

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, April 19, 2023, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members 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, Director of Public Works, Bill Paiano, and Solicitor, Wes Long. Council President, Dayne Dice was absent.

NATIONAL LIBRARY WEEK
PROCLAMATION NO. 223-23

Mayor Synan read Proclamation No. 223-23 National Library Week – April 23rd to April 29th, 2023. Whereas today's libraries are more about what they can do with and for their communities and not just about what they have on the shelves. Libraries have long served as trusted institutions, often the heart of their cities, towns, schools, and academic campuses. Libraries serve people of all ages, interests and backgrounds providing the resources and space to engage in life-long learning. We recognize librarians as information professionals who provide expertise, services, and guidance for patrons to access credible sources and material making their own informed decisions about the world today. Librarians hold the professional values of diversity, equity, and inclusion to meet the needs of all users. America is celebrating National Library Week, including April 25th as National Library Worker's Day, and the immeasurable contributions made by library workers; April 26th as National Outreach Day, showing library services are not limited to their physical location; and April 27th as Take Action for Libraries Day, encouraging community support for libraries. Now, therefore, be it resolved that we, the Municipality of Murrysville, proclaim National Library Week, April 23-29, 2023, in Murrysville, PA. During this week we encourage all residents to visit our libraries and explore all that they offer to help move PA Forward.

REGULAR VOTING MEETING
AGENDA

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

PLEDGE OF ALLEGIANCE: Vice President, Tony Spadaro led the audience in the Pledge of Allegiance.

UNISTED AMENDMENTS: None

CONSENT CALENDAR ITEMS:

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. Approval of April 5, 2023 Council Meeting Minutes

Mr. McKenna made a motion to approve the Consent Calendar Items. Mr. Stepanovich seconded. All those present voted aye. Motion approved.

MAYOR'S COMMENTS: Mayor Synan made the following announcements:

Curbside Leaf Collection Program: The last curbside leaf collection will be Saturday, April 29th, you must fill out the Curbside Leaf Collection Program form on the website. There is a 20-bag limit. The deadline to sign up for each date is the Thursday before the pickup date. If you do not register, your bags will not be picked up.

Spring Gardening Series: Straw Bale Gardening will be Tuesday, April 25th at 6:30 p.m. The Inviting, Pollinator-Friendly Gardens of Westmoreland County will be Tuesday, May 23rd at 6:30 p.m. Attracting Butterflies to Your Garden will be Tuesday, May 30th at 6:30 p.m. All events are held at the Murrysville Community Library. Register at murrysvillelibrary.org or call 724-327-1102. Presented by the Murrysville Library, Murrysville Recreation Department, and the Murrysville Garden Club.

Murrysville-Export Rotary Club Night at the Races will be held this Friday, April 21st at the Lamplighter Restaurant, Delmont. Doors open at 5:30. Dinner will be served at 6:15. Betting windows open at 7:00 and the races begin at 7:15. For more information go to rwepfer@outlook.com.

National Prescription Drug Take Back Day will be Saturday, April 20th from 10:00 a.m. – 3:00 p.m. in the Murrysville Police lobby. Needles, aerosols, creams, and liquids will NOT be accepted. On the same day same time, officers will be at the police station to fill out an MV-44 form for you to get a new registration plate if yours is illegible. Once the form is filled out, you will need to send it to the Bureau of Motor Vehicles, and they will send you a standard replacement plate for free.

CHIEF ADMINISTRATOR'S COMMENTS: None

COMMUNITY INPUT:

Paul Metzler, 6962 Berkshire Drive: Mr. Metzler stated that he was there this evening to reference the noise issues along Route 22. He wanted to thank Council and Mayor for their support. PennDOT put up the jake-brake signs on Route 22. His neighbors have commented that the noise level has gone down – it hasn't gone away, but it has improved. The other factor is the road noise from the highway concrete. He had a conversation with Jill Cooper, who has been working very hard for them with PennDOT to use the skid asphalt at the Harrison City intersection and Berkshire Drive area. They don't feel they will be able to do that across the entire .7-mile stretch. That's where they need support and asked Ms. Cooper to put together a meeting with the Municipality, herself, Kim Ward and PennDot. Members of the community would be invited so PennDOT understands the effect of the noise. They also need to come up with an idea of how this could be funded. Another factor is the speed on Route 22 which is posted at 45 mph, but the average speed is about 55-65 mph. Would it be possible to put a portable speed indicator sign there to get people to slow down, which would greatly reduce the noise level from the road. He noticed that the Murrysville Police have been patrolling speeding in that area, which is very much appreciated. Mr. Metzler asked who the contact person at the Municipality would be to help get a meeting set up. Mayor Synan stated that Mr. Nestico would be the contact person along with himself and any of the Council members who want to attend.

LIASONS COMMENTS AND COMMITTEE REPORTS:

Mr. Lemak: The Library meets tomorrow. The AAUW Book Sale is Thursday, April 27th – Saturday, April 29th and the Spring Craft Fair Saturday, May 6th from 10 a.m. – 3 p.m. All programs are listed on the library website.

