

THE MUNICIPALITY OF MURRYSVILLE
Regular Voting Meeting – Wednesday, September 19, 2018

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, September 19, 2018, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Tony Spadaro, Carl Stepanovich, Josh Lorenz, Dayne Dice, Loren Kase, and Jamie Lee Korn. Also present were Mayor Synan, Chief Administrator, James Morrison, and Solicitor, George Kotjarapoglus.

**REGULAR VOTING MEETING
AGENDA**

ROLL CALL/VOTING ORDER: Toni Brockway, Tony Spadaro, Carl Stepanovich, Josh Lorenz, Dayne Dice, Loren Kase, Jamie Lee Korn and Mayor Synan.

PLEDGE OF ALLEGIANCE: Mr. Lorenz led the audience in the Pledge of Allegiance.

UNLISTED AMENDMENTS: None

Ms. Brockway made a motion to approve the Agenda. Mr. Spadaro seconded. All present voted aye. Motion approved.

CONSENT CALENDAR ITEMS:

- A. Accounts Payable
- B. Cash Investments and Transfers

Mr. Spadaro moved to approve the Consent Calendar Items. Mr. Kase seconded. All present voted aye. Motion approved.

MAYOR'S COMMENTS:

Mayor Synan noted that the Traveling Vietnam Wall will be at Murrysville Community Park from Wednesday, October 10, to Sunday, October 14. There was a fee for this and it didn't take long for residents to step up and cover the fee, which he is thankful for. Many of the community volunteers are helping with the setup. The Wall will arrive at 11:00 am for a 4-hour setup process with opening ceremonies held at 6:00 pm. It is free to the public and will be open 24/7, concluding with a closing ceremony at 1:00 pm on Sunday, October 14. Guests from all communities are invited to visit. The Wall will be lighted. The park is located at 4056 Wiestertown Road. For more information you can go to murrysvilleparecreation.com. Mr. Morrison added that volunteers are needed to help with teardown on Sunday starting around 2:00 pm.

Chili Fest is Saturday, October 20, from 12 noon to 6:00pm sponsored by Murrysville-Export Rotary and Murrysville Recreation Department. This is a competition to see who has the best chili from around 30 different participants. Tickets are \$15.

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Mayor Synan talked about the nine inches of rainfall we received between Saturday, October 8, and Monday, October 10. This was the remnants of a hurricane which passed over us. County 911 calls were as follows: Sunday – 900, Monday - 1,500, Tuesday – 3,000. Mayor Synan wanted to commend our First Responders. Calls for assistance were for cars stranded, trees down, people on top of their stranded cars, and basements flooded. Murrysville responded to over 100 calls and Mayor Synan asked for a round of applause to show our appreciation. The Mayor noted that people have been riding around and moving our barriers. In situations like this, barriers are put in place for your safety. We try to mitigate the situation as soon as possible to get the roadway open. The road could be collapsed, possibly a tree blocking the road, the road is flooded, an accident, or live wires down. You can be cited for moving barriers.

CHIEF ADMINISTRATOR’S COMMENTS:

Mr. Morrison stated that thanks to efforts of Helen Wolf and the Garden Club of Murrysville, we now have a Blue Star Memorial. The Blue Star Memorial is a living tribute to men and women who have served, are now serving, or will serve in the armed forces of this great nation. There will be a dedication of this sign on October 21, at 2:00 pm. If it rains, it will be at the Community Center. Mr. Morrison encourages everyone to attend. It’s an impressive sign.

COMMUNITY INPUT:

Mr. Lorenz suggested that anyone in the audience speaking on the Sloan School Project to wait until after the regular business of council and speak during the Work Shop. If anyone who signed up was speaking on something other than the Sloan School Project, they could speak now. No one responded.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Spadaro: There was a Planning meeting last night and the only new business was the Shevchek Subdivision, 3414 LaShan Drive, 5.77 acres, RR zoning, off Cole Road. The developer didn’t have all the information he needed regarding the sewer lines, paving, etc. so he is to get back to Planning Commission at the next meeting with a detailed report. The also had a friendly discussion regarding changing some ordinances in the municipality so that we can input some 55 and over developments. At the next meeting there will be a presentation by one of the commissioners on a project that he experienced and went through regarding small cell towers. Mr. Morrison noted that there has been a lot of questions regarding small cell towers and antennas to increase band width. We need to get prepared.

