

MUNICIPALITY OF MONROEVILLE

REGULAR COUNCIL MEETING

JANUARY 11, 2022

MINUTES

The meeting was called to order at 7:10 p.m. by Mayor Nick Gresock.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence was observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called and the following were present: Mayor Gresock, Joe Hyzy, Eric Poach, Bob Stevenson, Mike Adams, Bob Williams, Dennis Biondo, Tim Little, Bob Wratcher, Josie Rock, Paul Hugus, Joe Sedlak and Paul Whealdon. Mr. Wolfram was absent.

NEW EMPLOYEE INTRODUCTION

Mr. Little introduced the new employee, Mr. Mathew Accorsi, as an IT Support Specialist. He reviewed his work history and education.

PUBLIC COMMENT ON PROPOSED AGENDA ITEMS ONLY

KIM KRIVDA

Mrs. Kim Krivda, a resident of Jamison Lane, came forward to address council. She distributed documentation for council's review. She respectfully requested the application for Subdivision 21-5-SUB be tabled for the following reasons: the acreage is still incorrect; the property has never been posted for the subdivision; and the neighborhood wanted a covenant for the property.

She reviewed the information distributed. She reported all of the minutes of the past couple of meetings have been 3.1 acres, 3.38 acres and 2.77 acres. She pointed out that Mr. Territ acknowledged that it was 2.77 acres and now it is 3.1. She referred to the document she provided to council in the bottom corner it lists the DCI property at 2.78 acres. She stated it also lists that Mr. Territ did the survey with his stamp and his name which was done in 2000. She reported all deeds done previously listed it at 2.77 acres at the county and the county remapped it and it is 120,800 square feet which equates to 2.77 acres.

Mrs. Krivda reported she provided a document from the DEP but they were not allowed to examine the pond and a formal report was made which is on the second page.

Mrs. Krivda questioned how does the municipality know what the subdivision is if the acreage cannot be verified. She stated the agenda shows it as 3.18 acres which is incorrect. She pointed out his certified document from 2000 shows it in the corner which is 2.78 acres. Again, she questioned how the purchaser knows what he is buying if the area cannot be defined.

Mrs. Krivda pointed out the municipality never posted the property and it states in the ordinance manual that it be posted one week prior the planning commission meeting which never

occurred. She was concerned because there are adjacent properties affected and a subdivision is a fairly serious process for the municipality.

Mrs. Krivda reported when the comprehensive plan was done the neighborhood was adamant that they wanted a covenant and she attached the minutes where it was discussed and a new revision to the comprehensive plan was done.

Mrs. Krivda referred to the attached rezoning map to the minutes from the comprehensive plan in 1987 which identifies a buffer zone and the residential property and the commercial property. She was concerned about the buffer zone because it buffers her property from the commercial property.

Mrs. Krivda reported all the deeds attached reflect 2.77 acres and it states on the deeds that they are taken from the middle of the road or Monroeville Boulevard. She could not understand how they came up with 3.18 acres.

JANET DECECO

Ms. Janet DeCeco, a resident of Jamison Lane, came forward to express her concerns for the sale of the DCI Property. She suggested they would not longer be responsible for the water issues and the maintenance and liability of the property.

Mr. Adams stated there is a easement in the agreement that DCI would retain ownership of the retention system and pipe and maintain it. Ms. DeCeco inquired whether anyone would make them responsible for the maintenance. Mr. Adams indicated someone was just at the property. Ms. DeCeco reported they hired a plumbing company and try to clear the pipes but were not successful so the problem remains.

Mayor Gresock indicated staff would do a follow up.

BARBARA SPAN

Ms. Barbara Span, property owner in Monroeville, came forward to express her concerns for openings on boards and commissions and the purchase of the fire truck. She reported her mother, Mary Lou Span, was at the meeting in spirit to encourage volunteerism. She paid tribute to one of Monroeville's great volunteers over the past 60 years in hopes of inspiring others. She spoke of her father, Miles Span, and reported how he loved the Monroeville Fire Departments. She stated he helped get the first jaws of life for Monroeville and she encouraged the municipality to purchase the truck being proposed. She reported Miles Span was outspoken as he served 20 years on Monroeville Council but Mary Lou Span was steadfast in supporting Monroeville quietly without politics.

