

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2580

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, A HOME RULE MUNICIPALITY OF THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, FIXING THE COMPENSATION AND BENEFITS OF THE MUNICIPAL MANAGER PURSUANT TO SECTIONS 501 (i) AND 701 OF THE MONROEVILLE HOME RULE CHARTER AND IN ACCORDANCE WITH SALARY ORDINANCE 2570 FOR LYNETTE CLAIRE MCKINNEY

WHEREAS, pursuant to Section 501(i) and 701 of the Monroeville Home Rule Charter, it is necessary to fix the compensation of the Manager by Ordinance to the date of hire (January 31, 2013).

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Municipality of Monroeville, after lawful notice and a public hearing thereon pursuant to Section 506 of the Monroeville Home Rule Charter, it is hereby ENACTED by the Municipality of the same as follows:

SECTION 1: That Monroeville shall compensate the Manager of Monroeville at the base rate of \$88,808.00 DOLLARS per year; payable biweekly and retroactive to the 31st day of January, 2013, pursuant to Monroeville's Salary Ordinance (2570) previously adopted and approved January 8, 2013. Nothing shall prohibit Council in the future from establishing a higher increase based upon a performance review.

SECTION 2: That Monroeville shall compensate the Manager for documented expenses incurred in the performance of the Manager's duties, including, but not limited to:

A. Lodging, mileage reimbursement as established by the IRS/GSA Tables, and cell phone (either provided by Municipality or \$100.00 stipend towards cell phone use);

B. Appropriate professional and service organization dues and other expenses incurred in connection with the Manager's attendance at any professional conferences, courses or seminars relevant to the Manager's duties hereunder which are approved in advance by Monroeville.

C. The Municipality shall bear the full cost of any fidelity or others bonds required of the Manager under any Law or Ordinance.

SECTION 3: That the Employee upon reporting for work shall participate in such fringe benefits, including, without limitation, any healthcare, insurance plan, pension plan, and short and long term disability plans, as are currently available or may generally be made available to any such full time administrative employee of Monroeville.

SECTION 4: Municipality shall defend, save harmless and indemnify Manager against any tort, professional liability claim or demand of the legal action, whether groundless or otherwise, arising out of an alleged act or admission occurring in the performance of the Manager's duties. Municipality will compromise and settle any such claim or suit and pay the amount of the settlement or judgment rendered thereon.

SECTION 5: The Manager shall receive the identical vacation package enjoyed by her and in accordance to the Administrative Benefits Ordinance. Council acknowledges that if the Manager is unable to take vacation days that she shall sell back the days unused at the hourly rate at year end.

SECTION 6: It is mutually agreed that the Municipal Manager serves at the pleasure of Council as more fully set forth in the Home Rule Charter. However, as consideration for the Manager accepting this position, the Municipality of Monroeville shall after completing one year of service pay a sum equal to six (6) month's salary as a severance sum in the event Council, for whatever reason and in its sole discretion should choose to terminate the Manager. Said severance sum shall be increased by the amount of one (1) month's salary for each year of service by the Manager commencing after the sixth anniversary date of hire and shall be capped at a maximum of twelve (12) month's salary. Council shall acknowledge past employment as Interim Manager in the 2012 year for purposes of credit towards severance.

Said severance shall not be paid to the Manager if:

- A. Manager resigns;
- B. Death of the Manager;
- C. The Manager is convicted of a crime relating to the performance of his duties; and
- D. The Manager is found liable for intentional act relating to the performance of his duties.

SECTION 7: The employee shall devote substantially all of her time, attention and energies to the business of Monroeville and shall not during the term of this Agreement be substantially engaged in any other business activity unless specifically approved by Council in accordance with Section 1506 of the Home Rule Charter.

SECTION 8: This Ordinance shall not be modified or changed except in accordance with the Monroeville Home Rule Charter and the consent of Council for the Municipality of Monroeville.