Mr. Stepanovich: The Planning Commission met last Tuesday. The Fischione development on Wiestertown Road had an advisory discussion. Mr. Tometsko had written a letter to Council about his concerns with traffic that would be passing his house which is right across from that development. He is also concerned about electricity, because power outages happen there with high frequency. He also had water-table concerns. He suggested moving the entrance and that a pedestrian or cycle walkway be considered in the future. The applicant indicated that it would be very difficult to move the entrance to the plan because of the streams and EPA regulations. Under Old Business there was a discussion of an injector well ordinance. Murrysville does not have industrial zoning. The thought is to have the injector wells in the business zoning district which would be business Route 22 and along parts of Route 380. The principle here is Olympus Energy. Discussion focused on having 5 or 10 acre parcel size lots along the business district. This was tabled for further discussion. There was also a discussion concerning a short-term rental ordinance which short-term is less than 30 days. Shaler Township has a 9-page ordinance which will be looked at thoroughly.

Parks and Recreation Foundation met on Monday. The Foundation has a balance of \$101,201. There was a survey of future park wants that appeared in the Penn Franklin. This was led by The Hill Group. The stake holders were categorized for fundraising and ways to solicit donations toward the cause of the Foundation. How can the Foundation be organized to meet its objectives?

Dr. Lee Korn: The Pension has seen a lot of ups and downs. Overall, we have seen gains of \$372,000 with a current value of 28.6 million, and a year-to-date gain of 4.6%.

Mrs. Lingg: Franklin Regional School Board meets next month.

Mr. McKenna: Parks and Recreation will meet this Saturday at the Kelman Reserve putting in posts for the signs. They will try to clean the paths up a bit for the walking trails. The Boy Scouts, along with Master Caruso, are going to help with that. Anyone who wants to help out is welcome to come. It was crunch time for opening day of baseball. The Public Works guys have done an unbelievable job considering the weather. They were able to open Kovalczik Park baseball field. A big shout out to Bill Paiano and his team.

Mr. Spadaro: Medic One meets tomorrow night. We would like to thank the fire department for the nice tour they gave Council. It was very helpful and educational. They take a lot of pride in their department and their equipment.

WORKSHOP ITEMS

ADMINISTRATION: None

ENGINEERING: None

COMMUNITY DEVELOPMENT:

11.A. A discussion concerning an application by Shushil Shinde and Ankita Bhargava for rezoning of approximately 19.3 acres, tax parcel 49-10-13-0-014, Logan Ferry Road, from R-1 residential to R-2 residential.

Mr. Morrison stated that the applicant had submitted a prior application to rezone the property from R-1 to R-3, which was not recommended for approval by the Planning Commission. The applicant then resubmitted a new application to rezone the property from R-1 to R-2. There are approximately 9 acres on the south side of the stream and approximately 12 acres on the north side. The applicant has changed the intent of the development from 4 to 5 single family homes on the southern side of the property. The reason the applicant is petitioning for the R-2 zoning is to try to minimize the environmental impact on those 9 acres. He is willing to modify the conservation easement to a “no build” conservation easement on the northern piece of the property. The Planning Commission recommends that Council consider the rezoning.

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Approval of Policy #52-23, a formal policy establishing a permitting process to allow alcohol consumption within the Murrysville Community Center, Townsend Park (Upper and Lower Pavilions), Sardis Park (Pavilion #1 and #2), and the Clubhouse at Murrysville Community Park.

Mr. Lemak made a motion to approve Policy #52-23, a formal policy establishing a permitting process to allow alcohol consumption within the Murrysville Community Center, Townsend Park (Upper and Lower Pavilions), Sardis Park (Pavilion #1 and #2), and the Clubhouse at Murrysville Community Park. Mr. McKenna seconded.

Mr. Nestico stated that this was discussed at a previous Council meeting. Up for consideration is whether to permit alcohol consumption specifically for graduation parties. The existing policy notes that alcohol is not permitted at graduation parties. There are a few other elements to the policy that were brought up including glass bottles as well as liquor opposed to just beer and wine. Mr. Nestico noted that there haven't been any issues related to alcohol consumption.

Mrs. Lingg stated that as far as glass bottles are concerned, if wine is permitted, generally wine is in a glass bottle unless you are buying boxed wine.

Mr. Stepanovich stated that he would like to limit hard spirits and to just have beer and wine. He would allow glass just because it would be very difficult to monitor to police it. If glass is broken, then they would have to forfeit their security deposit. The restriction on graduation parties should be eliminated.

Mr. McKenna stated that the policy could be cleaned up and allow glass bottles. If you get an alcohol permit, then it shouldn't matter if you are serving beer or mixed drinks. These are usually family events or business meetings. They aren't big frat parties.

Dr. Lee Korn's concurs with Mr. McKenna. If we are trusting adults and paying a security deposit, if there is any trouble then your security deposit is forfeited. Until we have an issue, she would not be in favor of restricting liquor.

Mr. McKenna made a motion to amend the Alcohol Policy within the Murrysville Community Center, Townsend Park (Upper and Lower Pavilions), Sardis Park (Pavilion #1 and #2), and the Clubhouse at Murrysville Community Park to allow an alcohol permit and to strike Items #3, 4, and 5 from the policy. Dr. Lee Korn's seconded. Mr. Stepanovich was opposed. All those present, except for Mr. Stepanovich who opposed, voted aye. Motion approved 5-aye, 1 nay, 1 absent.

