

MUNICIPALITY OF MONROEVILLE

COUNCIL WORK SESSION

APRIL 4, 2023

MINUTES

The meeting was called to order at 7:14 p.m. by Mayor Nick Gresock immediately following the Citizens' Night Meeting.

ROLL CALL

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

PUBLIC HEARING

REVISED/UPDATED ZONING ORDINANCE

Mr. Paul Whealdon, Planning/Zoning Officer, came forward to give an overview of the proposed revise/updated zoning ordinance. He introduced Mr. John Trant from Strategic Solutions to explain what they did for the zoning ordinance update.

Mr. Trant reviewed the proposed ordinance. He reported he has been working with staff for the last several months to update the zoning ordinance. He stated they met with the planning committee four times, first on August 17, 2022, then September, November and December where they took input from them and focused on some items they audited through the current ordinance. He pointed there were some hot topics that need to be added and updated to the current ordinance. He proposed new draft language and worked with Mr. Whealdon to get it to the point where it is formatted and comprehensive so it can be prepared for codification if it is adopted by council.

Mr. Trant referred to Section 104 on Page 5 which talks about the comprehensive plan and the growth management objectives for the municipality. He pointed out the zoning ordinance is not the comprehensive plan but they are related. He stated the zoning ordinance is a legally enforceable document but the comprehensive plan is not it provides the overall guidance and objectives for the community and the zoning ordinance to implement those objectives. He reminded everyone that when the community is working on the zoning ordinance it should go hand and hand with the comprehensive plan and the two things should mesh.

Mr. Trant referred to Section 105 on Page 7 and pointed out there is reference to the zoning map. He pointed out that while the document that council has is a text document, the map goes with the zoning ordinance and is incorporated.

Mr. Trant reported they spent a lot of time on Article Two which is the definition section because it is important that the ordinance clearly defines commonly used terms throughout the ordinance and the uses permitted in the ordinance so there is no ambiguity about those uses. He explained Mr. Whealdon as the zoning officer is charged with interpreting the ordinance pursuant to the municipality's planning code and the more definitions and the clarity with which terms are defined help

the zoning officer make sure that when a proposed use is presented so it can clearly be identified based on the definitions in the ordinance. He reported Article Two is very extensive and there are lots of definitions. He wanted to highlight three uses just to show there is a theme throughout the ordinance in terms of how it is organized. He explained they defined what the uses are, identified where the uses are permitted which zoning districts those uses are permitted, and how they are permitted, whether a use by right, special exception or conditional use, then how that use is regulated such as are there specific regulations attached to that particular use.

Mr. Trant reported the definitions start on Page 10, Section 202 and he referred to the definition for food truck as a mobile kitchen that serves food and beverages from an enclosed self-contained motorized vehicle or is towed by an operable motorized vehicle. He pointed out they also defined hobby farm and short-term rentals. He explained all three of these items were hot topics for the planning commission that needed updating. He mentioned the term sign on Page 55 which is organized so there are now 30 plus sub-definitions. He explained how they are easy to find from Page 55 with the term with a clear definition.

Mr. Trant reported Article 3 begins the district regulations so within each zoning district represented on the proposed zoning map there are regulations for each district. He referred to Page 73, Section 305, where the residential districts are introduced and he mentioned, R 1, 2, 3, 4 and each has a clear purpose for that district and purpose guides as to what uses are permitted in that district and how they are regulated.

Mr. Trant referred to Page 75 for the residential districts at Section 306, the area in bulk regulations for each of the residential districts. He pointed out it continues onto Page 76, Section 307 for the commercial districts, he mentioned C 1, 2, 3 and L, Special Use. He explained those commercial districts on Page 77, Section 308 also have defined bulk regulations in a chart.

Mr. Trant continued in Article 3, District Regulations on Page 77, Section 309, there are two industrial districts. He referred to Page 78, Section 310 and these industrial districts have bulk regulations, setbacks and height regulations. He referred to Page 78 with special zoning districts at Section 311, and the S, Conservancy and LF, Landfill and BLVD, Boulevard. He explained those special zoning districts on Page 79, Section 302 also have area and bulk regulations.

Mr. Trant reported they defined the terms and the uses and identified the districts where they could go. He stated the use chart is quite extensive and identifies every use, where it is permitted and how it is permitted. He further explained how they identified with letters for each box and use. He stated N is not permitted, R it is permitted by right, CU is conditional use and SE is special exception. He reported there are three ways land use can be permitted in the Municipalities Planning Code which authorizes Monroeville to adopt a zoning ordinance and regulate land use, and allows for three different ways to regulate those land uses. He explained uses by right are approved outright by the zoning officer, conditional uses require a public hearing and there are additional uses attached to the uses and those uses are approved by the elected officials. He continued special exceptions are similar to conditional uses in that there is a public hearing and there are specific conditions enumerated in the ordinance that must be met but those uses for approval go to the zoning hearing board instead of the elected officials. Again, he reported the use charts shows what use can be done where and how that use is permitted, a use by right, conditional use or special exception.

Mr. Trant referred to Article Four beginning on Page 904 which talks about overlay districts. He explained in addition to the colors seen on the zoning map there are also several overlay districts in the current and proposed Monroeville Zoning Ordinance.

Mr. Trant referred to Section 402 which introduces the flood plain overlay district. He reported they worked with the municipal engineer and the zoning officer to update all of the flood plain regulations merging the new proposed flood plain regulations into the zoning ordinance. He explained they were mindful about how it was inserted because it could have a ripple affect and they made sure it is consistent throughout the ordinance. He stated the flood plain regulations are included beginning on Page 94 at Section 401.

Mr. Trant referred to Page 118, Section 410 the next overlay or the landslide prone overlay and Page 119, Section 412 is the steep slope overlay, Section 414, on Page 123 is the medical overlay and Article 4 which begins on Page 129 talks about the third step in the process which is how it is permitted. He pointed out there are conditional uses which identifies the process for the conditional use application and the requirements. He referred to Page 132, Section 504 which begins with A, agricultural farm and continues through the alphabet of all the conditional uses. He pointed out Section KK for hobby farm on Page 178 with all the regulations that apply which is permitted as a conditional use and those regulations will be reviewed during the public hearing process that is required for approval.

Mr. Trant mentioned special exceptions is the third use type and referred to Page 351, Section 1211 which introduces them. He reported he highlighted in the definitions the short-term rental and referred to Page 363 with the proposed regulations for them. He reviewed some of the specifics.

Mr. Trant referred to Article Six on Page 235 for the Planned Residential Development (PRD) which is extensive and Article Seven for the Planned Non-Residential Development. He referred to Article Eight on Page 263 for the Supplemental Regulations which are for uses that are not special exceptions or conditional uses but are general provisions that apply to certain uses. He stated the requirements would be reviewed by the zoning officer during that review process for a zoning permit. He added that would include on Page 262, Section 802 for Accessory Uses and Structures and there is an example at Section 803 for air conditioning systems and mechanical equipment.

