

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, February 6, 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, and Carl Stepanovich. Also present were Mayor Synan, Chief Administrator, James Morrison, Director of Finance, Diane Heming, and Director of Engineering, Scott Hilty. Solicitor, George Kotjarapoglus was absent.

**MAYOR SYNAN RECOGNIZES  
DR. GENNARO PIRAINO  
AS THE 2019 PENNSYLVANIA SUPERINTENDENT OF THE YEAR**

Mayor Synan presented Dr. Gennaro R. Piraino with a citation for being selected as the 2019 Pennsylvania Superintendent of the Year by the Pennsylvania Association of School Administrators (PASA). Receiving this distinction clearly reflects the leadership, professionalism and community engagement by Dr. Piraino. The community of Murrysville is fortunate to have Dr. Piraino and his staff at the helm of Franklin Regional. Thank you and congratulations.

Dr. Gennaro stated that he was nominated by board members and his peers for Pennsylvania Superintendent of the Year. He was chosen by the Pennsylvania Association of School Administrators and its Board of Governors, which consists of about 40 superintendents across the Commonwealth. It is a tremendous honor and is very humbling, but really is a community award. There are a lot of people working hard to meet the social, emotional and educational needs of students, not only academically but athletically and artistically. It is an honor to live in this community; and as a school leader, an honor and privilege to serve the school system and the Franklin Regional students.

On behalf of Council, Mr. Lorenz thanked Dr. Piraino for all he does with the community and congratulates him and the district on the award, which reflects very well and positively on the community.

**REGULAR VOTING MEETING  
AGENDA**

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

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

**UNLISTED AMENDMENTS:** Mr. Lorenz noted that there were two unlisted amendments under Council Action Items, Administration: 13.E Accept the resignation of Shawn Roberts from FTMSA. 13.F Appoint Lance Massetto to that position on FTMSA.

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

**CONSENT CALENDAR ITEMS:**

- A. Accounts Payable
- B. January 16, 2019 Council Meeting Minutes

Mrs. Lee Kornis moved to approve the consent calendar items. Mr. Stepanovich seconded. All present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan stated that he had some suggestions to residents. When we have these freezing cold temperatures and water run-off, drive carefully on the roads. Public Works is out there salting road. Do yourself a favor and stay in so you don't fall on the driveway or sidewalks. Medic One's calls were up tremendously in the last couple of weeks transporting residents to various hospitals. Be careful!

**CHIEF ADMINISTRATOR'S COMMENTS:** None

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

**Bob Mitall, 4327 Bulltown Road:** Mr. Mitall noted that he would like to speak later in the meeting during the FTMSA Council Action Item.

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Spadaro: The Planning Commission discussed the conditional use for construction of a driveway and related grading and drainage systems on a parcel with steep slopes, poor soils, and wetland buffers located at 3869 Sardis Road. There are a few items the applicant needs to take care of before it goes to Council, which would be in about a month or so. A Public Hearing was held regarding Zips Car Wash. This major land development and conditional use application involved the development of an automated car wash located at 5076 William Penn Highway, which is a parcel divided between both the Municipalities of Murrysville and Monroeville. This parcel is located in front of Wendy's. The applicant will be back in about a month with all their conditions and plans. A Public Hearing was also held for GetGo, 4860 William Penn Highway. This major land development and conditional use application involves the development and construction of an approximate 5,380-square foot convenience store, fueling facility, car wash structure, and parking lot. The applicant has to adhere to site plan, engineering and traffic conditions. The applicant will also be back in about a month with all their plans and conditions.

Mr. Stepanovich: The Environmental Advisory Committee met on January 29. Tom Willard is Chair, Alan Halperin, Vice Chair, and Jennifer Shepler is Secretary. There was discussion of the Titan Well Pad. A Traffic Impact Study is still on-going. A decision on whether to use electric or diesel motors will not be made until the actual construction starts. Ambient sound levels at the site are actually higher than the ordinance allows. This is something that Council may want to look at. The fracking itself will be continuous over a 2-week period. Liquid waste will be stored in a frack-tank on site. If need be, they will truck some away. A member of the Advisory Committee did request that Huntley & Huntley donate an area for the Conservancy. This will be looked into. Regarding GetGo, there is an underground storm water detention

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system about 5300 square feet for the convenience store with about eight to ten gas pumps. Traffic flow was discussed to make sure it is safe to exit onto Old William Penn Highway across from the Giant Eagle. Zips Car Wash is split between Murrysville and Monroeville. Mr. Stepanovich stated that it is significant that Murrysville's Ordinances are stricter than Monroeville's Ordinances. The construction is going to be in accordance with Murrysville Ordinances.