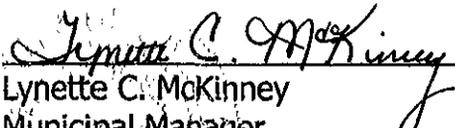
SECTION 9. That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. If any one or more of the sections of this Ordinance shall for any reason be held to be to be illegal or invalid or otherwise contrary to law, then such section or sections shall be null and void, but shall be deemed separable from the remaining section or sections, and shall in no way otherwise affect the validity or enforceability of this Ordinance.

ORDAINED AND ENACTED into law this 12th day of March, 2013.

ATTEST:

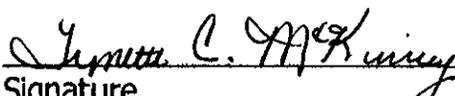
MUNICIPALITY OF MONROEVILLE


Lynette C. McKinney
Municipal Manager

Gregory Erosenko
Mayor

ENTERED INTO LEGAL BOOK ON:

CONSENTED AND AGREED TO BY:


Signature
Print Name: Lynette C. McKinney

FROM THE DESK OF MAYOR GREGORY H. EROSENKO
MUNICIPALITY OF MONROEVILLE, PENNSYLVANIA

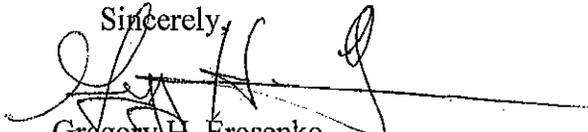
Date: April 9, 2013

Members of Council,

Under Section 604 of the Home Rule Charter I am vetoing Ordinance 2570: Salary Ordinance for the Municipal Manager for the Following reasons:

- A. I am supporting the will of the residents of Monroeville by not supporting severance package clauses in employee contracts as per Ms. McKinney's contact with Council.
- B. Ms. McKinney is not qualified as per Home Rule Charter Section 701.

Sincerely,



Gregory H. Erosenko
Mayor

BRUCE E. DICE & ASSOCIATES, P.C.

ATTORNEYS AT LAW

787 PINE VALLEY DRIVE, SUITE E
PITTSBURGH, PENNSYLVANIA 15239-2842

TEL: 724-733-3080

FAX: 724-327-9659

April 9, 2013

OPINION VETO POWER UNDER THE BOROUGH CODE AND HRC 604

MANAGER OF THE MUNICIPALITY OF MONROEVILLE

It has come to my attention via a via the municipal meetings that the Mayor may attempt to exercise his right of veto concerning the Ordinance setting the Manager's salary and benefits. I have been asked to render an opinion concerning this possibility.

A brief bit of history is necessary in the rendering of this opinion. Originally, Mrs. McKinney was appointed "Acting Manager" under Section 705 of the HRC following the resignation of Jeff Silka. At that time, you also established a salary for the "Acting Manager". My advice to both the Mayor and Council at that time, and my advice still today is the Mayor has no authority concerning "appointments" or removals of Borough employees. See, *Eddy v. Ashley Borough, 125 A.308 (1924)*.

There was no previous existing Ordinance that established a salary for the Acting Manager. Council chose, for the first time, to establish such a salary for that position. I opined that the Mayor could not veto the appointment of the Acting Manager; however, could veto the setting of the salary for the first time of the Acting Manager on the theory that generally actions authorizing the expenditure of Borough funds must be approved by the Mayor. (*Eddy, supra*).

With this backdrop, I now move to the position of permanent Manager. Council annually has separate and distinct Ordinance, specifically Ordinance No. 2570, that sets the salaries for each and every employee, including permanent Manager. This Ordinance was passed unanimously and approved by the Mayor as set forth with his signature. This Ordinance was adopted prior to resignation of Jeff Silka and the appointment of Mrs. McKinney as permanent Manager.

In February of 2013, Council voted to appoint Mrs. McKinney as permanent Manager, and as previously stated that action is not subject to veto.

