

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, March 1, 2023, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Dayne Dice, Jamie Lee Korn, Jason Lemak, Jamie Lingg, Mac McKenna, Tony Spadaro, Carl Stepanovich, and Mayor Synan. Also, present were Chief Administrator, Michael Nestico, Community Development Director, James Morrison, and Solicitor Adam Long.

**PRESENTATION TO COUNCIL
ANDCO**

Mr. Frank Burnette stated that over the last year his firm, Morrison Fiduciary Advisors, merged in with a firm called AndCo. Going forward AndCo will be servicing the Municipality. Mr. Chris Brokaw from AndCo and he will be working jointly on the account. Everything done in putting this together was designed by what has been done in Murrysville over the last 10- 20 years and will be consistent with that.

Mr. Brokaw stated that he and Mr. Barnette have been working together for the last 9 months on the Murrysville account and will continue to do that going forward. You can expect the same kind of service or even better service since there are two of them instead of one. Mr. Brokaw stated that he is from Pittsburgh and works out of Pittsburgh in a firm with \$100 billion in assets under advisement and works with 700 different pension plans. The Municipal portfolio is doing well and is 100% funded, meeting your actuarial return objectives. Performance is good and we want to keep it that way moving forward.

**REGULAR VOTING MEETING
AGENDA**

ROLL CALL/VOTING ORDER: Jamie Lee Korn, Carl Stepanovich, Tony Spadaro, Mac McKenna, Dayne Dice, Jamie Lingg, Jason Lemak, and Mayor Synan.

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

UNISTED AMENDMENTS: None

CONSENT CALENDAR ITEMS:

4.A. Approval of February 15, 2023, Council Meeting Minutes.

Mr. Spadaro made a motion to approve the Consent Calendar Items. Dr. Lee Korn seconded. All those present voted aye. Motion approved.

MAYOR’S COMMENTS: Mayor Synan presented the following slides and announcements:

AARP Tax-Aide Tax Preparation will be held at the Murrysville Community Center, 3091 Carson Street. Appointments are required. No walk-in services will be available. Call 412-394-8959. Last day is April 7, 2023.

Murrysville Recreation Hot Chocolate Hike will be Saturday, March 25th at Townsend Park. Starting time is 10:00 a.m. For more information go to www.murrysvilleparecreation.com or call 724-327-2100 x131.

THE MUNICIPALITY OF MURRYSVILLE

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The next Glass Recycling “Pop-Up” Collection Event is Saturday, March 18th from 9:00 a.m. – 2:00 p.m. at Veterans Field parking lot, 4200 Sardis Road. Sponsors are Municipality of Murrysville and Republic Services. Residents are encouraged to support the Loaves and Fishes Emergency Food Pantry by donating non-perishable food items. Volunteers will be at the pavilion accepting drive-thru donations during the same hours.

Curbside Leaf Collection Program will be Saturday, April 15th and Saturday, April 29th. To schedule a pickup on one of the collection dates, please fill out the curbside leaf collection program form on the website. There is a 20 bag limit each collection date. The deadline to sign up for each date is the Thursday before the pickup date.

Murrysville Recreation’s Upcoming Easter Events: Egg My Yard registration is open and closes March 24th. Easter Pet Photos is Saturday, April 1st. Easter Drive-Thru is Wednesday, April 5th in partnership with the Murrysville Community Library. For more information visit www.murrysvilleparecreation.com or call 724-327-2100 ext. 131.

CHIEF ADMINISTRATOR’S COMMENTS: Mr. Nestico reported that Officer Brian Sadlowe was sworn in today as Sergeant in the police department.

COMMUNITY INPUT:

Donna M. Bankoske, 3310 Hermar Court: Ms. Bankoske wanted to comment on the amphitheater. She has been a resident for at least 50 years and all of her children were raised here. She has several concerns about the amphitheater. 1) Traffic. We don’t need more traffic in that area. 2) What kind of entertainment will there be and who selects that? Children are very vulnerable. If you bring in a lot of hot shot rock bands, there will be a lot of kids drinking, doing drugs, it comes with the territory. That is her concern, to keep the community as clean and safe as possible. 3) Expense of the amphitheater. Do we need that expense right now in our community? We could take that money and put it into the parks that we already have. We are blessed with how many parks that we have here. Why don’t we improve those?