Mr. Trant referred to Food Trucks in the definitions on Page 270, Section 810 with the requirements. He referred to Article Eleven on Page 341 which has an extensive section for non-conforming use structures and lots. He explained it is consistent with what is in the current ordinance. He pointed out with any change to any zoning ordinance, any existing use or structure that will be non-conforming with the new requirements have protections in terms of it future existence and possible expansion.

Mr. Trant referred to Article Nine which explains the zoning hearing board and their role as defined by the Municipalities Planning Code. He reported Article Eight is the planning commission and Article Fourteen is administration enforcement. He reviewed it explains the process for getting a zoning permit and the role of the zoning officer to review and approve permit applications.

Mr. Trant reported this is hundreds of pages of a document and there were lots of meetings with the planning commission to review and work with the administration on the flood information. He explained he gave highlights of the overall structure and the specific items that are regulated in the

document. He felt it is an important ordinance for the community and he wanted to make certain everyone was looking at the text.

Mr. Whealdon gave an overview of the proposed zoning ordinance. He reported he was tasked with revising the zoning ordinance in 2017 and he began with a previous draft from 2008. He stated it was a long process and it got stalled multiple times and was stalled again with Covid. He suggested it is getting close to the end and felt Mr. Trant gave a good presentation on the content.

Mr. Whealdon reported the existing ordinance is from 1984 and has not been updated but there have been dozens of amendments which is one of the reasons the proposed ordinance is so thick. He mentioned how he incorporated all of the amendments into one document. He stated it is not a lot of new information but it is consolidating a lot of information over the decades.

Mr. Whealdon reviewed Mr. Lee Mueller was hired in 2008 but it stalled for multiple reasons and was never completed. He reported he a lot of good information to start with which was like a road map and he did a lot of research then Mr. Trant assisted him with a lot of his questions. He referred to the current zoning map and how there are only a few color changes. He explained the commercial zone is becoming C3 and Boulevard instead of just C2 which allows for mixed use and allows for residential to be mixed in with commercial and retail. He pointed out the proposed map, the hatched areas will be changed in some form like a zoning designation or use by right, conditional use or special exception. He reported he put labels around to orient everyone.

Mr. Whealdon reviewed after much work they issued the public notice and sent out over 1,000 letters to the residents and several hundred orange signs were placed on telephone poles. Mayor Gresock inquired when the mailings and pole postings were done and Mr. Whealdon answered approximately two months ago and at least one month before this meeting.

Mr. Whealdon explained the mixed use is a combination of residential, commercial and retail. He reported one of the first examples in the region was the Homestead or Waterfront. He explained they have apartment buildings on the outside of the development and retail and commercial on the interior. He gave a bird's eye view of what it looks like and pointed out the town homes and the commercial center. He showed a street view and some of the town homes. He referred to the Miracle Mile which is a strip center consisting of retail and commercial but to the south are large high-rise apartment buildings and to the north there is single family. He pointed out Miracle Mile and the multi-family residential to the south and the single-family residential is cut off.

Mr. Whealdon reported the definition has been expanded and it is over 100 pages. He stated how he kept notes over the past few years of questions that were asked that he could not answer and made sure they were included in the ordinance.

Mr. Whealdon reported they expanded the conditional uses and special exceptions. He mentioned banquet halls, bed and breakfasts and short-term rentals, chicken and hobby farms, casinos, brewery, distribution centers, medical marijuana and outdoor dining. He explained there was some things in the ordinance about oil and gas but he added some sections for injection wells, compressor stations and impoundments. He mentioned how restrictions on shipping containers was added. He pointed out assessor structures have been added for dependent dwellings or mother-in-law suites.

Mr. Whealdon showed a photograph of the Spectra Dolce where the owner wanted a mixed use to have a business on the bottom floor and rent the top floor as an apartment but the current regulations does not permit it. He explained that is an example for the mixed use.

Mr. Whealdon referred to the Monroeville Mall and suggested town homes along the ring road might be a possibility and apartments or condominiums in the mall. He mentioned it already has the utilities and a food court and could be an interesting architectural feature. He stated it is a possibility but that does not mean it will happen.

Mr. Whealdon referred to the new VA Hospital or clinic and he felt it would generate a lot of good business for Monroeville. He reported they are anticipating 400 to 600 patients per day which will benefit the restaurants and businesses in the area and the mall.

Mr. Whealdon reported the mixed uses are on the Routes 22, 48 and 286 corridors. He explained it is currently zoned straight commercial but this would provide more opportunities to those businesses to incorporate apartments or some type of residential. He stated this would add residential uses and all the commercial uses would still be permitted and no one would lose any rights to commercial businesses.

Mr. Whealdon referred to the medical overlay district located on the Routes 22 and 48 corridors and are centered around UPMC, AHN and Forbes. He suggested Monroeville is fortune to have two premier hospitals in the community and both are expanding so this would help them out so they do not have to get variances or do anything special. He reported by adding a medical overlay district it would help them with their growth. He again stated the overlay district would not take away anyone's current rights to their property but would help other businesses grow. He pointed out the medical overlay district, UPMC and AHN. He reported during Covid, Forbes had an agreement with the Next Tier group for the Old Westinghouse Property to use their parking lot with a shuttle. He suggested the overlay district may assist if there is some kind of partnership or collaboration between Forbes and Next Tier. He pointed out Forbes Hospital and Next Tier and the parking lots. He mentioned the open space in between has the potential to be developed and also Forbes purchased the North American Martyrs property which is part of the overlay district.

Mr. Whealdon reported a lot of time was spent on the flood plain overlay district because it is a lot of technical writing. He stated he worked with FEMA, PEMA and the Pennsylvania Municipal League and they came up with a standard ordinance to satisfies FEMA and PEMA so the municipality will be better protected if someone tries to build within the flood plain. He reported the purpose of the flood plain overlay district and the regulations is to help prevent people from building in places they should not build.

Mr. Whealdon reported extensive regulations for oil and gas have been added to the current draft for fracking, deep wells, regular wells, impoundments and compression stations. He mentioned some of the things covered include setbacks, injection wells, impoundments and compression stations. He pointed out the proposed zoning map and explained the different sized setbacks that were discussed. He stated the smallest one is a 500-foot diameter circle or 1,000 from side to side which is a state requirement. He reported the current draft has 500 feet and 1,500 feet was considered but it makes the circle very large. He stated residents have mentioned a 2,500-foot radius or a 5,000-foot buffer. He explained the municipality has to be careful not to make the ordinance exclusionary. He

stated the 500-foot fits into the biggest M-2 District or heavy industrial district so it could have a deep well. He explained if a 1,200-foot radius is used some areas would be excluded and it would fit in the landfill but there has been a lot of push back. He added the 1,500-foot radius also fits in there but the 2,500 does not fit anywhere. He reported if the ordinance is exclusionary the municipality could be sued and the courts would decide where those areas would be allowed. He asserted the municipality has to allow for it somewhere but care must be taken as to where it goes. He stated what is shown is to scale which would help people understand how big the setbacks are.

