

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, April 15, 2020, at 7:00 p.m. in the Municipal Building and virtually via Zoom. Present at the meeting were Council members Tony Spadaro and Carl Stepanovich along with Chief Administrator, James Morrison. Attending via Zoom were Council members Toni Brockway, Dayne Dice, Loren Kase, Jamie Lee Kornes and Mac McKenna along with Mayor Synan, Director of Recreation, Carly Greene, Director of Public Works, Bill Paiano, and Solicitor, George Kotjarapoglus.

### REGULAR VOTING MEETING AGENDA

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

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

**UNISTED AMENDMENTS:** Mr. Morrison stated that staff is proposing to add item *13.C. Consider authorizing to advertise for a Public Hearing to amend the 2020 Budget.*

Dr. Lee Kornes moved to approve the amended agenda adding item 13. C. Authorize advertising for a public hearing to amend the 2020 Budget. Mr. Stepanovich seconded. All present voted aye. Motion approved.

#### CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. March 18, 2020 Council Meeting Minutes

Mr. Dice noted that he will abstain from any KU Resources related billings in the Accounts Payable section. Mr. Spadaro moved to approve the consent calendar items A. B. & C. Dr. Lee Kornes seconded.

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

**MAYOR'S COMMENTS:** Mayor Synan stated that he has asked two local doctors to participate in weekly discussions and is very thankful to both of them; Dr. Mark Rubino from Forbes Health and Dr. William Jenkins from Excela, who is also the Emergency Services Medical Director for the County. Dr. Jenkins had an editorial in the paper about a week ago which states "Please stay at home; we are at the critical stage of the pandemic in the next few weeks. That will help protect our physicians, our nurses, and our first responders. Practice social distancing. Today the governor asked that everyone start wearing masks. He states that we have come so far together and is asking that everybody stay strong until we get through this peak. We will soon be moving into a re-opening phase, but for now we need to continue to stay home as much as possible."

Mayor Synan stated that most of the announcements are cancellations and postponements:

- The Spring Fever Event and Jr. Egg Hunt: Rescheduled for Friday, May 8<sup>th</sup> from 6–8 p.m. Check the website for additional event details.
- Preschool Prom: Saturday, May 9<sup>th</sup> at Murrysville Community Center - Cancelled.

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, April 15, 2020

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- Functional Movement Screening: May 16 & 18 - Postponed date TBD.
- Docs in the Park Walking Program: May 2<sup>nd</sup> - Start date postponed.
- Eat Your Weeds: May 16 at Murrysville Community Park – Postponed date TBD.

Community Events and Program:

- Joey Gombosh Fishing Derby: April 18<sup>th</sup> at Townsend Park – Cancelled.
- SLAM/Dean Anderson Memorial Fishing Derby: May 17 at Sloan Elementary School – Cancelled.
- Murrysville-Export-Delmont 2019 Photo Contest Awards Ceremony: April 14 at Murrysville Community Center – Postponed date TBD.
- Valley Landfill Clean-Up Week: Postponed date TBD.
- Community Center Activities: Closed/Cancelled for May.
- Murrysville Senior Citizens' Center: Closed for May
- Murrysville Park Activities and Rentals: Closed for May

Franklin Regional Grab N Go Program: Franklin Regional is serving meals to any current Franklin Regional student or children age 18 or under who live in the Franklin Regional Community. You do not need to be enrolled in the free and reduced lunch program to receive these meals. If you have any questions, please email Linda Miller at [lmiller@frsdk12.org](mailto:lmiller@frsdk12.org).

The Library is closed till further notice. Please use the on-line e-book collection at: [www.wlnonline.org](http://www.wlnonline.org) under the overdrive tab. Free virtual library cards are available for PA residents under the *How Do I* section. Get a Library Card.

Mayor Synan stated that the Municipality has for right now, issued a moratorium on open burning. We don't want to stretch our fire resources. You can continue to use your fire pits, but please have some water source nearby and don't burn on windy days.

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Morrison stated that the office is still closed to the public. He, Diane Heming, Michael Hiler, and Verdale Price are holding down the fort, servicing residents as they call in. Anyone having questions can either call the office at 724-327-2100 or check the website.

