

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, June 15, 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, Michael Nestico, Director of Community Development, James Morrison, Director of Finance, Jacie Milchak, and Solicitor, George Kotjarapoglus.

**REGULAR VOTING MEETING
AGENDA**

ROLL CALL/VOTING ORDER: Carl Stepanovich, Mac McKenna, Dayne Dice, Jamie Lingg, Jason Lemak, Tony Spadaro, Jamie Lee Korn, 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 June 1, 2022, Council Meeting Minutes
- B. Accounts Payable
- C. Cash Investments and Transfers

Mr. Stepanovich made a motion to approve the Consent Calendar Items. Mrs. Lingg seconded. Mr. Dice noted that he will abstain from any payable matters, or any cash investments related to KU Resources. All those present voted aye. Motion approved.

MAYOR'S COMMENTS:

Murrysville Farmers' Market will be every Thursday, June thru September, at 3235 Sardis Road, by the Murrysville Firehall/Medic One area from 3:00 pm – 7:00 pm. Call 724-327-2100 ext. 131 or 115 for more information.

Tuesdays at Townsend: Save the dates for free live performances in the park from 6:30 – 8:00 pm. 2022 Remaining dates are: June 28, July 12, and 26, and August 9 and 23. Bring your own lawn chair. There is usually a food truck and some liquid refreshments.

The Clubhouse at MCP is now available to rent online for meeting and events with fewer than 50 people. Contact the Recreation Department for more information.

Concert in the Park is August 13th.

CHIEF ADMINISTRATOR'S COMMENTS: None

COMMUNITY INPUT: Mr. Dice noted that this is the time when people from the community can say whatever they like as long as it is three minutes or less.

Robert Shepherd, 4832 Treesdale Court: Mr. Shepherd stated that he was here this evening as a follow-up from his March 3, 2021 appeal to Murrysville Council to enforce the local State Statutes regarding stormwater management and construction of a retaining wall. On June 1, 2021, Dayne Dice responded in an email that Council believed these were civil matters. Although Mr. Shepherd stated that he strongly disagrees with that response, he was forced to file a lawsuit to protect his property and have local and State statutes enforced. He is now going on record, and passed copies to Council, as an interested party affected by the operations in the Murry Crest Plan that uses his easement, across his property. He has enclosed Section 124-13 of the Murrysville Code that states that as an interested party, a Certificate of Completion is requested. He will review and reply on whether or not the provisions of the permit have been complied with regarding the local and State statutes. If you have any question, contact him or if needed, his lawyer's contact information.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Lemak: The Library meets tomorrow evening.

Mr. Stepanovich: The Planning Commission met yesterday. A Public Hearing was held for a potential development at the bottom of Logan Ferry Road leading into the area of Franklintonwe, with approximately 21.76 acres. Owner of the property is Sushil Shinde. There were six residents who raised concerns including speeding on Logans Ferry Road, a hole in the bridge deck, traffic congestion, erosion, pollution of Haymaker Stream, sewage and flooding and noise problems. A lot of these are existing problems and a new development would only exacerbate these problems. The next topic was Hermes Gas Well update. The water for the fracking operation will come from the Allegheny River. Operations are going to start in 2023. The property includes both Murrysville and Plum, but the well pad itself is totally within Murrysville and they have elected to let Murrysville ordinances dictate for the situation. The Dollar General Store is proposed to be on the eastern side of Route 66. As part of this, there will be a tunnel under Route 66 for the bike path. They will be coming back to the Planning Commission in July. The final item for Planning was the WetGo Car Wash adjacent to GetGo. This was an advisory meeting.

The Parks and Recreation Foundation met on Monday. Every member of the Foundation was present including himself and the mayor. There was a discussion regarding mission and vision statements. It was decided to advertise in Murrysville Living magazine. The Chalk the Walk event was not very successful. It was held on a Saturday and was in competition with all the sports events going on. It was decided to join the National Association of Park Foundations. There was discussion about a line striping machine which will be decided upon in the next couple of weeks. The donation tower in Murrysville Community Park is ready to accept donations. The concrete corn-hole boards are installed in Murrysville Community Park and are looking for additional locations.

Mr. Spadaro: Medic One has not had a meeting yet this month.

Dr. Lee Korn: Pension Committee is looking to move their meeting to Thursday mornings instead of Wednesday mornings to accommodate AndCo for the quarterly meetings.