Mayor Gresock asserted this is the proposed draft ordinance and he inquired whether the current activity is permitted. Mr. Whealdon answered it is in the M-2 or the rail yards. He pointed out the white area in the center is Pitcairn and the intersection where Sheetz, Speedway, McDain's are located and the train tracks behind McDain's and the big rail yard below McGills. Mayor Gresock stated those M-2 zones have not changed from the current to the proposed map and Mr. Whealdon answered affirmatively. He reported they renamed a couple of zoning districts and the landfill that used to be S-1, Special Conservancy was replaced with the LF so it is not similar. He stated it has all the same regulations but with different names. He reported R-5 was eliminated and will be absorbed into the R-4 and will include all the standards. He added the R-2-T which was for townhomes will be incorporated into R-3.

Mr. Whealdon reported there has been some controversy about how oil and gas got placed into the LF District. He stated he received a box of information when he started working on this in 2018 from Lee Mueller and the previous zoning officers. He reported one of the items in the box was the use table which is what he used to start his work. He explained it was dated 2010 and included oil and gas as a conditional use in R-1, M-2 and in Landfill. He stated there has been speculation about how it ended up in the landfill district in the current proposed ordinance and he clarified it was simply from a previous draft that had it listed and he carried it over with the use table. He asserted no one advised him to include it and it was simply carried over. He mentioned this is a draft and anything can be removed or moved somewhere else or it can be regulated in some other way. He explained the only reason it shows up in the landfill district is because back in 2010 someone else located it there.

Mr. Whealdon reported once the draft was completed it was sent down to ACED for their review and standard comments were sent back. Mr. Stevenson requested ACED be explained. Mr. Whealdon stated it is the Allegheny County Economic Development which is a county organization that reviews all proposed ordinances. He explained it is required they review it as part of the Municipalities Planning Code. He reported all the comments have been addressed. He added ACED does not review specifics like oil and gas or bed and breakfast and they only want to make sure all the main categories are included like conditional use, planned residential development and sections are included for the zoning hearing board and planning commission. He mentioned the county ensures that everything required in the MPD is included in the zoning ordinance.

Mr. Whealdon reported the current ordinance is under 100 pages and the proposed ordinance is over 400 pages so it includes a lot of new information and has a lot of sections. He stated a lot of the pages are definitions and a lot are special exceptions and conditional use regulations. He explained the oil and gas section is only 20 or 30 pages out of 400. He stressed the oil and gas ordinance is not 400 pages and the 400 pages is the entire zoning ordinance.

Mayor Gresock referred to the LF and M2 concerning oil and gas exploration. He stated currently the Monroeville ordinance reads from 2018 it is in M2 and Mr. Whealdon concurred. Mayor Gresock inquired where it is in the proposed zoning ordinance. Mr. Whealdon reported it is a conditional use in three places the M2, Industrial; the LF Landfill and S, Conservancy. Mayor Gresock asserted it is a conditional use with conditions set forth by the state and municipality. Mr. Whealdon concurred. Mayor Gresock stated it is a state permitted use so it has to be allowed somewhere in the ordinance and the municipality does not want to make it exclusionary. He suggested it is bad for the community and unconstitutional. He was uncertain why the previous decision was made to place it in the conservancy area and he recommended it be taken out of the S, Conservancy areas. Mr. Whealdon pointed out the setbacks are measured from the center of the circles to the edge and there are to be no protected structures within the grey circle. He explained a protected structure is any occupied structure. He stated it probably would not fit anywhere even if it were allowed in S, Conservancy with the setbacks. He suggested there are a lot of green areas but they would not work. Again, Mayor Gresock could not understand why it would be allowed in conservancy at all. Mr. Whealdon suggested it may be because gas wells are already located in conservancy areas even though they are shallow and the ordinance does not distinguish between a deep and shallow well, it is only oil and gas. He stated if someone wanted to drill a shallow conventional well they would still have to meet the setbacks.

Mr. Biondo pointed out they would still be pre-existing uses within that district even if it is taken out of the district and Mr. Whealdon concurred. He mentioned this is a draft ordinance and can be changed at council's discretion.

Mr. Biondo pointed out one of the things included is short-term rentals on Page 387 and the proposed ordinance suggests the municipality may have a fee for short-term rentals. He inquired whether the inspections of those by municipality is done annually. Mr. Whealdon indicated that was uncertain at this time. He reported currently there are some that are not on the books and the municipality found out about them accidentally. He mentioned a registry is being developed and a fee schedule will be established. Mr. Biondo inquired whether they get permitted every year or whether it was done when the property is sold. Mr. Whealdon reported it would be like a hotel with an annual life-safety inspection done to ensure they have fire extinguishers and smoke alarms. Mr. Biondo inquired about the fee and Mr. Whealdon estimated it to be \$75. Mayor Gresock suggested that could be worked into the annual budget during the fee schedule portion. Mr. Whealdon reported all fees must be incorporated into that fee schedule. Mr. Biondo suggested if the municipality is charging them for the inspection it should be considered when charging for the short-term rental.

Mayor Gresock explained this is a multi-step process and council will have more opportunities to deliberate over it and get into the smaller issues. He stated the public will have opportunities to make comment about the ordinance as it moves through the process.

Mayor Gresock opened the meeting for the public comment period. He reported it is for Monroeville taxpayers and residents. He stated there would be a five-minute time limit for each speaker. He also explained comments can be submitted or testimony given through email or print over the next ten days. He stated the window of the public hearing will be open for anyone in attendance, anyone that speaks or any resident or taxpayer just learning about it can submit comments and testimony into the record of this public hearing. He again stated there will be multiple opportunities for residents and taxpayers to make comments on this item.

DAVID MINTZ

Mr. David Mintz, a resident, came forward to make comment. He hoped this would not be the last meeting for the proposed zoning ordinance and that council would include it on the agenda for the regular council meeting and to vote to have further public hearings.

Mr. Mintz reviewed in October 2017, Sustainable Monroeville along with Food and Water Watch worked with council, municipal manager and the mayor to put oil and gas operations into the M-2, Industrial District. He reported previous to that the conditional use table allowed it in all zones in Monroeville. He stated three months later in January 2018 an ordinance was proposed by council researched and authored by the municipal manager to move that to the current landfill zone. He reported it was objected to and council unanimously withdrew it so it reverted back to the October 2017 where it is currently in the M2, Industrial zoning district.

Mr. Mintz was uncertain of the exact story of how the oil and gas was put into the landfill zone and the S, Conservancy or how it got moved forward. He suggested there are questions about as it would be moved forward from people that were working on the zoning ordinance in 2010. He referred to two changes; the expanded landfill zone which is called S-1, Conservancy. He explained it is a much smaller zone on the current zoning map than the proposed map and the proposed zone is to be a much larger zone that contains the landfill than the current zone. He stated the landfill zone will be expanded which brings a lot of issues not only for oil and gas but a lot of other issues that go with a landfill next to the many neighborhoods of Monroeville but also Pitcairn. He pointed out Pitcairn residents are in attendance with council members and mayor.

Mayor Gresock requested that he adjust the map so he could point out what is being discussed. Mr. Mintz pointed out the proposed landfill zone which would be called LF Landfill but the current one is smaller and has green S, Conservancy all around it. He explained the area around it would be considered part of the LF Landfill zone which would be much larger and take away the buffer zones from the neighborhoods of Monroeville and Pitcairn.

