

Manchester Borough Council
September 12, 2022

The Manchester Borough Council meeting was called to order by Wade Witt President. Those attending the meeting were led in the Pledge of Allegiance. The following officials were present:

Wade Witt Larry Weirich Joseph Paniagua Adam Bowman Bruce Almoney Mayor Witt
Absent: Dennis Howell and Ryan Neely

Appointment of assistant secretary. Resolution 2022-12 was prepared by Beth Kerns to appoint Joseph Paniagua as assistant secretary until a new secretary is hired.

*Motion made to approve resolution 2022-13 by Bruce Almoney, second by Larry Weirich. Motion passed

Minutes The meeting minutes for August 22, 2022, was reviewed and Corrections was noted by Solicitor Beth Kern, *motion was made by Bruce Almoney to approve the minutes with corrections and seconded by Adam Bowman. All agreed.

Guests

- Fire Chief Joe Stevens, was present with his report. There were 22 calls for the month of August with an Estimated Loss of \$5000 and No injuries. Had 15 Members complete a 4- hour training class. Two free smoke detectors were handed out to citizens. Joe informed us of that there will be a Rib BBQ fundraiser this Saturday at Giant parking lot, \$15 a dinner. A Shrimp fest on Oct 2, 2022, Tickets \$25 each.

-Citizens from Fenwick heights attended the meeting to discuss ordinance 2008-57. They said signs with “No parking during school hours” was installed and They received copies of the ordinance and want to see if they can get it changed. It has not been enforced to their knowledge and now they are required to get permits to park cars in front of their properties.

Summary of concerns.

- lived here since 1970 and never an issue with students parking.
- lived there 45 years no problems with students.
- If there is a problem with students make them not park here, make the school discipline them.
- Homeowners, are paying the price for the students parking on their streets.
- They should not have to pay to park in front their home.
- They don't see a lot of Kids Park in their area, no need for the signs or ordinance.
- The ordinance was from 2008 and the signs are just now being put up in our development.
- We don't want the signs take them down.
- If kids are parking in front of mailboxes, call the cops it's illegal to park in front of a mailbox.
- this ordinance was enacted in 2008, why didn't we know about it? Now 14 years later we get signs put up.

How to reverse Ordinance 2008-57?

Beth Kerns, Borough solicitor – to reverse Ordinance 2008-57 will need a traffic and engineering study , there would need to be a new ordinance drafted to reverse the original ordinance, the new ordinance would need advertised. This will not be an overnight change. It will take time.

Beth continued saying, to the citizen that said this ordinance was passed without their knowledge in 2008. The reason it was not without knowledge. That's the reason there is legal advertisement. Every local ordinance must be advertised in the newspaper, put on the meeting agenda. There is no requirement that every affected homeowner or resident must receive personal notice of proposed ordinances. It is general notice that's put in a newspaper with general circulation. It is done this way so citizens can review ordinances and come in have your time to make public comments.

Can the ordinance be amended

- A citizen asked if the ordinance could be amended. For instance, Leave on E. Parkview and remove Malvern Drive.

Beth commented, an ordinance can be amended but an ordinance that restricts parking would need a secondary traffic study and engineering study before it can be amended.

-A motion was made by Adam Bowman to approve to begin a traffic study and if the traffic study would support it, draft an ordinance to repeal Ordinance 2008-57 in its entirety. Seconded by Bruce Almoney.

-President Wade Witt opened the motion up for discussion. It was suggested that a petition be passed around to residents on the streets listed in ordinance 2008-57 and get an accurate count of residents either for or against Ordinance 2008-57 and bring back to the borough for council to evaluate. The residents agreed and will get a petition started.

-President called for a vote for the Motion made by Adam Bowman, seconded by Bruce Almoney. 1- councilman voted for, 4 councilmen against.

-Road repair on Fenwick - A citizen said the asphalt patch on Fenwick and Malvern where the sewer line was replaced is rough.

-Our engineer John Rae explained that it was a temporary patch and after 3 months to allow the ground to settle, the rough asphalt will be ground smooth, and a final smooth layer will be placed over the repair.