In March of 2013, Council, by Ordinance also established a salary for the permanent Manager together with benefits. The salary that is fixed in the Ordinance is

within the range as set by Council, in Ordinance No. 2570, previously discussed herein. Given the fact that this salary has already been approved via the Salary Ordinance, it is not subject to veto. The general operation of municipal departments within existing Ordinances or laws is considered administrative action and not subject to veto. As such, it is Counsel's opinion that the Mayor cannot veto Mrs. McKinney's salary.

I want to now focus on the benefits portion of the ordinance passed by the majority of Council. Article V, Section 501 of the HRC states:

"In addition to any other actions required by law or by this Charter to be taken by Ordinance, those actions of the Municipal Council shall be by ordinance which:

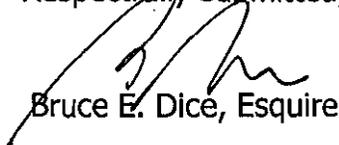
- (i) Establish wages, hours or fringe benefits of any employees and appointed officials of the Municipality."

It is my opinion that the HRC gives Council the express right to set the fringe benefits of its employees; and as such, the HRC excludes a veto by the Mayor on this matter and reserves this province only to Council.

CONCLUSION

As Chief Legal Officer of the Municipality of Monroeville, it is my legal opinion that the Mayor's veto is VOID and has no legal effect.

Respectfully submitted,



Bruce E. Dice, Esquire

Attached are the following documents:

1. *Eddy v. Ashley Borough*, 125 A.308 (1924); and
2. Ordinance No. 2570

Westlaw

125 A. 308
 281 Pa. 4, 125 A. 308
 (Cite as: 281 Pa. 4, 125 A. 308)

Page 1

C

Supreme Court of Pennsylvania.
 EDDY
 v.
 BOROUGH OF ASHLEY et al.

May 19, 1924.

Suit by William J. Eddy, for himself and other taxpayers against the Borough of Ashley, its Solicitor, and others. From decree enjoining payment of compensation to solicitor and borough engineers, defendants appeal.

Reversed and dismissed in part, and affirmed in part.

West Headnotes

Judgment 228 ↪ 252(1)

228 Judgment

228VI On Trial of Issues

228VI(C) Conformity to Process, Pleadings, Proofs, and Verdict or Findings

228k247 Conformity to Pleadings and Proofs

228k252 Prayer for Relief in General

228k252(1) k. In General. Most Cited Cases

Relief granted must conform to case made by pleadings and be consistent with relief prayed for.

Municipal Corporations 268 ↪ 107(1)

268 Municipal Corporations

268IV Proceedings of Council or Other Governing Body

268IV(B) Ordinances and By-Laws in General

268k107 Approval or Veto

268k107(1) k. In General. Most Cited Cases

Burgess' authority under Gen. Borough Act

1915, c. 7, art. 1, § 7, P.L. 392, to veto ordinances and resolutions passed by council cannot be taken from him except by express legislative enactment or clear inference from statute.

Municipal Corporations 268 ↪ 107(2)

268 Municipal Corporations

268IV Proceedings of Council or Other Governing Body

268IV(B) Ordinances and By-Laws in General

268k107 Approval or Veto

268k107(2) k. Necessity for Approval or Signature. Most Cited Cases

While burgess presiding under Gen. Borough Act 1915, c. 7, art. 1, § 3, P.L. 312, 390, at council organization meeting provided for by section 1, has no veto power, as to matters of purely organization character, resolution fixing salary of borough solicitor, appointed at such meeting as authorized by art. 6, § 9, P.L. 402, must be submitted to burgess for approval, despite Amendment of May 26, 1921, P.L. 1171, providing that compensation shall be fixed at time of appointment.