Ms. Span pointed out there are a number of vacancies on boards and commissions currently on the website. She felt her mother would say anyone can volunteer and encouraged everyone to volunteer. She reported the volunteers get as much as they give to the community. She stated Mary Lou Span served on the government study commission developing the Home Rule Charter that serves as a foundation for the municipal government for just under half a century. She reported of her mother, as a school board member, who talked to striking Gateway School Teacher to determine what they were looking for or needed. She pointed out she served on the planning commission and felt balance, intellect, and compassion were the example that Mary Lou Span set in her service to Monroeville and encouraged others to do the same. She reported her real love was bringing great programs to

thousands of children, families and seniors of the community over the years. She felt if her mother could leave one inspiration it would be that life is so much better when people engage, connect and find something interesting at any age. She mentioned the Arts Festival at Boyce Campus, Monroeville Arts Council, and Monroeville Historical Society have brought concerts, native American, folklore, Interactive Crafts and unique food which have all been powered by Monroeville Volunteerism and donations from the local businesses. She reported in her final years, Mary Lou Span, was often seen with her walker trudging somewhere to contact school board members or workers for the municipality.

Ms. Span thanked the citizens from Alpine Village which has three generations of families there volunteering that joined her in her endeavors that still bring many of these things to Monroeville. She suggested her mother would say, good things come to life when you volunteer. She encouraged everyone to volunteer whether it is on the boards and commissions or arts programs.

A moment of silence was observed for the recent passing of Mary Lou Span.

NINA VECCHIO

Mrs. Nina Vecchio, a resident of Jamison Lane, came forward to add to what the residents have been dealing with for the past four months. She reported the water is crossing the road and coming to the other side. She stated there are two leach beds next to her house, her house has water problems and there is a small lake in between her house and the house on the other side. She felt the municipality is in a better position now with the newly elected council members because they understand the infrastructure that Monroeville is having problems with water and sewage. She asserted the municipality has made progress in the last ten years. She pointed out the brand newly paved road is also cracking. She was not concerned with the proposed buyer of the property but more about the residents experiencing flooding in the coming years. She reported everyone's gardens get moldy and mushy. She suggested what she felt might be the problem with the water in the areas and she mentioned the pond. She felt the municipality could make the property owner responsible to make sure the pond is working. She requested someone do a site visit before the snow because the water is only trickling out when it should be pouring out. She requested the subdivision be tabled to get it settled because the residents are being flooded.

GEORGIANNA WOODHALL

Mrs. Georgianna Woodhall, a resident, came forward to request an explanation of the conservatorship. She questioned whether the property is taken because of tax liens and it is blighted or whether these are abandoned properties with no tax liens. Mayor Gresock indicated all of those issues will be reviewed when the item is discussed on the agenda. Mrs. Woodhall inquired whether there were any properties in her neighborhood on that list. Mayor Gresock reported the property addresses will be listed when council acts on that issue. He stated the addresses will be read into the record and it is all public knowledge.

STATE OF THE MUNICIPALITY ADDRESS

Mayor Gresock then read his State of the Municipality Address into the record (see attached).

EXECUTIVE SESSION ANNOUNCEMENT

Council conducted an executive session before Citizens' Night on January 6, 2022 from 6 p.m. to 7 p.m. and on January 11, 2022 from 6:30 p.m. to 7 p.m. for personnel and litigation reasons. Council legislative action, if any, shall be taken at this January 11, 2022 Regular Council Meeting.

APPROVAL OF MINUTES

Council then considered approval of the minutes of the Citizens' Night Meeting of December 9, 2021, Council Work Session of December 9, 2021 and the Regular Council Meeting of December 14, 2021. There being no corrections, additions or deletions, a motion was duly made by Mr. Poach to approve the minutes, as submitted, and Mr. Williams seconded it. Mayor Gresock reported the new council members cannot vote on these minutes only the three incumbent members can vote but there are only two in attendance. Mr. Wratsher explained there are two options, either the two present members can vote or withhold approval until next month. Further discussion ensued. Upon a roll call vote, the motion carried to approve the minutes with two affirmative votes by Messrs. Poach and Williams.

REPORTS OF TAX COLLECTIONS

Council considered approval of the Reports of Tax Collections.

There being no discussion, Mr. Poach duly made a motion to approve and Mr. Hyzy seconded it. Upon a roll call vote, the motion carried unanimously.

LIST OF BILLS, BUDGET TRANS AND PAYROLL

Council then considered approval of the List of Bills in the amount of \$1,518,097.10, Budget Transfers and Payroll in the amount of \$1,149,082.86 for the month of December 2021.