Mr. Kase: Medic One met mid-January. They have been very busy with the cold weather. The new garage is still under construction and should be finishing up in the near future.

Mrs. Lee Korn: The Pension Committee will meet next Wednesday, February 13, at 3:00 P.M.

Mr. Dice: The FTMSA has had two meetings. January 17<sup>th</sup> was the FTMSA Reorganization Meeting. New members were sworn in with Jim Rumbaugh being Chairman, Bob Mitall, Vice-Chair, William Bell, Secretary, Vince Valeri, Treasurer, and Shawn Roberts, Assistant Secretary. Several residents gave comment and wanted to voice their displeasure with the Puckety Creek issue. There was discussion in regards to a roof project and equipment at the plant. The bond issue was discussed and how it is going to affect the DEP plan and study which currently needs to be implemented. The bond issue will be discussed this evening. The flow and rainfall monitoring program was also discussed and will need to be implemented under the bond issue. FTMSA held a special meeting on January 29, in which they hired RDM to manage the business affairs. Wes Long was hired as the solicitor and Gibson Thomas was hired as the new engineer.

Ms. Brockway: Ms. Brockway noted that she was sick and did not attend the Library Board meeting, but Emma Beaver, the new Library Director, provided information. Dog Reading Pals will take place Friday, February 8, at 4:00 P.M. This is designed to help children read out loud in a relaxed and judgement free environment. Speed Dating with a Book is this Saturday from 2:00 – 4:00 P.M. Game Day will be Saturday, February 16, which is open to all ages. Tuesday, February 19, at 6:30 P.M. local artist Lane Neff will be giving this month's art talk and discussing her methodology. Please check the Library's website for any upcoming programs and events at [www.murrysvillelibrary.org](http://www.murrysvillelibrary.org). The next Library Board meeting is scheduled for February 21.

## WORKSHOP ITEMS

### ADMINISTRATION:

#### 9.A. Presentation and discussion concerning the Municipal guarantee of a bond issue for the FTMSA in the amount of \$12,000,000

Bob Mitall, Vice-Chairman of the Franklin Township Municipal Sanitary Authority, stated that with him tonight is Bill Bell, a new member of the authority, and Tom Lynch, FTMSA bond counsel. They are there to request that Council consider guaranteeing a new bond in the amount of \$10,000,000. Mr. Mitall stated that there is an interim Corrective Action Plan which was approved by the DEP. There are a number of items that must be accomplished within a relatively short amount of time. First is mapping of the system. Right now there is no reliable mapping of the entire system. The system consists of over three hundred

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miles of sewer and five to six thousand manholes. Each need identified, data collected, and visually inspected. Next would be flow monitoring by creating a hydraulic model of the system. The cost of just metering this is around \$1 million. After all the collection of data is done, the hard part will be figuring out what the solutions to some of these problems are. One of the main priorities right now is Puckety Creek, along with Heather Highlands, Sloan pump station, Tarr Hollow Road and the main pump station. There is a draft agreement being circulated to get relief to those people. In regards to the bond issue, the rate increase will cover the debt service for this bond issue. In reality the \$10,000,000 will probably not be enough to solve all the problems; however that amount will get them started.

Mr. Kase asked if the \$10,000,000 was mostly to work on problems discussed over the years - the system outside of the actual processing facility itself. Also with the assessment, does the facility have any major needs as well that this money will need to go toward? Mr. Mitall answered that is one of the things they are trying to assess. They certainly don't want to neglect the major component, which is the treatment facility. Fortunately, the plant is pretty good and able to handle a lot of flow. Mr. Mitall doesn't feel there is any action contemplated by the DEP for the plant itself; however, it needs to be watched carefully and kept updated so they don't fall behind. Some parts of the system have been neglected over the years.

Mrs. Lee Korn asked if the priorities mentioned were anticipated to be changed after the mapping of the system. Mr. Mitall answered that there are so many number one priorities; however, while the evaluation and assessment of the entire system is going on, the priorities can be addressed as they go along.

