

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, March 6, 2019

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Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, March 6, 2019, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Dayne Dice, Loren Kase, Jamie Lee Korn, Josh Lorenz, Tony Spadaro, and Carl Stepanovich. Also present were, Chief Administrator, James Morrison, Solicitor, George Kotjarapoglus, Director of Finance, Diane Heming, Director of Engineering, Scott Hilty, Director of Recreation, Carly Greene, Community Development Planner, Hayley Welsh, and Director of Public Works, Bill Paiano. Mayor Synan was absent.

**REGULAR VOTING MEETING  
AGENDA**

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

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

**UNLISTED AMENDMENTS:** Mr. Lorenz noted that there were some unlisted amendments this evening. Add 13.B. Consider appointment to the Personnel Board. 13.C. Consider a motion to authorize the Municipality to enter into a contract for the sale and marketing of a fire truck. Mr. Morrison stated that there are no Consent Calendar Items this evening.

Mr. Stepanovich moved to approve the amended agenda items by adding 13.B Personnel Board appointment, 13.C The sale and marketing of a fire truck, and removing Item 4 Consent Calendar Items. Mr. Spadaro seconded. All present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mr. Morrison read a note from the Mayor with his comments. "As you are aware, we had an epic windstorm sweep through Murrysville on February 24 and 25 which resulted in the most widespread power outage and tree loss that we have ever experienced. At one point, we had over 3,000 homes and businesses without power. I want to thank all the following who worked tirelessly trying to help our residents as much as possible. Keep in mind that none of our personnel are ever allowed to touch powerlines or any tree in contact with the lines. The teams consisting of the following groups worked in concert as I would have expected: Murrysville Police, Murrysville Volunteer Fire Department, Sardis Volunteer Fire Department, White Valley Volunteer Fire Department, Murrysville Medic One, Murrysville Public Works, Export Volunteer Fire Department, the entire Emergency Management Team, especially the Shelter Team, and Murrysville Municipal staff. Thank you for a job well done." Mayor Synan

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Morrison stated that Sardis Volunteer Fire Department took delivery of their new pumper this week. If you get the opportunity, stop by. I'm sure they will be happy to give you a tour of the new truck.

If you get the opportunity, go to the Pennsylvania State Association of Boroughs News site and read the article about Chief Seefeld and the school event. The event was such a traumatic experience for the Chief, as an individual. The Chief has had a number of speaking engagements around the country and throughout the state. The article is written very well and shines a light on our community and our Police Department.

An updated Consent Order Agreement was received. About 20 people met last week representing all the communities that are involved in the Consent Order Agreement. Recommendations were made as to our position. The recommendations have been updated in the agreement that came from DEP and will be forwarded to them with hopes to meet with them in the next couple of weeks.

The March 20<sup>th</sup> agenda will include the Pucketa Creek Agreement. Washington Township has consented and so has Kiski.

The staff met with LRC, which is a development company out of Akron, to review the preliminary plan for the Weyerhaeuser property. Some concept plans should be received from them within the next couple of weeks.

This morning, staff met with representatives of the Cassol property. They will be submitting preliminary plans at the April 16<sup>th</sup> Planning Commission meeting.

**COMMUNITY INPUT:** None

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Ms. Brockway: The Library Board met on February 21<sup>st</sup>. Saturday was the 2019 Chess Tournament which had 34 participants. Sing, Wiggle, Play, Learn will be Thursday, March 21 at 1:00 p.m. Children from infants through age 5, along with a parent, are invited to 45 minutes of singing, movement, instrument play, and laughing. Pushing the Limits – an adult, science-based reading and discussion group will be held Tuesday, March 12, at 6:30 p.m. Library Knitters will be every other Monday starting March 18, from 10:00 a.m. till noon. Knit-Cro Maniacs welcomes a new group of crafters meeting twice a month on Mondays from 6:00 p.m. – 8:00 p.m. Toddler Time – Spring Sessions will be held Tuesdays at 10:40 a.m. or 12:40 p.m. Plant-Based Eating – a cooking themed meeting will be held Saturday, March 9 from 1:00 p.m. to 3:00 p.m. for those new to plant-based eating who are seeking practical, convenient guidelines. For a full listing of the Murrysville Library events and schedules, please visit their website at [www.murrysvillelibrary.org](http://www.murrysvillelibrary.org). The next Library Board meeting will be Thursday, March 21, at 7:00 p.m.

