

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, September 18, 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 Korn, Josh Lorenz, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also present were Chief Administrator, James Morrison, Director of Finance, Diane Heming, and Solicitor, George Kotjarapoglus.

PUBLIC HEARING

PUBLIC HEARING FOR CU-1-18 CONDITIONAL USE AND CU-2-18 MAJOR EXCAVATION FOR CONSTRUCTION AND OPERATION OF THE TITAN WELL PAD, 6189 BOLLINGER ROAD

A Public Hearing was opened at 7:00 p.m. for CU-1-18 Conditional Use and CU-2-18 Major Excavation for construction and operation of the Titan Well Pad, located at 6189 Bollinger Road. Due to the unavailability of legal counsel, no testimony was taken. The Public Hearing was closed and will be continued at the next Council meeting on October 2, 2019 at 7:00 p.m.

Mrs. Lee Korn made a motion to close the Public Hearing and continue it at the next Council meeting on Wednesday, October 2nd at 7:00 p.m. Mrs. Brockway seconded. All present voted aye. Motion approved. The Public Hearing closed at 7:03 p.m.

REGULAR VOTING MEETING AGENDA

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

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

UNISTED AMENDMENTS: None

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

CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. September 4, 2019 Council Meeting Minutes

Mr. Stepanovich moved to approve all of the consent calendar items. Mr. Kase seconded. All present voted aye. Motion approved.

MAYOR'S COMMENTS: Mayor Synan stated that the Murrysville Recreation Department and The Amateur Astronomers Association of Pittsburgh will hold a Star Gazing Party on Sunday, September 28th at

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Murrysville Community Park Field #6, beginning at sunset, 7:06 p.m. Please RSVP to momrecreation@murrysville.com.

Murrysville Farmer's Market is coming to an end. There are only two Thursdays left from 3-7 p.m. at the Murrysville Volunteer Fire Company field located at 3235 Sardis Road.

Murrysville Heritage Festival, Triangle Lane off of Route 22, will be September 21st from 10 a.m. to 4 p.m. The theme this year is The Great Northern Pike Bicentennial.

Gearhard Farms 20th Annual Corn Maze will be Friday: 5:00 – 9:00 p.m., Saturday: 12 noon to 9:00 p.m., and Sunday: 12 noon to 7:00 p.m. This is a great family outing.

Murrysville Meals on Wheels needs kitchen help once a month. Volunteer from 8:15 a.m. to 11:00 a.m. to help prepare hot and cold meals according to an assigned menu. Check out their website at www.murrysville-mow.org

Donations are needed to cover costs to replace original memorial bricks with Vermont granite pavers at the Veteran's Memorial Field. The veteran's information originally inscribed will be re-engraved onto the new pavers. Contact the Recreation Department

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison stated that in regards to the Public Hearing that was scheduled for this evening, it was decided at the last meeting that each attorney representing the two sides would be given one half-hour to close out their argument. At that time, the public will be invited to comment on the implications. Staff will try to keep the agenda light for the next meeting.

Judge Smail upheld the appeal of the Murrysville Concerned Citizens in relation to the Sloan School Project.

COMMUNITY INPUT: Mr. Lorenz stated that this is the opportunity for members of the community to speak to Council about anything they'd like to talk about, as long as it is three minutes or less.

Emma Beaver, Director for the Murrysville Community Library: Ms. Beaver wanted to thank Council for their continued support. Without their support the Library would not be able to serve the residents and patrons within the community. Invitations were handed out at the last meeting for the Library's Annual Joint Meeting for their foundation and board of trustees that takes place this coming Tuesday, September 24th at 7:00 p.m. The meeting is open to the public and light refreshments will be available. This is a great opportunity to learn what the Library has been up to and where the Library would like to go and plans to go.

Richard Arnold, 2393 Wheatland Circle, Delmont: Mr. Arnold stated that he had a question regarding the Sloan School project and removal of dirt. Tests indicated that the soil was poor. Mr. Arnold stated that he didn't understand what that meant and what is going to be done with all of the soil that is going to be removed. Mr. Morrison answered that poor soils means that the soil is not suitable for building upon. Those soils will be removed from the site and taken to Rutter's in Monroeville. Mr. Arnold asked what exactly poor soil is. Mr. Lorenz explained that poor soil is an industry term used in construction which typically involves too much moisture, or too much sand. It's something that renders the soil unsuitable for permanent structures to be situated thereon. Mr. Arnold asked if that means there is nothing actually in

the soil. Mr. Lorenz stated that if he is asking if the soil is contaminated, then no, that is not what poor soil means.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Ms. Brockway: Murrysville Community Library meets tomorrow. As Ms. Beaver had noted earlier, there is a joint meeting coming up for Westmoreland Library as well as Murrysville Library. Anyone who is interested in what's happening in the library now and in the future should attend the meeting at 7:00 pm in the Library.