Mr. Mintz stated the LF Landfill would be expanded, however it happened, it is in the proposed ordinance to allow the M-2 Industrial to have oil and gas operations, industrial and gas operations, and fracking included that would be allowed in the landfill and all the S, Conservancy areas of Monroeville. He suggested that is a lot of area in Monroeville. He questioned why it is being allowed in the LF Landfill zone if it is not going to happen in the landfill. He inquired why it is included in the proposed zoning ordinance if it is not going to happen. He questioned who benefits from it or whether it benefited the residents. He suggested it would be somebody that owns the gas leases or Huntley and Huntley now known as Olympus which owns the lease around and under the landfill and some other areas of Monroeville that may be under the current conservancy zones.

Mr. Mintz added this is dealing with the health and property values of everyone that lives in Monroeville.

Mr. Mintz questioned whether the setbacks are from the center of well pad or the edge of the well pad. Mr. Whealdon answered it is measured from the well head. Mr. Mintz asserted those setbacks were arbitrary not considering science or the grand jury that was convened by the attorney general that proposed 2,500 feet or 2,000. He felt the idea of exclusionary was important. He explained



when the change was being made to put it in M-2 Industrial in October of 2017, exclusionary was discussed. He pointed out the solicitor talked about things being exclusionary but did not say that would be exclusionary and did not advise council to not vote for it because it was exclusionary. He stated currently there are no issues with the municipality being exclusionary because a zone is being provided for this industrial use in the industrial zone.

TONI WALKER

Ms. Toni Walker, a resident, came forward to express her concerns. She stressed drilling and gas related ground activities are not good when they happen near where people live. She suggested proposed drilling should not be done in green spaces because it infringes on where people have recreation.

Ms. Walker felt drilling in the landfill will endanger those who live in bordering Pitcairn and the Mellon Plan on the other side. She suggested it would endanger the lives of the children and there will be poison. She questioned why anyone would put the health of the people in jeopardy. She stated the drilling should be done where it will not hurt the health of the living. She stressed council has great power and with great power comes responsibility and she hoped it would be used wisely.

DOUG WEBSTER

Mr. Doug Webster, a resident of Penn Lear Drive, came forward to express his concerns. He wanted to give a wider picture of the climate that this decision is being made. He submitted into the record some articles that address some of the issues such as global warming. He reviewed an article from the Washington Post which details that recent findings on global warming. He pointed out that southwest Pennsylvania's history includes a century and a half of bad air days and the American Lung Association gives the region an F grading for air quality. He mentioned a new Shell Petro Chemical Plant built with the aid of over \$600 million in Pennsylvania State Tax breaks and its license permits on how much pollution it can emit each year but it has exceeded its annual allowance every month since it opened.

Mr. Webster read a statement (see attached.) He could not think of an upside to expanding fracking in the community and he urged council to study this issue. He was glad to hear there would be more hearings and he felt there is zero reason to rush to a decision. He hoped to hear from real experts using verifiable evidence. He inquired who thinks this change is needed and why is it good for Monroeville.

Mayor Gresock reminded everyone that everything being discussed is available on the municipal website, [www.monroeville.pa.us](http://www.monroeville.pa.us), and there are hard copies available at the library and the municipal building.

DEBORAH COLES

Ms. Deborah Cole, a resident of Garden City, came forward to thank council for holding the hearings. She explained that she lives near Glenwood Park which is across the street from the 800 block of Garden City and the Thompson Run River is below Garden City and runs through Penn Hills and Monroeville and empties into the Mononglaha River which suffers from acid mine drainage but facing a

threat of carcinogens and chemicals that fracking companies have yet released to the government. She reported the majority of water treatment plants are not equipped to handle Shell Gas drilling waste and there are dangerous levels of bromine that since have been found in drinking water. She pointed out not all facilities and drinking companies adhere to DEP Standards and she gave an example. She reported of a company in Green County in Pennsylvania of abandon mine shafts that have plead guilty to 200 counts of dumping millions of gallons of Marcellus Shale waste water into abandon mine shafts, local streams and along road sides. She added the PA Oil and Gas Action 78 for disposal of brim, drill cuttings and residual waste that prohibits the disposal of flow back water of any materials associated with the drilling industry and coal mines including slurry impoundments, coal mine discharge or refuge piles by detecting the current presence of coal waste and shell explained in Garden City which can be difficult. She noted that Garden City is largely mines which is her major concern. She read from an article concerning former mines that can trigger earth quakes. She pointed out the ground beneath Garden City is full of mines and many of her neighbors have had mine subsidence. She reported she went door to door along the entire border and she talked to most of her neighbors most of which had mine subsidence.

Ms. Cole pointed out this is also a conservation area where owls, red fox, turkeys, skunks, possum and bats live and the species decline is readily apparent in areas that have fracking. She asserted that besides loosing habitat in the suburbs, fracking brings heavy metals, salinity, radio activity and toxic chemicals to wild life and the residents living near those areas. She added it causes methane gases, releases toxic air pollutants which cause healthy people to have breathing problems. She added studies have shown that residents living near fracking sites have an increase in cancer, hospitalizations and adverse pregnancy outcomes. She reviewed several other issues that can be caused from living near fracking. She pointed it can cause insomnia because there is constant 24/7 light noise and sound. She stressed the fracking would be too close to homes, schools and parks where people meet and socialize.

Ms. Cole felt that the idea of fracking in conservation areas and parks is abhorrent. She reported her and her neighbors in Garden City and Pitcairn are concerned about their health issues, homes and their beautiful wild life. She stated the residents in Garden City are outraged that they were not informed sooner and they demand more hearings to discuss more residents' concerns about this life altering matter. She suggested it is disgraceful how Monroeville choose to place large fracking sites around Pitcairn and increase the dump site near Pitcairn which already accepts radioactive solid frack from outside of Monroeville.

#### LINDSAY DILL

Ms. Lindsay Dill came forward representing Allegheny Land Trust which is land conservation nonprofit and property owner. She reported they conserve 80 acres of S, Conservancy zoned property south of Monroeville Park along Mossie Boulevard. She explained they conserve land to improve quality of life for future generations by preserving the community's scenic landscape biodiversity, wild life habitat, and air and water shed quality. She reported currently they have an additional 124 acres under contract for protection in Monroeville that would connect the existing conserved land, Community Park East and West and Pitcairn's Sugar Camp Park to create 425 contiguous acres of green space for the greater benefit of the community.

Ms. Dill reported this land is currently zoned as S, Conservancy and would remain as such in the proposed zoning change. She pointed out in the Monroeville Zoning Ordinance document, Page 79, Section 311 A, it states that conservancy zoned areas are intended to provide the conservation of open space and the preservation of environmentally sensitive areas throughout the municipality. She reported in the proposed changes, the zoning chart in the same document on Page 88, Section 320 shows that industrial activities such as injection well sites and energy facility sites could apply as conditional uses of those S, Conservancy zoned lands. She stated they opposed that proposed change because industrial uses are completely incompatible with their conservation goals as Allegheny Land Trust and also with Monroeville's conservancy zoning intentions as noted on Page 79. She asserted they believe the proposed change would negatively impact S, Conservancy lands, would be detrimental to the municipality as a whole and potentially put the current 124-acre conservation project at risk. She requested the municipality not permit industrial activities as conditional uses of the s, conservancy zoned lands.