Mr. Stepanovich: The Parks & Recreation meeting of October 9th, was cancelled. The next meeting will be the second Tuesday in October.

Mr. Kase: Medical meets tomorrow night.

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Mrs. Lee Korn: There was no new pension meeting. After last meeting, the board issued a Pension Real Estate RFP and they receive one replay from Boyd Waterson. Jim, Diane and Frank are looking at some options and looking at having a formal presentation at one of our next meetings.

Mr. Dice: The FTMSA meets tomorrow.

Ms. Brockway: The Library meets Thursday. A candidate has been found to fill the board position. Mr. Lorenz suggested that they make a motion to amend to the agenda to add the appointment since the Library Board is going to be meeting Thursday.

Mrs. Lee Korn made a motion to amend the agenda to add the appointment of the Library Board member. Mr. Spadaro seconded. All present voted aye. Motion approved.

Mr. Lorenz stated that this item will be added under 9.C Administration.

COUNCIL ACTION ITEMS

ADMINISTRATION

9.A. Consider approval of the landscaping bid, DPW-6-18, the Murrysville Community Park Riparian Buffer Project to Klyn Nurseries in the amount of \$24,384.10.

Mr. Kase made a motion to approve the landscaping bid, DPW-6-18, the Murrysville Community Park Riparian Buffer Project to Klyn Nurseries in the amount of \$24,384.10. Ms. Lee Korn seconded.

Mr. Morrison noted that this was the competitive bid for all of the plantings scheduled as a repair and buffer project where they are excavating at the corner of Weistertown and Farm Road. We have a commitment from Dominion to come in and plant the trees. The difference in the pricing is that Klyn Nurseries out of Ohio is a grower and Plum Line is more of a distributor.

Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Korn - yes. Motion carried.

9.B. Consider approval of a proposed residential tax assessment appeal, Neil Zuzik, tax parcel number 49-10-10-0-002, subject to the Franklin Regional School District's approval.

Mrs. Lee Korn made a motion to approve a proposed residential tax assessment appeal, Neil Zuzik, tax parcel number 49-10-10-0-002, subject to the Franklin Regional School District's approval. Mr. Spadaro seconded.

Solicitor Kotjarapoglus explained that this was an appeal taken on a property that was purchased over a year and a half ago and the purchase price was \$19,000. When taken to the tax assessment board there
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was a minimal reduction given but not enough per the property owner. The County Tax Assessment Board does not want to litigate this any further. They are willing to take this sum which will be applied beginning the year of the appeal. Mr. Kotjarapoglus is recommending this, the county is in support of this, and the School District through their solicitor would like you to approve this. There will be retroactive effect on this.

Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Kornis - yes. Motion carried.

9.C. Consider approval of appointment to the Library Board.

Mrs. Brockway made a motion to approve Celine Kandala to the Library Board effective immediately. Mrs. Lee Kornis seconded.

Mrs. Lee Kornis asked that if the vote passes, can Ms. Kandala be notified so she can attend the meeting tomorrow. Ms. Brockway asked if she could contact the President of the Board and let them know that we found somebody? Mr. Lorenz answered yes to both questions.

Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Kornis - yes. Motion carried.

COMMUNITY DEVELOPMENT

10.A. Consider re-approval of S-11-16, Bella Molise Housing Development, School Road South.

Mr. Kase made a motion to re-approve S-11-16, Bella Molise Housing Development, School Road South. Mr. Stepanovich seconded.

Mr. Morrison noted that this was approved earlier in the year. As a result of the tap-in, the plan could not be recorded until the sewer module resolution was passed and the allocation was made by DEP. It was beyond the 90-day approval period so now it's back for re-consideration. There were no changes from the original plan.

Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Kornis - yes. Motion carried.

10.B. Consider re-approval of S-12-17, Majestic Estates Plan, Logan Ferry Road and Hodson Lane.

Mrs. Lee Kornis made a motion for re-approval of S-12-17, Majestic Estates Plan, Logan Ferry Road and Hodson Lane. Ms. Brockway seconded.

Mr. Morrison noted that this is the same situation to re-approval now that the tap allocation has been made. There were no changes made.

