

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, June 21, 2023, 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, Community Development Director, James Morrison, Code Enforcement Officer, Nick Ruffner, and Solicitor, Wes Long.

**PUBLIC HEARING**  
**TO TAKE COMMENT CONCERNING A HAZARDOUS STRUCTURE LOCATED**  
**AT 6283 OLD WILLIAM PENN HIGHWAY, TAX MAP #49-16-14-0-103**

A Public Hearing was held at 7:00 p.m. for comment concerning a hazardous structure located at 6283 Old William Penn Highway, Tax Map #49-16-14-0-103. Nick Ruffner, Code Enforcement Officer for Murrysville, gave an update and slide presentation on a building that the Community Development Department, along with himself, has deemed as a dangerous structure. The address is 6283 Old William Penn Highway, Export. This building has long been abandoned and neglected. The unsightly nature and upkeep of the property has become a nuisance and health hazard for neighbors in the community. The structure is dangerous and lacks structural integrity and is a danger to the health and safety of the public. The foundation is more than 33% deteriorated and has been exposed to the elements for years. The property was posted as a hazardous structure on 2/16/2022. A registered letter was sent to the owner on 3/2/2022. Many additional letters were sent to this address to no avail and were returned to the office. An additional letter was sent on 1/27/2023 to the owner on record, which was also returned. A final letter was sent on 3/7/2023, which was not returned, but a response from the owner was never received. The property was posted for a hearing this evening. Mr. Ruffner asks Council to move forward with a decision to issue violation notices and take the owner to the magistrate to have the structure demolished in 30 days.

Mr. Dice asked if there is a specific action required by Council. Mr. Nestico answered that an ordinance was adopted over a year ago that requires a public hearing before demolition. The next step would be to issue violation notices and go to the magistrate.

Mr. Morrison noted that Council would need to declare this as a blighted structure and then staff can proceed with violation notices and then onto the demolition program. Dr. Lee Korn asked if the Municipality picks up the tab for the demolition. Mr. Morrison stated that a lien can be put on the property for the cost of demolition. Most instances, demolition doesn't occur. A lot of times the property is either purchased or the property owner tears it down. In this case, he doesn't feel that will occur and recommends that we lien the property.

Hearing no questions or comments from the audience, Dr. Lee Korn made a motion to declare this a blighted structure that needs to be demolished. Mrs. Lingg seconded. All those present voted aye. Motion approved.

Mr. Lemak made a motion to close the Public Hearing. Mr. Stepanovich seconded. All those present voted aye. Motion approved. The Public Hearing was closed at 7:07 p.m.

**REGULAR VOTING MEETING  
AGENDA**

**ROLL CALL/VOTING ORDER:** Jason Lemak, Tony Spadaro, Jamie Lee Korn, Carl Stepanovich, Jamie Lingg, Dayne Dice, Mac McKenna, and Mayor Synan.

**PLEDGE OF ALLEGIANCE:** Council President, Dayne Dice led the audience in the Pledge of Allegiance.

**UNISTED AMENDMENTS:** None

**CONSENT CALENDAR ITEMS:**

- A. Approval of June 7, 2023 Council Meeting Minutes
- B. Accounts Payable
- C. Cash Investments and Transfers

Mr. Nestico stated that he received an invoice for the “IN MURRYSVILLE” magazine in the amount of around \$4,000 for publication from earlier this year. That item was inadvertently omitted from the accounts payable for this month. We would like to add that payment so the payment can go out on this month’s pay run. Mr. Morrison noted that this is for the Mayor’s Annual Report that gets published.

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

**MAYOR’S COMMENTS:**

Mayor Synan stated that yesterday we lost one of the pillars of our community, Randy Marts a 55-year member from Murrysville VFD. Randy was a Vietnam Veteran having served in the Army Field Artillery Unit. Randy is considered a family member of this community. Rest in peace.

Pioneer for a Day for ages 8-12, July 11<sup>th</sup> from 9 a.m. – 3 p.m. Presented with the Murrysville Historical Society at the Sampson-Clark Toll House and School House. Fee is \$50. Check with the Historical Society for more information.

Farmer’s Market is Thursdays 3pm – 7pm June thru September at the Murrysville Fire Department parking lot, 3235 Sardis Road. If you have any questions call 724-327-2100 ext. 131 or 115.

Tuesdays at Townsend will be June 27<sup>th</sup> with live entertainment by The Adorabulls from 6:30 – 8:00 p.m. Food and beverages will be available from Cilantro & Ajo and Devout Brewing. Townsend Park is located at 130 Townsend Park Court. Any cancellations will be posted on Facebook and our website [www.murrysvilleparecreation.com](http://www.murrysvilleparecreation.com).