CHRIS GALANOS

Mr. Chris Galanos, a resident, came forward to express his concerns. He reported he has 2.2 acres on Hillside Avenue Extension and all of it is zoned S, Conservancy as well as all of the surrounding property. He explained his property overlooks Route 48 and is located between Route 48 and Pitcairn. He could not imagine if fracking would be allowed in that valley anywhere in the S areas. He felt even on the M-1, Landfills, they can hear the amount of noise when trucks use their Jake breaks going down Route 48 because it echoes throughout the entire valley. He suggested allowing industrial applications on Route 48 and in other areas of Monroeville will devalue the properties on Grandview Avenue, Tillbrook Road and Haymaker Road. He mentioned the town houses overlooking the area. He reported his road has been closed almost as long as he has lived there and stated the road is still considered a public road even though it have been closed. He suggested if the land is purchased by a company that wants to drill, they might be able to force Monroeville to open the road but it would cost millions of dollars to reopen it and get it passable because of all the damage. He pointed out a lot of his land is hillside and he appreciated the Allegheny Land Trust purchasing the land to protect it.

Mr. Galanos reported he has friends that live in Pitcairn below the landfill and he urged council to review this carefully and oppose fracking anywhere in Monroeville. He suggested it is not good for his apple trees, his dogs or pets or cats of any of the people of Monroeville or Pitcairn.

JAMIE RUTTER MATKOZICH

Mrs. Jamie Rutter Matkozich, a resident, came forward as the second-generation owner of J.A. Rutter Company located at 4917 Old William Penn Highway. She explained they are a wood-waste recycling facility that manufactures landscape supplies from the wood and they sell to residents, contractors and resalers. She reported she has been working at the business full time since 1997 and it is a major passion for her. She explained how her father started the business over 50 years ago prior to any zoning ordinance so they have been functioning as a non-conforming use. She felt this would be an appropriate time for her to request that the property she owns and a piece of property the company owns that is adjacent be updated to reflect its actual use. She reported she met with her councilman and the staff to share with them maps.

Mrs. Matkozich referred to the maps and pointed out the property that she owns and the piece that is owned by the J.A. Rutter Company and where her residence is located. She proposed that the main property and the adjacent property owned by J.A. Rutter Company be changed to an M-1 use and then subdivide the other piece of property she owns be changed partially to M-1 and the other part to R-1 because that is the location of her residence. She explained the rezoning is important because it would make them a conforming use and define them for what they have been doing there for 50 years. She stated it has been an impediment for them as she has taken over the business, they have grown and she is channeling things towards her passions. She reported it has been a road block to lenders because they are a non-conforming use. She suggested it would be beneficial to her to have the portions that she owns be reflective of what they do. She asserted in the past some of the neighbors were concerned if they rezoned they would resale the property to Walmart and she reported she has no intentions of doing that. She indicated she plans to stay on the property until her retirement and she is in it to continue their good work of recycling and providing good employment to over 12 families that have been employed by them for over a decade. She mentioned how they feel like family and she is beholden to the legacy of her family's business because they are in it for the long haul.

Mrs. Matkozich expressed her appreciation for the consideration as the municipality is making changes that her property could be updated to a conforming use and define it for what it has been used for 50 years.

Mr. Wolfram asserted this would also help her to get bank loans and Mrs. Matkozich answered affirmatively. She explained it has been a question from lenders as they are trying to get lending for future upgrades for equipment and site enhancements.

#### LOIS DRUMHELLER

Mrs. Lois Drumheller, resident, came forward to express her concerns. She reported municipal council has been given a draft or a proposed comprehensive zoning ordinance in the later part of January and during that time she has been asking questions as to whose idea it was to add parks and green buffer zones that are conservation districts or the expansion of the landfill to conduct oil and gas operations. She asserted the status quo which is what council approved five years ago moved oil and gas operations to an industrial zone called M-2. She suggested Monroeville did right by pairing an industrial oil and gas operation with an industrial zone. She reported she asked council to not decrease the value that the residents place in their homes by allowing industrial operations 1,200 feet away. She also requested the municipality maintain the status quo that it currently has with the M-2 zone being for oil and gas for the parks that families enjoy by not moving fracking and injection wells 1,200 feet from these places. She asserted that regardless of who suggested the changes for green spaces and landfills to allow for oil and gas operations, there is no lawful need to move there. She stated the municipality made it an industrial zone as the status quo for this use for over five years. She pointed out no ones has explained why the landfill has been expanded with no buffer zone. She reported the proposed zoning ordinance and the map have been made available to the public for only 26 days since March 10, 2023 prior to this one public hearing advertised. She felt council must give more consideration than one public hearing for a 430-page document that changes land use. She requested council for a continuance of this hearing providing enough time for the public to comment after only seeing it for 26 days. She asserted the public comments at this meeting have been compressed into a night where two separate

meetings would routinely occur, the citizens' night and the council work session. She felt it is a small respect for the constituents that have been standing at the meeting for a long time from all seven wards. She stated in light of the substantive changes recommended by Allegheny County, an updated version of the proposed ordinance should be re-sent to the county then once it is approved, a second hearing should be advertised.

Mrs. Drumheller suggested what the planning commission usually does in the process to update a zoning ordinance was changed about a year ago when council voted to add a step to the planning commission's process by paying a consultant, Strategic Solutions, to review and rewrite this draft. She reported she attended the November and December meetings of the planning commission who had several new members and that Strategic Solutions informed the commission that review of Monroeville's Zoning Draft by the Allegheny Planning Division was a formality and the municipality did not need a county review before the council vote. Mrs. Drumheller asserted she objected to it at that meeting. She reported the copy of her county review has 16 pages of corrections and recommendations. She stated Allegheny County pointed out corrections that needed to comply with the Pennsylvania's Municipal Planning Code and the Comprehensive Plan.

Mrs. Drumheller explained zoning law comes from the police powers act to protect and to promote public health, safety and morals, the general welfare, and protects this by a due process for equal protection of residents of the community. She reported planning and zoning are regulated by the Pennsylvania MPC.

Mrs. Drumheller stated Mayor Gresock advised council that in order to make public comment, standing needed to be given only to residents and taxpayers, property and/or business owners of Monroeville. She asserted according to the latest version of the Municipal Planning Code that is not correct and she explained why.

#### ADAM GAYNER

Mr. Adam Gayner, a resident of Ward Two, came forward to express his concern. He felt there was nothing he could add that would provide more information about articles and evidence that show fracking is not good. He suggested most times the simple details get lost. He questioned who this would benefit and asked if there was a single person or resident that would actually benefit from expanding the drilling and fracking areas or the Waste Management Site. He mentioned the proposed banning of feeding wild live. He reported the impact of drilling, fracking, expanding industrial zones or expanding the landfill is only going to chase wildlife into the neighborhoods more. He pointed out two residents have expressed their love for wildlife and their acreage without noise. He felt it would only get worse. He again stated this would not help anyone.

