

THE MUNICIPALITY OF MURRYSVILLE  
Regular Voting Meeting – Wednesday, May 1, 2019

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, May 1, 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, and Carl Stepanovich. Also present were Mayor Synan, Chief Administrator, James Morrison, Solicitor, George Kotjarapoglus, Director of Finance, Diane Heming, and Director of Public Works, Bill Paiano. Council member Tony Spadaro was absent.

**THE MUNICIPALITY OF MURRYSVILLE WELCOMES  
EMMA BEAVER, HEAD LIBRARIAN**

Mr. Lorenz stated that the Municipality would like to formally welcome Emma Beaver, who recently was appointed Head Librarian for the Murrysville Library. Ms. Beaver thanked Council for the warm welcome and stated that she is excited to be here and be a part of the community. She said “The Murrysville Community Library is not your mother’s library”. We no longer shush people and we do tend to get loud, especially during summer reading. The Library provides so much more than books. The Library is YOUR library and is here to provide resources, services, and the programs necessary for all community members to enrich their lives, which is achieved in a multitude of ways. One way is through providing access to resources like Power Library; also, programming is brought in from outside of the community, and free Wi-Fi and free internet are offered at the Library. The staff is continually learning and growing with the changes in technology and times and are receiving continuing education courses each year so that the best service can be provided for the community members. No free public library comes free and that is where the Municipality of Murrysville has so graciously stepped in. Ms. Beaver stated that she appreciates and is grateful for Council’s continued support and continued funding and looks forward to working with the community going forward.

**REGULAR VOTING MEETING  
AGENDA**

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

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

**UNISTED AMENDMENTS:** Mr. Lorenz noted that the Executive Session will include a legal issue and a real estate issue which will be added to the agenda.

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

**CONSENT CALENDAR ITEMS**

- A. April 17, 2019 Council Meeting Minutes

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

**MAYOR'S COMMENTS:** Mayor Synan stated that the 2019 Franklin Regional High School Interact Pancake Breakfast, which benefits Murrysville Meals on Wheels, will be held at the First Presbyterian Church Laird Hall on Sunday, May 5 from 8:00 am – 1:00 pm. Pancakes and bacon are freshly prepared. The pancake batter is donated by the Lamplighter.

Murrysville Relay for Life is May 3<sup>rd</sup> from 4:00 pm – 11:00 pm at the Murrysville Community Park, Miracle League Complex, weather permitting.

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Morrison stated that Spring Clean-Up is the week of May 13 to May 18. The Landfill will be available Monday through Friday from 6:00 am to 3:00 pm and on Saturday from 7:00 am to 11:00 am. No trailers and no electronics are permitted. A pass is required – one per household. Provide proof of residency to the Municipal Receptionist to receive your pass.

Mr. Morrison stated that he met with DEP last week to discuss the Consent Order Agreement. Good progress was made. A re-write of the agreement is in process and should be back to the DEP in the next couple of weeks.

The Mayor and he met with Huntley and Huntley to discuss the upcoming public hearing for the Titan Well and to introduce contacts within the organization. One thing that has been an issue with the Planning Commission and staff review was how they were going to get water to the site. Huntley and Huntley advised them that they plan to run a waterline to the site. This information will be introduced at the public hearing on June 19<sup>th</sup>.

A meeting is scheduled for May 8<sup>th</sup> with representatives from Chicago who are owners of the truck garage property on Foster and William Penn Highway.

Last week the Mayor and he went to the MECDC State of the Municipality meeting which was well attended. There was discussion about the future of Murrysville and its business district and their new app was launched.

#### **COMMUNITY INPUT:**

**Stan Rudge**, representing Westmoreland Heritage Trail: The Westmoreland Heritage Trail would like to thank the Municipality of Murrysville for its partnership. The work that Murrysville assisted on the Phase 4 of the trail from Roberts parcel to Lincoln Avenue was greatly appreciated. The installation of the culverts that were done over winter goes a long way in building the next phase. The partnership that Westmoreland Heritage Trail has with the eight bordering communities has helped to make this trail a great place to walk, jog, and ride bicycles. Thank you to Council and the Mayor for your support of the trail. Thank you, Mr. Morrison, for administering the work done on the culverts and all the other work done by the municipal workers. Thank you, Mr. Paiano, Director of Public Works, that you put this on your agenda and got it done. Most of all, thank you to all the men that worked in the trenches.