Public Works is on a two crew shift; Monday and Tuesday, 9 members working 10 hour days; the second crew on Wednesday and Thursday, 10 hour days, which seems to be working out fine. They are mainly handling maintenance activities.

Everyone stay well and we will all get through this.

**COMMUNITY INPUT:** None

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Stepanovich: The Planning Commission met last week. There was a discussion on small cell wireless. The main speaker was Joe Cortese, an attorney hired by the Municipality. There cannot be any discrimination of one vendor over another. The cell towers are to attach to existing structures wherever possible. Federal Regulations take priority. This was tabled until a public hearing can be held.

Another discussion was a senior development to be controlled by HOPA (Housing for Older People's Act), to be located on Logan Ferry Road near the Respironics facility. The lot is 6.7 acres and will have 112 apartments with 114 parking spaces. An Ordinance will need developed that will either be an amendment to an existing ordinance or possibly an overlay district. This has not been decided yet. Plum and Monroeville have definitions on this and we will be looking at what they've done. The action point was to gather additional information for the Commission to review.

Amendments to the Sign Ordinance, on how the Municipality will handle new signs, electronic signs, were discussed. There is a concern of night brightness, animation, and the use of various colors. The current ordinance permits only the color amber.

Shag Bark Lot Consolidation, 4 and 3 acres are combined to 7 acres with conditions that the Commission approved.

4001 Partners Site which was the old Weyerhaeuser site, 9.3 acres. They are only going to actively use about 40% of that. Choice Auto is the organization that is going to be using the property. There is an existing building which will be used as a sales office and show room. They are going to be building a new building behind it, 80' x 120'. Glazing was a concern, which did not meet the requirements. Cars being sold there will not be brought in by car carriers. There was a question about the parking area in regards to handicapped parking which will have to be addressed. Storm drainage was approved by the Conservation District. The Planning Commission asked for detail on the lighting fixtures. This was tabled until May.

Villa Ciano Development is on Cline Hollow Road. This is a 10 year old project. An overview was given by Attorney Chuck Hergenroeder. This is a 23 lot development. There will be on-site infiltration. The discussion point was regarding common storm runoff. Who is going to be responsible, the homeowner, the homeowner association or the Municipality? KU Engineering, the Municipal engineering firm, has issued some additional comments which are awaiting response from the developer's engineer.

The next Planning Commission meeting is Tuesday, May 5<sup>th</sup>. Mr. Stepanovich wanted to note that Planning Commission meetings are now once a month instead of two meeting a month.

Ms. Brockway: The Library Board meets tomorrow. The Library is still closed, but the staff is currently planning virtual programming which will be available on their Facebook page. They are also partnering with Penn Franklin to offer paper based programs and more details on that will be coming soon. Residents without a library card can apply for a virtual card through the Westmoreland Library network page which is [wlnonline.org](http://wlnonline.org). Residents with a physical library card also have access to Overdrive and are encouraged to download e-books through their closure.

Mr. Dice: FTMSA meets tomorrow and will be meeting virtually.

## **WORKSHOP ITEMS**

### **ADMINISTRATION:**

#### **9.A. A discussion concerning Murrysville Boards, Commissions and Standing Committees**

Mr. Morrison stated that he had provided Council with information regarding provisions in the Administrative Code and the Home Rule Charter as it applies to Boards and Commissions.

Mr. Dice stated that it was his understanding that Council was all in favor of taking the Planning Commission from seven to five members. Dr. Lee Kornis stated that she thought it was discussed to potentially maintain the number of seven and having alternates. Mr. McKenna stated that alternates were discussed, but were they to be counted as part of the Board or is the Board to be five with two alternates? If an alternate is coming in for a meeting, but hasn't attended the past two or three meetings on a project that is very involved, he would rather that they not be there as a vote.

Mr. Stepanovich noted that there were five members on the Planning Commission at Tuesday's meeting. There are a few candidates looking to be on the Planning Commission, Mr. Harding and Mr. Koury, but a decision hadn't been made on that. The problem in the past has been making certain that there are enough members present to form a quorum, because what the Planning Commission does is extremely important. Moving now to one meeting a month, it will be easier to get all of the members there.