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Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Kornis - yes. Motion carried.

ENGINEERING

11.A. Consider award of DP-2-18, the Lyon Runs Slide Repair Project, to Foresite Services for a sum not to exceed \$100,000.

Ms. Brockway made a motion for the award of DP-2-18, the Lyon Runs Slide Repair Project, to Foresite Services for a sum not to exceed \$100,000. Mr. Spadaro seconded.

Mr. Hilty announced that the municipality did receive four bids. They were opened Wednesday, September 12, 2018. Bids received were from Foresite Services, Curry & Kepple, Inc., Pampena, Inc., and Sciarretti Site Development. Foresite Services was the low bidder at \$86,965. The bidder has provided the required documentation in bid bond, we've done his reference checks, and he will need to comply with the prevailing wage rates for this contract. We are ready to move forward with repairing Lyons Run Road so that it can hopefully be opened before the end of this year.

Upon a roll call vote: Ms. Brockway - yes, Mr. Spadaro - yes, Mr. Stepanovich - yes, Mr. Lorenz - yes, Mr. Dice - yes, Mr. Kase - yes, Mrs. Lee Kornis - yes. Motion carried.

COMMUNITY INPUT

Mr. Lorenz explained that this is where the audience can speak for three minutes and try to tailor your comments to things that Council can consider and may help in rendering a decision on these projects.

Amanda Faher, 3408 Bianca Court, Murrysville: Ms. Faher stated that she came to the last meeting and was impressed with Council, the information she learned about the Sloan project, and is here tonight to learn more. She is a supporter of the project but recognizes the need for Council to consider all the concerns. She would just ask that Council sort through all that information you have and hopefully with conditions you can approve the project.

Walter Cebulak, 4000 Fredricksburg Court, Export: Mr. Cebulak provided a handout of FTMSA sewage overflows for 2015-2018. There have been five overflows of the School Road Pump Station this year and considering the overflows from last weekend, that continues to be a problem in that area. One of the overflows was a no rain day. There is a concern with the added sewage flow that will come from the new Sloan campus already taxing a system that is demonstrably, hydrologically incapable of handling what we are presented with. Mr. Cebulak asks that council seriously consider that as you are looking at conditions for approval of the Sloan School. Also, the School District's architect has indicated that the school will greatly reduce the number of school buses that they will use for elementary school students. For the students who presently go to Newlonsburg and Heritage, they will move from 38 students on a bus to 59. This will greatly increase the time for children to get to school and most likely the parents will not agree with the impact on

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the children's daily schedule. Look seriously at the traffic plan.

Dick Kearns, 4997 Longview Court, Murrysville: Mr. Kearns presented a handout to Council. He stated that several of them hired the services of counsel and had them survey the public hearing when it took place. They advised that there are three ways to focus on the issues that Council can address: The site, safety, and sewage. In the package he presented, are some of the significant issues that have been discussed along with the particular Murrysville codes that should apply to your judgement. In regard to the site, there were 2,200 people who signed a petition that said that the school is alright; they just don't like where it is. In regard to safety, it breaks down to traffic and first responders. As far as sewage, we all know the sewage is a mess. The Sloan project is going to contribute more affluent into that sewer system while spills out every time it rains. The approval by FTMSA to Council per the school's request is still in a pending status. The pending status still hasn't been changed yet.

Sue O'Mahony, 5064 Northlawn Circle: Ms. O'Mahony stated that at the last meeting she asked if full size architectural drawings could be provided so the citizens could see them. She went the Municipal Building and requested to see them and even with a magnifying glass you can't see the detail. She hopes that there is some way to look at the full size architectural drawings. Mr. Morrison noted that the full-size plans are now in the plan room and if anyone comes in and requests to view them, they are available during business hours. Mrs. Lee Kornis asked that the website be updated to note that full size plans are now available to view at the Municipal Building. Mr. Morrison suggested that in the meantime, if the School District would be kind enough to post them on their site that would be an alternative.