Mr. Lynch stated that the authority will issued \$10,000,000 in bonds, but under the guarantee agreement ordinance will go through as a parameters ordinance where Council would authorize an amount not to exceed \$12,000,000 so the underwriters can price the bonds with enough flexibility that they can reach that parameter of \$12,000,000. By adopting the maximum debt schedule, which Mr. Lynch provided to Council, stating the principal thresholds at a top interest rate of 6%, together these parameters must be met in order for the guarantee to be approved by the state. Although the ordinance states \$12,000,000, only \$10,000,000 will be issued as the initial amount to obtain the lower bank qualified interest rates. The difference between the \$12,000,000 authorized and the \$10,000,000 issued is that in each one of the maturities, there needs to be a cushion built in so that when the underwriter prices the bonds, they do not have any principal in those maturities that exceed those amounts. The ordinance needs introduced this evening and authorization to advertise for the February 20<sup>th</sup> meeting.

Mr. Lorenz stated that the reason for coming to the Council tonight was to seek Murrysville's municipal guarantee of the bond. In terms of a more favorable interest rate, how much does that benefit the Municipality in terms of interest rate over the life of the bonds? Is there a figure in terms of savings to the rate payers? Mr. Lynch stated that he doesn't have an actual savings figure, but in terms of basis points, there is a savings of up to five basis points on each maturity of the bonds. These bonds will be rated at AA+ which is a very high rating. Mr. Lorenz noted that if Murrysville backs these bonds, the underwriters look then not to just the power of FTMSA and its revenue, they also look to Murrysville's taxing ability as a guarantee to those notes.

Mr. Stepanovich asked that if Council were not to guarantee the bond and get the AA+ rating, is there an estimate of the categorization at that point? Mr. Lynch answered that no one has ever done that. The guarantee is such an advantage that it pays for itself and there is no cost to Murrysville in going through

with this guarantee. Mrs. Lee Kornis asked what it would take to find out just because no one has ever done that. Mr. Lynch stated that he could have the underwriter address that and get back to Council before the next meeting. Mrs. Lee Kornis stated that she does not want to move forward without more information. Mr. Lorenz stated that he would also appreciate knowing what the savings would be between the two; of Murrysville guaranteeing the bond vs not and what the difference would be. The information should be forwarded to Mr. Morrison prior to the February 20<sup>th</sup> meeting so that Council has time to look at that information.

**9.B. Discussion concerning the approval of the Volunteer Service Credit Program notarized eligibility list**

Mr. Morrison stated that the Volunteer Service Credit Program was passed back in July of 2018. Information was forwarded to the volunteer agencies and instructed on how to implement the program. Responses have been received back from Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company. A list of qualified volunteers was provided to Council and will be presented later in the meeting. This may not be the final list, but since earned income tax needs to be filed by April 15, Mr. Morrison felt it was important to get this moving. Sardis and Medic One may still participate in the program and Council will need to take additional action at that time.

Mr. Stepanovich asked what the benefit would be. Mr. Morrison stated that the benefit is 100% of the Municipal share of the earned income tax.

**ENGINEERING:**

**10.A. Discussion regarding Municipality of Murrysville MS4 (Municipal Separate Storm Sewer System) Revised Pollution Reduction Plan**

Mr. Hilty stated that Murrysville is required to have an individual NPDES for stormwater discharge from its Municipal separate storm sewer system, the MS4, to the waters of the Commonwealth. A permit was issued and will expire in May. A renewal is in process and part of that is a Pollution Reduction Plan. The Pollution Reduction Plan was submitted at the end of November. Comments were received from DEP and the plan had to be revised. New requirement under the current renewal application process were that each community must develop a pollution reduction plan that will reduce the sediment load to the Commonwealth by 10% over the five-year permit cycle. Existing BMPs or proposed BMPs cannot be in any parsed areas. Any existing BMPs or proposed BMPs cannot be outside of any of the urbanized areas or they have to be included in the planned areas. Mr. Hilty presented a map showing that between the DEP and the EPA, they have identified an urbanized area in all of the MS4 communities throughout the state. A revised plan has been prepared in which the Municipality has lost about 5 or 6 BMPs; like the wetlands at MCP. To compensate for that loss, new BMPs had to be added to those areas. About thirteen new ponds will be retrofitted, along with the six to be done under the DCNR Grant with the Westmoreland Conservation District. All changes have been made to that plan and were resubmitted to the DEP; they have preliminary accepted the PRP at this point and we can move forward. The revised PRP is being presented tonight so that it can be advertised and go back out for an additional 30-day public comment period as required before the DEP can finalize approval and issued a new NPDES permit to the Municipality. The plan can be reviewed on the website, a copy will be available here at the Municipal Building, and they can come to the next two meetings. Mr. Hilty noted that the retrofits will cost about \$9,000 - \$10,000