#### THOMAS DICK

Mr. Thomas Dick, Pitcairn Borough Council, came forward to represent Pitcairn Council as a whole. He requested that Monroeville seriously consider Pitcairn located below the landfill. He reported they already deal with a lot of the affects currently without oil and gas drilling. He suggested Monroeville consider what it could do with the expansion of the landfill and the areas around it. He

requested the buffer of conservancy remain. He reported under the current proposed ordinance there is no buffer zone and it comes right up to the Pitcairn border line. He pointed out Kenny Avenue and Wood Street are already experiencing effects from the landfill. Again, he explained he wanted to present this information and request Monroeville consider them.

VALERIE SHAVER

Ms. Valerie Shaver, a resident, came forward to express her concerns. She wanted to make sure the municipality is aware of her property on Hillside Road located right down the hill from the landfill and the Mellon Plan. She explained the houses there are feed by a cistern which is feed by an underground spring. She reported that in 2007 something happened that contaminated their water supply and the smell was overwhelming. She stated the water was unusable. She explained after several calls it appeared to be connected to a well that was being drilled on Second Street. She reported the liability was eventually acknowledged by Huntly and Huntley and a water buffalo was brought in. She stated after several weeks the water cleared but the company's only reply was they were not aware of their homes and their reliance on an underground Spring. She was concerned that something like this would happen again with these new conversations about the fracking coming near the landfill which is located uphill from her house. She reported she notified Mayor Gresock and Councilman Hyzy but she also contacted the Southwest Office of DEP. She was assured that they would check everything thoroughly before issuing the permit to drill but the municipality has the same onus. She reported that she read about the pre-testing clause in the proposed draft so she is requesting that if Monroeville moves forward with the new proposal that they are aware of her home and other homes and they require all of their water be tested prior to drilling by the landfill. She wanted to remind Monroeville who is down Who'sville.

Ms. Shaver mentioned how she did not notice the change in the size of the landfill. She reported the representative asked her why anyone would drill in the landfill because landfills have liners and drilling would defeat that purpose. She pointed out the first resident that spoke who pointed out the increase in the landfill zone would probably answer that question.

Mr. Chris Galanos, resident, again came forward to report when he moved to Monroeville they did not have public sewage and Monroeville helped them pay for them getting public sewage. He asked why Monroeville would not do the same thing with the homes in their area to give them public water.

(A brief break was taken at 8:51 p.m.)

(The meeting reconvened at 9:04 p.m.)

Mayor Gresock reported council went to a recess during the legislative public hearing on the zoning ordinance. He amended the agenda at this time to consider the applicants that were on the agenda for the council work session.

NEW BUSINESSSUBDIVISION 23-2-SUB  
BOWSER GENESIS OF MONROEVILLE

The applicant is requesting preliminary and final subdivision approval to subdivide Tax Parcels 107-H-175 and 1244-A-368 into two lots. Lot One with 15.072 acres and Lot Two with 11.710 acres. The properties are located at 1580 Golden Mile Highway in the C-2, Business/Commercial Zoning District.

The Planning Commission recommended approval.

Mr. Lenny White, Engineer with KU Resources, came forward representing the applicant. He reported this is the supplemental subdivision application to the conditional use land development plan that was approved last month. He explained this is to take the two existing lots with their unclear lot lines and one lot line going through the existing body shop and subdividing them into two defined lots. He stated the two lots would clean it up and they would split it along Abers Creek following the sanitary line to keep the access line to both properties. He reported the total property is a little under 27 acres and they are proposing a 15-acre lot and a 12-acre lot.

## CONDITIONAL USE 23-2-C

TERRY SMITH

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 206 Monroe Street, Tax Parcel 743-E-003, in the C-2, Business/Commercial Zoning District. (Public Hearing)

The Planning Commission recommended approval.

Ms. Terry Smith, the applicant, came forward to request approval of the conditional use application at 206 Monroe Street. She pointed out the proposed child care center, the playground, the double doors that goes to the back and the parking lot.

Mayor Gresock inquired about the prior use of the building and Ms. Smith guessed it was Home Health. She stated the location is cute and cozy and ideal for small children. She proposed to have six weeks to five years old. Mr. Hyzy inquired about the number of proposed children and Ms. Smith answered based on ratio purposes, 60 and 70 children because there are two floors. Mayor Gresock inquired whether she would utilize the entire building and Ms. Smith answered affirmatively. Mayor Gresock questioned whether she currently has a child care center and Ms. Smith answered affirmatively. She added it has been in operation for over ten years. Mayor Gresock asserted this is licensed through the state and Ms. Smith concurred. She reported she is currently licensed and she wants to move into this space. She stated she currently has six weeks to 12 years old but she is proposing only six weeks to five years old at this location. Mayor Gresock inquired whether she would keep the old location and Mr. Smith answered she would move most of it here. She reported she was also proposing to have another location in Monroeville under a separate application.

Mr. Little inquired about her current location and Ms. Smith answered it is on Beatty Road across from CCAC.

Mr. Poach inquired whether there would be a proposed fence around the facility and Ms. Smith answered it is only reflecting the current space. Mr. Whealdon stated the line reflects the property line.

Mr. Williams inquired how many children the facility would be licensed for and Ms. Smith estimated it would be 60 to 70 children. She added she is currently licensed for 382 children.

Mr. Hyzy inquired whether it would be fenced in and Ms. Smith explained there is a fenced in playground that will be moved to this location from her current location. She stated it is a high-wire fence.

Mr. Poach questioned whether there would be a fence between this location and the liquor store. Ms. Smith pointed out the location of the playground, the back of the building and the liquor store. She added it would be fenced in all the way around. Mr. Poach was concerned about the traffic from the strip mall and liquor store location.

Mr. Adams inquired about the number of cars that would travel on Monroe Street. Ms. Smith explained Monroe Street is a tiny street with mostly homes and cars would make a sharp right onto street. She stated it is not a busy street. Further discussion ensued. Mr. Williams asserted it is almost like a U-turn coming from CVS to turn onto the street.

Mr. Whealdon questioned how much traffic this business would generate. Ms. Smith answered she currently has families that would move to this location and she was hoping to generate more from other apartments and homes nearby.

There being no further discussion, Messrs. Poach and Stevenson duly made a motion to close the public hearing and Mr. Hyzy seconded it. Upon a voice vote, the motion carried unanimously.

At this time council resumed the public hearing of the revised updated zoning ordinance.