Kate Manka, 3806 School Road: The safety of the kids has to be a priority. That really became apparent after the stabbing incident. This whole community came together and proclaimed, "FR Strong". Now we have another safety issue that which we feel is very important and the School Board has ignored it. There has got to be a better place to put this school; a place that has far better access for emergency personnel. We have wonderful EMTs, but they have to get there if they are going to help. They have to have access. There has got to be a better place because it's going to take the residents who live there more time to get out to go to work. They also will be looking out their front window at a big monstrous building and lights. That's going to be an issue and where is the sense of community now for those people. There has got to be a better place with fewer issues of flooding and fewer issues with sewage. Where the sense of community for those who can't afford raised taxes for this. She is ashamed of the School District and the sense of community she had four years ago is gone. Citizens have rights too. We can consult lawyers just like anyone else. We can, and we will.

Scott Wyman: Mr. Wyman wanted to thank Council for bringing in the Police Chief at the last meeting to go over plans that he has in place. It's comforting as a parent of two *children* that those plans are in place, but plans are only good if you can get there. When a council member questioned the sites location, the Chief had no comment which spoke volumes with no words about safety of this site. When it rained about a week ago, there were parents concerned about buses parking in the soccer field. So, can you imagine all those cars coming to pick up their children at this site. Mr. Wyman thanked council for taking into consideration his children's and the community's safety into account when considering the Sloan project. To any parent who is in favor of this campus, he has one question. Do you mind if your children are cared

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for last if an incident occurs?

Lynn Full, 5001 Greensburg Road, Murrysville: Ms. Full stated that she is speaking about the salinity issue which raised some eyebrows at the Environmental Advisory Council. Apart from the school building and playground themselves, 396 pervious parking spaces and 3 long traditionally paved driveways will sprawl across the currently undisturbed wetlands. Not only will this deface the natural beauty of this area by scaring over most of the surface, but it will also bring about long term chemical pollution in the form of salinity increase. The ground water and surface water will become contaminated with ions which will continue to accumulate particularly as an issue of chloride ions. It is an established fact that an influx of sodium and I ions disrupt the fluid balances of fresh water organisms. Many studies have proven that increased level of chloride ions can negatively impact survival rate for fish and amphibians like our local frogs in addition to killing both eggs and embryos, as well as damage to trees and vegetation up to 650 feet away. Some new wetlands are to be constructed to replace some they are going to obliterate. These wetlands need to be maintained. The district hasn't maintained the wetlands that they have already created at Sloan. Naturally occurring wetlands do not need to be maintained. Nature takes care of itself. The only problem is when man intervenes, and it looks like that's what's on the schedule.

Valerie Mittereder, 105 Park Lane: Ms. Mittereder is there to address some things that Chief Seefeld said last week. We weren't questioning him, his department, or any of the first responders because they are the best around. They are extremely dedicated, caring people. The Chief had stated that Pleasant Valley Road is worse than Sardis Road. She agrees with that, but no one is asking to build a 1,600 children school on Pleasant Valley Road. Firetrucks, police cars and ambulances don't have wings. They have to be able to drive there somehow. The Chief said there were eight officers on duty at a time. She is sure they aren't just sitting there all day long, and she hopes that they aren't. They are out there, driving around patrolling and not right here and we wouldn't expect them to be. The Chief was very careful not to say that it was the same situation, because it's not the same situation. There are no acceptable alternate routes to come out here. The Chief mentioned Mutual Aid departments. It takes 1-3 minutes longer for a Mutual Aid Department to get there – she google mapped it. If minutes count in a critical incident, why are you going to take this chance? If these were high school kids, she wouldn't be as concerned. High School kids can be trained on how to react in an emergency. Elementary school children cannot. There were three options. Do one if the other options. That would make a lot more sense than to put it here.

Joan Kerns, 4997 Longview Court, Murrysville: Ms. Kerns stated there are two documents that play a very important part in Council's decision process. One is the Municipal Codes. The second is the Comprehensive Plan which is a vision of the residents who live in this community, what they want to see as the years go forward. There are two very important words in the documents. One is "compliment" which means goes well with whatever is around it. When you look at what is proposed for across the road, a building which is approximately 300 x 300 feet, is complimentary. If you look at the drawings which were provided, are they complimentary? Thy go with nothing. The Municipal Building is class architecture. Across the street is a bunch of building blocks, various colors, stacked on top of each other. It doesn't fit. The other word that shows up in the cods is "harmonious". What they are designing across the road isn't harmonious with anything in this community. In addition, 120 school bus trips every day. Is that harmonious in a quiet area

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of the community? I don't think so. The Comprehensive Plan says to protect, preserve, enhance, balance the environmental, social, cultural, and esthetic values of the community. Please read the Comprehensive Plan, memorize all of the Conditional Use wording, the scope of what you consider and how it may or may not improve the problems that this development will bring. Don't be afraid to tell the School District that this site is not suitable for what they propose.

