

Council Chambers  
Monongahela, PA  
March 11, 2020

Minutes of the regular meeting of the Council of the City of Monongahela, due notice of which meeting was published according to law, held Wednesday, March 11, 2020 at 7:00 P.M., in Council Chambers. The meeting was called to order by Mayor Garry who led in the pledge to the Flag

The roll was called and the following present:

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

#### Public Forum

Heidi Hoffman owner of Sweets By Mrs. C. and first I would like to thank the entire City for their support. She has noticed since she opened that the street lights are very dim. For the amount of street lights we have it should be very bright. Wanted to bring it to your attention and ask if anything is being done about this.

Mayor Garry states that she is not the only person who has inquired about that and it is being looked into.

Sheila Knizner, 784 Nevin Street stated that she e-mailed Councilman Miller and Mayor Garry on Thursday and not sure what the timeline response is because she got no response to her e-mail. Nevin Street is turning into gravel and a neighbor at the end thinks he owns part of the road and is filling it in with terracotta. It's not good for tires and it's a mess up there. All the streets around us have been paved and there has been a few repairs.

Councilman Miller stated he will speak with Mark Gadd and discuss it and see if we can get it on the list. She asked what the time line is for the list.

Mark Gadd stated that it is on the list. That he had spoken to her last fall and told her she would be on the list for this year.

Edward Knizner stated that they own the lot across the street and the Ordinance states that you can't build like a garage unless it has living quarters is that correct?

Solicitor Pappasergi stated with the Zoning Hearing Board you can apply for a variance that shows you have a specific hardship in regard to your primary property. In general you can't variance around something that just makes your life more convenient. He suggests contacting Code Enforcement.

Rob, 128 Elmcrest Avenue just wanted to mention about My Main Street. Looking to have a meeting on March 22<sup>nd</sup> at 400 Meade Street around 7 o'clock if you want to help improve town you are more than welcome to come. Definitely doing the Youth Street Fair this year on the 4<sup>th</sup> of July.

Terry Necciai, 400 Meade Street representing the Main Street Program and the Monongahela Library. Main Street Program received a \$10,000 grant from EQT for additional programs. The Façade Grant program is hard to make a match. They have to be projects where they won't throw away historic details but they can do just about anything else. There is enough money to do approximately seven more projects in the area between uphill side of Railroad Street and the downhill side of Chess Street between First and Fifth Streets.

He also stated the Library is still interviewing for a new staff person.

Colleen Arnowitz, 448 Fourth Street the intersection near McDonald's and KeyBank. Most of the time you can get into the middle to make the left turn but a lot of new drivers that don't know that and it blocks traffic there. At time there was a request about that at one time that was denied and wanted to know if anything else being done.

Councilman Kulak states it has been an issue with PennDot and they state that there is not enough room and we would have to forego the lighting and give up the parking spaces there. We can open that up again and talk with them and not sure anything would change. It's really not a designated turning lane.

George Eckert, Monongahela Area Revitalization Corporation. We wanted to announce a partnership with MARC and the Monongahela Police Department about going after new bullet proof vests for the Police Department. Trying to get matching monies for a grant.

Chief Harris stated that the Federal grant is \$6,500.00 which pays up to 50 percent of a vest so he has teamed up with Mr. Eckert and MARC to try to do some fund raising to collect enough money to replace the vests which are not currently up to date. The cost of the vests are between \$800 and \$1,200 per vest.

Chad Desantis, Decker Street. The discussion of the inability to build a garage across the street and urges the City to change it. If it can't be changed it should be considered to try and find a way to have an

annual variance meeting. The cost of \$485 to take a gamble to see if the board would allow you to build a garage or not that is too much. If there would be one hearing a year at no cost to the taxpayers.

Councilman Kulak stated that a variance hearing is site specific and focused and you can have a variance hearing last up to an hour plus. Part of the understanding of a variance is that neighboring property owners have the right to come in and question what you are doing and why you are asking for the variance.

Mr. Desantis stated that is a lot of money to gamble. Encouraging people to build new homes on these empty lots is a burden on our already failing sewer system so encouraging them to build a garage so they can park across the street and improve their property values can still do great things for our community.