#### GEORGIANA WOODHALL

Mrs. Georgiana Woodhall, a resident, came forward to set the record straight. She reported Mr. Wratsher was on the zoning revision committee and worked on it until 2009 then Scott Dellett worked on it. She submitted Scott Dellett's contract, Resolution No. 09-74 that paid him \$75 per hour for an estimated number of 100 hours. She referred to March 8, 2011 when Leo Mueller was hired and she served on the planning commission. She reported the zoning ordinance was completed in 2015 and was ready to go to council and the county for approval which never happened. She stated that Mr. Whealdon indicated that Mr. Mueller gave him the zoning map in 2010. Mr. Whealdon clarified that he was not directly given the map and he never spoke to Mr. Mueller. He reported he received a box full of information. Further discussion ensued regarding the box. Mrs. Woodhall referred to something printed off the municipal website dated February 13, 2015 and she pointed out the landfill on the zoning map that went along with that completed zoning ordinance in 2015. She point out the portion of the



landfill that is proposed to be rezoned up to the portion for the future land use key, that is landfill/reclaimed recreation which was to be a recreation area. She stated it was never to have anything to do with drilling. She then referred to Strategic Solutions being hired in the amount of \$27,584 and she submitted all of the information.

Mrs. Woodhall read an article. She stated the municipality should never let an outsider come into the community and tell us how to live in this community. She reported the question about who was behind the change was never answered. She read an article dated July 29, 2010 entitled Monroeville Company at the Center of a Deadly local gas well explosion.

DEBORAH MARTO

Ms. Deborah Marto, a resident of Pitcairn, came forward as a member of Pitcairn Council. Mayor Gresock reported Mr. Dick spoke earlier representing Pitcairn. Ms. Marto emphasize the little part that goes up Pitcairn Road marked as conservation land would also roll up underneath the part of fracking which is right below where the ball fields and soccer fields on Tilbrook Road are located. She hoped Monroeville would keep the residents of Pitcairn in mind.

KIMBERLY KLINE

Ms. Kimberly Kline, a resident of Pitcairn came forward. Mayor Gresock stated only Monroeville residents and taxpayers were permitted to speak. He reported this is Monroeville's Public Forum and they follow the rules of the Sunshine Act provided for by Title 65 of the Pennsylvania Code. He explained this meeting is for Monroeville residents and taxpayers except for the governing body of the adjacent community were allowed to speak. He encouraged her to email her concerns to him or the municipal manager to distribute to council.

JEFF BASTIAN

Mr. Jeff Bastian, resident, came forward to express his concerns. He reviewed how he was a life-long resident of Monroeville. He was happy to hear this is the first of possibly many hearings on this issue. He mentioned the ill effects of fracking. He wanted everyone to keep in mind as the zones are being creating to look at the recent history of the immediate area and the impacts this type of industry has had here. He reported there was a minor fire that burned in Boyce Park for 40 years that threatened the park structures and at risk to opening up sink holes. He explained how when he played in the woods in Garden City he was warned to stay out of the orange creeks because it was harmful with mine run off. He mentioned the strip mall on Northern Pike where the liquor store is located was shut down because it was compromised by a mine underneath it. He reported it was there for 50 years until it one day it was deemed unsafe. He added someone had to pay to stabilize the land and he reported there was an economic loss to the businesses and a tax revenue loss to the municipality because of the effects that happened years after the industry left and no one can be held accountable so it becomes the current community and property owners that maintain what is left behind.

Mr. Bastian reported when he was shopping for homes to move back here that he passed up a few because the wells were too close to residential areas. He did not want his children to grow up next

to it and they wanted them in a clean air and water environment. He also did not want to worry about losing their property value because of something they could not control because of something happening nearby. He also mentioned they did not want to be disturbed by noise from this industry.

Mr. Bastian felt it is a competitive advantage for Monroeville to try to limit fracking as much as possible. He suggested because he would not have to worry about this was why he chose Monroeville over Murrysville and Penn Trafford. He was hoping Monroeville would consider this and felt it would be an advantage to make Monroeville stronger.

#### GILLIAN GRABER

Ms. Gilliam Graber, Executive Director of Protect PT, came forward to express her concerns. Mayor Gresock advised she could submit information but this meeting is for residents and taxpayers only.

Mayor Gresock stressed this is the proposed draft of the zoning ordinance and there is a lot of content. He felt there were good comments from the public and commended the public for their attendance and their overwhelmingly respectful demeanor of all the speakers. He thanked everyone and he was hopeful that everyone could work together. He reported there have been multiple revisions and it is important to Monroeville. He mentioned how drilling is a small part and he appreciated everyone's input. He reported there will be multiple opportunities for the public to comment as the municipality moves forward through the process. He stated council is not voting on the ordinance at this time and it will not be voted on at the next regular council meeting. He reported there are multiple steps to go through and everything will be advertised. He pointed out that it is also available on the municipal website and there are physical copies available at the municipal building and Monroeville Public Library. He encouraged everyone to reach out to their council representative, his office or the manager's office. He reported anyone that wanted to add testimony to tonight's public hearing in written form can do so for ten days and the details will be on the municipal website. He stated the deadline is April 14, 2023 at 4:30 p.m.

#### EXECUTIVE SESSION ANNOUNCEMENT

Council conducted an executive session before the Citizens' Night Meeting of April 4, 2023 from 6:15 to 7 p.m. for personnel and litigation reasons. Council legislative action, if any, shall be taken at the April 11, 2023 Regular Council Meeting.

#### APPROVAL OF MINUTES

Council considered approval of the minutes of the Citizens' Night Meeting of March 7, 2023, Council Work Session of March 7, 2023 and the Regular Council Meeting of March 14, 2023. There were no comments or questions.

#### APPROVAL OF THE REPORTS OF TAX COLLECTIONS

Council considered approval of the Reports of Tax Collections. There was no discussion.

LIST OF BILLS, BUDGET TRANSFERS AND PAYROLL

Council considered approval of the List of Bills in the amount of \$1,286,836.62, Budget Transfers and Payroll in the amount of \$1,658,036.94 for the month of March. There was no discussion.

VACANCIES ON BOARDS COMMISSIONS AND AUTHORITIES

Council would consider vacancies on the Boards, Commissions and Authorities at the Regular Council Meeting.

2023-2024 COMMODITY BIDS

Mr. Little reported this is for the Commodity Bids which is done each year. He listed the crack sealant, baseball infield mix, bituminous paving materials, fence materials, guide rail, reinforced concrete, wood safety surfacing material, sign material, small paving in place, crushed stone, storm grates, frames, risers and lids and sewer pipe. He explained that the items that are in the shaded area are the low bid and there are some that have no bids or just a lone bid. He advised if council is okay with the lone bid a motion can be made to approve all or approve them individually for the lone bid. He stated each lone bid could be rebid if desired.

Mr. Hugus reported the dynamic of commodity bids is going by the wayside because everyone is putting their products on state, county or SHEA COG contracts. He suggested this may be the last year the commodity bids are done and the municipality is no longer getting the lowest bid with the commodity bids.

Mr. Hugus distributed information and explained the first part is the crack sealant and he recommends awarding the bid for the numbers shown in the shaded area. He referred to the bituminous paving material and he approved of the amount in the shaded area. He reported there was only one bid for asphalt which is a product the municipality uses all the time and the lone bidder was Heidelberg but the other bidders are on the state contract and the municipality is able to use them in lieu of using these. He explained it gives the municipality flexibility with using other manufactures if a plant breaks down and they can get the product elsewhere. He suggested not using Heidelberg and using the state contract.