Mr. Spadaro stated that over the last couple of years, if the Planning Commission only had five members, most meeting wouldn't have enough people there because there has been a lot of absenteeism. He feels that they should stick with seven members and hopefully get enough there for the quorum. A plan for alternates has too many ifs, ands, or buts. He also agrees that with their only being one meeting a month, that should get enough members there. Mr. Spadaro suggests that we keep it to seven, get two more people on the Board, with the one meeting a month and see how it goes for the next couple of months and then make a decision.

Mr. Stepanovich asked if the young man that they had interviewed, Mr. Livecchi, had been assigned to the EAC? Mr. Dice stated no, that they were potentially planning to put him on the Planning Commission. Mr. McKenna stated that Mr. Livecchi should be assigned to the Planning Commission.

Mr. Morrison stated that he will re-advertise the positions for the Planning Commission and the EAC and bring in Mr. Livecchi at the next meeting for appointment to the Commission. Mr. Kase stated that it should be noted that if someone accepts the position, that there are requirements and are depending on them to show up. Mr. Stepanovich stated that as a courteous to Mr. Harding and Mr. Koury, they should be notified that the position is being re-advertised and are still being considered.

**9.B. A discussion concerning an update to the Murrysville Noise Ordinance**

Mr. Morrison stated that a couple of meetings ago, Council had raised a point about wanting to take a look at the Noise Ordinance. Mr. Morrison had contacted AVT, who was the noise consultant on the Titan application and is familiar with our Ordinance. The AVT proposal is in the support documents folder. Mr. Morrison stated that at this point, staff has recommended not hiring any consultants due to the uncertainty of the financial condition moving forward.

Mr. Stepanovich stated that one thing he would object to in the proposal is the \$850 for travel from Florida. Why would we be paying for their travel from Florida? Mr. Morrison stated that the gentleman, the technical expert, who spoke at the Titan meetings, is in Florida. Mr. Kase and Mr. McKenna agreed with Mr. Stepanovich that AVT should pay for the travel from Florida. Mr. Kase also stated that some of their costs

seem excessive.

Mr. Morrison stated that when Council is ready to pick this back up, that he will contact several other firms and get more quotes. Dr. Lee Korn suggested that if Council does decide to work with AVT that maybe the expert can call in through Zoom and not have to travel.

**ENGINEERING:**

**10.A. A discussion regarding award of a contract for DPW-1-20, 2020 Overlay Project**

Mr. Morrison stated that bids were solicited for the Overlay Project. In the Dropbox are the four proposals that were received along with a list of the streets that are on this year's paving program. The low bidder was Tresco Paving at \$1,206,038. This is on the agenda later for Council's consideration for approval.

**10.B. A discussion concerning alternatives for traffic calming on Wiestertown Road in the vicinity of Murrysville Community Park**

Mr. Morrison stated information concerning alternatives for traffic calming and some background information on traffic calming was included in the support documents file. This came from a manual which was generated by PennDOT. This all came about from an individual that spoke at a Council meeting and was concerned about conflicts with horse traffic and cars on Wiestertown. A previous Council had looked at that situation and staff had offered two alternatives to consider and council decided not to pursue it. The recommendations were to do a traffic study to consider a 4-way stop at Bollinger, Evans and Weistertown. The other recommendation was the construction of two raiser pedestrian crosswalks at each end of the Wetlands and MCP Park.

Mr. Dice asked if the traffic study needed done before proceeding with anything. Mr. Morrison answered that for the 4-way stop sign it would definitely need done. The PennDOT manual was recommending that this be a community committee type effort when it comes to traffic calming efforts.

Mr. McKenna suggested putting the wide speed bumps in to slow the process of traffic down. Mr. Morrison stated that the reason why the raised pedestrian crosswalk was recommended was because it is a small slope that goes into a 10-12 inch flat area being the crosswalk. It has to be considered, that public works still has to plow that road and the plow would tear up a regular speed bump/hump. Snow removal is easier with the raised crosswalks instead of the speed bumps.

