

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, February 2, 2022, 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, Tony Spadaro, Carl Stepanovich, and Mayor Synan. Also, present were Chief Administrator, James Morrison, Director of Finance, Diane Heming, and Director of Public Works, Bill Paiano.

PUBLIC HEARING
THE REQUEST FOR AN INTERMUNICIPAL TRANSFER BY GIANT
EAGLE, INC. OF A RESTAURANT LIQUOR LICENSE INTO THE
MUNICIPALITY OF MURRYSVILLE

A Public Hearing was held at 7:00 p.m. on the request for an intermunicipal transfer by Giant Eagle, Inc. of a restaurant liquor license into the Municipality of Murrysville. Ellen Freeman, Attorney with Flaherty and Ohara representing Giant Eagle, Inc., stated that she is here this evening to request a resolution which would be for an intermunicipal transfer a liquor license from outside the municipality to within it. Ms. Freeman presented an exhibit of preliminary floor plans on what the store is proposed to look like. This would be for the Giant Eagle grocery store located at 4810 Old William Penn Highway. Giant Eagle currently operates 92 other liquor licenses in Pennsylvania which are spread out between both their convenience stores and grocery stores. There is only one license area within the grocery store that would display alcohol, serve alcohol, and sell alcohol. There is a small storage area in the back which will hold the overflow of product. There will be only three registers to purchase the beer or wine. Giant Eagle wants to maintain a responsible operation. The three registers will always be manned by an associate that is of age to serve alcohol and that has been properly trained through the Responsible Alcohol Management Program, as well as Giant Eagle's internal training. No spirits will be sold.

Ms. Freeman stated that there will be a seating area for 30 patrons, which is a PLCB Liquor Code requirement. The seating area is the only area where alcohol can be consumed on the premises. Giant Eagle does self-impose a 2 beer or 2 glasses of wine limit. They also have a limit on how much can be sold to go, which would be a transaction of roughly 2 six-packs of beer or 4 standard bottles of wine. Giant Eagle does employ a 100% carding policy and will also use a card scanner transaction device on the ID to make sure it is not fraudulent. Lastly, they will maintain all their security cameras through the store.

Ms. Freeman noted that Giant Eagle certainly understands its reputation in the neighborhood and wants to maintain a good reputation and doesn't want to tarnish that with any irresponsible sales of alcohol. That is why they have put these precautions and policies in place. They go above and beyond what the Liquor Code requires of them.

Mr. Stepanovich asked if children were allowed in that area. Ms. Freeman answered yes. All of the alcohol is on shelves out of the way of children and is well maintained by the associates.

Mrs. Lingg asked about the rationale of the 30-patron seating area. Ms. Freeman explained that this is requirement of the PLCB and is actually a restaurant liquor license, where currently there is no differential between a restaurant and grocery store by the LCB.

Mr. McKenna asked if the Advantage Card was going to be allowed. Ms. Freeman answered that she has not seen any discounts using the Advantage Card.

Mr. Lemak asked about storage of excess alcohol in the back of the store. Ms. Freeman answered that there was one area in the back of the store with a small cage that any overflow of inventory would be kept in and it would be locked.

Mr. Morrison noted that the resolution required by the Liquor Control Board will be on Council's agenda for February 16th.

Mr. Dice asked for any comments from the audience regarding the Giant Eagle liquor license. Hearing none, the Public Hearing was closed at 7:15 p.m.

REGULAR VOTING MEETING AGENDA

ROLL CALL/VOTING ORDER: Jason Lemak, Dayne Dice, Tony Spadaro, Jamie Lee Korn, Jamie Lingg, Carl Stepanovich, Mac McKenna, 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 January 19, 2022, Council Meeting Minutes.

Mr. Spadaro made a motion to approve the Consent Calendar Items. Dr. Lee Korn seconded. All those present voted aye. Motion approved.

MAYOR'S COMMENTS: Mayor Synan presented the following:

AARP Tax Prep program will be held at Murrysville Community Center on select Fridays in February, March, and April. You must set up an appointment in advance. No walk-in service will be available. Call to make your appointment at 412-394-8959. If there is no answer, leave a message and your call will be returned.

Murrysville's 12 for 12 will be held January 1st through March 31st. The Murrysville Recreation Department and Westmoreland Conservancy are challenging the community to explore 12 miles in the parks. You can walk, bike, or run 12 miles in the Murrysville Parks, Westmoreland Heritage Trail, or any Westmoreland Conservancy Reserve property. In this FREE virtual challenge, participants are to complete 12 miles on their own time. For more information go to www.murrysvilleparecreation.com.

Ulysses S. Grant will be speaking in Murrysville on February 9th at 6:30 p.m. about the surrender of Robert E. Lee in 1865. This program will be held at the Murrysville Municipal Building and will be broadcast on Murrysville's local Channel 19 and live streamed. Registration is encouraged. Call 724-327-2100 x131 for more information.

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison stated that staff will begin interviewing candidates for the Chief Administrator position next week. There will be two candidates interviewed on Thursday and two on Friday.

There are two dates set up for a tour of the Titan Well; Wednesday, February 23rd at 10:30 a.m. and Friday, February 25th at 1:00 p.m. Olympus is limiting the groups to 10 at a time. Mr. Morrison passed a sign up sheet to Council if they are interested in attending.

A new public works employee has been hired, Alex Comisak. We welcome him to the community. Two employees are retiring next month.

Mr. Morrison wanted to remind residents around the neighborhood parks that the Neighborhood Park Survey has been mailed out. Please take a few minutes to go online and fill out the survey to help in the planning efforts in the community.