Mrs. Lingg: Franklin Regional School Board had cancelled their meeting.

Mr. McKenna: Parks and Recreation met yesterday in the gazebo prior to the concert at Townsend. He had a work conflict and was not able to be there. The Mayor covered most of the points and dates in his comments. The Splash Pad is up and running. He was at the opening for the Clubhouse at MCP which is now available for people to rent.

Mr. Dice: FTMSA meets next Tuesday at 6:00 pm at the plant.

WORKSHOP ITEMS

ADMINISTRATION: None

ENGINEERING: None

COMMUNITY DEVELOPMENT: None

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider approval of Ordinance #1061-22, an ordinance amending Chapter 169 of the Murrysville Code, Peddling and Soliciting

Dr. Lee Kornis made a motion to approve Ordinance #1061-22, an ordinance amending Chapter 169, Peddling and Soliciting, of the Murrysville Code, prescribing regulations for peddling and soliciting, Mr. Spadaro seconded.

Mr. Morrison stated that this ordinance was addressed at the last two meetings. Council was presented with a rough draft and comments were incorporated into the ordinance. It was then approved for advertising and tonight is to consider adoption of the ordinance. Mrs. Lingg noticed a typo in Section 2 definitions, which Mr. Morrison made the change from “transiet” to “transient”. Mrs. Lingg asked about clarification of the exemptions for Section 7 Item 1. Mr. Morrison stated that the exemptions are exemptions to any item cited in the ordinance.

All those present voted aye. Motion approved.

13.B. Consider the resignation of James Morrison as Chief Administrator of the Municipality of Murrysville and re-affirm his appointment as Director of Community Development under the terms and conditions of his existing labor agreement.

Mr. McKenna made a motion to consider the resignation of James Morrison as Chief Administrator of the Municipality of Murrysville and re-affirm his appointment as Director of Community Development under the terms and conditions of his existing labor agreement. Mrs. Lingg seconded.

Mr. Morrison stated that he still owes the Mayor a letter of resignation, which was effective June 6th. It has been a very busy week. Through the support he has received from the elected officials, the Mayor, and the residents of the community, it has been a pleasure to serve.

All those present voted aye. Motion approved.

13.C. Consider approval of Resolution No. 758-22, disposing of certain municipal records in accordance with State Records Retention Act.

Mr. Spadaro made a motion to approve Resolution No. 758-22, disposing of certain municipal records in accordance with State Records Retention Policy. Mr. Stepanovich seconded.

Ms. Milchak stated that this is normal housekeeping. Staff has been working on scanning and disposing of old files and this is a continuation of that.

All those present voted aye. Motion approved.

13.D. Consider approval to renew the cyber insurance with Travelers in the amount of \$5,956 for the fiscal year of August 2022 to July 2023.

Mr. Lemak made a motion to consider approval to renew the cyber insurance with Travelers in the amount of \$5,956 for the fiscal year of August 2022 to July 2023. Mr. Spadaro seconded.

Ms. Milchak that this is the fourth year that we have had cyber insurance. The increase in the premium was 15% based off of our increase in revenues and assets. The market rate right now is that increases are showing at 20-50% so we have had a minimal increase compared to what others are dealing with right now.

Mr. Lemak stated that his industry recommendation after attending a cyber security exercise with the FBI recently, they suggest NOT putting the policy on any network that we are protecting because if a ransom criminal is in there, they will get the policy and ask for the amount in there. That is a common practice according to the FBI. It is better to print it out and store it physically versus storing it on the network that it is insuring. Mr. Morrison noted that it will be removed from the network tomorrow.

All those present voted aye. Motion approved.

13.E. Consider approval to add Positive Pay services to S&T's online banking platform for the Municipality of Murrysville's main 2 checking accounts.

Mr. Stepanovich made a motion to consider approval to add Positive Pay services to S&T's online banking platform for the Municipality of Murrysville's General Fund and Capital Reserve Fund checking accounts. Mr. Spadaro seconded.