Mr. Kase state that his concern is not so much horse traffic, but the amount of traffic based off all the activities at MCP, the sports activities, the splash pad, the dog park and eventually the amphitheater on that narrow road and with people crossing. The calming of the raised crosswalk would also help with horse traffic and slow cars down leading up to the park. Dr. Lee Korn stated that she agrees with Mr. Kase. Mr. McKenna asked about putting a flashing speed sign in addition to the raised crosswalk. Mr. Morrison noted that a solar powered flashing light would be about \$9,000.

Mr. Morrison stated that according to the PennDOT manual, the road should be signed properly, but does encourage that other measures be considered prior to that; which would be speed enforcement along that road. The traffic calming measure is only a last resort. There has only been one incident in that area; a

passing motorist side-swiped a horse that was along the roadside. Maybe the alternative would be to do some strict police enforcement for a period of time during the prime of the season and see if that deters traffic going forward.

Mr. Dice stated that is fine with having police enforcement and see where it goes from there. I the police report back that they have issued a ton of tickets, and then maybe Council should look into have a stop sign and crosswalk there. Mr. Kase agrees that police enforcement is number one and then look into raised crosswalks. Mr. McKenna stated police presence will probably slow things down a bit. Mr. Morrison noted that there is some crosswalk markings to the entrance to the park and into the wetlands where there is a walking trail. The first step might be to paint and define the crosswalks there in addition to police enforcement and see how that works. If we continue to see problems, then investigate what the medium speed is along that area and look at the next step. Ms. Brockway stated that makes sense to do that initially based on the issues. The rest of Council was in agreement.

**COMMUNITY DEVELOPMENT:** None

**PUBLIC WORKS AND PARKS:**

**12.A. An update on the proposed Amphitheater Project at Murrysville Community Park**

Mr. Morrison stated that five proposals were received and were a bit disappointing. The responses received from the consultants missed the point as to what we were looking for, and their prices were significantly higher than anticipated. It is believed that the companies misunderstood the amount of input that was desired, that really much of the work would be done in house. Staff will be coming back to Council in May as part of revisiting the 2020 Budget recommending that the amphitheater project be postponed this year. The grant received from the State is good for three years. Mr. Morrison also stated that given the financial dilemma that may face all of us, it is not a good image to be building a \$500,000 amphitheater. Mr. Morrison stated that their recommendation come back will be to hire a consultant on an hourly basis and use them as needed instead of trying to package everything together.

**COUNCIL ACTION ITEMS**

**ADMINISTRATION:**

**13.A. Consider Approval of Resolution #717-20, a Resolution in support of the State Action to Support Local Government during and after the COVID-19 Crisis**

Ms. Brockway made a motion to approve Resolution #717-20, a resolution in support of the State action to support local government during and after the COVID-19 crisis. Mr. McKenna seconded.

Mr. Morrison stated that most of the stimulus acts that have been passed at the Federal level have provided funds for non-profits and private businesses, none this point to local government. There is some legislation moving through but seems to be confined to cities of 500,000 or more people. We are being impacted like everyone else financially. This resolution would support getting our legislators onboard to support funding for local government.

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

**13.B. Consider approval of Resolution #718-20, a Resolution authorizing David E. Wooster and Associates to act as agent for the Municipality of Murrysville, applicant, for a Highway Occupancy Permit for the Fusting’s Executive Park on Wilson Road**

Dr. Lee Kornis made a motion to approve Resolution #718-20, a Resolution authorizing David E. Wooster and Associates to act as agent for the Municipality of Murrysville, applicant, for a Highway Occupancy Permit for the Fusting’s Executive Park on Wilson Road. Mr. Kase seconded.

Mr. Morrison stated that this proposed development is on Manor / Crowfoot Road. Since Manor Road is a State road, it requires a Highway Occupancy Permit application and review by PennDOT. Five or six years ago, PennDOT required all municipalities to be the applicant for Highway Occupancy Permits. This is just a formality to permit that application to be filed and reviewed. Any cost associated with the application will be the responsibility of the developer.

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

Mr. Morrison noted that he heard that Fusting’s development is considering the townhouses as Phase 1 of that development. The master plan was approved; any development of any phase has to go back through the review process.