Municipal Corporations 268 ↪ 107(2)

268 Municipal Corporations

268IV Proceedings of Council or Other Governing Body

268IV(B) Ordinances and By-Laws in General

268k107 Approval or Veto

268k107(2) k. Necessity for Approval or Signature. Most Cited Cases

Generally, permanent regulations for government of borough, granting of privileges to occupy streets, creation of liabilities, as by fixing salary of officer, etc., are legislative acts requiring burgess' signature, but transaction of current business, ordinary administration of municipal affairs, and awarding of contracts previously authorized does not require his approval.

125 A. 308
281 Pa. 4, 125 A. 308
(Cite as: 281 Pa. 4, 125 A. 308)

Page 2

Quo Warranto 319 ↪5

319 Quo Warranto

319I Nature and Grounds

319k5 k. Exclusiveness of Remedy by Quo Warranto. Most Cited Cases

Quo warranto, not taxpayer's bill, is proper remedy to test title to office.

*5 **308 Appeal from Court of Common Pleas, Luzerne County; Henry A. Fuller, President Judge.

Argued before MOSCHZISKER, C. J., and FRAZER, WALLING, SIMPSON, KEPHART, SADLER, and SCHAFFER, JJ. W. Alfred Valentine and Charles E. Keck, both of Wilkes-Barre, for appellants.

*6 M. F. McDonald and Richard B. Sheridan, both of Wilkes-Barre, for appellee.

KEPHART, J.

William J. Eddy, for himself and other taxpayers of the borough of Ashley, filed a taxpayer's bill against the borough officials to test the title to office and to restrain the payment of salaries of the chief of police, other policemen, and the solicitor, and also to oust the borough engineers. The court declared the title of all the respondents good, but enjoined the payment of compensation to the solicitor and borough engineers, from which decree this appeal is taken.

The bill averred the borough engineers were illegally appointed, but it did not challenge their salaries, nor did the prayer ask for relief as to its payment. The relief given by a decree must conform to the case as made out by the pleadings, and must be consistent with the relief prayed for. *Luther v. Luther*, 216 Pa. 1, 64 Atl. 868; *Spangler Brewing Co. v. McHenry*, 242 Pa. 522, 89 Atl. 665; *Reilly v. Magee*, 272 Pa. 406, 116 Atl. 310. Quo warranto is the proper remedy to test the title to office. Authorities in support of this need not be cited. The court below was without jurisdiction to

entertain the complaint against the engineers, and the assignments directed to this part of the decree are sustained.

The remaining question is whether a resolution fixing the salary of a borough solicitor, adopted at an organization meeting of council, must be submitted to the burgess for approval. The meeting was held the first *7 Monday of January, at which time the solicitor was appointed and his salary fixed. Section 1, art. 1, c. 7 of the General Borough Act of 1915 (P. L. 312, 390; Pa. St. 1920, § 2068) provides:

'The borough council shall organize * * * on the first Monday of January * * * by electing a president and secretary and such other officers as it may require.'

Section 3:

'The burgess shall preside over the organization meeting * * * but he shall not vote **309 thereat, unless the vote of the council be equally divided.' Section 2070.

Section 9, art. 6 (P. L. 402; Pa. St. 1920, § 2161):

'The borough council on the first Monday of January * * * or as soon thereafter as practicable, may elect * * * one person, learned in the law, who shall be styled the borough solicitor.'

The amendment of 1921 (P. L. 1171) provides:

'Appointed officers of the borough shall receive such compensation for their services as the council shall prescribe, and the compensation for the * * * solicitor * * * shall be fixed at the time of appointment.'

It is contended that, as the statute provides for nothing but an organization meeting to be held on the first Monday, so that the borough may properly function, nothing is contemplated but ministerial acts, such as the appointment or election of officers

125 A. 308
 281 Pa. 4, 125 A. 308
 (Cite as: 281 Pa. 4, 125 A. 308)

Page 3

and fixing salaries. As the act requires the burgess to preside at the meeting, his functioning as presiding officer is a substitute for the approval or veto power, precluding the idea that the Legislature intended any further exercise of such authority over acts of council taken while he is presiding.