which is already allocated through the MS4 funding.

Mr. Stepanovich asked what BMP stood for. Mr. Hilty stated Best Management Practices.

Mr. Lorenz asked if the Municipality was introducing any planting or vegetation to these ponds as part of the retrofit or if that happens organically. Mr. Hilty answered that vegetation and plantings would probably be removed because of overgrowth in the ponds. They will be cleaned out, remove some of the sediment, make any adjustment with a riser, and some of the older ones may need new trash racks. Any willow tails or water based plants will be formed naturally afterwards.

Mr. Morrison noted that there are significant costs associated with this MS4 Program, not only staff time costs, but actual improvement costs. This is an unfunded mandate. Most of the funds have been appropriated through the Capital Reserve and the Municipality has looked forward to providing the funds necessary for this program.

Mr. Hilty noted that the next five years is going to be more of a challenge. If asked to reduce another 10%, the Municipality may have to put in other structures like a pond that would have to be built, or a water quality structure on our inlets.

Mr. Morrison stated that one of the examples looked at was purchasing a street sweeper which requires sweeping the streets on a regular basis throughout the community. Costs would be about \$130,000 Capital costs plus personnel costs associated with it. Those are the kind of numbers we are looking at going forward once we run out of ponds. Mr. Hilty noted that in order to get the 10% credit for street sweeping, the street would have to be swept 25 times per year in the urbanized areas.

**COMMUNITY DEVELOPMENT:** None

**PUBLIC WORKS AND PARKS:** None

### **COUNCIL ACTION ITEMS**

#### **ADMINISTRATION:**

**13.A.** Consider approval of Resolution No. 698-19, a resolution to dispose of certain municipal records in accordance with the State Records Retention Policy

Mrs. Lee Kornis made a motion to approve Resolution No. 698-19, a resolution to dispose of certain municipal records in accordance with the State Records Retention Policy. Ms. Brockway seconded.

Mr. Morrison noted that the Municipality has 100 boxes to get rid of. This is a housekeeping matter which requires Council approval in accordance with state requirements.

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

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**13.B. First reading of Ordinance 1004-19, an Ordinance approving the 2019 Guaranty Agreement in Support and Guarantee of the 2019 Bonds providing for a Capital Project of the Franklin Township Municipal Sanitary Authority**

Mr. Morrison read Ordinance No. 1004-19, an Ordinance approving the 2019 Guaranty Agreement in support and guarantee of the 2019 bonds providing for a Capital Project of the Franklin Township Municipality Sanitary Authority.

Mr. Lorenz noted that this is part of the process that whenever a Municipality is looking to back or guarantee bonds such as this, there is a first reading of the nature and purpose of the bond. The actual vote will not take place until February 20. Further information can be found on the Municipality website and FTMSA website as well.

Mrs. Lee Kornis made a motion to advertise Ordinance 1004-19, an Ordinance approving the 2019 Guaranty Agreement in support and guarantee of the 2019 bonds providing for a Capital Project of the Franklin Township Municipal Sanitary Authority. Mr. Kase seconded.

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

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

Mr. Dice made a motion to consider approval of the Volunteer Service Credit Program notarized eligibility list for Murrysville Volunteer Fire Company and White Valley Volunteer Fire Company. Ms. Brockway seconded.

Mr. Morrison noted that there were 31 volunteers who qualified from those two companies.

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

**13.D. Consider approval of an employment agreement with Diane Heming, Director of Finance**

Mrs. Lee Kornis made a motion to approve an employment agreement with Diane Heming, Director of Finance. Ms. Brockway seconded.