Mr. Dice: FTMSA meets tomorrow.

Mrs. Lee Korn: Nothing to report at this time.

Mr. Kase: Murrysville Medic One meets tomorrow night.

Mr. Stepanovich: The Parks and Recreation Committee met last Tuesday, September 10th. Parks reported that Bear Hollow Park has new equipment and the parking area is going to be resurfaced. Both the Miracle Field and Chambers have been lined for pickle ball. The Spray Park is closed; repairs have been made. Recreation Department reported that there were 5,000 attendees at the Concert in the Park. More volunteers will be needed going forward. The last Farmer's Market will be September 26th. The Chili Fest will be on October 12th at the Murrysville Volunteer Fire Company Pavilion on Sardis Road and will also include a cornbread baking contest. The Star Gazing Party will be September 28th.

An issue discussed was the apparent confusion of pedestrians and vehicles regarding the stop and caution signs in the community. Information has been presented in both the Penn-Franklin News and the Tribune Review, but there is a communication sub-committee that is going to get together to re-draft rules for pedestrians, along with input from Chief Seefeld, to hopefully eliminate any confusion as to who has the right-of-way in respect to vehicles and pedestrians.

The ampatheater grant was submitted. A decision is anticipated in December. The next meeting will be October 8th.

Mr. Spadaro: The Planning Commission met last night. There was a presentation and discussion on the proposed amendment to the Murrysville Transportation Improvement Plan. All of the upcoming projects from now until 2030 were discussed and the impact fees to go with it. One of the projects coming up is the widening of both Manor Road and Wilson Road in regards to the Fusting project. Old William Penn Highway, Sardis, and Vincent Hall Road were moved up to 2024. Sardis Road and Logan Ferry Road relocation was moved up to 2021. Basically the discussion was when and how they are going to do it and the cost.

Mr. Spadaro noted that Crown Castle did a presentation, but he had to leave early and missed it. Mr. Morrison stated that Crown Castle is a national company that builds small cell towers. Murrysville currently does not have an ordinance regulating small cells, which are defined to be between 25 – 40 feet high and are wireless communications mainly for cell phones and other 5G related technologies. The Planning Commission has begun taking a look at developing an ordinance to regulate them. There are some limitations because of FCC guidelines and state requirements on regulating a utility.

Mrs. Lee Kornis stated that in regard to the 5G technology, a number of communities, in their ordinances, have stated that there will be fees charged for that. Mr. Morrison stated that under FCC regulations, up to \$650 for the application fee is permitted to be charged. Certain costs can be recouped as part of the application or review process. Mrs. Lee Kornis stated that she would like staff to pursue research as to what types of fees the Municipality can charge to the maximum extent to benefit the community.

Mr. Lorenz asked if the aesthetics of these poles is also being looked into. Mr. Morrison stated that issue has been raised and will continue to be researched. Mr. Lorenz noted that, depending on whom your mobile carrier is, there are dead spots and some spots better than others. Increased or improved performance is something people would probably welcome. We just want to make sure that we're doing this the best way that we can so that there aren't eye sores all over the place.

Mrs. Lee Kornis suggested that there be an information session for the community regarding health risks or a question and answer session where residents can have their concerns addressed. Council can't regulate certain utilities, but we can still be educated, informed and try to help address concerns of the residents. Mr. Lorenz said that was a great idea and suggested that since staff is in the process of investigating and developing an ordinance, having a public hearing before the Planning Commission might be a good idea.

Mr. Spadaro asked if there was any truth to the rumor that radiation is thrown off and is detrimental to the people. Mr. Morrison stated that the opinion of the FCC is that it is false. The Municipality does not have an ordinance on the books right now. The FCC required that an application be accepted in 60 days and approved in 90 days. So there may be one cell antenna installed in the community prior to an ordinance adoption. Mr. Lorenz asked if there could be an ordinance placed in pending status so that if any applications come through it would be subject to whatever is agreed upon. Mr. Morrison stated that he will have that conversation with Mr. Kotjarapoglus. Pending status can only be done if it is considered a Zoning Ordinance. Mr. Morrison stated that he gave the Planning Commission several existing ordinances from other communities as references and can provide Council with the packet of information he provided them.

WORKSHOP ITEMS

ADMINISTRATION: None

ENGINEERING: None

COMMUNITY DEVELOPMENT:

11.A. Consider approval of S-4-19, Powers Subdivision, a two lot subdivision located at 4913 Logan Ferry Road, tax parcel 49-03-00-0-023, R-R zoning

Mr. Morrison stated that this is a minor subdivision to subdivide one existing tract located at 4913 Logan Ferry Road into two lots under the owners of William Power and Rita Power, zoned R-R. This was reviewed by the Planning Commission and recommends approval. This subdivision will be presented to Council at the next meeting for approval.