Whereupon, Mr. Biondo duly made a motion to approve the List of Bills and Budget Transfers and Mr. Hyzy seconded it. Upon a roll call voted, the motion carried unanimously.

Further, Mr. Poach duly made a motion to approve the payroll and Mr. Hyzy seconded it. Upon a roll call vote, the motion carried unanimously.

VACANCIES ON BOARDS, COMMISSIONS AND AUTHORITIES

Mayor Gresock reported procedurally things that were not done in previous years will start now. He explained per the home rule charter and the PA Borough Code. He briefly explained nominations and appointments.

Whereupon, Mayor Gresock nominated Brandon Markosek for the Convention, Visitors' Bureau.

LIBRARY BOARD

Furthermore, Mr. Hyzy duly made a motion to appoint Mrs. Debbie Iszauk to the Library Board and Mr. Poach seconded it. Upon a voice vote, the motion carried unanimously with six affirmative votes.

MUNICIPAL AUTHORITY

Further, Mr. Hyzy duly made a motion to appoint Mr. David McGill to the Municipal Authority and Mr. Adams seconded it. Upon a voice vote, the motion carried unanimously.

PARKS AND RECREATION ADVISORY BOARD

Whereupon, Mr. Poach duly made a motion to nominate Mr. Gordon Conn from Ward Two to the Parks and Recreation Advisory Board.

ZONING HEARING BOARD

Furthermore, Mr. Adams duly made a motion to appoint Mr. Larry D'Agostino from Ward Five to the Zoning Hearing Board and Mr. Williams second it. Upon a voice vote, the motion carried unanimously. Mayor Gresock inquired whether that is for the one term from January 2022 to December 2024 and Mr. Adams answered affirmatively.

PARKS AND RECREATION ADVISORY BOARD

Whereupon, Mr. Williams duly made a motion to appoint Ms. Rhoda Ioerger from Ward Six to the Parks and Recreation Advisory Board and Mr. Biondo seconded it. Upon a voice vote, the motion carried unanimously.

Further, Mr. Biondo duly made a motion to nominate Mr. Daniel Gerhart from Ward Four to the Parks and Recreation Advisory Board.

CONSENT AGENDAOLD BUSINESSRESOLUTION 22-1SITE PLAN 21-5-STSRI SHIRDI SAI BABA TEMPLE INCORPORATED

The applicant is requesting site plan approval to construct a new religious temple and then raze the existing temple and install associated site amenities. The project area is approximately 1.0 acres and located at 1451 Abers Creek Road, Tax Parcel 1108-B-173, in the R-2, One Family Residential and S, Conservancy Zoning Districts.

The Planning Commission recommended approval.

Council tabled this application at the December 14, 2021 Regular Council Meeting.

There being no discussion, a motion was duly made by Mr. Stevenson to remove it from the table and Mr. Poach seconded it. Upon a roll call vote, the motion carried unanimously.

Furthermore, Mr. Williams duly made a motion to approve Site Plan No. 21-5-ST and Mr. Stevenson seconded it. Mr. Stevenson suggested No. 8 of 21-5-ST be removed because there is a waiver for that item. He read, applicant agrees to comply with the requirements of Ordinance No. 10-16 concerning sidewalk construction.

Mr. Wratcher added the applicant requested a waiver so if the waiver is approved there is no need for this item to be included. He suggested council could act on the waiver at this time so that when the site plan is approved it is with the knowledge that the waiver has been act on. Mayor Gresock referred to Page 3, D1 on the agenda under resolutions.

RESOLUTION 22-5

A resolution approving a waiver releasing the applicant, Sri Shirdi Sai Baba Temple, incorporated from installing sidewalks as required by Ordinance No. 1016, along Abers Creek Road and Northern Pike.

Council tabled this application at the December 14, 2021 Regular Meeting.

Whereupon, a motion was duly made by Mr. Stevenson to remove it from the table and Mr. Poach seconded it. Upon a roll call vote, the motion carried unanimously.

Further, a motion was duly made by Mr. Stevenson to approve the resolution and Mr. Poach seconded it. Upon a roll call vote, the motion carried unanimously.

Upon a roll call vote, the motion to approve Site Plan Application No. 21-5-ST carried unanimously.

