

The Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, August 2, 2023, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Dayne Dice, Jamie Lee Korn, Jason Lemak, Jamie Lingg, Mac McKenna, Carl Stepanovich, and Mayor Synan. Also, present were Chief Administrator, Michael Nestico, Director of Finance, Jacie Milchak, and Solicitor, Wes Long. Council member Tony Spadaro was absent.

**PUBLIC HEARING**  
**FOR THE 2024 – 2028 CAPITAL IMPROVEMENTS PROGRAM**

A Public Hearing was held at 7:00 p.m. on the 2024–2028 Capital Improvements Program. Finance Director, Jacie Milchak, gave a slide presentation and overview of the 2024-2028 Capital Improvements Program which includes \$16,288,250 of improvements to Streets and Infrastructure; \$4,615,800 for Building and Equipment; and \$1,618,400 for Parks and Other Projects. The five-year plan totals out to be \$20,727,900.

The Capital Improvement Program is a long-range planning instrument used by the Municipality to identify capital improvement projects and coordinate the financing and timing of those identified projects. The CIP includes projects defined as having a value of \$10,000 and/or a useful life of longer than 5 years. It outlines anticipated expenditures for capital projects and equipment over a period of five (5) years. The CIP gets reexamined, updated, and proposed yearly to Council and the citizens of the Municipality. Funding is annually appropriated, coinciding with the municipal budget.

**Streets and Infrastructure:** This will be for preservation and expansion of the municipal roadways and bridges. This continues to consume our largest share of scheduled expenditures. The annual overlay program is estimated to cost \$7.7 million over the 5 years. Engineering, design, and construction for the Logan Ferry, Heather Highland, Cal-Ken Bridge projects are estimated to cost about \$4.1 million. These will be supported by the TIP (Transportation Impact Program) grant. This will also support the road surfacing and crack sealing treatments in the amount of \$1.295 million.

**Building and Equipment:** Building maintenance projects that are slated currently include resurfacing of the Public Works parking lot. Other facility repairs are not yet known but will be determined as we move forward. Equipment purchases over this 5-year period include 13 police vehicles, 13 public work vehicles, 8 public works support equipment (trailers and mowers), 4 heavy equipment, and 1 code enforcement vehicle. Newly added to this plan for 2024 includes system upgrades. We found out that Windows 10 will become obsolete, and we have computers that are unable to support the upgrade to Windows 11. Those upgrades will cost \$47,500. Our server is approaching its end life and is recommended to be replaced to prevent system failures. The phone system will also need to be replaced within the next 2 years. The current system is Toshiba, and they no longer have a Telecommunications Department, which means we cannot get replacement parts. Since Microsoft is eliminating Microsoft Explorer and replacing it with Microsoft Edge, we will no longer be able to access our phone system for programming purposes.

**Parks and Other Projects:** The 7% remaining expenditure will be dedicated to municipal parks scheduled for updates, repairs, and development. This will include replacing playgrounds, repairing playing surfaces, courts, parking lots, and pavilions and constructing bathrooms where feasible. Updating facilities will be done as needed and will be determined by the neighborhood park projects' survey.

Proposed funding will be supported by a dedicated millage of 3.45 mills, which equates to about \$1,193,700 a year, real estate transfer tax which annually averages approximately \$740,000 and the liquid fuels which is passed down through the state gasoline tax in the amount of \$850,000 depending on the year. A new revenue source is currently being looked at to support the storm sewer maintenance, which will most likely not be available until 2025. The TIP has grants available that will be used to support the reconstruction projects.

Mrs. Lingg asked if there was a grant available for the bathroom at Duff Park. Ms. Milchak stated that they are still exploring opportunities for grants.