Mr. Dice: FTMSA had a meeting with a lot of public comment dealing with DEP and Heather Highlands issues. Some residents from Pucketa Creek were there. Bond counsel was there talking about the on-going bond work being done. There was a resolution passed to approve the bond. Mott MacDonald, a prior engineer, is currently working on squeeze issues at the plant. Gibson Thomas, the current engineer, had FTMSA sign a \$1.1 million contract for the GIS survey inspection work that needs to be done before the flowmeters are installed. To get the flowmeters done, the cost will be \$2.1 million. The flowmeters will let FTMSA know what work they really need to do to fix all the problems. There was some discussion about eliminating the Bellaire Pump Station up near Tractor Supply. The Heather Highlands issues are still being discussed. There was also discussion on the Chapter 94 report that FTMSA has to submit to the DEP annually. Mr. Dice noted that the new board is working out great. They have special meetings when they need to and they have Gibson Thomas working around the clock to get things done as soon as possible.

Mrs. Lee Korn: After a disappointing close last quarter, 2018, the Pension Board reports they are on a small recovery upswing. Mr. Burnette, with Morrison Fiduciary Advisory Group, seems very optimistic that

things will improve slowly but steadily for our funds. The move towards different real estate investments, that Council previously approved, is in progress.

Mr. Kase: Medic One has been very active in the community with 1,500 ambulance details for the last recorded month. Fewer than 200 of those calls were handled out of the Washington station. Their main focus still is getting the new building underway. Most of the walls are up and under roof along with water and electricity. This will be a benefit to the community.

Mr. Stepanovich: The Environmental Advisory Committee met last Tuesday. There was no public comment. In old business, the Titan Well Pad was discussed. The recommendation forthcoming from the committee will be to perform another noise study in the winter to have a baseline for the ambient noise. Another recommendation was to provide an analysis of the benefits and disadvantages of using electric versus diesel motors at the well site. There will potentially be six wells drilled at that location. There was a question to Huntley & Huntley as to whether they will use a local power source – West Penn Power, which has not been answered yet. As far as the Sardis Road site and Zips Car Wash, there were no particular comments. The Committee is, however, going to be looking to Council for recommendations for staffing of the committees. A number of the volunteer committees have members that just don't participate and what can be done about that? Is there going to be a cutoff or how best to handle that? Does the EAC have to fill out a Financial Interest Form required by the State for ethics? The inclination is that they don't have to fill out that form.

Mr. Spadaro: The Planning Commission had a marathon meeting last night which started at 7:00 p.m. and was over at 7:15 p.m. Issues discussed were a new minor 2-lot subdivision, Sturm Subdivision Plan 2, 3390 Meadowbrook Road and a minor site plan at Blue Spruce Shoppes Retail Infill. This involved the removal of existing drive-through lanes that were for the previous bank use in Retail East. The removal of the drive-through coincides with the infill of additional building space. Both will be discussed at the next Planning meeting. Titan Well Pad will be discussed with the final approval at the next meeting also.

## **WORKSHOP ITEMS**

### **ADMINISTRATION:**

#### **9.A. A discussion concerning the current status of recycling in the Municipality of Murrysville**

Mr. Morrison stated that last week he met with representatives from Republic Services who wanted to propose a rate increase on garbage and recycling collection of \$1.28. The basis of that request was that the recycling market has gone through the floor since China is no longer importing recyclable materials due to high levels of contamination. The biggest culprits of the contamination are glass and plastics like plastic wrap and grocery store plastic bags which jam up the machines; not milk jugs or water bottles. Mr. Morrison stated that after a lengthy discussion, which included a PowerPoint by Republic Services for their justification for an increase, it was agreed that since Republic was in the third year of a five-year agreement this was not the best time to approach a rate increase. The Municipality agreed to commit to doing an education program throughout the community to make residents aware that glass will probably not be recycled any longer because of the contamination and there is no market for it. Staff has not found a place

in the general area that will accept glass. Thin plastics will also be taken out. Republic agreed to forego the increase. Staff will work with Republic Service to develop a public awareness strategy through social media, Channel 19, and through the print media. A page will be added to the Park Program Guide which goes out to residents in April.

Mr. Lorenz asked what should be going into the recycle bin and what should not? Mr. Morrison answered that by State law, we have to recycle at least three items. The items that can and cannot be recycled will be identified as part of the education program.

Mr. Kase asked if this will affect cardboard recycling. Mr. Morrison answered no, that the cardboard recycling has been very successful. Residents can still put cardboard in their recycling bin. The Municipal cardboard compactor has been used by a number of residents.