Judi Petrush, 29 Buena Vista Drive: Ms. Petrush stated that she wanted to introduce herself because she is running for Magisterial District Judge. Charles Conway decided to not seek re-election so there is going to be an open seat and she is seeking to cross-file. Ms. Petrush stated that her family is parishioners at Mothers of Sorrows Church. She is a graduate of the University of Pittsburgh and also the University of Pittsburgh School of Law. She is currently the past president for the Westmoreland Bar Association and was elected to the Board of Directors into the Presidency of the Westmoreland Bar Association. She has been an assistant district attorney since 1995 and handles a lot of child abuse cases and sexual assault cases. Ms. Petrush added that it is her privilege and honor to work with the Murrysville Police Department. Thank you, Council, for this opportunity and for everything you do to make Murrysville such a wonderful community to live in.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. McKenna: The Parks and Recreation Committee meets the second Tuesday. The Egg My Yard is coming up. Make sure you register before the 24th of March. The Easter Drive-Thru will be Wednesday, April 5th.

The Foundation has been meeting with the Hill Group. They look at the long-term view for the parks in Murrysville and how the Foundation uses money to do things.

Mrs. Lingg: The School Board meets March 20th.

Dr. Lee Korn: Mr. Burnett did the update for the pension.

Mr. Spadaro: He was out of town and missed the last meeting of Medic One. They will meet again in two weeks.

Mr. Stepanovich: The Parks and Recreation Foundation met on Monday February 20th. They have been using the services of the Hill Group, who has had a lot of experience in organizing Foundations as such. Anyone who would like to participate in the Foundation, they could use people to get ideas. The next meeting will be March 27th. Discussions included interconnection of the parks and the ease of navigation between the parks, both physically and digitally. Technology is needed to improve the parks. The focus will be multi-generational which means the young, middle aged and seniors as well. Programs to be coordinated will be camps, classes and leagues. They are also going to try to take advantage of the unique heritage of the area. In particular, we are the first community that provided a gas well and in Export will be a functioning coal mine visitation at some point. Infrastructure amenities will be necessary at the Community Park, mainly restrooms and cell service. They are working on the gifting policy and fine tune that. There was also a discussion that there may be a donation to the Community of Toll House and the School House which is currently owned by the Sampson Group. Mr. Stepanovich noted that all of the things the Foundation is thinking about are being paid by donations and not by tax-payer funding.

Mr. Lemak: The Library met last Thursday. In general, the programming is all doing well as far as attendance goes. They will be having their strategy meeting sometime in March where they plot out their programming for the following year and what they want to achieve. Read Across America Day is March 3rd between 10:00 am – 4:00 p.m. Make a craft, enjoy fun activities and celebrate your love of reading. March 6th will begin a documentary film series.

Mr. Dice: FTMSA is sending out letters to local businesses that don't have proper functioning grease traps.

WORKSHOP ITEMS

ADMINISTRATION: None

ENGINEERING: None

COMMUNITY DEVELOPMENT:

11.A. A discussion of Z-2-22 Redstone Presbyterian Senior Care to rezone approximately 36.3 acres located at Cline Hollow Road, tax parcel 49-15-05-0-013, from R-2 Residential zoning to R-3 Residential zoning.

Mr. Lemak stated that he took some time to look at this after the presentation. This is asking for a rezoning request, not an actual development at this point. Where are the R-3s compared to the R-2s? Redstone is one, Marquis Place across the Highway, Georgetown Commons, and in the east past Export and also towards Logan Ferry. Most of these are within a quarter mile from Route 22. Redstone is within the
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preserved business district. If you look in the Comprehensive Plan, some of pros are 16% of the population is projected to retire. That would be a loss of tax revenue to us through EIT. Where do these folks retire to? This development could provide them a place to potentially go. There is also a demand in the Comprehensive Plan for higher density properties which R-3 would meet that requirement as well. Some of the cons would be traffic which would come at a later time during development. The risks would be that Redstone stated that they would not seek a tax exemption, but that is not a guarantee. Could they sell the property after we rezone it? If we don't grant R-3 and they proceed with an R-2 proposal, that would impact more of the land and the hillside and would disturb more of the soil and wooded land.

Mr. Stepanovich stated that there is no guarantee. We were told by Mr. Dixon and trusts what he had said about not in any way thinking of selling this land, but there is no guarantee of that. Some of the community concerns with respect to the traffic and bend, that will have to be addressed separately. Basically R-3 has certain characteristics, and R-2 has different characteristics. Even though you can't build the higher density with R-2, perhaps the idea was to let the development be as it is with the current zoning which would allow construction of facilities, but just not the denser facilities.