**Theo Van de Venne**, 4040 Round Top Road: The ash trees are coming down in the parks in great quantities. They are generally removed by volunteers so it doesn't put a burden on Public Works. There is a small parking lot at the beginning of his road where there is an ash tree that is definitely dead, it's dangerous and

it will probably come down. Mr. Van de Venne feels that all the ash trees that might fall on the road be identified so people are warned that this could happen. Also, Heritage Trail crosses Trafford Road and the crosswalk flashers are on all the time. Rarely is there someone crossing. They could be in the distance, but the light is still flashing. Mr. Van de Venne stated that he would prefer that there be a post that is manually operated by the person crossing and asks that Council consider that idea.

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Ms. Brockway: Ms. Brockway wanted to thank Emma Beaver who started in January of this year and has really put some excitement into programs she brought into the Library for the young and the old. Anyone who has not been to the Library recently, please do so.

Mr. Dice: FTMSA meets on May 16<sup>th</sup>.

Mrs. Lee Korn: The Pension Committee meets next Wednesday. Any council member who is not busy and would like to fill in for her is welcome to. Mr. Barnett had emailed some information that the Murrysville fund returns have improved this year so far and have recovered the losses incurred during the fourth quarter of 2018. The fund asset allocation is now within policy.

Mr. Kase: Murrysville Medic One has moved into its new building. They have an active Face Book page where you can see pictures of the inside and outside of the new building.

Mr. Stepanovich: The Environmental Advisory Committee did not meet in April.

**WORKSHOP ITEMS**

**ADMINISTRATION:** None

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:**

**11. A. A Discussion of SP-4-19, Fusting Executive Park, B and R-3 Zoning, Manor Road and Route 22**

Ray Gusty of Fahringer, McCarty, Grey, Inc. presented a drawing of the proposed executive park. Phase 1 will include construction of a Dedicated Nursing Associates corporate office and a standalone sit down restaurant which is anticipated to be completed in 2022. Phase 2 will include a sports medicine building and a retail center, anticipated to be completed in 2024. Phase 3 will include construction of 19 townhomes with adjoining greenspace, anticipated to be completed in 2026. Phase 4 will be an additional DNA office building. This plan is for preliminary approval of the whole master plan subject to final approval of each phase.

Mr. Lorenz asked if the applicant was at liberty to share a name for the restaurant coming in. Mr. Fusting stated that it was still too early in the process.

Mr. Kase asked about the access from Route 22. Mr. Gusty stated that there was a traffic study and there will be some improvements on Manor and Wilson Roads with a possible traffic light and turning lane at some point. Mr. Morrison stated that this is in the Traffic Impact District and the proposed improvements have been discussed with the traffic impact fee being credited to the improvements that are required there to the extent that the money is available. The traffic signal was discussed for a possibility in Phase 3 which would have to meet PennDOT warrants.

Mr. Stepanovich asked about the townhomes and if they will be luxury townhomes going for \$300-\$400,000? Mr. Fusting stated that it is still early, but will probably be around \$200-\$300,000.

Mr. Lorenz asked when the applicant anticipated starting. Mr. Gusty stated that the applicant would like to start next spring or as soon as all the permits go through.

Mr. Morrison asked about the store fronts which will be facing inward. Has there been any thought on what the rear of the buildings will look like given the visibility to Route 22. Mr. Gusty answered no, not at this time, but will be taken into consideration when the plans start being drawn up.

Mr. Kase asked if the park area was going to be only for the homeowners or be open to the public. Mr. Fusting stated that it would be a public park.

Mrs. Lee Kornis asked about the businesses planned to be there and 500 jobs were mentioned. Mr. Fusting answered that the DNA campus would have between 500-600 people working there. That's not counting additional retail businesses. Mrs. Lee Kornis asked if the color version of the site plan was available to Council. Mr. Gusty stated that he would send a color version to Mr. Morrison.

Mr. Dice stated that Route 22 is a state road, but what about Manor and Wilson. Mr. Morrison answered that Route 22 and Manor Road are state roads and Wilson Road is a local road.

Mr. Stepanovich asked how many stories high the DNA building was going to be. Mr. Gusty answered that the DNA building right now is three stories, the other buildings and the retail stores would be one story, and the second DNA building may be two stories.

Mr. Morrison asked if Council was ready to bring this back to the May 15<sup>th</sup> meeting. Mr. Lorenz stated that Council was comfortable with that.

**PUBLIC WORKS AND PARKS:** None

### **COUNCIL ACTION ITEMS**

#### **ADMINISTRATION:**

#### **13.A. Consider approval of the 2019 COLA increases for eligible retired police officers**

Mr. Kase made a motion to approve the 2019 Cost of Living Adjustment (COLA) in the amount of 1.6% for eligible retired police officers. Mrs. Lee Kornis seconded.

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Ms. Heming stated that when there is a cost of living awarded to the police officers, its needs to be approved by Council before the pension administrators can remit it to each retiree.