Russ Phillips, 5069 Northlawn: Mr. Phillips wanted to address two sewer issues with one coming thru the plumbing and what's coming off the street. The community members respect you. If there is an element of frustration or thoughts of litigation, it's not directed towards you as much as it is a frustration with the situation. He has only lived here six years and has lived through the remnants of 2-3 hurricanes, two within the past week. It was amazing to see that they closed down the road that they live on. With so many more driveways and twice as much parking, what will that look like? Regarding the plumbing issue, he keeps hearing from officials that it's overflowing anyways. If it overflows, what does it matter the extra 6,000 gallons from an additional 1,000 students at Sloan. What if we are at 440,000 gallons, how often are we at 440,000 gallons in a day and how often would that 6,000 take us over the threshold. It is also very frustrating as a member of the community in regard to the 75 EDUs. He doesn't believe it's common to have that. We could fix what is working or is less of an issue right now at the main campus where there isn't a pump station overflowing regularly. Mr. Phillips wants to remind you that location and size of the use and its relation to streets giving access to it shall be such that pedestrian and vehicular traffic to and from will not be hazardous or inconvenient to the prominent character of the district or the streets thereof. The nature location, size and site layout of the use shall be such that it will be a harmonious part of the district in which it is situated. Why do we have to have another 1,000 students? Why couldn't they just build for 100-200 additional to Sloan and fix more of Newlonsburg or Heritage.

Bettie Carlson, Turnberry Court: Ms. Carlson handed out some paperwork. Franklin Regional School District previously had an upper and lower elementary school system which failed miserably. This is why today there exists three separate elementary school with K-5. How many times does this community want to keep reinventing the wheel. The issue of safety moving students from one family from one building to another in two elementary school has never been adequately addressed. Such movement would only be a disaster in a catastrophic event and unthinkable in situations for parents with more than one child in two different buildings. Understandably, parents will come to the school to retrieve their child in the event of an emergency. How many incidents will it take before it becomes fatal. Statistics and percentages on paper do not matter if it is your child. Architectural drawings and plans, walkways and drainage basins and rebuilding wetland, all well and good on paper, but they don't address the realities of weather. Having a stellar school district and updated schools is not the issue here. Statistics show that elementary school s are widely spread in neighborhoods where student live. Two of which have IVY programs, which ours does not. If stellar education is truly the goal, then sports complexes have no business in there. We are all home owners of the same community and all want excellent education, a good safe place to grow up, and all should want to see our home market values increase and not devaluate because of individuals who resort to my way or the highway tactics believing it will make our schools great again.

Ed Mittereder, 105 Park Lane: Mr. Mittereder stated that he is a local tax payer and has a property on

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Crowfoot Road. Personally, he has witnessed hunters going on to the property in camo with rifles. They are not being disturbed with hunting pressure. In a legal situation you have to wear orange so that you can be seen visually by other hunters. These guys are being dropped off and ducking into the woods in full camo with rifles. Bullets travel a long way. They keep going until they hit a target and hopefully it's not a child, a teacher, or some innocent victim. That jurisdiction falls under the Pennsylvania Game Commission. A lot of people say call the police. We have a wonder police force who have tons of training. Unfortunately, when people panic, panic will overtake everything. As far as traffic, he has offered many times for the police department to sit on his property which is a perfect perch to watch Crowfoot Road. There are many cars going down Crowfoot Road at 50mph or faster. What's going to happen when you have school buses backing up because of the traffic that's going to be congested going into the Sloan campus that they propose. He would suggest you clean up the sewage problem first before you worry about building a building. He overheard a lot of people who think this is a great idea because it's new. Some of the greatest institutions in the United States are over 100 years old. People go to these institutions for the education and the value they get from the teachers. Just like the teachers here at Franklin Regional, the teachers are phenomenal. Buildings don't teach. The teachers are who teaches. The petition of 120 people who think it's good because it's new. There are over 2,200 people who think it's not a good idea.