Mr. McKenna stated that at first he was not in favor of rezoning this to leaning more towards the other way now. Redstone's plan was very good, their ability to adapt to what the community had said by revamping the entrance to Cline Hollow and not Arrowhead was much appreciated. The biggest positive is that Murrysville has a huge need for the retirement age bracket of people. Folks are going to retire and downgrade their home. It's just a matter of are they still going to live here in Murrysville? This kind of options for people keeps them in the community. Also, if you take a home that is worth \$350,000 - \$400,000 in Murrysville that needs updated, young families are going to move in there and we will bring in a whole new tax base to the community. That is a big positive. Negatives would be the wooded area there, we would just have to trust the fact that Redstone is not planning on selling that property. The tax-exemption concerns him. They said that they won't do that, but you just never know.

Dr. Lee Kornis stated that she has also gone back and forth a couple of times. Driving her concern is the reputation of Council with regards to development. There is absolutely a need for housing at a variety of price points in our community. We do need to attract the right residents, but we also need to retain our residents. We have invested so much into Murrysville to make it a great community with great amenities, but we are losing our seniors. We attract young families and young people but only to the degree that they can afford. Young families that might want an excellent school district and can afford the tax rate here might want to move here. Westmoreland County is not growing and has worried for years about a loss of residents. We have made such an effort to make Murrysville a community people want to live in but are we providing options and opportunities for that? We were all part of the Comprehensive Plan and talked about the need then to look at our zoning and revisit our zoning, because we knew that our zoning map may not be exactly how we wanted it. We haven't really done that. Because we didn't do that, we are suddenly seeing requests for spot zoning maybe because we are behind the times. We know we want R-3 and we know we need it, that has been identified. We can look at our zoning before individual requests are coming to us. Try to ensure that's where we want it to be. Try to ensure that we have the commercial

corridor and that it doesn't bleed out with some of the rezoning request that we've talked about. Dr. Lee Korn's stated that she doesn't want to be seen as anti-development. There is always a risk with any development.

Dr. Lee Korn's asked the Solicitor that with the tax-exemption, Redstone gave their word that they would not file for that. Is there a legal way to lock them into that for a certain amount of time or make it a part of a contract in the rezoning request? Mr. Long stated that the rezoning request is not attached to any proposed development. At this point there is no way to assure Council that this will become a tax payable development. You are trusting the word of the developer that they are going to use it for what they intended, not sell it, and to continue to pay the taxes. Once you have a more confirmed development, that is something that could be explored.

Dr. Lee Korn's feels there is a critical need for this. It is important that we do have investors willing to invest in our community, particularly when the investors want to provide something that we've said we needed and was a priority for us. Council does need to look at our zoning as a whole and see if some adjustments do need made. She proposed that Council have some kind of sub-committee to change some zoning in the community to keep up with the times. Mr. McKenna agrees with that. We want Murrysville to grow but grow in the right direction. Mr. Dice stated that we can certainly look into that at a future meeting.

Mrs. Lingg stated that she feels there are too many unknowns and uncertainties involved in the whole thing. If we want to look into developing Murrysville, it would be nice to make sure that we had a return on whatever that was if we are going to rezone. Even through there is that promise to pay taxes, she just doesn't have the confidence that will last. They do have the right to file for tax exemptions. In regard to the retirees leaving their homes, they are going to leave anyways, and new people are going to come in. She hates to rezone when we don't know what is necessarily going to be there.

Mr. Spadaro stated that he agrees with a lot that was said and there are a lot of negatives. The main issue is do we want to rezone something again? It seems that every time a project comes into Murrysville, they come with the idea that they are going to change the zoning. Do we want to keep rezoning these properties that come in or keep the zoning we already have in place? He doesn't feel a lot of our senior citizens are going to sell their homes for \$300,000 and move into these \$700,000 homes. They can say they aren't going to sell the property, but they could get the approval and then go into bankruptcy. A lot of big companies do. There are a lot of concerns.

Mr. Dice stated that there have been a lot of rezoning requests. This property was zoned as R-2 whenever it was purchased. You buy it as one thing and then say it is more economically feasible to rezone it. It is concerning because of the number of residents who came out and were not in favor of this. Points are well taken that this might be something that Murrysville needs. This item will be put on the agenda for vote at the next Council meeting.

Mr. Stepanovich noted that the Planning Commission did not approve this. In regard to the cost, there are some families that can afford these homes, but for some, it is out of their range. You are looking at least \$50,000 a year or for their premiere apartment for \$5,500/month.

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Authorize approval of Ordinance #1070-23, an ordinance accepting a lease for oil and gas rights for approximately 30.50 acres of municipally owned property, Kovalcik Park, at tax map number 49-21-03-0-101.