RESOLUTION 22-2

CONDITIONAL USE 21-3-C

SRI- SHIRDI SAI BABA TEMPLE, INCORPORATED

The applicant is requesting conditional use approval pursuant to Section 401.8 of the Monroeville Zoning Ordinance No. 1443, as amended, to permit a cut and fill operation totaling approximately 12,000 cubic yards of earth. The project area is approximately 1.0 acres and located at 1451 Abers Creek Road, Tax Parcel 1108-B-173, in the R-2, One Family Residential and S Conservancy Zoning Districts.

Planning Commission recommended approval.

Council table this application at the December 14, 2021 Regular Council Meeting.

Mr. Little reported a public hearing was held on this at the December 9, 2021 meeting.

There being no discussion, Mr. Stevenson duly made a motion to remove this from the table and Mr. Poach seconded it. Upon a roll call vote, the motion carried unanimously.

Whereupon, Mr. Stevenson duly made a motion to approve Conditional Use Application No. 21-3-C and Mr. Biondo and Mr. Poach seconded it. Upon roll call vote, the motion carried unanimously.

RESOLUTION 22-3

SUBDIVISION 21-5-SUB

KENNETH NACIN

The applicant is requesting preliminary and final subdivision approval to subdivide Tax Parcel 639-L-66 and consolidate a portion of the subdivided property to Parcel 639-M-108. Parcel 639-L-66 is currently 3.18 acres and will be reduced to 2.26 acres. The smaller subdivided piece will be added to

Parcel 639-M-108 creating Lot 14R. The properties involved are located at 2534 Monroeville Boulevard, Dialysis Clinic, in the C-2, Business/Commercial Zoning District and 162 Jamison Lane in the R-2, One-Family Zoning District.

The Planning Commission recommended approval.

Mr. Little reported this was tabled at the December 14, Regular Council Meeting.

Whereupon, Mr. Stevenson duly made a motion to remove this item from the table and Mr. Adams seconded it. Upon a roll call vote, the motion carried with five affirmative votes and one negative vote by Mr. Hyzy.

Furthermore, Mr. Stevenson duly made a motion to approve Subdivision Application No. 21-5-SUB and Mr. Adams seconded it.

Mr. Poach was confused about the size of the property and requested staff confirm the size and whether a correction needs to be made.

Mr. Whealdon explained the 3.18 acres originally was a typographical error that was put into the agenda description and remained in the description because the item was tabled. He reported Mr. Territ stated at a previous meeting that MS Consultants and the municipal engineer, caught that typographical error and it has been adjusted on the plan. He reported on the subdivision plan that has been reviewed and approved by MS Consultants and Allegheny County Economic Development it shows it 2.77 acres. He stated the 3.18 acres is irrelevant at this point.

Mayor Gresock inquired about the question of whether the subdivision was posted and Mr. Whealdon reported there is no public notice requirement for a subdivision and land development just conditional uses and variances. Mayor Gresock questioned the covenants discussed. Mr. Whealdon indicated he could not find a covenant and there was a brief mention of a covenants in the meeting minutes from 1987 but the applicant has since paid for a title search and the title search does not reflect the covenants on the property.

Mr. Wratsher reported he reviewed it and the language in the 1987 rezoning and there are no covenants. He explained covenants are agreements between private property owners to restrict the use of private property and the government has the power to zone so the government does not get involved in covenants. He explained the government exercises their power by simply zoning the property a particular classification so there is no need for covenants. He stated the ones mentioned in the 1987 rezoning meeting minutes are not relevant to these parcels.

Mr. Poach questioned whether that had any impact on what is written on the agenda. Mr. Wratsher indicated this is the description on the agenda and what matters is the description on the approved plan. He stated whatever is written on the approved plan is what will be recorded and become the record. He pointed out the description on the agenda is to provide public notice that there is a subdivision. He reported if there is a discrepancy it is not an issue in terms of what is being approved. He stated council is approving the plan that is stamped. Further discussion ensued.

Mr. Williams questioned whether the Dialysis Clinic has a pond under the MS4 and Mr. Whealdon answered negatively and reported it is an underground gravel sump. Mr. Williams inquired

whether MS4 has anything to do with it and Mr. Whealdon answered negatively because it predates the municipal requirements.

Mr. Adams asserted that is private property as far as the maintenance on that system and Mr. Whealdon concurred. Mr. Adams pointed out the residents in that area were concerned with who would maintain it. Mr. Whealdon indicated the municipality could get involved if it becomes a problem but typically on private property it is a dispute between the private property owners. He reported he and the municipal engineer inspected the site and they did not see anything faulty with the existing system. He stated Ms. Krivda can contact the municipality if there is a problem.