Councilman Kulak stated that there are reasons why a garage on a parcel might not be a good idea in a neighborhood. It's a case by case basis that is site specific.

#### Report of City Clerk

##### Police Report

It was recommended and so moved by Ken Kulak, seconded by Daryl Miller, the Police Report be approved, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

##### Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

##### Code Enforcement Report

Councilwoman Williams stated that before she makes a motion to accept the Code Report the letter that went out to the political candidate for early posting has been rescinded as we can not control how early those signs go out.

Solicitor Pappasergi stated section 605.6 of the Zoning Ordinance it is a not enforceable portion of the ordinance so the duration provisions within the Zoning Ordinance as to when a political sign can go up or taken down will not be enforced. The City will be looking to repealing that portion of the Ordinance. Case law throughout the country is all over the place so the City is currently evaluating the appropriate way that political signs can be handled in concert with the First Amendment. That does not mean that all restrictions on political signs are gone. It is constitutional to have restrictions on political signs being placed on City property or in state right of ways so those restrictions remain.

It was recommended and so moved by Councilwoman Williams, seconded by Councilman Kulak, the Code Enforcement Report be approved, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

##### Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

##### First Reading of Bill 2 – 2020 – Volunteer Fire fighter Tax Credit Ordinance

##### Resolution 7 – 2020 – Authorizing the Promulgation of Emergency Management Plan

It was recommended and so moved by Councilwoman Williams, seconded by Councilman Kulak, authorizing the Promulgation of Emergency Management Plan be approved, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller

Total Yeas 5  
Nays 0  
Abstain 1 – William Polonoli

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Resolution 8 – 2020 – Authorizing the Sale of 2009 Ford Crown Victoria

It was recommended and so moved by Councilman Polonoli, seconded by Councilman Miller, authorizing the sale of 2009 Ford Crown Victoria, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Resolution 9 – 2020 – Changing Signatories of Police Equipment Fund

It was recommended and so moved by Councilman Polonoli, seconded by Councilman Kulak, authorizing the sale of 2009 Ford Crown Victoria, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Bids for the 2020 City of Monongahela Paving Project

Morgan Excavating, LP	\$100,110.00	10% Bid Bond
El Grande Industries, Inc.	\$108,745.540	19% Bid Bond

It was recommended and so moved by Councilman Kulak, seconded by Councilman Polonoli, the bid for the 2020 City of Monongahela Paving Project be awarded to the lowest bid, Morgan Excavating, LP for \$100,110.00 upon verification from Mackin Engineering, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Report of Mayor Garry

Mayor stated that the 2020 Census will be coming to everyone's home within the next week or two and urge everyone to fill them out property as the funding we receive depends on that.

Councilman Kulak stated that there are fraudulent reports of people asking information on line and mail. Don't be fooled that is not how the Census works. He has personally received things in the mail that were fraudulent.

The Chamber is having a purse bash on Saturday at New Eagle Social Hall starting at 4:30 until 9:00 if anyone is interested please attend.

Asked if there were any corrections to the minutes of February 12, 2020, Council meeting and the work session minutes of February 10, 2020. There is a correction to the work session meeting CDBG monies were incorrect the amount should read \$44,300.

It was recommended and so moved by Councilman Polonoli, seconded by Councilman Kulak, to approve the minutes of the February 12, 2020, Council meeting and the February 10, 2020, work session with the correction to the CDBG, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Mayor Garry read a letter of resignation of Officer Martel Fontaine effective March 16, 2020.

It was recommended and so moved by Councilman Kulak, seconded by Councilman Polonoli, to accept the resignation of Officer Martel Fontaine, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Mayor Garry stated that with the vacancy opening for a full time position within the police department we currently have a certified listing of eligible officers from the Civil Service Board and recommend hiring Jeffrey Toth who has successfully completed the City's examination procedure and is currently ranked first on the certified list of eligible as a full time police officer for the City of Monongahela contingent upon the successful completion of both physical and psychological examination as required in Section 5.4 of the Civil Service Rules and Regulations.

