

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, June 2, 2021, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Dayne Dice, Jamie Lee Korn, Mac McKenna, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also, present were Chief Administrator, James Morrison, and Solicitor, George Kotjarapoglus. Council member Loren Kase was absent.

**PUBLIC HEARING**

**CU-2-21, Murrysville Racquet Club, Tax ID 49-14-05-0-072 for the construction of six (6) outdoor tennis courts located at 4062 Norbatrol Court, Murrysville, PA 15668, B Zoning**

A Public Hearing was held at 7:00 p.m. concerning CU-2-21, Murrysville Racquet Club, for the construction of six (6) outdoor tennis courts. Brian Almeter, Fahringer, McCarty, & Grey, stated that tonight is to gain approval of a Conditional Use Application for six outdoor tennis courts at 4062 Norbatrol Court, Tax Parcel No. 49-14-05-0-072. This property is in a B-Zoning District, contains 7.6 acres, and currently contains a mixed-use building and vacant property where the proposed tennis courts are going to go. The mixed-use building has a light manufacturing facility in 2/3 of the building and the remaining 1/3 has indoor tennis courts. The purpose of this proposal is to create a year-round tennis facility. The United States Tennis Association (USTA) governs the standard six court tournaments. Mr. Almeter presented a drawing of the building and the proposed site for the outdoor tennis courts which borders the Westmoreland Heritage Trail, Turtle Creek, and Duff Park property. The courts are 120 feet deep and about 310 feet long, which are to USTA standards. The courts will not have outdoor lighting or a sound system, but they will have fencing around them. The outdoor courts will be open from dawn to dusk. Grading does not impact any of the flood plain of Turtle Creek. Parking that currently exists on the property is 52 spaces and was considered adequate by the traffic study. The indoor tennis courts will be used mainly in the winter and the outdoor courts in the summer. The development is slightly over an acre, so an NPDS permit is required and has been submitted to the Westmoreland Conservation District for review and an approval. They meet the requirements of the Conditional Use approval process and the Code. This facility will have a positive affect on the health, safety, and welfare of the residents in the community and it fits well with the lay of the land.

Mr. Spadaro asked about the surface of the courts and Ms. Brockway asked about maintenance of the courts. Arshad Hafeez, SASI, LLC, stated the courts are asphalt with an acrylic coating. Maintenance requires a good drainage system. The courts will be covered during the winter and should last about 10 years. USTA requires a certain maintenance schedule. If there are any cracks, they would be resurfaced and new lines would be painted every 3-4 years. Mr. Stepanovich asked about lighting. If in the future lighting was to be considered, would that have to come back to Council. Mr. Morrison answered that was one of the conditions placed on the applicant as part of the Planning Commission review. Mr. Spadaro asked about traffic. Mr. Hafeez answered that there would be one-way traffic through the back of the building. Mr. McKenna asked if the courts were rented out. Mr. Hafeez stated that they are rented out unless they are having a tournament. Mr. Dice asked if they reviewed the Planning Commission's recommendation and if they had any issues with any of the recommendations. Mr. Almeter stated that they understand the recommendation and the conditions and concur with those.

There was no public comment. Mr. Stepanovich moved to close the Public Hearing. Mr. Spadaro seconded. All present voted aye. Motion approved. The Public Hearing was closed at 7:15 p.m. The proceedings were also recorded by a stenographer.

**PUBLIC HEARING**

**Villa Ciano for Consideration of changes to the Stormwater Management Plan for FPRD-1-19/CU-6-09, an approved subdivision of a 31.68 acre tract of land consisting of a twenty three lot Planned Residential Development style subdivision located along Cline Hollow Road and is currently identified as Westmoreland County Tax Parcel 49-15-00-057, and according to the deed provided is currently owned by “Patrisa Corporation”**

A Public Hearing was held at 7:15 p.m. concerning Villa Ciano changes to the Stormwater Management Plan. Mr. Morrison stated that a recommendation for this Public Hearing had come from the Solicitor. This was a PRD previously approved by Council. Since this was a major change to the plan, the Planning Commission along with the Solicitor felt that the proposed change should be aired publicly.

Chuck Hergenroeder, Attorney representing Patrisa, the applicant, stated that the approved proposed plan had an issue of individual stormwater management chambers going on each lot, which was initially the recommendation of the Westmoreland Conservation District. Since that time, a number of things have occurred: (1) The Conservation District is looking at ponds again; (2) The chambers became very costly; (3) The individuals of the company that is going to build the homes found that the chambers were too restrictive for the homes they were going to build. They went back to the drawing board and went to the Conservation District and had a plan approved with a stormwater management pond on one of the approved lots. Mr. Hergenroeder presented a drawing of the changed plan. Only 4 lots along Cline Hollow Road will have chambers.