Mr. Biondo inquired what it would take for the municipality to act against the private land owner and Mr. Whealdon explained there would have to be some kind of destruction to private property. He stated it would have to be severe for the municipality to get involved.

Mr. Stevenson felt the municipality needs to keep an eye on that so the residents know that it works and Mr. Whealdon agreed the municipality could monitor the property.

Mr. Poach asserted this is being changed from commercial zoning to the R-2 zoning. Mr. Wratcher explained subdivisions involve drawing lines on a map and the line being drawn in a different place because it will be attached to the parcel that is further away from Monroeville Boulevard. He stated a piece of property will be taken from one property and transferred to another. He added all the other conditions will remain no matter where the line is draw. Mr. Poach confirmed council is only considering that property line and Mr. Wratcher answered affirmatively.

Mr. Adams asserted council will vote on the sale of the property and Mr. Whealdon clarified that it would be the subdivision of the property or moving the property line. Mr. Adams stated the property is going from a seller to a buyer. Mr. Whealdon explained the existing storm water system or the underground gravel sump will remain DCI's property and responsibility. He stated there is an easement on the subdivision plan for the discharge pipe that goes across the applicant's property so if there is a problem with the system, DCI has the rights and ability to access their pipes.

Upon a roll call vote, the motion carried with five affirmative votes and one negative vote by Mr. Hyzy.

NEW BUSINESS

RESOLUTION 22-4

CONDITIONAL USE 21-7-C

A LITTLE LEARNING LAB

The applicant is requesting conditional use approval to operate a child care facility pursuant to Monroeville Zoning Ordinance No. 1443, as amended, Section 401.9. The property is located at 2553 Mossie Boulevard, Tax Parcel 857-M-300, in the C-2, Business/Commercial Zoning District.

The Planning Commission recommended approval.

There being no discussion, Mr. Hyzy duly made a motion to approve Conditional Use 21-7-C and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

MOTIONSMOTION

A motion to authorize to advertise an ordinance, amending Ordinance No. 848, authorizing the placement of a stop sign on Sandy Drive at Jerry Lane.

Whereupon, Mr. Biondo duly made a motion to approve and Mr. Stevenson seconded it. Mayor Gresock reported this is located in Turnpike Gardens. Upon a roll call vote, the motion carried unanimously.

MOTION

A motion to permit Community Reinvestment Partners, LLC, to operate within the limits of the municipality and petition the court on behalf of the Municipality for Community Reinvestment Partners, LLC to obtain conservatorship of the listed properties to mitigate blighted and nuisance properties with the Municipality of Monroeville.

Whereupon, Mr. Poach duly made a motion to approve the motion and Mr. Hyzy seconded it.

Mr. Adams inquired whether this group gets sheriff sales or private owners and how they acquire the properties. Mr. Wratsher referred to the PA Conservatorship Act which deals with blighted properties. He explained when a property is identified and gets approval from the municipality then they petition the court to act as the conservator to take over physical custody of the property then they make improvements to the property to take it out of the blighted condition. He added the way the law is written, the party that does that is the first to get paid when it is sold.

Mr. Adams inquired whether they put money in up front. Mr. Wratsher indicated they have to spend money on them to take them off the blight list and they have to correct the blighted conditions. He suggested they spend money so the property can be sold and recover their funding. He stated they review the properties carefully to determine whether it would cost more to remedy the blight than it could be sold. He reported they have to prove three of the nine conditions of blight in the statute which exists in order to get court approval to get appointed as conservator. He indicated once appointed conservator they are dutybound to correct the blighted conditions. He reported it is a monitored situation and will happen in conjunction with the municipality who will monitor the progress. He stated this not at a cost to the municipality to have it done. He added the municipality could do this independently but it would have to use tax dollars and be a property manager.

Mr. Adams questioned whether it would eliminate anyone else from buying the properties and Mr. Wratsher answered negatively. He explained they are off the market when they are under the conservatorship. Mr. Adams inquired whether that is deemed by the state and Mr. Wratsher answered negatively. He stated it is the Common Pleas Court with whichever judge supervises the conservatorship. He reported there is a profit motive involved but the municipality benefits because it cures a problem with blighted properties that no one wants to be buy to repair. He explained they may not be able to maintain the properties identified that there is enough blight and someone could outbid them for the properties.