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

**13.B. Appointment of Board members to the Murrysville Parks and Recreation Foundation**

Ms. Brockway made a motion to consider the appointment of the board members to the Murrysville Parks and Recreation Foundation. Mr. Dice seconded.

Mr. Morrison stated that specified in the Bylaws, which were updated based on comments presented by Council at the last meeting, it designates the Mayor, a Councilmember, member of the Parks and Recreation Commission, Recreation Director, Finance Director, and two citizens at large would make up the Foundation. Mr. Morrison noted that the position for two citizens at large was advertised, but no response has been received to date.

Mr. Lorenz noted that Council at this time is not appointing specific people to the board. Council is designating the categories. Mr. Morrison stated that the committee is prepared to meet at this point. The next step in the process is filing the 501(c)3 which has to be authorized by the Board. The Municipality has been receiving contributions. To move this along, if a member of Council is identified to serve on the Board, that would be enough for a quorum. Mr. Kase volunteered to be on the Board.

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

**13.C. Consider approval of the Marquis Place Tax Appeal Settlement**

Mr. Kotjarapoglus stated that last time this appeal was addressed, the proposal was to settle for a fixed assessment of \$2,050,000 with a 10-year fix on that assessment. At that point, the settlement was objected to by everyone. The school district objected to that amount and the new agreement provides an amount to be \$2,105,000, which was broken down by various years because the appeal was filed in 2014. In the agreement, they are contemplating that there would be no refund claim. Mr. Kotjarapoglus stated that if Council approves this settlement, which he recommends, Council confirm that there is a no refund claim and that the school district agrees to that.

Mrs. Lee Korn made a motion for approval of the Marquis Place Tax Appeal Settlement. Ms. Brockway seconded.

Mr. Lorenz stated that he recommends that Council approval be in accordance with the staff briefing on the amounts and contingent on there being no refund for any prior tax years and contingent upon Franklin Regional School District also approving.

Mrs. Lee Korn made a motion to amend her original motion to add, contingent upon the School Board also approving the Tax Appeal Settlement. Ms. Brockway seconded.

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Upon a roll call vote to amend the original motion: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Kase – yes, and Mr. Stepanovich – yes. Motion approved.

Upon a roll call vote for the motion as amended: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Kase – yes, and Mr. Stepanovich – yes. Motion approved.

**13.D. Consider authorization to advertise for a public hearing for the transfer of a liquor license to Buon Cibo Grill, 4556 William Penn Highway**

Mrs. Lee Kornis made a motion to consider authorization to advertise for a public hearing to be held on May 17, 2019 for the transfer of a liquor license to Buon Cibo Grill, 4556 William Penn Highway. Mr. Kase seconded.

Mr. Morrison stated that the proposed public hearing would be scheduled for the next Council meeting on May 15<sup>th</sup>. Mr. Morrison noted that the transfer of liquor licenses to two other establishments there did have public comment because of the closeness to the public school. One of the liquor license transfers did have conditions as a result of the closeness to the High School, which was that no take-out beer be sold at the restaurant.

Mrs. Lee Kornis amended her motion to change the date of the public hearing to be May 15<sup>th</sup> instead of May 17<sup>th</sup>. Mr. Stepanovich seconded.

Upon a roll call vote to amend the motion: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Kase – yes, and Mr. Stepanovich – yes. Motion approved.

Upon a roll call vote for the motion as amended: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Kase – yes, and Mr. Stepanovich – yes. Motion approved.

**COMMUNITY DEVELOPMENT:**

**14.A. Consider re-approval of S-12-17, Majestic Estates Plan, Logan Ferry Road and Hodson Lane**

Ms. Brockway made a motion to consider re-approval of S-12-17, Majestic Estates Plan. Mr. Kase seconded.

Mr. Morrison stated that the applicant did not record the approved subdivision within 30 days of approval. There have been no changes or modifications since Council's original approval.

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

**ENGINEERING:** None

**PUBLIC WORKS AND PARKS:**

**16.A. Consider awarding the 2019 Road Material Contracts**

Mr. Kase made a motion approve the awarding of contracts for various road materials, guide rail and line painting for the contract year of 2019 for the Department of Public Works. Mr. Stepanovich seconded. Mr. Paiano stated that this is the yearly contract that goes out from June 1, 2019 to May 31, 2020 for all supplies used throughout the year. Purchase Orders will be based on the bid unit prices. Salt is not bid through this process.

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

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** Mr. Lorenz stated that Council will adjourn for an Executive Session on a real estate and legal issue. No action items are anticipated from the session. Council adjourned to the Executive Session at 7:58 p.m. Council reconvened at 9:08 p.m.

**ACTION ITEMS:** None

**ADJOURNMENT:** The meeting was adjourned at 9:10 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.*