

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, April 21, 2021, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Loren Kase, Jamie Lee Korn, Mac McKenna, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also present were Chief Administrator, James Morrison, Director of Public Works, Bill Paiano, Engineering Technician, Emily Mallisee, and Solicitor, George Kotjarapoglus. Council member Dayne Dice was absent.

**THE MUNICIPALITY OF MURRYSVILLE RECOGNIZES FORMER
FRANKLIN REGIONAL HIGH SCHOOL FOOTBALL COACH GREG BOTTA**

Mayor Synan read Proclamation No. 214-21 proclaiming Wednesday, April 21, 2021 as Coach Botta Day. Coach Botta began his journey with the Franklin Regional Football Team in 1992 as a defensive coordinator and in just two years he started as Head Coach taking on a team with the longest losing streak in the WPIAL. The following year, Coach Botta led the team to the WPIAL title game at Three Rivers Stadium and ten years later WPIAL and PIAA champions. Coach Botta is Westmoreland County's longest-tenured coach with 177 career victories, 7 conference titles, 21 WPIAL playoff appearances with a streak of 16 consecutive appearances, and a WPIAL and PIAA championship. Mayor Synan and the Council of the Municipality of Murrysville call upon all residents to congratulate Coach Greg Botta for his 27 years of commitment to the Franklin Regional Athletic Department and Football Team.

Coach Botta thanked the Mayor and Council for their generosity. Coach Botta stated that it has been an honor and a privilege to work and live in this community. Murrysville is one of top ten places to live in Pennsylvania because of people like you who run this community, our education system, and our athletic system. Thank you for this honor.

REGULAR VOTING MEETING AGENDA

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

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

UNISTED AMENDMENTS: None

CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. April 7, 2021 Council Meeting Minutes

Mr. McKenna made a motion to approve all of the Consent Calendar Items. Mr. Stepanovich seconded. Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Korn – yes. Motion approved.

MAYOR'S COMMENTS: Mayor Synan stated that National Prescription Drug Take Back Day will be Saturday, April 24, 2021 from 10:00 a.m. – 12:00 p.m. at the Murrysville Police lobby. Needles, aerosols, creams, and liquids will NOT be accepted.

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C.R.A.S.E. Civilian Response to Active Shooter Events: Mayor Synan stated that if you have not taken this course, he highly recommends it for your family, your job, or anything else. This 2 hour in-person course is designed to teach you how to respond in an active shooter event. The CRASE instructors have brought this training to over 3,000 people, including the staff of Franklin Regional School District. If your business or organization is interested in hosting this training or if you have questions about the training, please contact Sgt. Coleman at 724-327-2100 ext. 264.

Amelia Earhart: The enduring mystery surrounding Amelia Earhart's disappearance in 1937 will be presented by Mike Silvert on Thursday, April 22, at 7:00 p.m. in the Murrysville Council Chambers. It will also be broadcast live on Channel 19 and web streamed.

Congratulations to Coach Greg Botta who is retiring after 27 years. He was one of the longest-tenured coaches in the WPIAL. He led the Panthers to the WPIAL playoffs 16 consecutive years from 1994-2019. Coach Botta won seven conference titles in his time and WPIAL and PIAA titles in 2005. Coach Botta was the 2005 Post-Gazette Coach of the Year.

This is National Volunteer Week: Mayor Synan stated that volunteers are the glue that holds the community together. Your hard work makes life better for others and I can't tell you how much I appreciate your efforts. A big thank you to all of our volunteers!

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison stated that as a follow up to the letter Council received from Eastern Gas Transmission, they are taking testimony on a project restoration plan. They reopened an application for a compressor project out off Mamont Road and were taking comments from anyone of interest.

Saturday is the last day for the Annual Clean-Up Week at Valley Landfill. Passes are still available here at the Municipal Building.

The last day for Leaf collection is also on Saturday, April 24th. Call Republic Services to schedule a pick-up and put your leaves out the night before.