-Rutters delivery trucks A citizen said delivery trucks are blocking Center Avenue so residents cannot go down Center Avenue to Maple Street. The delivery truck will pull in Rutters parking lot and down center avenue the correct way then backs up beside Rutters to unload. We still have random Truck drivers not following signs and going up Center Ave the wrong way and getting stuck at Center and pike. (Sharp corner)

-Snow removal on center and pike avenue. –A citizen that lives on Main Street and must park behind his house on Center Ave. Commented the neighbors that park on Center Ave. have to use their snow blowers to remove snow off Center Ave. before they can go to or return from work. Long before the Borough plow trucks start to remove the snow. Why is the borough not plowing Center Avenue? A few years back the borough backhoe removed snow from around corners at Center and Maple then head north on Center Ave. never coming back to remove snow from Center Ave.

-Adam replied to the Borough will plow main roads first so if emergency services have to get to a home or establishment the roads will be clear. Secondary roads are then cleaned with alleys last. Alleys are difficult to plow.

Note- we can't change the past but can improve snow removal going forward with citizen help.

Executive Session – started at 8:16 and ended at 8:22.

Regular meeting resumed at 8:23 with a Motion made by Adam Bowman to hire Kelly Giuditta at \$15.00 per hr seconded by Joseph Paniagua. All agreed.

Treasurer's Report – Wade Witt for Wendy Snyder

The General Checking Account (M & T Bank) balance as of August 31, 2022, was \$485,339.46. Receipts for the month were \$22,731.35. Disbursements for the month of July were \$89,418.66, leaving a balance in the checking account of \$454,319.58 at the end of the month. Members 1st Bank Money Market Account \$454,319.58. The PLIGIT accounts were also reviewed for the month of August.

*Motion by Adam Bowman to approve accounts as read and seconded by Larry Weirich. All Agreed.

Bills were reviewed for payment that totaled \$53,292.20

* Motion to pay bills was made by Joseph Paniagua and seconded by Bruce Almoney. All agreed.

Mayor's Report- reports from police, fire and EMS was handed out to council by Mayor

Engineering- John Rea

Stewart and Tate - repairs to E. Parkview, Crossings Way, and Litener was complete and need paid. (Pay from liquid fuels)

*Motion to pay Stewart and Tate invoice was made by Adam Bowman second by Larry Weirich.

Sipes – Coated south Mason Ave and needs paid (Pay from General fund)

*Motion by Larry Weirich to pay Sipes invoice, second by Joseph Paniagua

Storm water Ordinance – John needs signed copy of storm water ordinance.

Roadway ordinance will be submitted to Penn dot this week. Signs for no trucks on Pike Slant, Center avenues and one way sign by Rutters

Russel Standard will spray and crack seal in a couple of weeks. They will let us know when they are starting so we can hang “no parking” signs on the roads they are going to crack seal. Joseph asked if they could do Manchester Street. John Rea said it was second on the list of streets to do.

-Union Cemetery Board and Dale Benedict Received letters for sidewalk repairs. Dale is working with Union Cemetery to get quotes and should have information for our next meeting.

-York street lot – C.S. Davidson received the storm water plans from Integrity First – Zoning reviewing now.

-Fenwick and Malvern paving will be finalized in 2 weeks

-Zoning Report- N/A

-The sewer authority will start repairing the sinking issue on Manhaven road in 1 or 2 weeks.

- SOLICITER –Beth Kern

-#1, # 2 and #3 Azalea Courts and Kraft carpet 107 S Main –Notice of Tree trimming violations. Since August meeting 2 and 3 Azalea courts and 107 Main St. also had tree trimming issues that have not yet been fully remedied. To date Azalea courts has past 45- day mark and Solicitor is not aware of any actions to complete tree trimming.

- Mayor Witt gave an update status of tree trimming violations.

#1 Azalea Court has done nothing or made no attempt to communicate with the Borough.

#2 Azalea Court stopped by the borough and said they just bought their home and did not know about the trees. They will cut the limbs off their trees up to 14 feet. (Beth said the realtor contacted her saying the previous owner did not inform them of this violation.)

3 Azalea Court has worked on their trees.

Kraft carpet trimmed all his branches and took down 1 tree. He is in compliant.

-Beth-With 1 Azalea Court going past the 45- day notice to trim trees in violation. Council could take action and make a decision to go ahead and authorize having the trees trimmed/removed at 1 Azalea Court and billing the property owners for that tree trimming service to get this issue resolved and then if they don't pay upon providing that invoice, proceeding with a municipal lean to encourage payment.