13.B. Approval of a lease for oil and gas rights for approximately 40.51 acres of municipally owned property at tax map number(s) 49-19-00-0-044 (1.318306 acres), 49-19-00-0-045 (15.07455 acres), 49-19-00-0-077 (11.90046 acres), 49-19-00-0-078 (11.77828 acres), and 49-19-00-0-079 (0.431132 acres).

Mrs. Ligg made a motion to approve a lease for oil and gas rights for approximately 40.51 acres of municipally owned property at tax map number(s) 49-19-00-0-044 (1.318306 acres), 49-19-00-0-045 (15.07455 acres), 49-19-00-0-077 (11.90046 acres), 49-19-00-0-078 (11.77828 acres), and 49-19-00-0-079 (0.431132 acres). Mr. Stepanovich seconded.

Mr. Long noted that not all of the property set forth is owned by the Municipality. Some of the properties, the Municipality just owns the gas and oil right underneath the surface. There are conditions associated with the oil and gas lease. The current offer is \$2,500 per acre for a five-year lease agreement to renew at the same compensation. The royalty Olympus agreed to is 18% of the gross proceeds with no production or post-production charges. There will be other conditions in the lease that will follow the conditions that Council set forth and established in the APEX lease.

Dr. Lee Korn's abstained because her husband's firm represents Olympus. All others present voted aye. Motion approved.

13.C. Approval of a lease for oil and gas rights for approximately 8.87 acres of municipally owned property at tax map number 49-20-00-0-071.

Mr. Lemak made a motion to approve a lease for oil and gas rights for approximately 8.87 acres of municipally owned property at tax map number 49-20-00-0-071. Mr. McKenna seconded.

Mr. Long stated that there will be the same conditions that were in regard to 13.B.

Dr. Lee Korn's abstained. All others present voted aye. Motion approved.

13.D. Approval of Resolution No. 775-23 designating Jacie Milchak as primary designee and Michael Nestico as alternate point of contact for the MissionSquare 457(b) retirement plan.

Mr. Stepanovich made a motion to approve Resolution No. 775-23 designating Jacie Milchak as primary designee and Michael Nestico as alternate point of contact for the MissionSquare 457(b) retirement plan. Mrs. Lingg seconded.

Mr. Nestico stated that this is just the procedure to update the designates for MissionSquare.

All those present voted aye. Motion approved.

COMMUNITY DEVELOPMENT:

14.A. Approve an application by Shushil Shinde and Ankita Bhargava for rezoning of approximately 19.3 acres, tax parcel 49-10-13-0-014, Logan Ferry Road, from R-1 residential to R-2 residential.

Mrs. Lingg made a motion to approve an application by Shushil Shinde and Ankita Bhargava for rezoning of approximately 19.3 acres, tax parcel 49-10-13-0-014, Logan Ferry Road, from R-1 residential to R-2 residential. Mr. Lemak seconded.

Mr. McKenna asked if this is approval to rezone all of the property in the 19.3 acres. Mr. Morrison answered yes, but with the no build conservation easement on the northern property.

All those present voted aye. Motion approved.

ENGINEERING:

15.A. Award the contract for inspection services for the 2023 Overlay Project.

Dr. Lee Kornis made a motion to award the contract to Gibson-Thomas Engineering for inspection services for the 2023 Overlay Project. Mrs. Lingg seconded. All those present voted aye. Motion approved.

15.B. Award the contract for DPW-1-23, 2023 Overlay Project.

Mrs. Lingg made a motion to award the contract to Tresco Paving Corporation for DPW-1-23, 2023 Overlay Project. Mr. McKenna seconded. All those present voted aye. Motion approved.

PUBLIC WORKS AND PARKS:

16.A. Award contracts for various road materials and line painting for the Department of Public Works for the contract year of June 1, 2023 to May 31, 2024.

Mr. McKenna made a motion to award contracts for various road materials and line painting for the Department of Public Works for the contract year of June 1, 2023 to May 31, 2024. Mrs. Lingg seconded.

Mr. Paiano stated that he would like Council's consideration to award contracts to the lowest responsible bidders for the materials used in Public Works on a daily basis. Mr. Paiano noted that the price of stone

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, April 19, 2023

went up and the price of pipe came down. Mr. Stepanovich asked if salt was a part of the agreement. Mr. Paiano answered no, that road salt is purchased through COSTARS.

All those present voted aye. Motion approved.

OLD BUSINESS: None

NEW BUSINESS: Mrs. Lingg asked Mr. Paiano when the splash pad would be opening. Mr. Paiano answered that it would be opening the first week in June once the kids are out of school.

EXECUTIVE SESSION: None

ACTION ITEMS: None

ADJOURNMENT: Dr. Lee Kornis made a motion to adjourn the meeting. Mr. Lemak seconded. All those present voted aye. The meeting was adjourned at 7:53 p.m.

The Regular Voting Meeting was broadcast on local government Channel 21. 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.