Matt Swetsy: Mr. Swetsy said that he wanted to express his support of the new school construction project. His friends, neighbors, and the majority of this community also support the project. Folks who are opposed to this project present a minority, a very vocal minority. He listened to their concerns at the last council meeting and he didn't see anyone that had a factual basis at all. The additional sewer flow from the new school building was going to create a capacity issue for the sewer system and exasperate the overflow issues downstream. Fact, the design engineering gave a presentation very conclusively that the overflows are a result of infiltration and inflow that occur during wet weather conditions. The additional 6,000 per day is a non-issue during normal flow conditions and will not create or exacerbate any additional overflows that happen. There have been concerns that the new school is going to exasperate flooding at Sloan. The fact is that it will not. That creek has always flooded, and it always will. The design engineer explained how the new school design will not result in any increase in storm water runoff because of best management practices which are better than the ones we have already. There was concern that the new school is going to hinder emergency response time. We had the Chief of Police get up here and say that he wasn't concerned about it. I believe him, and I think you should too. The new school location is going to create traffic problem on Sardis road. The Chief of Police presented some accident statistics that show that is not going to be a problem. Again, facts vs. opinions. One concern they aren't mentioning is taxes are going to go up to pay for the new schools. I don't want higher taxes either, but I'm willing to pay higher taxes for something like new schools that's going to benefit the community.

WORKSHOP ITEMS

ADMINISTRATION

12.A. A discussion concerning SP-6-17 Sloan Elementary School Land Development Plan, CU-7-17, Sloan

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Elementary School Conditional Use, P-L Zoning, CU-8-17, Sloan Campus Major Excavation and CU-9-17 Sloan Campus Wetland and Wetland Buffers, 4121 Sardis Road, Murrysville, PA.

Mr. Morrison stated that the staff has provided a briefing which is what was received as hot button issues and presented information along those lines. In addition, we presented to Council this evening, the recommendations made by the Planning Commission, the EAC, and the staff recommendations. At this point, if Council has any questions that they wish to address to the professionals of the School District on any of the applications, that would be appropriate now.

Mr. Lorenz pointed out that this has first gone to the EAC. They looked at it and their recommendations were then passed on to Planning. The Planning Commission has gone through their review and held a Public Hearing on this. They have given their guidance to Council and we are now here, taking public comments on this. We are now in the workshop stage where we are looking through what EAC, Planning, and what staff has gone through and are looking at this from a Conditional Use standpoint. If there are any questions for the applicant or staff, we can take care of that now.

Ms. Brockway would like the applicants to provide a safety perspective regarding the kids. There will be a lot more kids on that piece of property and there are a lot of issues regarding that. When you are dropping off and picking up students, why was the plan laid out that there is a closed loop on one side and a closed loop on the other side. There is no way for a parent to get from one school to the other through the campus.

Mr. Frederick explained and showed in a diagram that the parent drop off points are for vehicular traffic only and would keep that separate from the dedicated bus route. There are two separate points of vehicular circulation which include no bus traffic. If a parent has a student in both K-2 and 3-5 they can either take each child to the designated drop off points at each school or drop both off at the K-2 building and the child going to the 3-5 building will be escorted to a shuttle bus and be taken to the 3-5 building so that the parent just has to make one stop. This will be available during the schools regular starting and ending time periods.

Ms. Brockway asked why the plan was designed this way, without a route crossing through the campus for the parents to get from one school to the other or even in emergency cases.

Mr. Frederick stated that it was a safety factor in keeping vehicular traffic away from the bus traffic. It keeps the bus traffic secluded from any vehicular traffic when letting students on or off the bus. In the event of an emergency there is complete movement throughout the campus. A separate vehicular road from one school to the other could not be built in back of the schools because of the topography, extent of additional disturbance, significant slope, and stream crossing. Sixty-eight percent of the site is heavily wooded and steeply sloped. Additional impact and additional environmental concerns, significant permit efforts, and topographic challenge you cannot make that connection in a feasible or economical fashion.

Mrs. Lee Kornis stated that she was reviewing the report by R.A. Smith regarding flow information that was provided to them on the gallons per day on the average day which was calculated by peak monthly flow from a 31-day month including dry days. Do we have data specifically for individual days including both

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peak and dry days individually?