Mr. Morrison stated that the Municipality’s interest was to ensure the waivers concerning side yard, lot size, and open space had been met. Those have been reviewed and have been met.

There was no public comment. Mr. Spadaro moved to close the Public Hearing. Mr. McKenna seconded. All present voted aye. Motion approved. The Public Hearing was closed at 7:20 p.m. The proceedings were also recorded by a stenographer.

**REGULAR VOTING MEETING  
AGENDA**

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

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

**UNISTED AMENDMENTS:** None

**CONSENT CALENDAR ITEMS:**

**A.** Approval of May 19, 2021 Council Meeting Minutes

Dr. Lee Korn made a motion to accept the Consent Calendar Items. Ms. Brockway seconded. All those present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan wanted to point out that the Memorial Day Tribute, which starts at 7:00 a.m. and doesn't end until around 1:30 - 2:00 p.m., takes a lot of effort on the part of our citizens. The Mayor wanted to recognize some of the groups involved: The White Valley AMVETS, American Legion Post 711, Murrysville Medic One, Murrysville Fire Department, Export Fire Department, White Valley Fire Department, Delmont Fire Department, the Boy Scouts, the Girl Scouts, Franklin Regional Band, Murrysville Police, Delmont Police, Export Borough and Mayor Joe Zaccagnini, Delmont Borough and Mayor Alyce Urban, Father Ken Zaccagnini and Rear Admiral John Meier who gave the keynote address.

Rain Barrel Workshop will be June 9<sup>th</sup> from 7:00 – 8:15 p.m. It will be a Zoom webinar with rain barrel distribution at the Murrysville Municipal Building on June 11<sup>th</sup>. Price is \$80/person. Register online at <http://prc.org/programs/conservation-workshops/watrshed-rain-barrels/> or email [nancym@prc.org](mailto:nancym@prc.org).

The Franklin Regional Boys Baseball won the WPIAL Class 5A championship played Tuesday, June 1<sup>st</sup> at Wild Things Park. This is the third WPIAL baseball title for Franklin Regional. Congratulations!

Murrysville Farmers' Market opening day is June 3<sup>rd</sup> from 3:00 – 7:00 p.m. The location is 3235 Sardis Road between Medic One and Murrysville Volunteer Fire Department. If you have any questions, you can call Murrysville Recreation at 724-327-2100 ext. 131 or 115. Get there early.

Tuesdays at Townsend starts next Tuesday, June 8<sup>th</sup>. There will be free live performances in the park from 6:30 – 8:00 p.m. Any cancellations will be posted on the Facebook event page or on the website [www.murrysvilleparecreation.com](http://www.murrysvilleparecreation.com).

Murrysville Recreation's Playground Program will be held rain or shine June 14 to August 6 from 10:00 a.m. to 2:00 p.m. for ages 6 to 12. Mondays and Tuesdays will be at Bear Hollow Park and Wednesdays, Thursdays, and Fridays at Murrysville Community Park. Registration and details are available at: [www.murrysvilleparecreation.com](http://www.murrysvilleparecreation.com). Participants should bring a lunch and refillable water bottle each day. Please dress accordingly and provide sunscreen. The program will be closed on Monday, July 5<sup>th</sup>.

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Morrison stated that the staff has attended several webinars concerning distribution of the COVID funds. They received notice today that there is a website to begin to apply for those funds, which staff will start tomorrow.

Making its return after a COVID moratorium, the Splash Pad is scheduled to open on Monday, June 14<sup>th</sup>.

**COMMUNITY INPUT:** None

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Spadaro: Medic One had a meeting last week. They had 1,252 trips with 158 from Washington Township, and 200 wheelchair calls. Their 6/10 Day is scheduled for June 10<sup>th</sup> for their families and workers. They thank the Municipality for their donation. They are participating with Excella Homebound for anyone that can't get out to get the COVID vaccine, that MEDIC ONE will come to your home to give you the vaccine. Medic One received new monitors. Their fundraiser brought in around \$200,000 this year.

Mr. Stepanovich: Planning Commission and Parks and Recreation Foundation will meet Tuesday, June 8<sup>th</sup>.