If council takes action to remove trees in violation, Beth recommends hiring a professional tree service to remove the trees on 1 Azalea Court.

*Motion was made by Adam Bowman to get quotes for a professional tree service to remove branches and trees on the back property of 1 Azalea Court to resolve tree violation issue and give invoice to property owners. If the owners refuse to pay the invoice, a municipal lean will be placed on property to encourage payment. Second by Joseph Paniagua. All agreed.

Beth-Update on Penn waste 2nd day pickup – Penn waste reached out to Mt Wolf has offered to pick up trash on Thursdays through the month of September.

Beth-A proposed ordinance 2022-3 that would authorize using the same employee to work as Secretary and Treasure. Just because council passes this ordinance does not mean we have to use the same person. But if passed it will put the ordinance in our code to allow it in the future and later if we decided to use one employee qualified as Secretary and Treasurer, we will be able to do it without waiting for advertising period and adoption period.

*Motion by Joseph Paniagua to advertise Ordinance 2022-3 to use same employee as treasurer and secretary second by Bruce Almonee.

Beth- Update on park property, after reviewing documents relating to the joint operation agreement with East Manchester Township. Follow up to who owns the playground equipment removed or at the park now and the sale of that equipment. Any equipment bought before 1990 belongs to the Manchester borough. After 1990 it is joint property, however if the township was going to request any payout or distribution for any property that remains it would have been during termination of the agreement.

If there is old equipment that needs sold or scraped the recreation committee should recommend to council and council makes the decision. Recommendations of Changes or updates to the park need brought to council for approval.

-President – Wade Witt

Cameras for the Borough building- concerns about the right to know and how far back we have to save data. Beth was asked to review the camera policy for the recreation building to advise if we could apply this policy to the cameras at the Manchester Borough. Beth is working on a drafting a policy and a resolution.

Auto Bill Pay-There is a good article in the Borough association magazine about auto bill pay. They encourage boroughs to adopt this process. We will table due to limited time.

New Christmas tree for the Square- Ken Cole, Joseph Paniagua and myself went to Strathmeyer to select a new tree. The tree selected is a 14ft Norway spruce and keeps its branches all the way to the bottom and requires no trimming. Strathmeyer will plant the tree this fall after I get an invoice and council approves the price. Our maintenance will remove.

Maintenance Report – Update on maintenance of Borough, all the curbs to Fenwick on the east side of main was painted. If time allows the west side and Fenwick heights will be painted. The cross walks at the square were painted and seem to be holding up. The square was down at 5am on a Sunday to allow for the paint to dry. With the new portable power washer maintenance power washed many curbs before painting, the awning and doors at the borough building was power washed along with all the benches and trash cans at the park.

Adam commented that they could have got more curbs done if they used the paint machine instead of doing by hand.

- Playground/Recreation – Joseph Paniagua and Wade Witt. No updates.

Swings will be replaced by maintenance. Replaced

Sale of hobby horses- **Wade** -we have 4 spring riding toys, old equipment removed from the park in bay 6 that can't be used due to safety issues. An estimate of 50.00 per item was given by Blain Rentzel. I recommend we sale all horses to Wendy Snyder for \$200.00.

*Motion made by Larry Weirich to sale to Wendy, 4 spring riding toys as is for \$200.00 second by Joseph Paniagua. Motion passed.

- Building Committee – Dennis Howell (absent)

reviewed the building maintenance report. Joseph Paniagua suggested Fire alarm system to be installed. Dennis Howell will get quotes and contact Joe Stevens for suggestions.

Ryan Neely will do next month's Borough maintenance report and test smoke alarms.

Repaint and wallpaper repair- hire outside company. **Joseph Paniagua-** asked if we could get quotes to paint the office halls and meeting room. Also shampoo the carpets.

Adam said we used to rent a carpet cleaner to clean the carpets.

Joseph – can we hire a company to do it get quotes for cleaning carpets and painting.

Adam – received complaints of grass at square not mowed for 911, the Gazebo needs painted and on Saturday at park the trash was full.

-Unfinished Business-

Borough fee schedule resolution. No Discussion.

Property visible house numbers. No Discussion.

-Completed business

Adam Danner sign has been installed.

A motion to adjourn at 10:00pm was made by Bruce Almoney and seconded Adam Bowman. Majority agreed.

Respectfully Submitted,