All About Bears will be presented by the Game Commission and will share information about the PA black bear. This is free for all ages, July 1<sup>st</sup> at MCP Wetlands pavilion. Check the website for more information. Make sure you stay away from them, don’t mess with them and don’t feed them. They will go away.

Help Wanted: The Municipality of Murrysville is accepting applications for seasonal workers capable of hard physical labor outdoors for work in the parks and on the roads. Applicants must be at least 18 years old, available to work a 40-hour work week, and have a current PA driver's license.

The Municipality is also seeking qualified applicants for the position of full-time skilled laborer within the Public Works Department. Apply at [www.murrysville.com](http://www.murrysville.com).

**CHIEF ADMINISTRATOR'S COMMENTS:** None

**COMMUNITY INPUT:**

**Paul Metzler, 6962 Berkshire Drive:** Mr. Metzler stated that he is here still trying to control the noise on Route 22. The jake brake signs that were put up have helped somewhat but seem to be ignored. Is there a possibility of putting flashing lights on the signs to get their attention? PennDOT would need contacted on that. The speed also needs to be controlled on Route 22. It has a major effect on the road noise. Can electronic speed signs be used? Who would be able to contact PennDOT if they could put these up? He has talked with Jill Cooper about the same situations and said that possibly if they started a small campaign of stopping the trucks, giving them warnings, and ticketing them that the word would get out that if they use jake brakes in the Municipality, they are going to pay for it. New families with kids moving in are going to be affected by the noise over the years and it isn't healthy. Could the EPA help against PennDOT to do something whether they pave the road or put up a sound wall or something to help control that noise because it is unbearable. Mr. Dice stated that the Municipality has helped and will continue to do so. Mr. Metzler wanted to thank Council for their response, which has been fantastic and appreciated.

**Joyce Perhac, 4102 Castalina Court:** Ms. Perhac stated that she is a resident of Castalina Court and also the president of the Castalina Homeowner's Association. There is an issue of a wooden gate between Castalina and Townsend Park that belongs the Municipality, which is in severe disrepair. They were told that the gate exists to be used as a vehicle entrance in case of an emergency at the ballfields. The HOA has been attempting to have the gate either replaced or repaired and have been told that there is no money in the budget. That is not an acceptable response for the situation. They were also told that if we wanted it to be replaced or repaired, that we, the homeowners, should do it ourselves. If the Castalina Homeowners take it upon themselves to replace that gate on their own, they should then own the rights to that gate and have the right to deny access to emergency vehicles and others. We can't imagine that the Municipality would be in agreement with that scenario. Ms. Perhac shared some pictures of the gate which is an eyesore, and the padlock is rusted. There is negligent liability should someone be hurt by trying to use this gate. She asks that Council please consider what can be done to repair this municipal owned property.

Mr. Nestico noted that this was discussed and there was a question as to whether the fence or gate was the Municipality's or the property owner's. This is being looked into to determine ownership and responsibility. If it is the Municipality's, then we can work to address this.

Mr. Morrison added that the ownership is in question. The gate was not put in by the Municipality. It was put in by the developer as a condition of approval of that plan of development. It is his opinion that it is the homeowner's responsibility as a result of that action, but there is further research being done on that. Mr. Dice stated that first we have to determine exactly who the gate legally belongs to. The developer could have put it in and left it to the HOA or the developer could have put it in and dedicated it to the Municipality. If it ends up that it belongs to the Municipality, we will make sure something is done.

**LIASONS COMMENTS AND COMMITTEE REPORTS:**

Mr. Lemak: The Library met last Thursday. There was a presentation on the financial audit and was accepted by the Library Board. Circulation numbers are as expected for this time of year. There are lots of kids' programs, teen programs and adult programs for the library which are all listed on their website.

Mr. Stepanovich: The Planning Commission met last week. One of the subjects was short term rentals, which was approved to be passed to Council. Terms of the ordinance will be only in the Business and Mixed-Use zoning area. There was an advisory meeting for five lots zoned R-2 on Logan Ferry Road. There is an existing driveway on Logan Ferry. If the lots are greater than one acre, an NPDES MS4 permit would be required. It was advised to the engineer that he should consult with the Conservation District. A new fire hydrant would probably be required.

Mr. Spadaro: Medic One met this past week. Washington Township had 153 calls. Murrysville had 1,003. There were 256 wheelchair calls. They are busy every month. Their subscription drive is still on-going.

Dr. Lee Korn: Nothing new to report for Pension.

Mrs. Lingg: Franklin Regional School Board met last Monday. There was nothing of mutual concern.