Dr. Lee Kornis made a motion to approve Ordinance #1070-23, an ordinance accepting a lease for oil and gas rights for approximately 30.50 acres of municipally owned property, Kovalcik Park, at tax map number 49-21-03-0-101. Mrs. Lingg seconded.

Mr. Nestico stated that this is for an oil and gas lease of the rights under Kovalczik Park. This item was put out to bid and the only bidder was APEX Energy offering \$2,500 per acre for 30.50 acres for a sum of \$76,250. The municipality shall receive royalties in the amount of 18% of the gross proceeds over the course of the five-year lease agreement.

All those present voted aye. Motion approved.

13.B. Authorize approval of the 2022 Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company.

Mr. Stepanovich made a motion to approve the 2022 Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company. Mr. Spadaro seconded.

Mr. Nestico stated that there are several volunteer firefighters from White Valley Fire Department and Murrysville Fire Company who qualify for this tax credit. Those individuals would receive tax credit based upon their eligibility as provided by a prior ordinance.

All those present voted aye. Motion approved.

13.C. Authorize advertisement of Ordinance #1072-23, an ordinance amending ordinance #1009-19, an ordinance authorizing participation in an intergovernmental police mutual aid agreement for the purpose of responding to police emergencies in authorized jurisdictions. The proposed ordinance would add the Township of North Huntingdon to list of participating jurisdictions.

Mr. Spadaro made a motion to authorize advertisement of Ordinance #1072-23, an ordinance amending ordinance #1009-19, an ordinance authorizing participation in an intergovernmental police mutual aid agreement for the purpose of responding to police emergencies in authorized jurisdictions. The proposed ordinance would add the Township of North Huntingdon to list of participating jurisdictions. Mr. Stepanovich seconded.

Mr. Dice abstained because his firm is the solicitor for North Huntingdon Township. All others present voted aye. Motion approved.

13.D. Appoint Theresa Wubben to the Library Board to fill the unexpired portion of a 3-year term, ending December 31, 2023.

Mr. Lemak made a motion to appoint Theresa Wubben to the Library Board to fill the unexpired portion of a 3-year term, ending December 31, 2023. Dr. Lee Kornis seconded. All those present voted aye. Motion approved.

13.E. Approval of the quote for services to complete a repair project for the emergency preemption system situated on Route 22 and Old William Penn Highway in the amount of \$16,660 with funding to be allocated from the Capital Reserve fund.

Mr. McKenna made a motion to approve the quote for services to complete a repair project for the emergency preemption system situated on Route 22 and Old William Penn Highway in the amount of \$16,660 with funding to be allocated from the Capital Reserve fund. Mrs. Lingg seconded.

Mr. Nestico stated that the emergency preemption system is located on various traffic signals down the Route 22 corridor and one on Old William Penn Highway. The system was installed roughly 10 years ago and is having some issues with its hardware. It is not activating when emergency responders are traveling through those intersections. The company came out and gave us a quote for services and had the Police Department review that quote. We would like to get the system back up and running properly.

All those present voted aye. Motion approved.

COMMUNITY DEVELOPMENT:

14.A. Authorize the denial of a request by Fischione Enterprises, Inc. to rezone approximately 54.6 acres located at Wiestertown Road and Hilty Road, tax parcels 49-12-00-0-051 and 49-08-00-0-012, from R-R Rural Residential zoning to R-1 residential zoning.

Mr. Spadaro made a motion to deny a request by Fischione Enterprises, Inc. to rezone approximately 54.6 acres located at Wiestertown Road and Hilty Road, tax parcels 49-12-00-0-051 and 49-08-00-0-012, from R-R Rural Residential zoning to R-1 residential zoning. Mrs. Lingg seconded.

Mr. Dice noted that at the advice of our solicitor, even though during discussions last meeting Council didn't believe it should be an action item because Council was not in favor of it, Mr. Long thinks that Council should at least vote it down officially. That is why the denial is on the agenda this evening. The vote will be in favor of denying the re-zoning.

All those present voted aye. Motion approved. Rezoning denied.

ENGINEERING: None

PUBLIC WORKS AND PARKS: None

OLD BUSINESS: None

NEW BUSINESS: Mr. Dice stated that it has been a while since Council had a new photo and asked that everyone at the next meeting dress appropriately for a new photo for our website.

Mr. Nestico asked Council for a brief Executive Session relating to contract and property related matters. No action will be taken from the Executive Session.

EXECUTIVE SESSION: Mr. Stepanovich made a motion to adjourn to an executive session at 8:00 p.m. Mrs. Lingg seconded. All those present voted aye. Motion approved.

ACTION ITEMS: None

ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

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.