**13.C. Consider authorization to advertise for a Public Hearing to amend the 2020 Budget**

Mr. Kase made a motion to authorize advertising for a Public Hearing to amend the 2020 Budget. Ms. Brockway seconded.

Mr. Morrison stated that last week, he and Ms. Heming took a hard look at the budget and the impact that this pandemic is going to have financially on the operations here. They presented a revised budget to the Mayor and will be discussing it in detail tomorrow. We are a conservative bunch here; however, there are so many things that are unpredictable at this point. Currently we are looking at an estimated \$1.5 million shortfall in revenues which represents a little over 20% of the General Fund budget. They’ve taken a look at the expenditure side, made some recommendations and some moves that may be necessary. As this situation unfolds, we will continue to follow it. After talking with the Mayor tomorrow, staff recommendations will be part of the Public Hearing for Council at the May 6<sup>th</sup> meeting.

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

**COMMUNITY DEVELOPMENT:**

**14.A. Consider re-approval of FS-5-19, The Acres at Magnolia Farms, a 10 lot, single family, subdivision of Parcel No. 1 Jones-Zoltun Plan of Lots as recorded in Plan Book Volume 91, Pages 1574-1575 for purposes**

of executing a Developer's Agreement

Mr. McKenna made a motion to consider re-approval of FS-5-19, The Acres at Magnolia Farms, a 10 lot, single family, subdivision of Parcel No. 1 Jones-Zoltun Plan of Lots as recorded in Plan Book Volume 91, Pages 1574-1575 for purposes of executing a Developer's Agreement. Mr. Spadaro seconded.

Mr. Morrison stated that this was approved in January with one of the conditions being issuance of the NPDES permit. The Developer's Agreement could not be executed at that time. They have now been issued the NPDES permit but the 60-day period required for the signing of the Developer's Agreement had passed. This is re-approval subject to the conditions that were outlined in the agenda briefing. This is the plan at the end of Sardis Road.

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

**ENGINEERING:**

**15.A. Consider award of a contract for DPW-1-20, 2020 Overlay Project**

Mr. Kase made a motion to award a contract to Tresco Paving Corporation for DPW-1-20, the 2020 Overlay Project not to exceed \$1,206,038.25. Mr. Stepanovich seconded.

Mr. Dice stated that this was talked about prior, and is pretty straight forward.

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

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** Mr. Morrison stated that he received a letter from Wrtcher Law LLC who represents the School District. The contractor performing the work over at the School District site has requested that they be permitted to use the upper exit across from Murry Woods to take out approximately 30% of the dirt approved under the haul plan previously. That portion of the road would have to be bonded. Would Council like to consider this or give staff authorization to respond?

Mr. Stepanovich asked if there would be a financial effect on the municipality. Mr. Morrison answered no. Mr. McKenna stated that his only concern would be if that road could handle the trucks going on that road. Mr. Kase stated that as long as the road is bonded and that there is a stop sign exiting that road was his concern. Ms. Brockway asked what their time frame was on that. Mr. Morrison stated the letter indicates there would involve an estimated 100 truck trips per month over the 5-month period from April to August, 2020. This is necessitated because of the construction phase that they are in now. They have excavated and put the retaining wall in and are beginning the ground floor of the new building. There is about a 20 foot elevation difference between the upper and lower portion of the lot.

Mr. Dice stated that if Council is in agreement with taking this back to the next Council meeting in two



THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, April 15, 2020

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weeks and vote on it at that time. Then Council can let them know they have until school starts or the end of August to use both entrances and then go back to the one. Council was in agreement and Mr. Morrison will list this on Council's next agenda.

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** Mr. Stepanovich stated that some type of communication should be given to Mr. Koury and Mr. Harding regarding the Commission appointments. Mr. Morrison stated that he will send out a letter.

Mr. Morrison asked Council opinion of the next meeting being Zoomed and stated that he will advertise for the next meeting to be virtually via Zoom.

**ADJOURNMENT:** Mr. Spadaro made a motion to adjourn the meeting. Mr. Stepanovich seconded. All those in favor voted aye. Motion approved. The meeting was adjourned at 8:32 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.*