Mr. Adams inquired whether the local asphalt plant bid is on it and Mr. Hugus answered negatively. He reported some companies do not even want to put commodities bid in because it is too much trouble because they have all their prices on Co-Stars or a state-wide bid. He again stated this may be the last year for the commodity bids. He reported some of the products are good but there are others the municipality can use from the state contracts.

Mr. Hugus reported the municipality never gets a bid for the baseball infield mix. He recommended not awarding the bituminous paving to Heidelberg who is the single bidder and it is something that could be gotten from the state contract. He reported the other highlighted items are cold patch which is only purchased once or twice a year. He added it can be picked up or delivered. He

stated those can be awarded with the highlighted item but the Heidelberg materials should not be awarded because the municipality can get it through the state contract.

Mr. Hugus referred to the fencing material and recommended Items 1-21 be awarded. He referred to the guide rail and explained some is furnished and installed and the other is furnished material only. He explained some of the prices were lowered and some increased.

Mr. Hugus referred to the reinforced concrete. He recommended Items 1-18 can be awarded. He recommended the Wood Safety Surfacing Material from J.A. Rutter. He referred to sign materials and he recommended Items 1-30. He recommended Items 31-34 for sign hardware and posts. He recommended not awarding the remaining Items 35-48 because the municipality can get it on the state contract.

Mr. Hugus referred to small paving in place and reported the municipality rarely uses them but they are available if needed. He recommended Items 1-12 for Heidelberg Materials for crushed stone. He recommended awarding the highlighted sections for the storm sewer grates, frames, risers and lids. He also recommended awarding the highlighted sections for the sewer pipe.

Mr. Wolfram inquired why some of the items have the highlighted area delivered and dumped and whether that is done or requested by the municipality. Mr. Hugus indicated it depends on the item whether it is delivered to the public works or picked up. Mr. Wolfram inquired whether the municipality requests it and Mr. Hugus answered affirmatively.

#### MOTIONS

##### MOTION

A motion to approve approximately \$17,826.47 from the asset seizure fund (minus trade-in).

Mr. Little reported this would be for a detective car which requires council's approval.

##### MOTION

A motion to accept the resignation of Anthony Pokusa from the Planning Commission effective immediately.

##### MOTION

A motion to authorize to advertise an ordinance of the Municipality of Monroeville, repealing Ordinance Nos. 2464, 2480, 2550 and 2690 and setting forth the requirements for obtaining occupancy permits prior to the transfer of one and two-family dwelling units. Establishing inspection requirements for multi-family dwellings, establishing procedures for obtaining said occupancy permits and setting fees for said permits.

Mr. Little reported this is a housekeeping item.

RESOLUTIONSRESOLUTION

A resolution exonerating the real estate tax collector from the collection of uncollected taxes for the Year 2022.

Mr. Little reported this is a housekeeping item. He explained it is for the taxes not collected.

RESOLUTION

A resolution authorizing the mayor to enter into a Traffic Signal Maintenance Agreement with the Pennsylvania Department of Transportation for Signalized Intersections in the Municipality of Monroeville.

RESOLUTION

A resolution adopting the Cambridge Square Apartments Clubhouse Sewage Planning Module.

ORDINANCESORDINANCE

An ordinance of the Municipality of Monroeville, Allegheny County, Pennsylvania, authorizing the municipality to enter into a Land Lease with Pittsburgh SMSA Limited Partnership d/b/a Verizon Wireless, pursuant to Section 501(h) of the Home Rule Charter, for the lease of a 100 foot by 100-foot parcel of property and associated easements at the Monroeville Public Safety Training Center for the construction of a wireless communications tower and facility.

Mr. Wrat cher explained this is a tabled item so to act on it council has to remove it from the table. He reported he provided a short memorandum reviewing the business terms for the benefits to the municipality for giving this small piece of land to Verizon. He explained there is a cash payment on a monthly basis and the municipality has the right to place equipment on the tower. He pointed out if the tower was not there the municipality would have to pay to place equipment somewhere. He suggested it is a good deal for what the municipality is giving them and allows for the enhancement of the communication system. He mentioned that it is called Restland Memorial Park because these companies have circle or search rings and their original search ring was in Restland Cemetery and it is difficult to change the name. He stated it is called Restland Memorial Park but it is in the Public Training Center.

Mr. Wolfram inquired whether it is for a designated time and Mr. Wrat cher stated it is in five-year increments for 25 years.

REPORTS OF MUNICIPAL STAFFMUNICIPAL MANAGER'S REPORT

Mr. Little reported the Jack Sedlak Memorial Clean-Up Day is scheduled for April 29, 2023 at 9 a.m. and Community Day has been changed from late July to June 10, 2023.

REPORTS OF COUNCIL MEMBERSFIRST WARD COUNCILMAN JOE HYZY

Mr. Hyzy congratulated the Parks and Recreation Department for the great Easter Egg Hunt and he commended all the volunteers that helped. He wished everyone a Happy Easter.

SECOND WARD COUNCILMAN ERIC POACH

Mr. Poach wished everyone a Happy Easter and Passover. He mentioned the celebration at the Ramadan.

THIRD WARD COUNCILMAN BOB STEVENSON

Mr. Stevenson wished everyone a safe and Happy Easter.

FOURTH WARD COUNCILMAN STEVE WOLFRAM

Mr. Wolfram thanked everyone that spoke at the meeting and wished everyone a Happy Easter.

FIFTH WARD COUNCILMAN MIKE ADAMS

Mr. Adams wished everyone a Happy Easter.

SIXTH WARD COUNCILMAN BOB WILLIAMS

Mr. Williams suggested all of council recycle their agenda and bring it back to the council meeting. He commended the refuse collectors for doing such a good job and reported how the residents are pleased. He wished everyone a Happy Easter.

SIXTH WARD COUNCILMAN DENNIS BIONDO

Mr. Biondo reported Parks and Recreation did a great job with the Easter Egg Hunt and the kids had a great time. He mentioned how the Parks and Recreation Spring Guide is available and there is a flyer with the QR Code. He stated it is also on the website and it will also be mailed to the residents. He announced Gateway High School is presenting Mama Mia this year on April 27-29, 2023 at 7:30 p.m. and the April 29 showing also has a matinee show at 2 p.m. He encouraged everyone to support the children at Gateway. He wished everyone a Happy Easter and happy holidays.

MAYOR NICK GRESOCK

Mayor Gresock thanked everyone for attending the meeting and he suggested there is a lot of work to do with the zoning ordinance. He commended Mr. Whealdon for excellent work over the last several months. He also thanked Mr. Trant from Strategic Solutions and reported everyone has been working on it. He reported multiple planning commissions have reviewed it, employees and staff and an outside consultant because it is an important document. He pointed out it has not been updated since

the 1980s. He stated the municipality is also still looking for the public's input so that everyone is working together and going in the right direction. He thanked everyone that attended the meeting and reported it will be discussed more in the coming months.

Mayor Gresock wished everyone a Happy Easter and Passover.

ADJOURNMENT

There being no further business to come before council, at this time, a motion was duly made by Mr. Wolfram to adjourn the meeting at 9:39 p.m. and Mr. Hyzy seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

Timothy J. Little  
Municipal Manager

TJL/sam