Mr. Frederick answered that there is not a daily flow is not tabulated or calculation. It is based on monthly usage and billing. The calculations you received are based on the highest reading over a 24-month period. In all cases, there is a 1.5-1.7 factor of safety built into that 6,000 gallons per day.

Mr. Kase stated that he has two concerns. The Sloan bridge with its current weight limits, is not prepared to support large vehicles, fire trucks, and will need some work to make it accessible. Mr. Morrison mentioned that Chief Seefeld addressed that in a letter to Council, that all of the response vehicles with exception of the ladder truck, would access the school site via the Sloan bridge. The ladder truck would go up Crowfoot and come in the new entrance. Regarding the Crowfoot-Sardis intersection, if you get two large vehicles at that intersection, you cannot make that turn. There is not enough bridge there to accommodate that. It is going to create a pinch-point and create traffic down Sardis. This project is going to present a challenge there and we may have to approve it based on some changes.

Mr. Stepanovich stated that he has a letter from the School District's Attorney, Mr. Wratsher. It indicates that as far as water testing, the DEP only requires temperature testing. Mr. Wratsher stated that was correct. The only thing that has to be tested is water temperature unless there are additional requirements placed by the DEP. The important part of the analysis is that the regulations of waters and pollution is the subject for the DEP. The Zoning Ordinance recognizes that. The DEP has control over those standards. There is no local level testing permitted by the DEP.

Mr. Lorenz explained that it is a legal question we need to discuss with our Solicitor. The DEP precludes local testing for a local ordinance regulating such. It does not preclude the applicant, in this case the School District, from voluntarily agreeing to such.

Mr. Hilty stated that under our MS4 and NPDES there are programs for illicit discharge and other things that we are required for private and publicly owned outfalls that can be tested and inspected. So, there are other avenues for testing.

Mr. Spadaro asked about the stretch from Crowfoot entrance to the Sloan bridge entrance, why do we need a school zone there? Is the 15mph zone really necessary? Mr. Wratsher stated that it was the recommendation of our traffic consultant and yours, to have a school zone there. There is going to be a review of those school zones to make sure it doesn't do more harm than good in terms of the movement of traffic. There is an agreement to do a Post-Occupancy Traffic Study of the property.

Mr. Lorenz said that he has concerns about the traffic and the bridges. It's going to be important that we address those issues and make sure we're comfortable that those issues are addressed properly. His recommendation would be to have some type of monitoring and ability to address the traffic situation, the traffic flow to the extent it is not addressed in the actual plan itself. In regard to water quality, legally speaking, there may be restrictions on what we can regulate. We have a unique situation across the street and would hope that the District wants to ensure that nothing bad happens to that stream. One last thing is the aesthetics was a huge concern. Has that been thought about or discussed at all in terms of aesthetics?

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Daniel , VBH Principal Architect, answered that the School District chose a pallet of materials and followed the municipalities' regulations in laying them out. They are using earth tone colors and looks of wood siding to work into the natural environment. The District has spent a lot of time and sensitivity into the planning. It can be different – yes. Is it already done from a design point of view to get through Council's approval – essentially, yes. Can it change – they are open to those kinds of discussions.

Mrs. Brockway said that she has never seen the materials, or the colors being used. Mr. Aiken agreed to bringing in some samples of the materials to the municipal building so that council and the residents can have a change to visually see the materials that are going to be used and some photos examples of other building that have used these materials. Mr. Aiken will also bring in a 3-D model.

Mr. Morrison noted that unless the School District chooses to grant a time extension, Council will be required to make a decision at the next meeting or schedule a Special Meeting or the project will be deemed approved. Mr. Lorenz recommended that we ask the School District to grant Council a two-week extension to allow them to have another workshop to discuss and have the samples from the architect to view and then vote at the 2nd meeting of the month. Mr. Wratsher stated that he would be willing to go back to the School District and ask them for the extension.

After a short break, Mr. Wratsher stated that he was able to contact the appropriate officials of the school district and they are willing to grant an extension to October 17. Mr. Wratsher wanted to point out that this has been a long process. This has been going on since 2016 and there has been a lot of opportunity for comment and public discussion. This has been a very well litigated project in the municipality. A written decision will be expected on October 17.