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:** None

**PUBLIC WORKS AND PARKS:**

**12.A. A discussion concerning establishing a not-for-profit 501c3 to accept donations for recreation programs**

Mr. Morrison explained that when the Municipality switched from Community Days to Concert in the Park, the number of people that have participated has increased significantly. In part, this could be that the Municipality has offered better bands. Better bands cost more money. The burden has shifted to the General Fund to support Concert in the Park and activities such as the Easter Egg Hunt or the Night of Lights, which are community-wide events. The Recreation Department has been running around trying to solicit local businesses and usually donations received are low dollar amounts, which isn't very productive. Because of the changes in the tax laws, most businesses that are larger donors are now requiring that the grant recipients be 501c3 organizations. Looking forward to the construction of the amphitheater, the desire to sponsor a summer concert program and to continue improvements at MCP and other parks, staff believes it's a good idea to explore establishing a 501c3 under the umbrella of the Municipality. Thoughts would be that board members may be a representative from Council, a representative from Parks Commission, a representative from staff, and maybe some community representatives to set up the 501c3 and establish the by-laws as to the uses of the funds and proceed from there. The process would be to file with the State, then get an IRS certification. If Council believes this is the way to go, then staff will begin the process.

Mr. Stepanovich stated that he thought it was a good idea and feels that \$1,000 could be recouped very quickly. Mr. Kase asked if, in creating the board and the by-laws on which to operate, Council could be a part of that. Mr. Morrison answered yes, that staff would welcome Council to help in establishing the by-laws upfront. Mr. Dice stated that he thinks it's a great idea. If it would help to get more donations and do more things in the community, let's go with it. Mr. Lorenz stated that from a business standpoint, if businesses can get a tax deduction for the donation, it is incumbent upon us to meet them half-way. Mr. Lorenz noted that Council was in agreement to have staff proceed. Mr. Kase volunteered to be a part of

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the Board. Mr. Morrison noted that staff will proceed.

**12.B. A presentation of the final design plans for the Murrysville Community Park Destination Playground and Splash Pad**

Mr. Hilty showed a PowerPoint presentation of the final design of the Murrysville Community Park Playground and Splash Pad which will be debuting this summer. Mr. Morrison noted that all of the staff members involved in this project are here this evening: Mr. Hilty to talk about the engineering, Ms. Greene the equipment, Ms. Heming to assure the money is there to proceed, and Mr. Paiano to start working on the project once the ground dries out. Most of the earth work was planned to be done by now, but the property is too wet to bring in equipment. Work should begin next week. Mr. Morrison stated that when this project was presented to Council, the cost was estimated at \$600,000. That number has increased for two reasons; 1) an entry way was added, which can or cannot be included, and 2) the original estimate of installation cost of the splash pad was to be around \$48,000 to \$50,000 price range. The price turned out to be significantly higher. There are only a handful of people in the Pittsburgh area that do that kind of work because of the specialty involved.

Mr. Hilty noted that the overall pad for the playground area was increased from around 10,000 square feet to 13,000. The playground equipment is still all the same. The entrance was changed from the side to an area off of the parking lot where the arch is going to be placed and the configuration of some of the walking paths has changed. Landscaping is included in the design. The park area itself is all sloped and will be designed in different elevations, which will give it some character. Split rail fencing may be used in one area that has a 3-1 slope. The fence won't be installed until last and then decided at that time if it is needed or not. The restrooms will have two unisex bathrooms, a changing room, and a utility room which will house the control room for the splash pad.

Mr. Stepanovich asked about the elevation of the zip-line. Ms. Greene stated that the zip-line is regulated at a certain angle, which is almost level so that it can withstand a lot of use. Mr. Hilty noted that the drop is less than 5 feet from one end to the other.

Mr. Morrison stated that the restroom has been ordered, the playground equipment has been ordered, the purchase order for the install of the playground equipment and the splash pad has been issued. The only thing left is the labor. There will be two areas in the playground: one for ages 2 to 5 and the other for ages 5 to 12 years old. Mrs. Lee Korn asked if that will be designated in any way. Ms. Greene answered yes, that there will be signs and each structure will have a sticker label noting the age requirement.

There will be a covered picnic table area available for rent. Ms. Brockway suggested that maybe a reserved sign be put on the covered picnic table area noting if it is reserved. Mr. Morrison stated that is a possibility and is open for suggestions. Right now there is a plan for ten benches, but there is room for more. Mr. Morrison stated that the Municipality may put a page in the Penn-Franklin News listing all the site amenities that will be available for a donation, including benches, tables, and possibly the metal arch for the entrance way. Mr. Morrison suggested that there be a contest with the school, community members or have a donor name the park – but not with a proper surname.