Dr. Lee Korn asked what the status was of the bridge projects and if we are we still looking at the realignment of that intersection. Ms. Milchak stated that the projects are still slated to take place. Since it is such a large sum of money, we continue to allocate money on a regular basis. Right now, we are trying to keep up with the upkeep. The TIP grant takes a while to get through the process to get approved for the funding, so we are doing what we can to keep the bridges in order. Once we find out our status on that grant, we will be able to know better when the project will actually take place. Mr. Nestico noted that none of our bridges are in critical condition, which would necessitate immediate repair. The studies and assessments of the bridges indicate that they are in ongoing need of repairs and maintenance. We are doing what we can in the meantime and monitoring the situation. Ms. Milchak stated that currently we have over \$2 million put aside for these projects, along with the bridge reserves for when projects come up.

Mr. Stepanovich stated that in the park improvements, he didn't see anything put aside for Murrysville Community Park. Ms. Milchak stated that this was slated in 2022 and 2023. Those funds are already on the books and in process. Mr. Stepanovich continued that it was just announced today that the Country's credit rating went from AAA to AA. Does that have any effect on us at the local level on any debt? Ms. Milchak answered no that we are on a fixed interest rate.

Dr. Lee Korn asked that with the Windows 10 upgrade, how many computers are affected. Ms. Milchak stated that she has that data and will send an email with the updated information on how many computers will actually be affected.

Mr. Stepanovich asked how many police vehicles are used in a given shift and how many police vehicles are there. Mr. Nestico answered there are around 21 vehicles and that each shift is a little different. At any given time, there are probably 4 officers on patrol. Some of the vehicles have different uses – not all are used for patrolling. Some are used for undercover purposes, detective vehicles, the chief and the captain have vehicles as well. They are not run 24/7 in order to prevent wear and tear.

Mr. Lemak asked about the phone system and if it included the police department and the library. Mr. Nestico answered yes. In regard to the computers, the library is separate. There are at least 24 computers that would be part of that upgrade. We also have the emergency operations command center and Council room would need the phone system upgrade. The system does need to be updated. The budgeted \$25,000 is the estimated cost for the upgrade. There are bids out and we are looking at either purchasing the system outright or leasing the system.

Mr. McKenna asked that as far as the park improvements, the neighborhood parks, each year we are making improvements and upgrading those. In the CIP, does it specify an amount for each park or by what is needed? Ms. Milchak stated that they look at the cost of each individual thing. They don't do a set amount for each park. Each park is looked at and evaluated on what is needed at each individual park.

Mr. Dice asked for any additional comments or questions from Council and if there was any comment from the audience. Hearing none, the Public Hearing was closed at 7:30 p.m.

### **REGULAR VOTING MEETING AGENDA**

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

**PLEDGE OF ALLEGIANCE:** Council President, Dayne Dice led the audience in the Pledge of Allegiance.

**UNISTED AMENDMENTS:** Mr. Nestico noted that the Workshop Item regarding Verizon will not be discussed this evening, as the representatives were not able to be here today. The individual working on the project unfortunately passed away so they are assigning someone new to this project. The agenda was advertised that they would be here, so we do apologize to the public that did come out this evening for this topic. We don't expect Verizon to be back until the first meeting in September at the earliest.

As we proceed to the Action Items, there will be some discussion on the Short-Term Rental Ordinance. We may need to make a change to the agenda after Council discussion.

#### **CONSENT CALENDAR ITEMS:**

**4.A.** Approval of July 19, 2023, Council Meeting Minutes.

Dr. Lee Korn made a motion to approve the July 19, 2023 Council Meeting Minutes. Mr. Stepanovich seconded. All those present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan presented the following slides and announcements:

Tuesdays at Townsend: August 8<sup>th</sup> from 6:30 – 8:00 p.m. will be live entertainment by Keyboard Kevin. Food and beverages will be with Divya's House of Spice and Sly Fox Brewing. Townsend Park is located at 130 Townsend Park Court. Any cancellations will be posted on Facebook and our website [www.murrysvilleparecreation.com](http://www.murrysvilleparecreation.com).