Mr. Lorenz noted that this agreement with Ms. Heming will be to 2021.

Mr. Stepanovich questioned why the reading in Section II states “the approval of Heming waiver requests may be unreasonably denied....” Why that wording? Mr. Morrison stated, so that it would be in the sole discretion of the Chief Administrator and the Mayor. That way it cannot be debated.

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

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**13.E. Consider approval to accept the resignation of Shawn Roberts from the Franklin Township Municipal Sanitary Authority**

Mr. Stepanovich made a motion to accept the resignation of Shawn Roberts from the Franklin Township Municipal Sanitary Authority. Mr. Spadaro seconded.

Mr. Lorenz stated that Mr. Roberts is currently serving on FTMSA. Mr. Roberts recently had a change in his regular day job that will require more of his attention; therefore, he submitted his resignation.

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

**13.F. Consider approval to accept the appointment of Lance Massetto to the Franklin Township Municipal Sanitary Authority**

Mr. Dice made a motion to appoint Lance Massetto to the Franklin Township Municipal Sanitary Authority for the unexpired term of Mr. Roberts until 2021. Ms. Brockway seconded.

Mr. Lorenz stated that Mr. Massetto expressed an interest in this position and interviewed with Council in December.

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

**COMMUNITY DEVELOPMENT:**

**14.A. Consider approval of S-10-18, Franklin Estates Plan No. 8, 4-lot subdivision, B and R-2 Zoning Districts**

Ms. Brockway made a motion to approve of S-10-18, Franklin Estates Plan No. 8, 4-lot subdivision, B and R-2 zoning districts. Mr. Dice seconded.

Brian Almeter of Fahringer, McCarty, Grey, representing the applicant stated, this is for a 4-lot subdivision. All of the recommendations by the Planning Commission have been met.

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

**ENGINEERING:**

**15.A Consider approval of Resolution No. 697-19, a resolution for Plan Review for a New Land Development, Murrysville Community Park Splash Pad and Restroom as an Amendment to the Murrysville Act 537 Plan**

Mr. Spadaro made a motion to approve Resolution No. 697-19, a resolution for plan review for a new land development, Murrysville Community Park splash pad and restroom as an amendment to the Murrysville

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Act 537 Plan. Mr. Stepanovich seconded.

Mr. Hilty stated that this is just the Planning Module which is required by the DEP for the splashpad and restroom at MCP which serves as an amendment to the Municipality's Act 537 Plan to account for an additional eight EDUs into the sewage system; one for the restroom and seven for the spray park.

Mr. Morrison stated that at the March meeting, the final design plans will be brought to Council for the playground and splashpad. There is also going to be a 3-D model of the proposed plan.

**Dick Kearns**, 4997 Longview Court: Has the tap allocation been received from DEP for 2019? Mr. Lorenz stated that Council is meeting with DEP later this month. So no, the tap allocation has not been received as of this date. Mr. Kearns then stated that Council is then going to vote on something when they don't have the tap allocation? Mr. Hilty noted that those taps were allocated in 2018 and approved. Unfortunately they didn't get in on time and are requested for 2019. Mr. Lorenz explained that Council isn't approving any taps this evening. Council is approving their update to the Murrysville required Act 537 Plan which would encompass these taps. This is simply an amendment to the Act 537 Plan and submitting it to the DEP for review and approval.

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

**15.B. Consider authorization to advertise the MS4 Revised Pollution Reduction Plan for public comment**

Mr. Stepanovich made a motion to consider authorization to advertise the MS4 Revised Pollution Reduction Plan for public comment. Mr. Kase seconded.

Mr. Hilty stated that this is to advertise the plan in the Penn Franklin News on Monday. The information is posted on the website under Engineering MS4; residents can stop in the Municipal Office during regular business hours to view the revised plan and can provide any comments to staff if they wish, or come to any of the next two public Council meeting to add input. After the 30-day period, the MS4 application will be submitted to get the permit by the end of May.

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

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** A letter of thanks will be sent to Mr. Roberts for his service to FTMSA.

**EXECUTIVE SESSION:** Council adjourned to an Executive Session at 8:26 p.m. regarding a legal issue. No action coming out of this session was anticipated.

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**ACTION ITEMS:** As discussed

**ADJOURNMENT:** The meeting was adjourned at 9:00 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.*