COMMUNITY INPUT:

Brad Funari: 4804 Greenhead Court: Mr. Funari stated that he was here this evening to thank Council for the action they took at the last Council meeting of April 7th to table the ordinance to amend the Municipal Code to permit the increase in the Earned Income Tax. He and two others made public comment at the March 3rd Murrysville Council meeting in opposition of enabling legislation, questioning not only the need for it but also the timing and the legal soundness of the ordinance under both the Home Rule Charter and Pennsylvania Law. The minutes of that meeting also reflect that there were at least five or six others that had presented comments to Mr. Morrison expressing a strong opposition of the ordinance from the taxpayers of the community. Mr. Funari wanted to acknowledge that Council finally acknowledged that they didn't have all the information needed to pass the ordinance including the availability of COVID Federal, State and County Relief Funds and unanimously voted to table the ordinance citing the lack of a specific percent increase, misinformation, as well as the opportunity to be more transparent with the residents of Murrysville about the ordinance.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Spadaro: Medic One met this week. They had 1,406 trips this month with 151 to Washington Township. Subscriptions so far this year are 31.8%. Last year they hit 38% and hopefully will pass that this year. "610 Day" was discussed, which is recognition of first responders over the past year. Last year was the first year they had this recognition on June 10 with gifts and food to honor them. They got a lot of donations from businesses in the area and would like to know if the Municipality would like to give them some type of donation for that day. Medic One will send some information in writing regarding "610 Day."

Mr. Stepanovich: The Parks and Recreation Foundation met last Tuesday. The ending balance was \$55,404.21. There was discussion of Chalk the Walk, which is to be held on May 15 from 10 a.m. – 1 p.m. There is a \$10 registration required. There was a decision to order 12 aluminum signs to be placed at various locations for supporting the Foundation. There will be an easy way to scan the QR code and make a donation. The Iron Ranger Collection Box has not been ordered yet. The concrete cornhole project was tested at Northmoreland Park by a few members of the Foundation and are now looking for a local supplier. Ms. Heming will be getting information on fiduciary insurance for the members of the Foundation. The next meeting is May 12.

Mr. McKenna: Parks and Recreation met last Tuesday. A scout project was presented and approved. The project is a ball game around wooden structures at Heritage Estates. The Chalk the Walk and concrete cornhole were also discussed. Mr. Caruso was asked to take the lead on residents in the community taking pictures utilizing the bike path, trails, or parks to send them to the Recreation Department for their facebook page.

WORKSHOP ITEMS

ADMINISTRATION: None

ENGINEERING:

10.A. Consider a request from Peoples Gas via Toy Pipeline Contractors to utilize 0.31 miles of Sandune Drive, 0.83 miles of Laurel Oak Circle, 0.95 miles of Logan Ferry Road, 0.53 miles of Remaley Road, 1.82 miles of Bulltown Road, 0.74 miles of Sardis Road, 1.4 miles of Mamont Road, 0.125 miles of Hills Church Road, 0.28 miles of Crowfoot Road, 0.14 miles of Longview Court, and 1.02 miles of Northlawn Circle for a total of 8.145 miles of Murrysville roads to replace a portion of an existing pipeline.

Ms. Mallisee stated that this is regarding an Excess Maintenance Agreement with Toy Pipeline who is a contractor for Peoples Gas. The pipeline is approximately 2 ½ miles and will utilize 8.145 miles of Murrysville roads.

Steve Clark, Peoples Gas Construction Manager, Andy Kline, Peoples Gas Construction Supervisor, and Mike Turzai, General Counsel for Peoples Natural Gas displayed a drawing of the area for the proposed pipeline. Mr. Clark explained that the project will start at the YMCA property off of Route 286. It will be a continuous lay about 1300 feet east of Bulltown Road. From there, they will go to the eastern side of Sardis Road and travel to the western side of Northlawn Circle just past Valley Vista Drive. They will then pick up over by the Westmoreland County Conservancy and replace the pipe the whole way out to Mamont Station off of Hills Church Road. Mr. Turzai stated that this is part of the company's LTRP (Long Term Replacement

of Pipe) Program to replace aging pipeline throughout the Commonwealth of Pennsylvania with the approval of the Pennsylvania Public Utility Commission. By doing this, they are reducing gas emissions and increasing safety for residents and customers. This is a very important program and significant project. Toy Pipeline will be doing the actual work and will enter into an Excess Maintenance Agreement with the Municipality.