COMMUNITY INPUT: None

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Stepanovich: The Planning Commission and Parks and Recreation Foundation meet next Tuesday.

Mr. Spadaro: Medic One will have a meeting the end of the month.

Dr. Lee Korn: No update from the Pension Committee.

Mr. McKenna: Parks and Recreation meets next Tuesday.

WORKSHOP ITEMS

ADMINISTRATION:

9.A. A discussion concerning the final regulations from the U.S. Department of Treasury concerning use of the American Rescue Funds

Mr. Morrison stated that the final guidelines concerning expenditure of the American Rescue Funds have been issued. Staff attended a ZOOM meeting on January 25th for a briefing on the final rules. The money is to be targeted in four general areas: 1) Replacing lost public sector revenue, 2) Public health and economic impacts, 3) Premium pay, and 4) Water, sewer, and broadband infrastructure. The significant change in the regulations was in the way the determination of revenue loss was calculated. The new rule permits a standard allowance for funds to be used in the least restrictive eligible category of government services in the amount of up to \$10,000,000. Any community can spend up to \$10,000,000 in the replace revenue category. The \$2,000,000 that the Municipality is receiving can be used for replacement of lost public sector revenue. The staff is proposing that the \$2,000,000 be used to cover the cost of police services from the date of eligible expense, March 3, 2021 to sometime in December of 2021. This will increase the General Fund unreserved fund balance which will then be transferred to the Capital Reserve for capital projects that will serve the entire community. Mr. Morrison noted that a list of the proposed capital expenditures is included in Council's support documents folder.

Mr. Stepanovich asked if a consultant was hired to assist in following the regulations and if his services are still needed. Mr. Morrison answered yes, and that staff continues to use their service. They provide updates annually and they also provide services with other funding programs, including the infrastructure money that is coming forward that we would like to participate in.

9.B. A discussion concerning the Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company

Mr. Morrison stated that this the third year for the program. Murrysville passed an ordinance to permit volunteer fire company members who meet certain requirements to be able to forego 100% of their earned income tax obligation to the Municipality.

Mr. Stepanovich asked if the Sardis Volunteer Fire Company submitted any documentation for credit. Mr. Morrison answered no, they have not. They have not participated in any of the three years.

9.C. A discussion concerning the lease of oil and gas rights of property owned by the Municipality of Murrysville off General Forbes Road and at Staymates Cabin

Mr. Morrison stated that the Municipality was approached by Olympus Energy to lease oil and gas rights. The General Forbes property is approximately 8.87 acres and will be drilled from the Metis Well in Salem Township. The Staymates property is approximately 40.57 acres and will be drilled from the Poseidon Well in Penn Township. The advice of the solicitor was to competitively bid these rights. The bid was advertised, and letters were sent to a number of producers in the southwest Pennsylvania area notifying them that the lease was available to bid on.

Mrs. Lingg asked that if the property was owned privately, would the Municipality get a tax on that property? Mr. Morrison answered no. It would be just the per acreage lease amount and then the royalty, whether it is privately or publicly owned. Mrs. Lingg asked if there were travel restrictions or restrictions when operations can occur. Mr. Morrison answered that both wells are outside the Municipality of Murrysville. There would be no granting of surface right involved. This is only to lease the oil and gas rights.

ENGINEERING: None

COMMUNITY DEVELOPMENT: None

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider approval of Ordinance No. 1056-22, specifying the rate of pension contributions with respect to the Police Uniform Pension plan for the calendar year 2022

Mr. Lemak made a motion to approve Ordinance No. 1056-22, specifying the rate of pension contributions with respect to the Police Uniform Pension plan for the calendar year 2022. Mr. Stepanovich seconded.

Ms. Heming stated that this is a normal item done every year under Act 600 requirements, specifying the rate of pension contributions with respect to the Police Pension Plan. The rate hasn't changed and is 5% contribution for the 2022 calendar year.

All those present voted aye. Motion approved.

13.B. Consider approval of the Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company

Dr. Lee Kornis made a motion to approve the Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company. Mrs. Lingg seconded.

All those present voted aye. Motion approved.

COMMUNITY DEVELOPMENT: None

ENGINEERING: None

PUBLIC WORKS AND PARKS:

16.A. Consider authorization to advertise for bids for contract mowing of green spaces for the years 2022 to 2024

Mr. Stepanovich made a motion to advertise for prices for maintenance, mowing and trimming at various municipal properties. Dr. Lee Kornis seconded.

Mr. Paiano stated that he would like to advertise for bids for a one-year contract with three-year pricing for the green space area.

All those present voted aye. Motion approved.

16.B. Consider authorization to advertise for bids for landscaping services at the Administration Building and Community Center, Rt. 22 medians and streetscape and the Rt. 22 jug handles

Mr. McKenna made a motion for authorization to advertise for bids for landscaping services at the Administration Building and Community Center, Rt. 22 medians and streetscape and the Rt. 22 jug handles. Mr. Lemak seconded.

Mr. Paiano said they are looking to go out to bid for a one-year contract with three-year pricing. This would encompass along Route 22 jug handles, the streetscape, and the lawn maintenance and care of the Municipal Building and Community Center.

All those present voted aye. Motion approved.

OLD BUSINESS: None

NEW BUSINESS: Mr. McKenna said he just wanted to thank the Public Works Department for the fantastic job they have done during the winter storms with keeping the roads clear.

EXECUTIVE SESSION: None

ACTION ITEMS: None

ADJOURNMENT: Mr. Spadaro moved to adjourn the meeting. Dr. Lee Kornis seconded. All those present voted aye. The meeting was adjourned at 7:40 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.