Summer Paving Program: Expect delays. Please be patient with crews during construction. The roads have to be fixed.

Octoberfest: Save the date, Saturday, September 30<sup>th</sup> from 4:00 – 8:00 pm. Will be held at Murrysville Volunteer Fire Company pavilion, 3235 Sardis Road. There will be German style food, beer and wine from local food trucks and breweries. Families and children are welcome. Brought to you by the Murrysville-Export Rotary Club [www.murrysville-exportrotary.com](http://www.murrysville-exportrotary.com) or call 724-309-2771 for more information.

Murrysville Concert in the Park: August 12 from 4:00 pm – dark. There will be live music, games, food and fireworks roughly around 9:00 pm. For more information call 724-327-2100 ext. 131. Benefits Murrysville Community Park.

Star Party with the Amateur Astronomers' Association on Friday, August 18<sup>th</sup> at Murrysville Community Park, Field 6. Contact [www.murrysvilleparecreation.com](http://www.murrysvilleparecreation.com) or call 724-327-2100 ext. 131 for more information.

Pennsylvania Resources Council is having a Photo Contest which involves taking the ugliest picture of litter. This is an annual statewide photography contest rewarding amateur photographers who snap unusual or eye-catching images of litter across the Commonwealth, bringing awareness to how litter threatens public health & safety, scenic beauty, property values, the environment and wildlife. Deadline is October 31, 2023. For additional information go to [www.prc.org/lens-litter](http://www.prc.org/lens-litter).

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Nestico stated that the five vehicles listed on Muni-Bid did sell. The total amount for that lot of vehicles was \$20,500. There were roughly twenty-five bids. The buyer was from New Jersey.

Staff will be submitting a grant application to the County to try to offset some of the costs of demolition which was approved last month for the property on Old William Penn. The County does have funding available to municipalities for demolition.

**COMMUNITY INPUT:**

Jeannette Pavlick, 4200 Colonial Court: Ms. Pavlick stated that she wanted to talk about the short-term rentals. She has a friend who manages one. The man's mother happens to be in a nursing home, and it gives him extra money to rent her house. A neighbor is watching the property. She didn't understand why Council was putting so many restrictions on renting because she has no problem with it. A lot of times it people who are looking around the neighborhood and might want to move here. By limiting this, are we preventing people from moving to this area. To tie her hands as a homeowner and not be able to rent her property if she is transferred because of her job but wants to keep her house and come back and retire in it, why are we tying people's hands and the fees needs to be reasonable.

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Lemak: The Library met last Thursday. They are putting a lot of energy into planning a showcase tour and considering going to different schools to show them what the library has to offer. They are also working on fundraising and hoping to do so electronically.

Mr. Stepanovich: The Planning Commission typically meets the second week of the month but plans on meeting August 15<sup>th</sup> instead. The Parks Foundation will be meeting this coming Monday.

Dr. Lee Korn: Pension is going to meet next Thursday at 9:00 a.m.

Mrs. Lingg: School Board meets August 14<sup>th</sup>.

Mr. McKenna: Parks and Recreation met last Monday at Townsend Park. There was a lot of discussion around Kovalczik Park. The playground is in and is beautiful. The basketball court surface is in the process of being repaired. The baseball field has been revamped. Public Works did a fantastic job. FRAA has been utilizing it. Please join in Tuesday at Townsend. They always have a food truck and beer vendor there and the bands have been fantastic. The Concert in the Park is coming up next Saturday with fireworks. A huge thank you to our emergency services and public works in participating in the National Night Out.