Mr. Morrison stated that there is two parts to this. One is Council authorization to enter into an Excess Maintenance Agreement. The other is to bring this to the attention of Council and the public. This is a 10 inch line which will be going through two subdivisions (Laurel Oak Circle and Murry Woods). The pipeline and the easement existed prior to the subdivision. Peoples has received a Land Operations Permit, which permits the earth moving activity, and the ENS plan which was also reviewed and approved by the Conservation District. That is the majority of the Municipality's responsibility with the contractor. This project is impactful and we are confident that the contractor will fulfil their responsibilities.

Mr. Clark stated that the pipe in the ground now is about 50 years old. The new pipe being installed is all fusion bonded epoxy with a lifetime expectancy of 70 years. All restoration on the project will be completed by Toy Pipeline as per agreements with the landowners. The pipe will be put in, some grading will be done at that time, and after it settles they will come back to do the final grading and restoration will be done. Residential areas will be restored as they go.

Mr. McKenna commented that work through his yard on Bryer Ridge was just completed and the contractor put everything back the way it was and the job was very well done.

Dr. Lee Korn's confirmed that Peoples has already spoken to the homeowners. She asked what the timing was for the bulk of this work. Mr. Clark answered that a project this big is all dependent on weather and what they find underground, and it would have to be done before winter. Dr. Lee Korn's asked if there was any plan to expand any phase of this work to fix Ashbaugh Road. Mr. Clark answered that this is a completely different project. All of that pipe was replaced from Route 286 down to north of Mamont last year.

Mr. Turzai stated that Peoples wanted to make sure that they handle and treat, as well as possible, the importance of getting this job done and the right of the citizens to make sure that everything is restored appropriately.

Mr. Stepanovich asked that in regards to epoxy coating, if that precludes using cathodic protective system going forward. Mr. Clark answered yes, that the whole line will be rectified. The cathodic protection will prevent corrosion from happening on the pipe. Mr. Stepanovich stated that there was a local enterprise, Durabond, that does pipe coatings. Is their product involved in this? Mr. Clark answered yes; that they do get their pipe from Durabond and they coat it.

Dr. Lee Korn's asked about the timing of the pipeline delivery to try to minimize disruption of traffic. Mike Shearer, Vice President of Operations, Toy Pipeline, stated that most pickups are first thing in the morning in Pittsburgh at 7 a.m. and would be here in Murrysville anywhere between 9 a.m. – 2 p.m. There would be 2 trucks and pipe will be brought in as needed. Dr. Lee Korn's asked when they typically wrap up work at the end of the day. Mr. Clark answered around 4:00 – 4:30; maybe a little later if the weather is nice.

Mr. Kase asked if there would be any road closures or lane closures during this project. Mr. Clark answered

that the only place they may have to is on Bulltown when they are unloading the pipe, which would be about an hour.

COMMUNITY DEVELOPMENT:

11.A. A Discussion of the Kish Boutique Site Plan, SP-3-21, 4373 Old William Penn Highway. The application is for the addition of parking in the front yard to provide additional spaces for the customers of the businesses in the building, M-U District.

Daniel Irvin, Morris Knowles & Associates, representing the developer stated that basically this project is to install 4 parking spaces in the front yard of the existing property and provide ADA access to the top floor. In order to control stormwater on the property, they are installing pervious pavement and a subsurface infiltration bed and running a pipe down to an existing inlet at the back of the property. They did receive approval through the Conservation District for sedimentation control and stormwater management.

Mr. Morrison stated that the Planning Commission has reviewed and recommended approval of the plan with the conditions listed in the briefing.

12.B. A Discussion of the Kish Windows and Doors Site Plan, SP-1-21, 6337 and 6339 Old William Penn Highway. The application is to convert the existing non-conforming structure into a warehouse, R-3 zoning

Mr. Irvin stated that this is the existing Cappa Beer Distributor property on Old William Penn Highway. Kish Windows and Doors is going to purchase this property and convert it into a warehouse base for their business. Additional parking is going to be added to meet the existing ordinance. Because the majority of the site is in a floodplain, they were able to put an underground detention system on top of the hill in front of the building. In doing that, they need to request waivers for the Stormwater Ordinance and waiver to the Zoning Ordinance as listed in the briefing. One additional waiver was for the landscaping down in the floodplain. The client was going to provide a donation to Parks and Recreation.

Mr. Morrison stated that the structure is a non-conforming structure on a non-conforming lot. There is a non-conforming certificate issued for the property. They do intend to demolish the house next door to accommodate the parking area. The Stormwater Management Ordinance does provide in unique circumstances to grant modifications to the extent that have been requested here. The waiver on the landscaping can be granted by Council given the existing topographical challenges due to the floodplain and the slope of the ground.

Mr. Spadaro asked how many employees would be at the warehouse. Mr. Irvin answered that there would be 2 full time employees.

Mr. Stepanovich stated that it was his understanding that the parking area behind the facility is not going to periodically flood. Mr. Irvin stated that parking behind will occasionally flood. Mr. McKenna asked if the warehouse would have customers to come look at windows or just for storage. Mr. Irvin answered that it would be for storage. Michelle Kish added that this is a warehouse and clients will not be coming to the warehouse.

Mr. McKenna asked how far the tank is from the property line. Mr. Irvin stated that the underground tank is about 15 feet from the property line. Mr. Stepanovich commented that having a new business in the Municipality is a real positive.

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider authorization to advertise ordinance number 1043-21, an ordinance regulating No Parking on Millstream Court from School Road North to Treesdale Court

Dr. Lee Korn made a motion to authorize advertising of Ordinance No. 1043-21, an ordinance regulating No Parking on Millstream Court from School Road North to Treesdale Court. Ms. Brockway seconded.

Mr. Kase stated that this was discussed at the last meeting. Mr. Morrison stated that this is being brought to Council because of the narrowness of the street and the ability of emergency vehicles and school busses to pass while there is parking there and that there is no other access into that plan. Mayor Synan also noted that there are sight distance problems if anyone parks anywhere near the crest of that hill.

Mr. Spadaro asked how this was going to be enforced. Mr. Morrison stated that currently there are no signs posted. Signs will be put on both sides of the street and residents will be notified. The “no parking” will not be ticketed for a short period of time, but after that, they will be ticketed and towed.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Korn – yes. Motion approved.

13.B. Consider approval of Resolution No. 735-21, disposing of certain municipal records in accordance with the State Records Retention Act.

Mr. Spadaro made a motion to approve of Resolution No. 735-21, disposing of certain municipal records in accordance with the State Records Retention Act. Mr. Stepanovich seconded.

Mr. Morrison stated that this was just house cleaning.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Korn – yes. Motion approved.

COMMUNITY DEVELOPMENT:

14.A. Consider approval of the Kish Boutique Site Plan, SP-3-21, 4373 Old William Penn Highway. The application is for the addition of parking in the front yard to provide additional spaces for the customers of the businesses in the building, M-U District

Dr. Lee Kornis made a motion to approve the Kish Boutique Site Plan, SP-3-21, 4373 Old William Penn Highway. The application is for the addition of parking in the front yard to provide additional spaces for the customers of the businesses in the building, M-U District. Mr. Spadaro seconded.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

14.B. Consider approval of the the Kish Windows and Doors Site Plan, SP-1-21, 6337 and 6339 Old William Penn Highway. The application is to convert the existing non-conforming structure into a warehouse, R-3 zoning.

Mr. McKenna made a motion to approve the Kish Windows and Doors Site Plan, SP-1-21, 6337 and 6339 Old William Penn Highway. The application is to convert the existing non-conforming structure into a warehouse, R-3 zoning including the waivers as outline in the briefing. Mr. Spadaro seconded.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

ENGINEERING:

15.A. Consider authorization to enter into an Excess Maintenance Agreement with Peoples Gas via Toy Pipeline Contractors to utilize 0.31 miles of Sandune Drive, 0.83 miles of Laurel Oak Circle, 0.95 miles of Logan Ferry Road, 0.53 miles of Remaley Road, 1.82 miles of Bulltown Road, 0.74 miles of Sardis Road, 1.4 miles of Mamont Road, 0.125 miles of Hills Church Road, 0.28 miles of Crowfoot Road, 0.14 miles of Longview Court, and 1.02 miles of Northlawn Circle for a total of 8.145 miles of Murrysville roads to replace a portion of an existing pipeline.

Dr. Lee Kornis made a motion to enter into an Excess Maintenance Agreement with Peoples Gas via Toy Pipeline Contractors to utilize 0.31 miles of Sandune Drive, 0.83 miles of Laurel Oak Circle, 0.95 miles of Logan Ferry Road, 0.53 miles of Remaley Road, 1.82 miles of Bulltown Road, 0.74 miles of Sardis Road, 1.4 miles of Mamont Road, 0.125 miles of Hills Church Road, 0.28 miles of Crowfoot Road, 0.14 miles of Longview Court, and 1.02 miles of Northlawn Circle for a total of 8.145 miles of Murrysville roads to replace a portion of an existing pipeline. Mr. McKenna seconded.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

15.B. A Discussion of a Conservation Partnership Agreement (CPA) between the Westmoreland Conservation District (WCD) and the Municipality of Murrysville for plan review, inspection services and MS4 support.

Mr. Stepanovich made a motion to consider approval of a Conservation Partnership Agreement (CPA) between the Westmoreland Conservation District (WCD) and the Municipality of Murrysville. Ms. Brockway seconded.

Mr. Morrison stated that this is the renewal of an existing agreement with the Westmoreland Conservation District. They are good partners. We rely on them for support for review and inspection services for construction projects throughout Murrysville.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

PUBLIC WORKS AND PARKS:

16.A. Consider the awarding of contracts for various road materials and line painting for the Department of Public Works for the contract year of June 1, 2021 to May 31, 2022.

Ms. Brockway made a motion to consider the awarding of contracts for various road materials and line painting for the Department of Public Works for the contract year of June 1, 2021 to May 31, 2022 based on staff recommendations for the lowest bid of the contract year as noted in the briefing. Mr. Stepanovich seconded.

Mr. Paiano stated that on April 7th bids were open for various road materials. The stone bid came in less than expected, pipe increased about 20-25%, signs went down a little, and everything else was pretty much the same.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

16.B. Consider award of a three year contract to Wildlife Control for the Deer Carcass Removal Program

Mr. McKenna made a motion to award a three year contract to Wildlife Control for the Deer Carcass Removal Program. Ms. Brockway seconded.

Mr. Paiano stated that this program has been in place for 12 years now and wanted to leave it as a three year contract. In that 12 years, the price has only increased by \$5.00. The contractor selected this year who was the low bidder and only bidder, has done a wonderful job.

Mr. Stepanovich asked what the total expenditure is for a year. Mr. Paiano answered that this year the budgeted amount was raised to \$8,000. Mr. Morrison stated that there are two costs; one to remove the carcass and the fee to take it to the landfill. Mr. McKenna asked how many deer are removed per year. Mr. Paiano answered that it varies. This year is was around 152. Mr. Stepanovich asked if there was any consideration of providing the deer carcass to a food bank. Mr. Paiano answered that since you really can't tell how long the deer has laid there, if the deer doesn't get called into the Police Department, then it may sit there awhile. The ones on Route 22 are actually picked up by a contractor from the State.

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The Mayor noted that there is an actual hunting program called Hunters Sharing the Harvest where people can turn in their freshly killed deer once it has been processed and it will go to a food bank. They do not do any road kill deer.

Upon a roll call vote: Ms. Brockway – yes, Mr. McKenna – yes, Mr. Spadaro – yes, Mr. Stepanovich – yes, Mr. Kase – yes, and Dr. Lee Kornis – yes. Motion approved.

OLD BUSINESS:

Mr. Stepanovich asked about the Magnolia Farms development on Saltsburg and Sardis Road. Mr. Morrison stated that it is done and there have been two housing permits issued already.

Mr. McKenna asked, in regards to the 5G cell towers, if there is anything that can be done at MCP to improve the service there. Mr. Morrison noted that there is Wifi at the wetlands. The antenna goes about 300 feet. Extenders would need to be put around the park. Mr. McKenna stated that reception is also bad at Townsend. Mayor Synan stated that he has asked if there were any plans to install additional 5G equipment anywhere in the Municipality where there are weak spots. He has not received a response back yet, but will circle back with them.

NEW BUSINESS: Mr. Morrison stated that staff is meeting tomorrow with the amphitheater consultants. Something will probably be brought to Council in May.

EXECUTIVE SESSION: None

ACTION ITEMS: Mr. Kase stated that notice to Millstream residents will need to be sent.

ADJOURNMENT: Mr. McKenna made a motion to adjourn the meeting. Mr. Stepanovich seconded. All those present voted aye. The meeting was adjourned at 8:27 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.