This is true as far as it appertains to all matters of a purely organization character. The borough council is the sole authority to create the office of borough solicitor and to appoint a person to fill the position. The act requires the amount of compensation to be fixed at the time of appointment. This act is not mandatory, but permissive; the office may never become a part of the borough government, and, should it become one, the solicitor, by virtue of his powers and duties, is not an essential part of the borough organization. The sections of the Borough*8 Code, with the amendments thereto, cannot be woven together so as to bring matters of salary within the things made obligatory at the organization of council, not requiring the burgess' approval, as the election of its president, secretary, etc. Appointment is one thing; compensation quite another. Ordinarily the office does not exist without both, but the second is a purely legislative act. While the statute says the solicitor's compensation shall be fixed at the time of his appointment, this does not necessarily mean that his salary must be fixed at that meeting. It may have been adopted by ordinance or resolution prior to his appointment, by a different council. If that were the case, the amount of his compensation would be fixed at the time of his appointment, as required by the act. Moreover, there is nothing in the Code which limits the nature of business to be transacted at the organization meeting; it may combine both legislative and ministerial acts.

The burgess has defined duties and authority. He is not only a part of the governing agency, but is the executive head. As such he is vested with approval and veto power over ordinances and resolutions. To veto is to exercise a separate and distinct function of government. The Code (section 7 of art-

icle 1 of chapter 7 [P. L. 392; Pa. St. 1920, § 2085]) states:

'Every ordinance and resolution, except as herein otherwise provided, passed by the council, shall be presented to the burgess for his approval.'

This authority is not to be taken from the burgess except by express legislative enactment or as clearly inferred from a statute; certainly not through a doubtful construction of various parts of the Code.

The fact that the burgess presides at an organization meeting, hears the resolution fixing the salary read, puts the motion for its adoption, declares it adopted, and signs the ordinance book, does not dispense with his approval to constitute a valid borough enactment. 2 Dillon on Municipal Corporations (5th Ed.) § 578.

*9 The burgess surrenders no part of the power vested in him as burgess while acting president. There is nothing incongruous about this. The legislative requirement to preside was a safeguard against possible delay in the conduct of borough affairs through a tie vote in the organization of council.

It is urged that in any event council alone can fix the salary of the borough solicitor, or as expressed in other words: 'To what extent must councilmanic action be brought to the burgess for approval? We cannot lay down a rule which will cover every situation with exactness. As stated by Mr. Justice Fell in *Jones v. Schuylkill Light, Heat & Power Co.*, 202 Pa. 164, 167, 51 Atl. 762, 'Generally * * * permanent regulations for the government of the borough, the granting of privileges to occupy streets, and the creation of liability by contract,' are held to be legislative acts requiring the signature of the burgess. 'The transaction of current business, the ordinary administration of municipal affairs and the awarding of contracts which have been previously authorized' have been held to be matters not requiring approval. On the other

125 A. 308
 281 Pa. 4, 125 A. 308
 (Cite as: 281 Pa. 4, 125 A. 308)

Page 4

hand, resolutions awarding contracts to light the streets of a municipality (*Jones v. Schuylkill Light, Heat & Power Co.*, supra), to borrow money (*Long v. Lemoyne Borough*, 222 Pa. 311, 71 Atl. 211, 21 L. R. A. [N. S.] 474), and to fix a tax (*Commonwealth v. Repp*, 242 Pa. 240, 88 Atl. 1007) require the approval of the burgess.