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider approval of the 2020 Minimum Municipal Obligation (MMO) for the Non-Uniform and Police Pension Plans

Mrs. Lee Kornis made a motion to approve the 2020 Minimum Municipal Obligation (MMO) for the Non-Uniform and Police Pension Plans in the amount of \$609,612. Mr. Kase seconded.

Ms. Heming stated that this is an annual calculation prepared for budgeting purposes to determine the amount of funding required to meet the financial obligations of both pension plans. One unique thing this year is that every two years an Actuarial Valuation is done for both plans. This year the 2019 was completed for the non-uniform plan and those figures were used for this MMO payment. Due to the fact that the 2019 Actuarial Valuation for the Police plan was not completed at the time of calculations, the Police valuation is based on the 2017 Actuarial Valuation. If the 2019 valuation is received prior to submission of the 2020 General Fund Budget to Council, an amended MMO for the Police Pension Plan will be calculated and presented to Council for approval. Estimated State aid for 2020 is \$345,000, which leaves the Municipality with a cost of \$264,612 in the 2020 Budget. Ms. Heming stated that a hard copy of the audit is in the workroom, but she also has it electronically and can put it in Council's dropbox.

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

13.B. Consider approval of Resolution No. 711-19, a resolution approving the transfer of restaurant Liquor License R-18040 into the Municipality of Murrysville from Bolivar Township by Giant Eagle, Inc. (GetGo), 4806 Old William Penn Highway

Ms. Brockway made a motion to approve Resolution No. 711-19, a resolution approving the transfer of Restaurant Liquor License R-18040 into the Municipality of Murrysville for the Giant Eagle GetGo, 4806 Old William Penn Highway. Mrs. Lee Kornis seconded.

Mr. Lorenz stated that the Public Hearing and workshop was held at the last meeting. Mr. Lorenz noted that Sheetz has had this same setup for some time now and he is unaware of any problems or incidents relative to that. Mr. Morrison stated that he was presented with a right-to-know request of any police reports that pertain to Sheetz, and there were no police activity reports.

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

13.C. Consider approval of Resolution No. 712-19, a resolution approving the transfer and acceptance of Restaurant Liquor License R-20780 purchased at auction into the Municipality of Murrysville, 106 Blue Spruce Way

Mrs. Lee Kornis made a motion to approve Resolution No. 712-19, a resolution approving the transfer and acceptance of Restaurant Liquor License R-20780 purchased at auction into the Municipality of Murrysville

for North Park Lounge, 106 Blue Spruce Way and contingent upon placing into escrow the existing North Park Lounge restaurant liquor license. Mr. Dice seconded.

Mr. Morrison noted that at the last Council meeting, it was stated that the former license at North Park Lounge be place in escrow, which is stated in the resolution. Council would be approving this resolution contingent upon and the understanding that the current license at North Park Lounge be placed in escrow.

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

13.D. Consider approval of Policy #47-19, a policy outlining the specific procedures for the employees of the Municipality of Murrysville by which a tuition reimbursement plan will be administered

Mr. Stepanovich made a motion to approve Policy #47-19, a policy outlining the specific procedures for the employees of the Municipality of Murrysville by which a tuition reimbursement plan will be administered. Mr. Spadaro seconded.

Mr. Morrison stated that this was presented to Council at the last meeting during workshop. Council had a few comments, one being timing of scheduling classes. It was suggested that that this be done twice a year, but would defeat the intent for budgeting purposes. The policy presented this evening would be that the Director or Chief Administrator would counsel the employee as to what their intent is for the year. Classes would be limited to four in a calendar year, by September 1st of the preceding year and have the employee execute an agreement that if the employee terminates his/her employment with the Municipality prior to two years after receipt of tuition reimbursement, the employee must remit the entire reimbursement to the Municipality.

Mr. Kase asked if this is also available for vocational training. Mr. Morrison stated yes, that it does mention vocational training in the policy.

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

COMMUNITY DEVELOPMENT: None

ENGINEERING: None

PUBLIC WORKS AND PARKS: None

OLD BUSINESS: None

NEW BUSINESS: Mr. Lorenz stated that just as a reminder, October 2nd, Public Hearing for the Titan Well Pad, public comment will be taken at that meeting. If you would like to come and be heard, October 2nd is the date to come and be heard.

EXECUTIVE SESSION: None

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ACTION ITEMS: None

ADJOURNMENT: Mr. Kase made a motion to adjourn the meeting. Mrs. Lee Korn seconded. All present voted aye. Motion approved. Mr. Lorenz adjourned the regular voting meeting at 7:57 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.