Mr. Morrison stated that funding for the project was part of a bond issued for \$1.2 in addition to the grant received for the right-of-way issued by Dominion. There will still be roughly \$600,000 available for the amphitheater, which was estimated to cost around \$500,000 including the restrooms. This would exclude any monies raised by donations. If Council is satisfied with the plans, a purchase order can be issued for the labor for the spray park and all we need now is some sunshine.

Mr. Lorenz asked for Council's opinion on the project. Ms. Brockway said she loves it. It's awesome. Staff did a lot of work on this. Mrs. Lee Korn's agreed. Mr. Kase stated that as the project gets closer, he has gotten a lot of community feedback that people are very, very excited to see something like this being added to MCP. If the project goes over cost and is desired by the community, it is well worth it. Mr. Lorenz noted that the project is over what was originally budgeted internally, but in no way exceeds the amount of funding available for improvements at the park. No one's taxes are going to go up and Council is not looking for more money to borrow for this. The bond has already been floated years ago and there is some donation money already in. Mr. Lorenz likes the idea of putting an ad in the Penn-Franklin. Some of the best ideas come from the community itself. The plans look really good and will be an asset to the community.

In regards to the arch, Mr. Spadaro asked if there was any comparison with not using a steel arch, but a wood arch. Mr. Morrison stated that companies that construct these arches for parks around the country are mostly steel, mainly for longevity. Mr. Lorenz likes the idea of trying to see if someone will donate or have sponsor names put on a plaque on the arch. Mr. Spadaro said that he likes the idea of the arch, but it should be big enough and not skimp on it so people will use the entrance way to get into the park. Ms. Brockway agreed that the interest of the arch will draw people to use the entrance.

Mr. Kase stated that he anticipates that there is going to be a lot of activity between baseball fields and the playground, including a lot of foot traffic. He suggests that there be a speed limit posted or speed bumps or cross-walks; whatever would be most effective in that area. Mr. Hilty said that could be looked at and monitored to see what is best.

## **COUNCIL ACTION ITEMS**

### **ADMINISTRATION:**

#### **13.A. Consider Authorization to Advertise Ordinance 1007-19, an Ordinance Amending the Non-Union Employee's Pension Plan**

Mrs. Lee Korn's made a motion to authorize advertising Ordinance No. 1007-19, an Ordinance amending the Non-Union Employee's Pension Plan. Ms. Brockway seconded.

Ms. Heming stated that this is long overdue. This is a resolution and policy that was made in 2017 that needed to be put into the Non-Uniform Pension Plan. It addresses individuals that have non-continuous service. For example, they worked for a time, didn't have enough service time to vest, left and came back. The current plan does not allow for those years to be combined together and included in their pension service years. The resolution that was passed in 2017 established specific guidelines that permit these non-continuous services to be combined together and added for total service for their pension calculation. This

Ordinance No. 1007-19 solidifies that and puts it into the actual plan document.

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

**13.B. Consider an Appointment of Michael Kornis to the Personnel Board**

Mr. Kase made a motion to appoint Michael Kornis to the Personnel Board. Mr. Dice seconded.

Mr. Lorenz stated that the Personnel Board is a three-person board. The Personnel Board was originally a five-person board until a few years ago when they had difficulty finding residents to serve on that board. Council voted to reduce the members from five to three. There has been an outstanding vacancy on that board for over a year now. The vacancy has been advertised on multiple occasions with no takers. Mr. Kornis has graciously agreed to step up and serve in that capacity. Mr. Stepanovich noted that from his application, Mr. Kornis certainly fits the qualifications.

Upon a roll call vote: Mr. Lorenz – yes, Mr. Spadaro – yes, Ms. Brockway – yes, Mr. Dice - yes, Mr. Kase – yes, Mrs. Lee Kornis – abstained, because Mr. Kornis is her husband, and Mr. Stepanovich – yes. Motion approved.

**13.C. Authorize the Municipality of Murrysville to enter into a contract with Adirondack Fire Equipment of Schenectady, NY for the sale of the 1997 Spartan Gladiator Pumper/Rescue Truck for a marketing fee of 10% of the sale price**

Mr. Kase made a motion to authorize the Municipality of Murrysville to enter into a contract with Adirondack Fire Equipment of Schenectady, NY for the sale of the 1997 Spartan Gladiator Pumper/Rescue Truck for a marketing fee of 10% of the sale price. Mrs. Lee Kornis seconded.

