a punch list for Russell Standard to come back and fix/repair mailbox areas where a lot of the loose stones are coming from. The Borough is scheduled to have the streets swept at the end of October, which should pick up remaining loose stones. Mr. Lapia advised if residents have problems or issues to call Russell Standard. A woman speaking out of turn asked why Brandywine was paved and they got “this garbage”. Mr. Lapia pointed out Brandywine Drive was in such a deteriorated state due to the heavy construction traffic, it had to be milled, the road base had to be reconstructed and paved. Brandywine Drive was last paved in the late 1980s.

Sherry Shadrack of 130 Birchwood Way, Manor, is concerned about the paving at Sandywood Place and the police merger. She wanted to know about the Manor Police merging with Irwin Police. She requested to inquire about the Manor Police merging with Penn Township Police as she feels Penn Township Police are far superior to Irwin Police and feels the Manor Police are doing a wonderful job. Mayor Dixon explained that Manor was approached by Irwin to see how the 2 departments could better support each other. Penn Township was more into selling their services with uneven service to the community at an increase cost. Ms. Shadrack feels the Manor Police deserve a greater and higher exposure to services and wants to see a feasibility study for a Manor – Penn Township Police merger. Mr. Matrisch responded that Penn Township would have to offer Manor “one heck of a deal” and stated we need a Police Department in Manor. Before any merger will occur, both communities would have to agree to the consolidation. Mr. Lapia further clarified Penn Township wants to sell their services, whereas the Irwin-Manor is a consolidation of services. Ms. Shadrack went on to express her discontent with the paving at Sandywood Place. She feels the paving has downgraded the neighborhood’s integrity and wants the issue corrected. Her complaint was no one on Council investigated or viewed the Fibermat elsewhere prior to the Sandywood Place paving, no due diligence was done by Council, and there was no advanced notification or steady communication.

Diane Taylor of 178 Birchwood Way, Manor, is concerned about Birchwood Way. Ms. Taylor's primary concern is if anyone on Council has seen the road since it has been done. Several Council members admitted that they did. Ms. Taylor asserts her 7-pound dog will not walk on the road and feels she should be able to walk on the street with her animals. She also states the children are not able to play on the street as it is not a good safe material. She feels for a residential community, the Fibermat process is not ideal. It looks terrible and will cause people with pets and children to look elsewhere to buy a house. She wanted to know what can be done. Mr. Matrisch stated nothing can be done at this point. He requested residents to be patient and the stones will wear down and become much smoother, looking like asphalt. Snow plowing should not be an issue. Ms. Taylor then expressed her disappointed at Council, as elected officials, for not thoroughly looking into the Fibermat process to see if it would be a good application. Ms. Lynn spoke up and advised Mr. Taylor that Council made the decision to use the Fibermat based on the fact it is supposed to be a better material over time and overall. The decision was made to use Fibermat so that the road would not crumble in the upcoming years, therefore saving the Borough money.

Heather Ritter of 148 Birchwood Way, Manor, is concerned about the Sandywood Place road. She brought photos with her and asserts she maintains her property. The photos were of her driveway and her garage. She asserts her driveway and garage are littered with loose stones and the adhesive doesn't get to every rock. She has 2 children who cannot ride their bikes on the street, nor can they play soccer on the street as they are kicking rocks at each other in addition to the ball. She asserts Council did not do their research and only compared cost. Ms. Ritter also asserts the road was fine and was not deteriorating, not even one pothole. Since the Fibermat, the condition of her road is "awful". It is "awful" to walk on, children can't play on it, and feel it is a liability. Ms. Ritter claims her neighbor fell while walking the dog and had to have rocks tweezered out of her knee. Ms. Ritter said if her child gets hurt, Council will be hearing from her and will be held liable. She continued with the rocks are embedded into shoes that have grooves in them. Her neighbor, who could not attend, asked her to read a letter about her discontent with the Fibermat. Ms. Ritter states the street is unacceptable and they are forced to live with it. She wants a solution and she asserts street sweeping is a not a solution. The job is a mess. It is an eyesore, and asserts their beautiful neighborhood has been downgraded due to the paving. She is asking Council for a solution.

Sherry Shadrack interjected and posed a question to the Solicitor that since she feels Council did not do its due diligence, and if it is found to be a faulty product, is the Borough liable for negligence. Mr. Campfield responded any claims would be handed over to the insurance company who would decide liability and negligence.

Valerie A. Brenton of 170 Birchwood Way, Manor is concerned about the Sandywood Place resurfacing. She wanted to know if Russell Standard has been paid and if her tax dollars were used to pay for the resurfacing. They were on the list to be paid. Someone spoke up said they were to be paid \$72,000. Mr. Matrisch clarified and said that was not the total payment, and told Ms. Brenton some of her tax dollars were used to pay for the paving. Ms. Brenton wanted to know what Council is going to do about it. She stated her discontent with the paving, claims her neighborhood is nice and now she's embarrassed and insulted. Mr. Matrisch noted one bid was received for the project as few contractors do the Fibermat process. The road needed to be done to preserve it despite the residents not understanding the existing cracks needed to be sealed to maintain road integrity. He again explained Brandywine Drive was paved for extreme deterioration, whereas Sandywood Place roads were being preserved. Ms. Brenton says her husband works for a road department and he has never seen this done in a residential area. To the shout of this being an "experiment" Mr. Matrisch corrected the claim by stating he misspoke and when he said "It might be a failed experiment" it was not the process was an experiment. Mr. Matrisch asked for more patience as the street still needs to be swept. And if the Fibermat does not hold up, that will be revisited. Mr. Lapia noted we will be street sweeping the entire Borough before the end of October.

Jenn Vernic of 123 Birchwood Way, Manor is concerned about the Sandywood Place road conditions. Her youngest child is 20 months old and they walk to the bus stop every day and the child cannot walk on the stones. She wanted to know why they couldn't experiment in a neighborhood with sidewalks. She has to

push a stroller on a bumpy road. She asserts it is not a smooth surface and fears for her children's safety as they walk to the bus stop. Again, Mr. Matrisch noted no other roads in the Borough were eligible to receive Fibermat. There are many roads in the Borough that need repaved, and this Fibermat was used to prolong the life of the existing road. There is no way to know when Sandywood Place will be able to be mill and paved again. Ms. Vernic also mentioned if the Borough couldn't mail notifications to the residents then why could they not put flyers in mailboxes informing the residents what was going on. Mr. Matrisch explained there were bid notices in the newspaper, and a notice when the bid was accepted. Mr. Lapia explained when the Borough does a project the bid advertisement is published in the Penn Trafford News under the Legal Notice section that details what the project is. Often the wording is technical due to the nature of the project.

Ms. Lynn reiterated Sandywood Place was Fibermatted to prevent it from becoming like Brandywine Drive.

There being no other business to discuss, a motion "to adjourn the meeting" was made by Ms. Lynn and seconded by Mr. Nemitz. The motion carried unanimously. The meeting adjourned at 9:02 P.M.

Joseph N. Lapia
Borough Manager