Ordinances which involve the expenditure of money relating to government welfare and the prosperity of the borough must make the burgess a necessary part in passage. *Kepner v. Commonwealth*, 40 Pa. 124, 126. Ordinances operating on matters concerning council alone, or its members, relating to the **310 detail work of municipal affairs, as distinguished from executive work, are matters which need not be presented to the burgess for approval. The employment of laborers in connection with a highway, the general upkeep of the streets, or the water system, or acts embodied under the term maintenance *10 of the departments or their physical structure, operated and conducted under borough ordinances and laws, are acts which are not legislative in their character. But a betterment, a new undertaking, or an enlargement of any of these departments, or the creation of a new department, or any other act which may be considered an original exercise of governmental duty, power, or obligation, requires the burgess' approval.

Fixing salary is the creation of a continuing liability in a new department in the city, which the taxpayers must meet; it cannot be considered as an incident to maintenance, upkeep, or protection of any department of government; it is a new departure, an original undertaking or exercise of governmental power outside of mere routine business. As such, the resolution should have been submitted to the burgess for his approval.

The decree of the court below, as it relates to the borough engineers, is reversed, and so much of the bill appertaining to it is dismissed. The decree, as it relates to the payment of compensation to the solicitor, is affirmed, the costs of this appeal to be divided between appellee and appellant, the bor-

ough solicitor.

Pa. 1924
Eddy v. Borough of Ashley
 281 Pa. 4, 125 A. 308

END OF DOCUMENT

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONROEVILLE

AN ORDINANCE OF THE MUNICIPALITY OF)
 MONROEVILLE ADJUSTING THE SALARY) Ordinance No. 2570
 SYSTEM STRUCTURE FOR 2013)

BE IT ORDAINED AND ENACTED by the Municipality of Monroeville, in Council assembled, as follows:

Section 1. The 2013 salary structure of the **EXEMPT** and **NON-EXEMPT** employees of the Municipality of Monroeville shall be as follows:

<u>GRADE</u>	<u>POSITION</u>	<u>2013 MINIMUM</u>	<u>2013 MIDPOINT</u>	<u>2013 MAXIMUM</u>
Grade 11	<i>Municipal Manager</i>	\$88,808	\$119,404	\$151,999
Grade 10	<i>Chief of Police (Per agreement)</i>	\$76,181	\$104,787	\$133,391
Grade 9	<i>Dir. of Personnel and Finance Assistant Chief of Police (Per agreement) Superintendent of Public Works Dir. of Building, Engineering and Community Development</i>	\$64,512	\$88,736	\$112,960
Grade 8	<i>Business Tax Collector *</i>	\$59,396	\$81,969	\$103,947
Grade 6	<i>Director. of Senior Citizens Library Director Sr Foreman/Asst. Super of Public Works</i>	\$46,332	\$63,730	\$81,127
Grade 5	<i>Television Producer Asst. Tax Collector Public Works Foreman Director of Risk Mgmt./Employee Relations Emergency Communications Dispatcher Supervisor</i>	\$42,508	\$58,469	\$74,428
Grade 4	<i>Building Official Building Inspector Code Enforcement Officer Recreation Program and Special Events Coordinator Sports and Athletic Coordinator GIS Coordinator/Engineering Inspector</i>	\$38,996	\$53,640	\$68,283
Grade 3	<i>Municipal Manager's Secretary</i>	\$33,048	\$45,458	\$57,865
Grade 2	<i>Public Wks Off. Mgr/Purchasing Coord. Personnel and Finance Secretary Information Systems Support Tech</i>	\$28,413	\$41,991	\$53,441

***Salary-3 sources**

Section 2. The 2013 ANNUAL SALARIES for the EXEMPT and NON-EXEMPT employees has been established as specified in the 2013 Budget when adopted by Municipal Council (1%).