Mr. Adams pointed out some of the homes did not look that bad in the pictures that they could not be repaired. Mr. Little reported when he met with the representative from Community

Reinvestment Partners he was informed they are looking for properties that are not total dilapidated. He added through a conservatorship the owner keeps ownership of the property through the conservatorship. He stated it is a risk because they may not be able to flip the property or lose money. He asserted they would get their equity and he mentioned the profit motive. He reported it is not just a private company coming in and taking over properties. He stated hopefully it is a benefit to the municipality, the conservator and the current owner.

Mr. Wrat cher explained any entity that would do this would be scrutinized by the municipality because they are a co-applicant. He reported the municipality has the right to petition the court to remove the conservatorship and there are checks and balances. He stated they operate in the space where the properties are in better repair but the intent is to catch the properties at the point where they are not at a point that is beyond repair. He pointed out most properties in worst shape land up with the land bank which has more ability to invest funding and does not have a profit motive.

Mr. Little referred to the four criteria under the conservatorship law: the building has not been legally occupied for the previous 12 months; the building has not been actively marketed during the 60 days prior to the date of the petition of the conservatorship; the building is not subject to an existing foreclosure; and the current owner fails to present sufficient evidence of acquisition of the property within the preceding six months. He stated there are also nine requirements and the conservator has to meet three of them. He briefly reviewed them. He listed the properties as follows: 3986 Hazelwood Drive; 348 Noel Drive; 556 Shumaker Drive; 417 Colonial Drive and 4399 Center Road.

Mayor Gresock inquired whether the municipality has any control over the properties. After a brief discussion, Mr. Wrat cher answered affirmatively. He explained they come to the municipality first to request they act as a co-applicant. Further discussion ensued. Mr. Wrat cher suggested the problem in the past is when the municipality did not join in the conservator so no one was monitoring their activities. He pointed out there are five properties and if it goes well, it will be recommended for repeat.

Mr. Biondo inquired whether it would have to get further approval if they wanted to add properties and Mr. Wrat cher answered affirmatively.

Mr. Stevenson questioned how this would impact the staff and Mr. Wrat cher suggested it is a small number of properties. He felt the staff is probably already aware of these properties and since it is a small number it should not be a problem. Further discussion ensued. Mr. Stevenson was concerned with how much time the staff would have to spend with the conservatorship representatives. Mr. Little suggested it would be like any other property. Further discussion ensued.

Mr. Williams referred to the phrase that says, . . . on behalf of the municipality . . . and questioned whether the municipality will have any liability because of that phrase. Mr. Wrat cher answered negatively and stated the conservator is the liable party.

Upon a roll call vote, the motion carried unanimously.

MOTION

A motion pursuant to the Fire Service Agreement between the Monroeville Volunteer Fire Companies and the Municipality of Monroeville, Ordinance No. 2724, to purchase a Pierce Custom Ladder Tower Truck for the discounted price of \$1,427,867.

There being no discussion, Mr. Hyzy duly made a motion to approve and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

RESOLUTION 22-6

A resolution adopting the VA Community Based Outpatient Clinic Sewage Planning Module.

Whereupon, Mr. Stevenson duly made a motion to approve and Mr. Biondo seconded it. Upon a roll call vote, the motion carried unanimously.

ORDINANCESORDINANCE 2756

An ordinance of the Municipality of Monroeville, Allegheny County, Pennsylvania, amending Ordinance No. 2717 appointing Timothy J. Little as Municipal manager of the Municipality of Monroeville and establishing the compensation and benefits of the municipal manager pursuant to Section 701 of the Monroeville Home Rule Charter.

There being no discussion, Mr. Stevenson duly made a motion to approve and Mr. Hyzy seconded it. Upon a roll call vote, the motion carried unanimously.

ORDINANCE

An ordinance of the Municipality of Monroeville, Allegheny County, Pennsylvania, amending Ordinance No. 2689 to revise the Pollution Control and Flood Reduction Credit Manual Rules and Regulations.

Mr. Wratcher reported this was briefly discussed at the work session and it is still in progress. He explained it is the municipality's attempt to reach a settlement with CBL over their litigation regarding the storm water ordinance. He recommended it be tabled because it is not at a point to be acted on.

Whereupon, Mr. Hyzy duly made a motion to table and Mr. Williams seconded it. Upon a roll call vote, the motion carried unanimously.