Ms. Milchak stated that recently there was a fraudulent check that tried to get through on the Municipality's General Fund checking account. There were a few different options to try to secure our account. The one that was recommended was the Positive Pay system. With the Positive Pay system, after our accounts payable run, we take our check register and upload it to the banking platform. From there, any check that goes against our bank account would cross reference with four things: the check number, the payee, the pay date, and the amount. If any of those items differ from what we uploaded, it is flagged as an exception. From the exception point, we have about 6 hours to get on the system and either approve the payment or deny the payment. If we do not respond within that period, it is automatically rejected. It just safe-lines our account to make sure that nothing is going through that we haven't approved or drafted ourselves. There is a cost associated with Positive Pay, which would be \$900 for the remainder of the year for the two main accounts. Annually, it would be around \$1,800 for the two accounts. Ms. Milchak stated that she looked into some other options, and this will be revisited toward fall to see if the fees can be adjusted or to transition to another bank.

All those present voted aye. Motion approved.

COMMUNITY DEVELOPMENT: None

ENGINEERING:

15.A. Consider reducing the letter of credit held to insure completion of the required improvements at the Regan Ridge Development.

Dr. Lee Kornis made a motion to reduce the letter of credit held to insure completion of the required improvements at the Regan Ridge Development. Mrs. Lingg seconded.

Mr. Morrison stated that the Regan Ridge Development is the townhouse development on Wilson Road. They are moving along quickly. A request for reduction was submitted and was inspected and recommended to be released. Mr. Stepanovich asked who the inspection was done by. Mr. Morrison answered that it was inspected by our Engineer Technician, Emily Mallisee.

All those present voted aye. Motion approved.

15.B. Consider the release of a letter of credit for the Hoy land development, 5573 Old William Penn Highway.

Mr. Spadaro made a motion to consider the release of a letter of credit for the Hoy land development, 5573 Old William Penn Highway in the amount of \$54,000. Dr. Lee Kornis seconded.

Mr. Morrison stated that this is the Griff's Italian Ice on Old William Penn Highway. The development turned out very nice and they will do well there.

All those present voted aye. Motion approved.

PUBLIC WORKS AND PARKS:

16.A. Consider approval of authorizing alcohol permits for the new Clubhouse at Murrysville Community Park.

Mrs. Lingg made a motion to consider approval of authorizing alcohol permits for the new Clubhouse at Murrysville Community Park. Dr. Lee Korn seconded.

Mr. Morrison stated that this was brought up at the last meeting by Carly Greene, the reason being that the Clubhouse will be used for weddings, receptions, showers, and those types of activities. This is not within the park or near any of the fields or other areas frequented by children. It is recommended that alcohol by permit be permitted in the Clubhouse. Alcohol has been permitted at the Community Center, Townsend Park and Sardis Park and there has never been a problem.

All those present voted aye. Motion approved.

16.B. Consider approval of a contract with Kellner’s Fireworks, Inc. to purchase and exhibit fireworks for the 2022 Murrysville Concert in the Park on August 13, 2022, in the amount of \$11,200.

Dr. Lee Korn made a motion to consider approval of a contract with Kellner’s Fireworks, Inc. to purchase and exhibit fireworks for the 2022 Murrysville Concert in the Park on August 13, 2022, in the amount of \$11,200. Mr. McKenna seconded.

Mr. Morrison stated that this is an annual event for the Concert in the Park to be held August 13, 2022. There was a slight increase in the cost of the fireworks. As usual, Mr. Yant is volunteering his time and service as the master of the explosions. Staff will continue to solicit local contributions in support of the display and any shortfall will be made up through the General Fund.

All those present voted aye. Motion approved.

OLD BUSINESS: Mr. Morrison stated that he did contact Mockenhaupt Benefits Service to investigate AndCo, the firm that merged with Morrison Fiduciary. There were around four financial service providers that communities are using that manage their own. He was surprised that to learn that only about 45% of the communities in Western Pennsylvania are in the State program, that they manage their funds locally. Sue Trout, the Vice President with Mockenhaupt that he spoke to, has volunteered to help if we choose to go out and solicit proposals. She recommended AndCo highly and rated them among the top 3 or 4 in the area.

NEW BUSINESS: None

EXECUTIVE SESSION:

- Legal
- Personnel

THE MUNICIPALITY OF MURRYSVILLE

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Mr. McKenna made a motion to adjourn to an Executive Session at 7:37 p.m. Dr. Lee Korn seconded. No action was anticipated coming out of the meeting. All those presented voted aye. Motion approved.

ACTION ITEMS: None

ADJOURNMENT: The meeting was adjourned at 8:05 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.