Mr. McKenna: Parks and Recreation meets next Tuesday.

### WORKSHOP ITEMS

#### ADMINISTRATION:

##### 9.A. A review of the Bids received for the 2021-2025 Refuse and Recycling Contract

Mr. Morrison stated that bids were advertised and opened on May 10<sup>th</sup>. Three bids were received: Republic Services, Waste Management and Westmoreland Sanitary Landfill. The low bidder was Republic Services, which was the same price we are paying this year. Subsequent years two through 5 will increase 40 cents – 80 cents year over year per month. The following services were requested in the bids: Mixed Collection – unlimited curbside refuse pick-up and automated recycling pick-up, Automated Collection, Trash Sticker Program, and 10% Senior Discount Program. Automated Collection will not be implemented at this time. Republic Services has given quality service as our current hauler and it is recommended to Council that at the next Council meeting, the bid be awarded to Republic Services.

Mr. Stepanovich asked how seniors can apply for the 10% discount. Mr. Morrison answered that they would need to contact Republic Services and they will ask for proof of age (65+).

**ENGINEERING:** None

#### COMMUNITY DEVELOPMENT:

##### 11.A. A Discussion concerning CU-2-21, Murrysville Racquet Club, Tax ID 49-14-05-0-072 for the construction of six (6) outdoor tennis courts located at 4062 Norbatrol Court, Murrysville, PA 15668, B Zoning

Mr. Morrison stated that the briefing is in Council's packet of the review of this plan. The Planning Commission recommends approval with conditions. A waiver of the pipe size as recommended on the stormwater management plan. Should lighting or stadium seating ever be proposed, it would have to come back before the Planning Commission for review. A copy of an approved stormwater agreement is to be provided. A copy of the recorded Developer's Agreement is to be provided. Provide a bond for the proposed improvements in an amount of 110% of the municipal engineer's approved estimate. Provide evidence of an approved NPDES permit.

Dr. Lee Kornis asked about the EAC's conditions and recommendations regarding the Riparian Buffer. Mr. Almeter stated that there is very limited disturbance in the area adjacent to Turtle Creek. He showed on the site map, the 4-foot-high area on the Turtle Creek side which would be seeded with a wild flower grass seed mixture that maintains itself.

##### 11.B. A Discussion concerning FPRD-1-19/CU-6-09, Villa Ciano, for Consideration of changes to the Stormwater Management Plan for, an approved subdivision of a 31.68 acre tract of land consisting of a twenty three lot Planned Residential Development style subdivision located along Cline Hollow Road and is currently identified as Westmoreland County Tax Parcel 49-15-00-057

Mr. Morrison stated that as mentioned in the Public Hearing, Council approved this proposed plan on July 1, 2020. As part of the approval process, staff had raised its objection and concerns with the on-lot stormwater management system. Staff is pleased that they have decided to go with a more traditional system. The developer is now proposing the use of one of the lots for a stormwater management pond and creation of a new lot. The Planning Commission reviewed the proposed changes and waivers, and everything seem to be in order. There were no specific conditions coming from the Planning Commission.

Mr. Hergenroeder stated that the builder and the developer were here this evening and would like Council to vote on this tonight so they can get moving on the project. Dr. Lee Korn asked if they were comfortable with the conditions proposed by staff. Mr. Hergenroeder answered yes. Mr. Morrison noted that a revised Stormwater Management Agreement will need to be signed and recorded and a revised Developer's Agreement will also need to be signed and recorded. Council agreed to expedite this and will be added to New Business.

**PUBLIC WORKS AND PARKS:** None

### **COUNCIL ACTION ITEMS**

#### **ADMINISTRATION:**

**13.A** Consider approval of Resolution No. 736-21, disposing of certain municipal records in accordance with State Records Retention Act

Mr. Spadaro made a motion to approve Resolution No. 736-21, disposing of certain municipal records in accordance with State Records Retention Act. Mr. Stepanovich seconded. All those present voted aye. Motion approved.

**13.B.** Consider approval of the 2021 Cost of Living Increases (COLA) for retired police officers

Dr. Lee Korn made a motion to approve the 2021 Cost of Living Increases (COLA) for retired police officers. Ms. Brockway seconded.

Mr. Morrison stated that this was an annual event. The amount will be determined by the pension consultant at 1.4% for the coming year.

All those present voted aye. Motion approved.