REPORTS OF MUNICIPAL STAFFMUNICIPAL MANAGER'S REPORTTRI-COG LAND BANK PROPOSED PROPERTY DISPOSITION

Mr. Little reported this is for the Tri-COG Land Bank proposed property disposition for the property located at 611 Snowball Road. He requested any opposition should be submitted before March 7, 2022.

PUBLIC COMMENTS – ANY MUNICIPAL ITEMSLOGAN STADLER

Chief Logan Stadler, Chief of Monroeville Volunteer Fire Company No. 4 on Northern Pike, came forward to thank all council for approving their fire truck purchase. He reported they have put a great deal of time into the proposal and they greatly appreciate the municipality's support.

GEORGIANNA WOODHALL

Mrs. Georgian Woodhall, a resident of Broadway Boulevard, came forward to bring her new councilman up to date in her neighborhood. She reported the Dreamers and Achievers Day Care Center at Haymaker Village was approved at the previous council meeting. She reviewed it is for 90 children next to Papa Rocks. She stated there are safety issues in her neighborhood. She reported there have been two runaway trucks on Haymaker Road which caused considerable damage and there have been three pedestrian accidents. She reported two utility poles were hit and replaced across their street in the driveway area. She felt there is enough going on concerning the safety issues in the area and she requested council contact the state to request a reduction in the speed limit on that portion of Broadway Boulevard. She stated it is 25 miles per hour through Pitcairn but 40 miles per hour from the intersection of Mossdale Boulevard to the Trafford Bridge then is reduced again to 25 miles per hour. She requested the municipality request the state consider reducing that speed limit and possibly getting an overhead sign warning of a pedestrian crossing. She also requested the municipality request a weight limit on Haymaker Road. She reported there are a lot of pedestrians that use that road and felt it is dangerous with these two runaway trucks. She suggested the county get involved and possibly consider signs.

Mrs. Woodhall reported the bus stop in front of Burger King was moved to Forbes Road when the Trafford Bridge closed for repairs. She explained people now have to cross over that busy, dangerous intersection from Forbes Road across Haymaker Road onto Route 130 into that driveway area. She mentioned how people use the Park and Ride and she requested numerous times to move it back. She requested Councilman Hyzy contact Mr. Markosek's office. She stressed these things should be considered because these children have to walk along a 200 foot distance from Papa Rocks across that busy driveway through the Advanced Auto Parts area to the proposed playground area. She felt these changes could be lifesaving.

Mr. Hyzy reported that he discussed this with the manager and it is being reviewed. Further discussion ensued. Mr. Poach suggested this could be part of their approval. Mrs. Woodhall indicated they will have a cross walk. She questioned whether part of their approval was to install a stop sign where they cross by the Dollar General. She pointed out there is no stop sign from the back of the parking lot which she thought was part of their approval. Mr. Poach questioned whether it is private property and Mr. Wrtcher answered affirmatively. Mr. Little agreed that was part of the conditional approval.

COUNCIL MEMBERS' REPORTSSECOND WARD COUNCILMAN ERIC POACH

Mr. Poach reported as Deputy Mayor this is the beginning of a process for committee appointments and recommendations for council liaisons. He explained these are ex-officio positions with the goal of providing a liaison to the boards, commissions, committees and groups to help answer questions before an issue ultimately gets turned over to council for decisions.

Mr. Poach submitted the list of appointments (see attached). He thanked everyone for their time for working on these positions and there may be more. Further discussion ensued.

SIXTH WARD COUNCILMAN BOB WILLIAMS

Whereupon, Mr. Williams duly made a motion to advertise an ordinance to reduce the zoning hearing board from five members to three members plus an alternate. Mr. Stevenson seconded it.

Mr. Stevenson reported he was on the zoning hearing board for years when there were five members and three members. He suggested it can function properly with three members.

Mr. Poach reported council got professional advice from the in-house staff and consultants in the engineering profession that led to that expansion to five members. He stated the recommendation was that a community the size of Monroeville have five members.

Mr. Biondo pointed out this is only to advertise for the ordinance. Mayor Gresock explained it is just to advertise the ordinance to be discussed and acted on next month.

Upon a roll call vote, the motion carried with four affirmative votes and two negative votes. Messrs. Hyzy and Poach voted negatively; Messrs. Stevenson, Adams, Williams and Biondo voted affirmatively.