Mr. Morrison explained that what typically is done, is Council agrees on the conditions and prior to the vote by Council, the applicant is asked whether or not he accepts those conditions, and then Council votes on the matter. An alternative would be for Council to schedule a Special Meeting on October 10th if more time is needed to go through conditions or more discussion is needed before a vote can be made. If a Special Meeting is scheduled, it can always be cancelled if Council doesn't need the extra time.

Mr. Kotjarapoglus asked if there will be a representative from the School Board that can approve conditions if they are raised on October 3. Mr. Wratsher said that they will have someone there or he will have the authority to approve or disagree with those conditions.

Mr. Kotjarapoglus stated that the School Board's decision is its decision. We can't tell them what to do there or whether or not they should build the school there. All we can do is look at our ordinances and make sure they are complying. In this case, the use is a permitted use at that location under conditional use. Under the Pennsylvania Laws, once you have a conditional use, there are some threshold standards that have to be met. Once they show they have met those, they can proceed. It shifts the burden from the applicant to Council to come up with some extraordinary reasons why it should be denied. All of the ordinary burdens that come from this plan; traffic, noise, light, have been computed into the decision as being permitted. You can deny the conditional use, but then you would have the burden of showing that it's extraordinary traffic, extraordinary, noise, extraordinary light. The conditions that the Planning Commission came up with shows in Mr. Wratsher's letter that they are trying to cooperate. Conditions need to be reasonable. In regard to the bond, there has to be a monetary bond. It can be under a cash

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bond, a letter of credit, or an insurance bond. If there is money in a construction account that could be reserved, that could be used if needed. The School District could also use its taxing power. There is latitude for Council to address the traffic concerns.

Mr. Morrison suggested that if Council had a chance to review the conditions presented by the staff, which were a consolidation of the EAC and the Planning Commission, that if they have any questions or comments about the conditions to bring that up so it would give some direction for the staff to put an outline together for next meeting.

Mr. Kase questioned the lighting condition and the times stated in the report. After some discussion, Mr. Aiken stated that since this is an elementary school, lighting beyond 6:30 other than security lighting, is really not necessary except during scheduled events when there is a time limit of 30 minutes after the event for when the lights go off. Lighting is no longer an issue and the condition stands as written.

Mr. Stepanovich stated that the issues he had about the water quality have been addressed. He is OK with the aspect of bonding. He still is not comfortable with that site as being the best place for the school in regard to safety.

Mr. Spadaro asked if we were still looking at a \$3 million bond. Mr. Morrison explained that in the staff briefing, there are five potential projects identified along with updated dollar values assigned to that. It could be considered that some of those may not be required and the bond could be reduced by that amount. The conditions that will be presented to Council at the October 3rd meeting will also be presented to the school district. That will give them ample time to develop an alternative. Conditional uses are negotiated processes. If Council is willing to accept various forms of security, we'll put that in the conditions. That will be subject to debate at the October 3rd meeting.

Mrs. Lee Kornis noted that in regard to condition for noise, she can see the School District's point that in case of emergency only to be able to use the public-address speaker. If Council and the staff are comfortable with that, she would like to modify that one condition based on the School District's response to that one item.

Mr. Lorenz stated that the homework will be for the School District to come up with some samples from an astatic standpoint, so we can see and understand a bit better. The staff will be coming up with proposed conditions based on what was discussed this evening. In terms of bonding security, we are all going to be thinking and exploring on what we can do so we can balance on protecting the interest of the municipality's residents have without overburdening. Mr. Morrison will need to advertise for a Special Meeting on October 10.

ENGINEERING: None

COMMUNITY DEVELOPMENT: None

PUBLIC WORKS AND PARKS: None

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OLD BUSINESS: None

NEW BUSINESS: None.

EXECUTIVE SESSION:

Mr. Lorenz concluded the meeting and adjourned to an executive session on a legal issue. No action is anticipated at the session.

ACTION ITEMS: None

ADJOURNMENT: The meeting was adjourned at 10:29 pm.

The Regular Voting Meeting was broadcast on local government Channel 19. A true copy of the Council meeting DVD is available for the public to purchase from the Municipality of Murrysville and is in the Murrysville Public Library for review.