**13.C.** Consider authorization to advertise Ordinance # 1044-21, an Ordinance Accepting Road Right-of-Way along Silvis and Bollinger Road for purposes of road widening for the Titan Well Project

Mr. McKenna made a motion to authorize advertising of Ordinance No. 1044-21, an ordinance accepting road right-of-way along Silvis and Bollinger Road for purposes of road widening for the Titan Well Project. Ms. Brockway seconded.

Mr. Morrison stated that as part of the conditional use approval for the Titan Well, certain widths were required above Silvis and Bollinger Roads to enable two water trucks to be able to pass. This is the follow-up. They worked closely with the Solicitor in producing the (3) quit claim deeds. This would be the formal acceptance by the Municipality of those deeds. Mr. Dice noted that this would be just for the advertisement of the Ordinance.

All those present voted aye. Motion approved.

**13.D. Consider authorization to advertise for sale a 2012 and 2015 Police Harley Davidson Motorcycle**

Mr. Spadaro made a motion to authorize advertising for sale a 2012 and 2015 Police Harley Davidson Motorcycle. Mr. Stepanovich seconded.

Mr. Morrison stated that in early 2000 when construction began on Route 22, the Municipality made a policy decision to purchase two motorcycles to aid in traffic control along that highway. Interest among the younger officers has since waned. There is value in these and will be offered for sale through published notice and sealed bids. The estimated sale should generate between \$12,000 - \$15,000.

All those present voted aye. Motion approved.

**COMMUNITY DEVELOPMENT:** None

**ENGINEERING:**

**15.A. Consider authorization to advertise DPW-5-21, 2021 Alternative Road Surface Treatment Project**

Ms. Brockway made a motion to authorize advertising of DPW-5-21, 2021 Alternative Road Surface Treatment Project. Mr. Spadaro seconded.

Mr. Morrison stated that this was the third year experimenting with this alternative road surface treatment. It is essentially a seal coat to extend the life of recently paved roads. Wiestertown Road was done and has held up very well and so has Pleasant Valley Road. The treatment will be tried for one more year, on Mamont, and then make a decision as to whether to make this part of the annual road paving program or not.

All those present voted aye. Motion approved.

**15.B. Consider authorization to advertise DPW-6-21, the Old William Penn Highway Crosswalks in Town Square**

Mr. Stepanovich made a motion to authorize to advertise DPW-6-21, the Old William Penn Highway Crosswalks in Town Square. Dr. Lee Korn seconded.

Mr. Morrison stated that Old William Penn Highway is going to be paved this year and if we want to keep the crosswalks, we must pay to have them reinstalled. The last time this was done it cost around \$28,000.

All those present voted aye. Motion approved.

**15.C. Consider a motion to enter into an Excess Management Agreement with Eastern Gas Transmission and Storage to utilize 5.85 miles of Murrysville roads for the replacement of an existing portion of natural gas pipeline**

Mr. McKenna made a motion to enter into an Excess Management Agreement with Eastern Gas Transmission and Storage to utilize 5.85 miles of Murrysville roads for replacement of an existing portion of natural gas pipeline. Dr. Lee Korn seconded.

Mr. Morrison stated that this is for an Excess Management Agreement. They are anticipating approximately 60 trips on Murrysville roads for the replacement of an existing portion of natural gas pipeline on Hills Church Road. Ms. Brockway asked if they will be closing the road while they are working. Mr. Morrison answered no that they shouldn't be closed at all.

All those present voted aye. Motion approved.

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

Dr. Lee Korn made a motion to approve a Conditional Use for FPRD-1-19/CU-6-09, Villa Ciano, for consideration of changes to the Stormwater Management Plan for an approved subdivision of a 31.68 acre tract of land consisting of a twenty three lot Planned Residential Development style subdivision located along Cline Hollow Road and is currently identified as Westmoreland County Tax Parcel 49-15-00-057, subject to the conditions discussed earlier this evening in the staff briefing. Mr. Brockway seconded. All those present voted aye. Motion approved.

**EXECUTIVE SESSION:** Dr. Lee Korn made a motion to adjourn to an Executive Session to discuss a legal matter. No action was anticipated. Ms. Brockway seconded. All those present voted aye. Council adjourned to the Executive Session at 7:50 p.m.

**ACTION ITEMS:** None

**ADJOURNMENT:** The meeting was adjourned from the Executive Session at 8:15 p.m.

THE MUNICIPALITY OF MURRYSVILLE  
Regular Voting Meeting – Wednesday, June 2, 2021

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*The Regular Voting Meeting and Public Hearings were 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.*