It was recommended and so moved by Mayor Garry, seconded by Councilman Kulak, to hire Jeffrey Toth for the position of Full-Time Police Officer, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

#### Report of Accounts & Finance

Councilman Kulak stated there was nothing to report just keep the spending under control.

#### Report of Public Safety

Councilman Williams stated we had the first reading for the Volunteer Fire Department Credit and thank them for all they do and they will receive a letter of instruction from the Solicitor on how to proceed.

Just a heads up an organization will be coming in on May 27<sup>th</sup> which is the same group that came in last year and will need the Street Department's assistance and they are looking for volunteers from the community so if anyone is available and wants to help please do so.

The GAR will have their presentation at the Aquatorium on May 28<sup>th</sup>.

#### Report of Streets & Improvements

Councilman Miller stated that the City will be paving three streets with Liquid Fuels monies and seven streets with Redevelopment monies and there are a couple streets that have been undetermined.

Three street department employees went to a Traffic Management Course at the hospital.

The streets to be paved are Stockdale Avenue, Ellwood Street, and Decker Street with Liquid Fuels. With Redevelopment we will be paving Black Street, Otis, Williams, Sheridan from Meade to Grant, Lincoln from Meade to Grant, Ninth Street from Marne Avenue to Sheridan, and Geary Street.

#### Report of Parks & Property

Councilman Polonoli stated he met with the MARC committee, Corrina Withrow and Dana Miller, and they want to take on a project to fix up Hillcrest Park and are working on a plan and trying to get things together.

He then thanked Chris Spahr and the Street Department. Chris is repairing the Parks & Property pick-up truck. They guys do a wonderful job out there.

Tomorrow night at the Fire Department is a concealed carry seminar put on by Bud Cook and April 4<sup>th</sup> the PA Fish and Boat Commission is putting on a Boater Safety Course and both are free.

#### Report of Solicitor

City Council is going to be looking into a FOG Ordinance which is a fats, oils, and grease ordinance, especially for food service industries here in the City and in conjunction with Carroll Township. Just be aware of what you are putting down your drains both as a resident and as a business owner. Those fats, oils, and greases cause a lot of problems for both the City sewers and for the Authority at the treatment plant.

On the Volunteer Firefighter Credit he will be sending letters to all the resident volunteers within the fire department. This is an ordinance we are able to provide to our firefighters a tax credit through PA Act 172, 2016, which will give a tax credit to the resident firefighters who own and occupy property within the City.

There is an agreement on the table between the City and Ringgold School District to formalize the salaries from Ringgold to the City for the Tax Collector and Deputy Tax Collector and we are waiting for additional information from the Treasurer and need a motion to table the agreement.

It was recommended and so moved by Councilman Polonoli, seconded by Councilman Kulak, to table the agreement, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Report of Police Chief

We have received long awaited funds from the Federal Asset Forfeiture Program and the funds are being used to paint and update the police department offices and portable radios for the officers.

Parade request was made to Penndot for the Veteran's Day parade and it has been issued and sent to the Veteran's Council for their records.

Officer Mike Stangroom a part-time officer also works for the Rostraver West Newton EMS and he has provided our officers with CDC approved masks and wipes for the station due to the Coronavirus outbreak.

It was recommended and so moved by Councilman Miller, seconded by Councilman Kulak, all properly and approved bills be paid, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Council went into executive session to discuss litigation matters.

It was moved by Mayor Garry, seconded by Councilman Kulak, council adjourn, and the same was agreed to by the following Yea and Nay vote to the call of the roll by the Clerk:

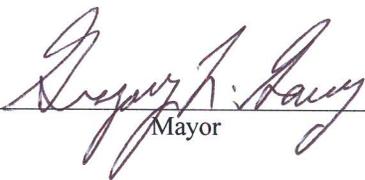
Yeas

Greg Garry  
Ken Kulak  
Claudia Williams  
Daryl Miller  
William Polonoli

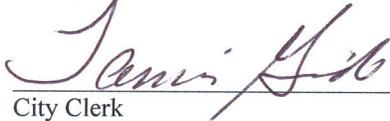
Total Yeas 5  
Nays 0

The motion having received the majority vote of Council the same was declared by Mayor Garry and so ordered.

Mayor Garry then declared council adjourned.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk