

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, May 15, 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 Kornis, Josh Lorenz, and Carl Stepanovich. Also present were Mayor Synan, Chief Administrator, James Morrison, Solicitor, George Kotjarapoglus, Director of Finance, Diane Heming, Director of Parks and Recreation, Carly Greene and Police Chief Seefeld. Council member Tony Spadaro was absent.

NATIONAL POLICE AND EMS WEEK

Mayor Synan read the Municipality of Murrysville, Police Week 2019, Proclamation No. 207-19. The Proclamation states that on October 1, 1962, President John F. Kennedy proclaimed May 15 as National Officers Memorial Day, an annual observance to honor the nation's fallen law enforcement officers as men and women of courage, judgement and dedication. The calendar week in which it falls has been designated National Police Week, a time of reflection and appreciation for the ultimate sacrifices made by the exceptionally dedicated men and women of law enforcement who were killed or disabled in the line of duty. Mayor Synan and the Municipal Council proclaim the week of May 12 through May 18, 2019, as Police Week in Murrysville and urge all residents to honor the heroism of all law enforcement officers, especially those who have given their lives so that others might live. Mayor Synan noted that a group of officers were in attendance this evening and we are honored to have them here.

Mayor Synan stated that next week is EMS week and read Proclamation No. 208-19, which states that emergency medical services is a vital public service. Members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week. The members of Murrysville Medic One, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills. It is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week. Mayor Synan, in recognition of this event, proclaim the week of May 19 through May 25, 2019, as Emergency Medical Services Week with the theme "EMS Strong – Always in Service". The Mayor encourages the community to observe this week with appropriate programs, ceremonies and activities.

RECOGNIZE THE REIREMENT OF CANINE OFFICER ARGOS

Murrysville Police Chief Seefeld thanked Mayor and Council for recognition of Police Week. One hundred sixty-three law enforcement officers died in 2018 and 28 canine officers were killed in the line of duty. In October, 2009, Scott Kettren took on the task, which is a lot of work and dedication, to assume the duties as Murrysville Police Sergeant and Canine Team with Officer Argos. Officer Argos' service over the last 10 years has been from officer safety to tracking and sniffing out drugs and the list goes on of the usefulness of the canine. One of the greatest things the community has experienced over those years with the canine team is the public relations benefit in the schools and the community. On behalf of your brothers in blue and the Murrysville Police Department, Chief Seefeld thanked Sergeant Kettren and Officer Argos for their service and dedication.

Sergeant Kettren thanked the Municipality and fellow officers for all of the support over the years and for giving him this opportunity. Being a dog handler was something he always wanted to do. He said that you

really have no idea how hard the work is until you get into it, but the rewards and benefits you get out of that, you can't measure. The support from his family has been great. It is a comforting feeling when you go into a situation with your dog at your side. Mayor Synan presented Sergeant Kettren and Officer Argos with a token of appreciation and thanked them for their service.

Chief Seefeld introduced Murrysville's newest Police Officer, Anthony Talamo, who was sworn in on Friday, May 10. Officer Talamo was born and grew up in Murrysville, a graduate of Franklin Regional High School, and comes to the Municipality from Logan Township Police Department.

REGULAR VOTING MEETING AGENDA

ROLL CALL/VOTING ORDER: Tony Spadaro - absent, Josh Lorenz, Jamie Lee Korn, Toni Brockway, Loren Kase, Dayne Dice, Loren Kase, Carl Stepanovich, and Mayor Synan. Mr. Lorenz wanted to send best wishes and a speedy recovery to Mr. Spadaro. He is recovering right now, doing much better, and Council looks forward to having him back in the near future. Get well Tony.

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

UNLISTED AMENDMENTS: Mr. Lorenz noted that there are two unlisted amendments. 13.F. has been added to exonerate certain tax parcels in the Municipality; and under 19. Executive Session will include a legal issue which does not anticipate any action items coming out of that.

Mrs. Lee Korn moved to approve the agenda as amended. Mr. Kase seconded. All present voted aye. Motion approved.

CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. May 1, 2019 Council Meeting Minutes

Mrs. Lee Korn moved to approve the consent calendar item. Ms. Brockway seconded. All present voted aye. Motion approved.

MAYOR'S COMMENTS: Mayor Synan stated that the 17th Annual Dunkin' Cops on Rooftops event will take place on Friday, May 17th from 5 a.m. until 5 p.m. During this fundraiser, hundreds of local law enforcement officers will stake out Dunkin' rooftops to heighten awareness and raise money for the Law Enforcement Torch Run for Special Olympics.

Public Service Recognition Week is Sunday May 12th until Saturday May 18th. This is broken down into two weeks: Police Recognition, which is Proclamation No. 207-19, from May 12th through May 18th and the EMS Proclamation No. 208-19, is May 19th through May 26th.

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Strengthening the Thin Blue Line, which is a Law Enforcement Tribute, will be held May 19th at the Murrysville Alliance Church at 11:00 a.m. All members of Law Enforcement and their families are invited to attend.

The Law Enforcement Torch Run for Special Olympics, sponsored by Dunkin' Donuts is June 4th and June 5th. PA Law Enforcement will be carrying the Special Olympics Torch from PNC Park and ending at the border between Allegheny County and Westmoreland County on Route 22. Expect brief delays in traffic as this passes through.

SLAM/Dean Anderson Memorial Fishing Derby will be Sunday, May 19th from 9:00 a.m. – 2:00 p.m. at Sloan School for area youth 15 years of age and under. Limit is 5 fish per youth. There will be free food and refreshments. Registration starts at 8:00 a.m. This event is sponsored through the cooperation of Sportsmen and Landowners Alliance of Murrysville, community businesses and trout sponsor donations.

Officer Argos is on his last shift tonight. Thank you for your service and 10 years of dedication.

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison stated that the recycling program has been revamped. Glass has been eliminated from the recycling list. A location was found that does accept a variety of glass. Bradish Glass Company, 24 Rainbow Drive in Greensburg, is open 24 hours a day. Residents can take their glass to that location. Staff is still working on getting a glass recycling option here in Murrysville.

The Mayor and he met with Crown Enterprises last week to discuss the property at the intersection of Trafford Road and Old William Penn. It was a good meeting and looks like some promise for development of that corner.

An ad was placed for the Assistant Manager and Engineer positions about two weeks ago. There have been a few responses.

Mr. Morrison stated that he has been meeting with the DEP and surrounding communities concerning the DEP consent order. A meeting was held Monday with solicitors of each of the communities and FTMSA. A draft was produced as a result of that meeting. There is an agreement in the form that can be presented back to DEP to go through the final steps of getting this signed and implemented. The confidential settlement agreement was distributed to Council today and Mr. Morrison asked that Council consider directing staff to write a letter in support of the consent agreement to be forwarded to DEP, which will then be in the last leg of negotiations with DEP. Mr. Lorenz noted that Council is not being asked to vote on this tonight; this is just the municipal support to go forward with the negotiations. Council agreed to direct the solicitor to move forward.

Mr. Morrison stated that the bathrooms will be placed at Murrysville Community Park next Tuesday. Rebar is being installed for the concrete of the splash-pad. Because of the weather, opening day may not be June 1st but will be shortly thereafter. The roof was put on the pavilion today. The Public Works crew is very much appreciated for their labor in developing this site. Mr. Lorenz asked if there were any items of priority or of a greater need right now that members of the community can contribute or donate towards. Ms. Greene noted that the benches, covered picnic tables, and the entrance sign are needed. Mr. Morrison stated that Public Works will be working with the Boy Scouts in building the covered tables and money is still needed to buy the lumber. All of the information on donating or contributing is located on the website.

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COMMUNITY INPUT: None

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Stepanovich: The Parks and Recreation Committee met last night. Bill Paiano presented the Parks Report. There has been extensive work done on the splash-pad. The concrete floor is next on the agenda. Everything should be completed by the 2nd week in June. Chambers preparation for the tennis and pickle bar is near its completion. Carly Greene presented the Recreation Report. The photo event was well attended with 70+ guests. The Farmer's Market starts on June 6th with approximately 30 vendors. Concerts will be held at Townsend Park on Tuesdays. Beer is permitted at Townsend Park. The grant application to the DCNR for the amphitheater has been completed and submitted. There was minor vandalism at Kovalczik Park.

Mr. Kase: Murrysville Medic One meets tomorrow night.

Mrs. Lee Kornis: She was out of town last week for The Pension Committee meeting. Mr. Morrison said that the performance of the plan was reviewed. Funds around \$2million were transferred into the real estate investment trust. All is good.

Mr. Dice: FTMSA meets tomorrow.

Ms. Brockway: The Library held its volunteer appreciation event this past Thursday to honor those community members who give so selflessly of themselves. There were over 30 volunteers. The Murrysville Community Library is grateful for the service of its Board, Foundation, and volunteers for their dedicated service to the community. Through a generous grant, the Library was able to purchase 50 titles on the theme of space. Material includes fiction and fantasy as well as non-fiction and STEM related titles for both children and adults. These items will support the 2019 summer reading theme of a universe of stories and the upcoming 50th anniversary of the Apollo 11 moon landing. Summer reading is set to begin in one month for both children and adults. The Library Board meets again tomorrow, Thursday, May 16th at 7 p.m.

WORKSHOP ITEMS

ADMINISTRATION:

9.A. A discussion concerning the current status of the Comcast cable contract negotiations

Mr. Morrison stated that he wanted to bring Council up to date. Cohen Law Group was engaged to negotiate the new agreement and to also audit the franchise fee. Comcast had managerial changes of individuals who were responsible for negotiating local franchise agreements. We should be on target for the September renewal date.

ENGINEERING: Mr. Lorenz noted that the Municipality needs a new engineer. Anyone out there looking or interested, can be dropped off a resume or sent one to Mr. Jim Morrison here at the Municipality.

COMMUNITY DEVELOPMENT: None

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider approval to dispose of certain municipal records in accordance with the State Records Retention Policy

Mr. Kase made a motion to approve Resolution No. 701-19, a Resolution to dispose of certain municipal records in accordance with the State Records Retention Policy. Ms. Brockway seconded.

Ms. Heming stated that records we are required to keep are being scanned and archived. The paper copies are unnecessary.

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

13.B. Consider approval to enter into a three-year lease agreement with The Wilson Group for copiers for the Police and Public Works Departments

Mr. Stepanovich made a motion to approve to enter into a three-year lease agreement with The Wilson Group for copiers for the Police and Public Works Departments. Mr. Kase seconded.

Ms. Heming stated that both copiers are close to five (5) years old and the lease runs out in October. The Wilson Group, which maintains the administrative copier, is very good to work with, is very responsive, and is competitive with the other copiers that were looked at. There are two quotes. The machines are identical, except the Police Department will have an extra paper tray. The cost of the two new copiers will be \$4,988 per year which includes maintenance and the copies or an annual increase of \$1,912. Staff recommends approval of the three (3) year lease with the Wilson Group for the two copiers.

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

13.C. Consider approval to sell the Municipality's Police K-9 to Sergeant Scott Kettren in the amount of \$1.00

Mrs. Lee Kornis made a motion to approve the sale of the Municipality's Police K-9 to Sergeant Scott Kettren in the amount of \$1.00. Mr. Kase seconded.

Mr. Morrison stated that this is typically how a dog retires; that he goes with the owner and lives his comfortable retirement in the place he is most comfortable with. Argo is close to 12 years old. Mr. Dice asked if the Municipality was going to have another police dog. Chief Seefeld stated that the department received funding for the canine unit from the District Attorney's Office of Westmoreland County back in 2009 and hopes to do that again. It's now a matter of getting the right canine officer/handler.

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

13.D. Consider authorization to advertise for consulting engineering services for the Municipality of Murrysville

Ms. Brockway made a motion to consider authorization to advertise for consulting engineering services for the Municipality of Murrysville. Mr. Dice seconded.

Mr. Morrison stated that the Municipality is currently looking for an engineer. The hiring process may take several months. There is a need to have an engineer available that has a seal for some of the work here at the Municipality. The Engineer Technician, Emily Mallisee, has the skills and abilities to provide a lot of the engineering services; however, she is not a professional engineer. If we have drawings that need a professional engineer seal, we do not have that. The requirement of this firm would be for plan review from an engineering perspective, whether it be stormwater management or review of technical studies by other engineers, and zoning review. Emily is going to be exposed to plan review with the hired engineering firm.

Mr. Stepanovich asked if Emily was considering getting her professional degree. Mr. Morrison stated that there have been discussions with Emily. She seems to like working here and has career goals to be an engineer. Staff will be discussing that with hopes to support her toward that goal.

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

13.E. Consider authorization to advertise Ordinance #1009-19, an ordinance authorizing participation in the SWAT Trained Officers organization

Mrs. Lee Kornis made a motion to consider authorization to advertise Ordinance No. 1009-19, an ordinance authorizing participating in the SWAT Trained Officers organization. Mr. Kase seconded.

Mr. Morrison stated that there had been discussions about participating in the SWAT team. The authorization at that time was that we would participate subject to a review by our underwriter and by our attorney. We have had review by the underwriter, who represents 4 or 5 of the communities. The review of the legal side of the agreement centered around whether this was authorized under the Municipal Police Jurisdiction Act or whether it should be authorized under the Intergovernmental Cooperation Act. In the best interest of the community, it was determined that it be covered under the Intergovernmental Cooperation Act. Within that act, there are certain requirements and that is what the Ordinance was built around.

Solicitor, George Kotjarapoglus stated that it was an excellent agreement, very detailed oriented, and a lot of thought was put into it to try to cover almost any situation. The State Act contemplates a declaration of what the policy is going to be, which was enacted into the Ordinance. The organization and structure is laid out; a SWAT manual will control all the STOs; there has to be an administrative organization comprised of three chiefs, then a unit commander. The chiefs would be from New Kensington, Arnold and Murrysville, but can open up to the seven communities participating. This is a commitment that will be extended to help other communities and we will receive that same help from those communities. The commitment

being made (conditions) would be that we are committing no more than 20% of our full time STO officers. There is a commitment for training these people; the expense would be part of the operating budget that goes towards the police. Individual basic equipment will be our responsibility. For joint equipment that may be purchased, that will be split by a formula in the agreement. There is a provision for Collective Bargaining Agreement Waiver, which we are adopting. If our labor counsel finds that to be a conflict with state law per our CBA, we can give notice and opt out at that point. Per the term of the agreement, there is no end date, but there is a right to withdrawal by giving written notice by the Chief or Council.

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

13.F. Consider exoneration of the municipal real estate taxes on the parcels listed in the agenda briefing

Mrs. Lee Kornis made a motion to exonerate the municipal real estate taxes on the parcels listed below. Mr. Kase seconded.

- Map No. 49-10-12-0-083 Detention pond located in Forest Ridge plan of lots
Municipal real estate taxes for years 2016, 2017, 2018 and 2019
- Map No. 49-15-06-0-180 Detention pond located in Fair Oaks plan of lots
Municipal real estate taxes for 2016, 2017, 2018, and 2019
- Map No. 49-03-00-0-269 Detention pond located in Heritage Estates plan of lots
Municipal real estate taxes for 2017
- Map No. 49-03-14-0-084 Detention pond located in Mallard Landing Unit C
Municipal real estate taxes for 2017
- Map No. 49-06-02-0-014 Detention pond located in Mallard Landing Unit D
Municipal real estate taxes for 2017
- Map No. 49-03-11-0-001 Detention pond located in Heritage Estates
Municipal real estate taxes for 2018 and 2019
- Map No. 49-03-10-0-101 Detention pond located in Heritage Estates
Municipal real estate taxes for 2019
- Map No. 49-03-10-0-110 Detention pond located in Heritage Estates
Municipal real estate taxes for 2019
- Map No. 49-03-14-0-064 Detention pond located in Heritage Estates
Municipal real estate taxes for 2019

Ms. Heming stated that the school district will do the same at their June meeting. Then all of these parcels will be exempt and exonerated.

Upon a roll call vote: Mr. Lorenz – abstained, because a number of the parcels are in Heritage Estates, which is where he lives, Mrs. Lee Kornis – yes, Ms. Brockway – yes, Mr. Kase – yes, Mr. Dice – yes, and Mr. Stepanovich – yes. Motion approved.

COMMUNITY DEVELOPMENT:

14.A. Authorize the advertising of a public hearing for CU-1-18 and SP-4-18, the Titan Well Project, Bollinger Road for June 19, 2019

Mrs. Lee Kornis made a motion to authorize advertising of a public hearing for CU-1-18 and SP-4-18, the Titan Well Project, Bollinger Road for June 19, 2019. Ms. Brockway seconded.

Mr. Morrison stated that this is the Marcellus well that is proposed on Bollinger Road. The challenge to the ordinance is still working its way through the Zoning Hearing Board which meets on June 12th. Closing arguments are scheduled for that night; then we'll see a decision from them in 30 days. This is to start the hearing process.

Upon a roll call vote: Mr. Lorenz – abstained for reasons discussed with the solicitor, of a potential adversary conflict of interest with the applicant and will not be voting or participating in any executive sessions on this applicant or this matter, Mrs. Lee Kornis – yes, Ms. Brockway – yes, Mr. Kase – yes, Mr. Dice – yes, and Mr. Stepanovich – yes. Motion approved.

Mr. Morrison stated that he felt it would be proper to put together a package for Council of all the minutes from the Planning Commission and reports from our experts that were filed. There are eight volumes of the application; four are for the site plan and four are for conditional use. Council agreed to Mr. Morrison sending them electronic copies of the project.

14.B. Consider approval of SP-4-19, Fusting Executive Park, B and R-3 Zoning, Manor Road and Route 22

Ms. Brockway made a motion to approve SP-4-19, Fusting Executive Park, B and R-3 Zoning, Manor Road and Route 22 including conditions outlined in the briefing. Mr. Kase seconded.

Ray Gusty of Fahringer, McCarty, Gray stated that the applicant submitted the revised drawings back to staff several weeks ago based on the comments they had which have been addressed. Mrs. Lee Kornis thanked Mr. Gusty for the color copy of the plan which was very helpful. Mr. Morrison noted that in PennDOT's opinion, there was a change in the scoping for the traffic study. One recommended condition was added that the Developer, the Municipality of Murrysville and PennDOT must agree on the scope of the traffic study to be completed and the developer will be responsible for the road improvements, if any, that are required.

Mrs. Lee Kornis asked if the proposed park will be privately maintained by the developer or is that something our Parks & Recreation Department would be involved with. Mr. Morrison answered that when that phase comes forward, there would be an agreement developed on how that park would be maintained between the developer and the Municipality. Mr. Gusty noted that the park will be part of Phase 3 and will be open to the community.

Mr. Lorenz asked if the applicant was agreeable to the staff recommendations in Item #6 of the staff briefing. Mr. Gusty answered yes.

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

ENGINEERING: None

PUBLIC WORKS AND PARKS:

16.A. Consider approval of fireworks contract for Concert in the Park

Ms. Brockway made a motion to approve the contract with Kellner’s Fireworks, Inc. to purchase and exhibit fireworks for the 2019 Murrysville Concert in the Park in the amount of \$8,158.00. Upon approval, 50% of the total contract will be due with the remaining balance due once the exhibit is completed. Mr. Stepanovich seconded.

Ms. Greene stated that Concert in the Park will be August 10th. The fireworks will be provided again by the Yant/Turner fireworks team. They will be contracting again with Kellner’s. The Municipality has the insurance certificate and everything needed from them. The deposit check is prepared. Mr. Pisone has all the permits needed.

Mr. Lorenz asked how planning was coming along for Concert in the Park. Ms. Greene answered that they are ahead of the game this year. Bands are booked, they have food vendors, beverage vendors, and we just need sunshine and some fund sponsors. The theme this year is “Woodstock” for the 50th year anniversary. Concert in the Park is going to be a nice, fun, easy day in the park with some great music.

Mrs. Lee Kornis asked Carly if she remembered what the fireworks cost last year. Ms. Greene answered that each year she gives Mr. Yant a cap, which is the same amount each year. Mayor Synan noted that the Municipality is really getting an advantage from the Yant/Turner team.

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

OLD BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: Mr. Lorenz stated that Council will adjourn for an Executive Session on one legal issue. No action items are anticipated from the session. Council adjourned to the Executive Session at 8:18 p.m.

ACTION ITEMS: None

ADJOURNMENT: The meeting was adjourned at 8:40 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.