Section 3. The compensation of PART-TIME employees of the Municipality of Monroeville shall be as follows:

<u>POSITION</u>	<u>HOURLY SALARY</u>
School Crossing Guard (Probationary)	\$ 9.33/Hr.
School Crossing Guard	\$ 12.88/Hr.
Camera Operators	\$ 10.55/Hr.
<u>Recreation Level I</u>	<u>\$ 8.00/Hr.</u>
General Summer Employees (Clerical Positions, Public Works, Concessions / Gate at Monroeville Community Pool)	
Special Events Workers (Movies in the Park)	
Summer Park Leaders	
Camp Chipewee Leaders (First Year)	
Day Camp Leaders (First Year)	
Sports Program Monitors (Volleyball, Basketball, Soccer)	
Swim Instructors (Uncertified)	
Life Guard	
<u>Recreation Level II</u>	<u>\$ 8.25/Hr.</u>
Camp Chipewee Leaders (2 nd Year)	
Day Camp Leaders (2 nd Year)	
<u>Recreation Level III</u>	<u>\$ 8.50/Hr.</u>
Camp Chipewee Leaders (3 rd Year)	
Day Camp Leaders (3 rd Year)	
Program Instructors (Entry Level)	
<u>Recreation Level IV</u>	<u>\$ 8.75/Hr.</u>
Day Camp Head Counselor	
Camp Chipewee Leaders (4 th year)	
<u>Recreation Level V</u>	<u>\$ 10.00/Hr.</u>
Assistant Day Camp Director	
Special Events, Games, Sports Coordinators (Summer Parks)	
Arts and Crafts Specialist (Summer Parks)	
Supervisor (Recreation Programs, Swim Programs, Summer Parks Program)	
Instructors (Professional Certification)	
<u>Recreation Level VI</u>	<u>\$ 10.50/Hr.</u>
Assistant Managers – Monroeville Community Pool (CPO)	
Co-Director Day Camps (Professional Certification)	
Instructors (Professional Certification & Experience)	
<u>Recreation Level VII</u>	<u>\$ 11.50/Hr.</u>
Camp Chipewee Director – Entry Level (Bachelors Degree Required)	
Day Camp Director – Entry Level (Teachers Certification Required)	

Recreation Level VIII

\$ 12.00/Hr.

Manager – Monroeville Community Pool – Entry Level (CPO Required)
Camp Chipewee Director (2nd Year)
Day Camp Director (2nd Year)
Swim Instruction Supervisor (WSI Certification)

Recreation Level IX

\$ 14.00/Hr.

Manager – Monroeville Community Pool (3rd Year)
Camp Chipewee Director – Masters Degree and 5 yrs. Municipal Experience

Recreation Level X

\$ 16.00/Hr.

Monroeville Community Pool Manager – Certification and 4yrs. Municipal Experience
(Certification in WSI, Lifeguarding/CPR, Certified Pool Operator,
Pesticide Certification, CPR Instructors Training)

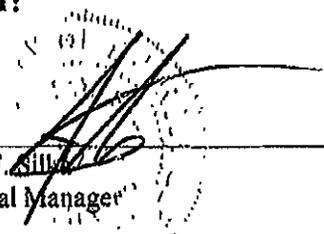
Section 4. Any ordinance of part of ordinance in conflict with any of the provisions of this Ordinance is hereby repealed to the extent of such conflict.

Section 5. The provisions of this ordinance shall be effective as of January 1, 2013.

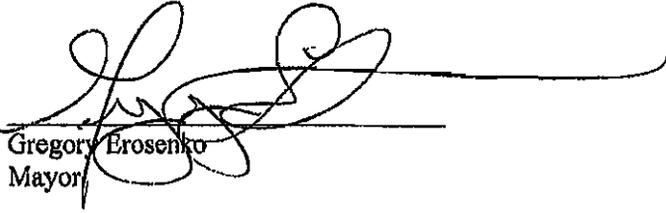
ORDAINED AND ENACTED this 8th day of January, 2013.

ATTEST:

MUNICIPALITY OF MONROEVILLE



Jeffrey F. Sills
Municipal Manager



Gregory Erosenko
Mayor

ENTERED INTO LEGAL BOOK ON: January 18, 2013