### **WORKSHOP ITEMS**

#### **ADMINISTRATION:**

**9.A. Discussion on the proposed Verizon cell towers.** Taken off the agenda for this evening.

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:** None

**PUBLIC WORKS AND PARKS:** None

### **COUNCIL ACTION ITEMS**

**ADMINISTRATION:** None

#### **COMMUNITY DEVELOPMENT:**

**14.A. Adopt Ordinance No. 1076-23, an ordinance adding Chapter 219 to the Code of the Municipality of Murrysville to regulate short term rental units within the municipality and establish penalties for violations.**

Mr. Dice stated that he is not going to ask for a motion to adopt this ordinance and discuss it right now. Mr. Long stated that he had a conversation with Mr. Nestico and Mr. Morrison today about the definition section which states that the prohibition on dwelling unit short-term rental units applied to dwelling units that were intended as the principal residence of the owner. The question arose as to what would occur if somebody who owned their own home purchased another home in a housing plan solely for the purpose of operating it as an Air B & B. That would not fall within the definitional prohibition, because it would not be intended as the principal residence of the owner. That portion of the ordinance should be amended, which would be enough change that it should be readvertised before being voted on.

Mr. Nestico noted that if Council had any other items that they wanted to modify or amend or add or subtract from the ordinance then those should be discussed.

Mrs. Lingg stated that she thought the ordinance was going to be tabled until more data was received. She did note that she did receive a zoning parcel map that shows that parcels of 5 acres or more exist in every zoning district. As Council members, we are called to appropriately balance the rights of homeowners with the interest of neighbors who may experience possible negative side effects associated with people renting out their homes on a short-term basis. The question is not whether it makes sense to regulate short-term rentals, but how to do it to preserve as many of the benefits as possible without placing a burden on the

neighbors. There needs to be explicit policy objectives and enforceable regulatory requirements. Our policy objective should be to ensure the traditional residential neighborhoods are not turned into touristy areas to the detriment of long-term residents. Touristy doesn't seem to be an issue since we are not a destination vacation or a tourist attraction town. We need to ensure that any regulation does not negatively affect property values or property tax values. We need to ensure that homes do not turn into party houses. We need to minimize public safety risks and noise, trash, and public parking associated with short-term rentals without creating additional work for our local police departments. We also need to give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals as long as all of the policy objectives are met. We also need to ensure that speculators do not buy up homes to turn them into short-term rentals. There should be a requirement for short-term permit holders to maintain books and records for a minimum of up to 3 years. Mrs. Lingg proposes that the ordinance be rewritten without the zoning restrictions and revoke the permits of those that violate it.

Mr. Dice stated that this could be turned into a permitting thing where people are permitted and then if they do have a party or something of that nature, we would revoke the permit and fine them. Mr. Dice proposed that the ordinance be put on Council's next agenda as a discussion item, and then be readvertised.

**ENGINEERING:** None

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:**

Mr. Lemak stated that as we see in the CIP, we spend quite a bit of money on overlaying. School Road was beautifully paved and has seen that there are a lot of cutouts for FTMSA sewer manhole. Is that typical that this happens after the pave job? Mr. Nestico answered that isn't a typical situation. The Municipality did provide notice to the various utilities regarding the paving project. Something must have been lost in translation when it came to the actual execution of the project. Unfortunately, the manholes needed to be brought up to grade after the paving.

Mr. Stepanovich stated that when the overlay is finished it looks very nice, but the streets look a mess from the tires and oil marks coming off of the overlay. What can we do about that – is there a scrubbing process or something? Mr. Nestico stated that this is not the first time this has been brought to his attention. Typically, those tire tracks and marks leaving the overlay area will wear off and fade away.

Mr. Stepanovich also wanted to note that the State Representative, Jill Cooper, is having a shredding event Saturday, August 12<sup>th</sup> from 9:00 – 11:00 a.m. at the Donal Plaza in Export.

Dr. Lee Korn asked when the next Glass Recycling Event was going to be held. Mayor Synan noted that the Glass Recycling is held quarterly. The next event will be September 23, 2023.

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** None

**ADJOURNMENT:** Mr. Stepanovich made a motion to adjourn. Dr. Lee Korn seconded. All those present voted aye. Motion approved. The meeting was adjourned at 8:15 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.*