Mr. Morrison stated that since Sardis Volunteer Fire Department has taken delivery of their new truck. The old truck needs to be sold. The value of the truck is estimated to be between \$30,000 - \$37,000. Typically when advertised in local newspapers, there is no response. The Municipality has worked with marketers in the past for Municipal vehicles. They do the legwork for us. Mr. Kase asked if it would be more valuable to keep the truck at one of the other stations. Mr. Morrison noted that the truck is 20 years old and would be more difficult to certify.

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

**COMMUNITY DEVELOPMENT:**

**14.A. Consider Approval of CU-3-18, Sardis Road Site Conditional Use Driveway Plan, 3896 Sardis Road, 40.1 Acres, R-1 Zoning**

Mr. Spadaro made a motion to approve CU-3-18, Sardis Road site conditional use driveway plan, 3869 Sardis Road, 40.1 acres, R-1 Zoning. Mr. Spadaro noted that his motion includes the conditions that are set

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forth in Section 6 of their briefing Mr. Stepanovich seconded.

Mr. Lorenz noted that he represents the contractor involved in this plan and therefore will not take part in any discussion or voting on this matter.

Mrs. Korn's stated that she noticed in the briefing there were concerns about soil conditions, wetland buffers, and a lot of reference to conditions to sedimentation and erosion control and stormwater management. There should be some DEP conditions as well. Can a reference be included that DEP conditions are also satisfied? Ms. Welsh, Community Development Planner, answered yes, that can be added to the conditions.

Mr. Kase made a motion to amend Condition #1 to note that all DEP permitting be approved for the project as a condition. Ms. Brockway seconded.

Upon a roll call vote: Mr. Lorenz – abstained, Mr. Spadaro – yes, Ms. Brockway – yes, Mr. Dice - yes, Mr. Kase – yes, Mrs. Lee Korn's – yes, and Mr. Stepanovich – yes. The amendment to the motion is approved.

On the original motion, as amended, upon a roll call vote: Mr. Lorenz – abstained, Mr. Spadaro – yes, Ms. Brockway – yes, Mr. Dice - yes, Mr. Kase – yes, Mrs. Lee Korn's – yes, and Mr. Stepanovich – yes. Motion approved.

**ENGINEERING:**

**15.A.** Consider approval of Ordinance No. 1005-19, an ordinance accepting the grant of a permanent easement from Pat L. and Adrian L. Palandro to the Municipality of Murrysville for undertaking stormwater improvements along Logan Ferry Road by the Municipality

Mrs. Lee Korn's made a motion to approve Ordinance No. 1005-19, an ordinance accepting the grant of a permanent easement from Pat L. and Adrian L. Palandro to the Municipality of Murrysville for undertaking stormwater improvements along Logan Ferry Road by the Municipality. Mr. Kase seconded.

Mr. Hilty stated that as discussed at the last meeting, this is a project to extend the storm sewer across both these properties that discharge right off of Logan Ferry Road. The POA is in the supporting documents which will be included and recorded with that easement. The proper advertisement was completed and both home owners are willing to work with the Municipality. Once approved, construction can get started sometime this summer.

Upon a roll call vote: Mr. Lorenz – yes, Mr. Spadaro – yes, Ms. Brockway – yes, Mr. Dice - yes, Mr. Kase – yes, Mrs. Lee Korn's – yes, and Mr. Stepanovich – yes. Motion approved.

**15.B** Consider approval of Ordinance No. 1006-19, an Ordinance accepting the grant of a permanent easement from James and Donalyn Plutto to the Municipality of Murrysville for undertaking stormwater improvements along Logan Ferry Road by the Municipality

Ms. Brockway make a motion to approve Ordinance No. 1006-19, an ordinance accepting the grant of a permanent easement from James and Donalyn Plutto to the Municipality of Murrysville for undertaking

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stormwater improvements along Logan Ferry Road by the Municipality. Mr. Dice seconded.

Mr. Hilty noted that this is the other party involved who is the most affected by the drainage from Logan Ferry Road.

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

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** Mr. Morrison will send a letter to Mr. Kornis on his appointment to the Personnel Board.

**ADJOURNMENT:** Mr. Kase moved to adjourn the meeting. Ms. Brockway seconded. All present voted aye. Motion approved. The meeting was adjourned at 8:28 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.*