Mr. Williams referred to Section 1802(D) in the Home Rule Charter, that no person shall serve on more than one municipal board, commission or authority except in an ex-officio capacity. He requested the solicitor clarify the term "ex-officio". Mr. Wratcher explained the word means, from the office, so when council acts as liaison to the boards and commission they are sitting with that board but they do not make any decisions or vote. He reported the mayor is an ex-officio member of all the committees by virtue of the home rule charter. Whereupon, Mr. Williams duly made a motion to not let people serve on more than one board at one time.

Mayor Gresock inquired since it is in the home rule charter whether it needs a motion. Mr. Wratcher asserted there is nothing to change it because it is a rule that has not be strictly adhered to in the past. He stated past councils have ignored that rule at times. He explained council has rules and regulations that they adopt when a new council comes into office so this could be reaffirmed by a resolution that council follows as guidelines with respect to people serving on more than one board or commission. Mr. Williams indicated that is his intention.

Mr. Adams inquired whether the home rule charter is a rule book or the law. Mr. Wratcher explained it is the governing document for the municipality. Mr. Adams felt it should be adhered to if it is in the book. Mr. Wratcher reported ultimately it is council's decision. Mr. Adams inquired whether four votes of council changes the law and Mr. Wratcher answered negatively. He stated council can

ignore the law which is what was done. Mr. Little asserted it can only be changed under referendum. Further discussion ensued. Mr. Little suggested this started because it was difficult to get people to volunteer for these positions on the boards and so if they were willing to serve on more than one board it was allowed. Mr. Poach agreed that is exactly what happened with no one volunteering. He explained the boards and committees are there to work on policy issues related to advice for council to act on. He also mentioned there is a section of the home rule charter that allowed people from different wards to serve if the seat stays vacant for a certain period of time. Mr. Little stated that is the library board.

Mayor Gresock suggested council can agree to move forward with following the rules. Mr. Wratcher explained it would be council affirming that they will follow Section 1802 (D) of the regulation of not having people on a second board or commission. Mayor Gresock suggested the manager could keep track and he questioned if there is currently anyone serving on more than one board. Mr. Little was uncertain. Mayor Gresock suggested the manager review it. Mr. Williams inquired whether it needs a vote of council. Mr. Wratcher recommended council can vote on their intention as a council to follow that section of the home rule charter. He stated this is a motion that council recognize and follow Section 1802(D) with respect to appointments.

Mr. Stevenson inquired what happens to those people who are already on two committees. Mr. Wratcher indicated council cannot dismiss them because those boards are governed by other rules. He mentioned the zoning hearing board is controlled by the Municipalities Planning Code and the municipal authority is governed by the Municipalities Authorities Act. He reported the other ones are created by the home rule charter and council could remove those parties. Mr. Stevenson inquired whether that is council's intention or the individual will be allowed to run out their term.

Mr. Poach explained those appointments were made because it was a solution at that time and no other action needs to be made to move forward because it is following the rules. He pointed out it was done because some of the boards became non-functional because no one volunteered to serve. He felt a resolution was needed to follow the rules and suggested the people serving should continue their terms and continue to follow the home rule charter.

Mayor Gresock again suggested the manager review the boards and commissions to determine whether anyone is on more than one.

Mr. Little explained a provision can be placed on the ballot in May if a position is vacant for a certain period of time to add it to the home rule charter to determine if the residents are interested in changing it. Mr. Poach agreed. Mr. Williams inquired whether it takes a public vote to change and Mr. Little answered affirmatively.

Mayor Gresock clarified that council wants to follow the rules and adhere to the home rule charter. He questioned whether it is started now. Mr. Williams suggested it be followed from now on going forward. Mr. Stevenson added the current people in those seats can finish their terms. Mr. Poach suggested council action should be clarified so it is clear why an action was taken.

Mr. Williams sent his condolences to the Span Family and sent speed recovery wishes to Mr. Wolfram.

SEVENTH WARD COUNCILMAN DENNIS BIONDO

Mr. Biondo inquired whether Mr. Williams motion should be withdrawn and Mr. Stevenson pointed out it was not seconded.

MAYOR NICK GRESOCK

Mayor Gresock also sent get well wishes to Mr. Wolfram. He also wished his daughter, Hannah a happy birthday.

ADJOURNMENT

There being no further business to come before council at this time, Mr. Stevenson duly made a motion to adjourn the meeting at 8:35 p.m. and Mr. Hyzy seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

Timothy J. Little
Municipal Manager

TJL/sam