Mr. McKenna: Parks and Recreation was suppose to meet last Tuesday, but the first Tuesday at Townsend was held. The meeting was moved to Wednesday, June 28<sup>th</sup>.

Mr. Dice: FTMSA met recently. They are still way ahead of schedule. They handled a project in-house and saved \$800,000 for the taxpayers. That is something they are looking to do more and more.

**WORKSHOP ITEMS**

**ADMINISTRATION:** None

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:**

**11.A. Discussion concerning a proposed ordinance adding Chapter 219 to the Code of the Municipality of Murrysville to regulate short term rental units within the Municipality and establish penalties for violations.**

Mr. Morrison stated that the Planning Commission has reviewed the proposed ordinance and recommended approval. It has also been reviewed by the solicitor. There was some discussion as to how to address this particular use in the community. It is set up as a permitting use similar to a home occupation via an amendment to the zoning ordinance. The ordinance proposed to add Chapter 219 to the Code as a short-term rental unit. This would be in the B-District, Mixed-Use District, and be limited to 30 days or less. The ordinance outlines the conditions for permitting of the use and the requirements of the Municipality. Anyone who would want the use to occur would file an application with the Municipality. It would be

reviewed administratively to make sure it meets the requirements as outlined in the ordinance and then would be permitted.

Mr. Dice asked if there have been a lot of complaints about this. Mr. Morrison answered yes. Mrs. Lingg asked about R-R Districts, if someone has 10 acres or so, could there be a variance in the ordinance. Mr. Morrison stated that he would not recommend a variance process. If Council's desire is to include the R-R District, then identify it in the ordinance along with the B and Mixed-Use. Mrs. Lingg asked where we could draw the line and be careful of the safety of our citizens. There could be allowances for property owners who are out and have acreage. Mr. Morrison asked the solicitor if the ordinance can state uses in the R-R District of 10 acres or more or 5 acres or more. Mr. Long stated that if it is a permitting ordinance, you can. Mr. Morrison clarified that this ordinance regulates B&B type of operation for 30 days or less in the B and MU District. Mr. Long noted that if the permitting ordinance is written for a B-District, MU District and any other zoning district of 5 acres or more and it becomes a problem, it is easy to amend the ordinance.

Mr. Dice stated that Council is not approving the ordinance tonight, so let's put in the ordinance that if you have 5 acres or more on a single deed or property, you can proceed with the permitting. Mr. Morrison stated that the changes will be made and brought back to Council for authorization to advertise.

**PUBLIC WORKS AND PARKS:** None

#### **COUNCIL ACTION ITEMS**

**ADMINISTRATION:** None

**COMMUNITY DEVELOPMENT:** None

**ENGINEERING:**

**15.A.** Award the contract for DPW-2-23, 2023 Road Surface Treatment Project to Midland Asphalt Materials Inc. in an amount not to exceed \$202,273.50.

Mr. McKenna made a motion to award the contract for DPW-2-23, 2023 Road Surface Treatment Project to Midland Asphalt Materials Inc. in an amount not to exceed \$202,273.50. Mr. Spadaro seconded.

Mr. Nestico stated that bids were open on June 7<sup>th</sup> and Midland Asphalt was the low bidder. They provided all the required documentation and bid bonds.

All those present voted aye. Motion approved.

**15.B.** Approval of Resolution No. 777-23, a resolution for adoption of the PennDOT Traffic Signal Maintenance Agreement.

Dr. Lee Korn made a motion to approve Resolution No. 777-23, a resolution for adoption of the PennDOT Traffic Signal Maintenance Agreement. Mrs. Lingg seconded.

Mr. Nestico stated that this resolution, in conjunction with the next item, are tied together. PennDOT asks that each municipality complete a Traffic Signal Maintenance Agreement which indicates all the terms and conditions and regulations of traffic signals within the community. Once that agreement is in place, then PennDOT will make individual approvals of different traffic signals within the community, which will be the next item on the agenda.

All those present voted aye. Motion approved.

**15.C. Approval of Resolution No. 778-23, a resolution for traffic signal approval at Saltsburg Road (PA 380) and SR 4058 Golden Mile Highway.**

Mrs. Lingg made a motion to approve Resolution No. 778-23, a resolution for traffic signal approval at Saltsburg Road (PA 380) and SR 4058 Golden Mile Highway. Mr. Lemak seconded.

Mr. Nestico stated that this is for the specific location of Route 380 and Gold Mile Highway, which Olympus has agreed to install as part of their project with the gas well. The Municipality will be the applicant.

All those present voted aye. Motion approved.

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** None

**ADJOURNMENT:** Mr. Spadaro made a motion to adjourn the meeting. All those present voted aye. The meeting was adjourned at 7:46 p.m.

*The Regular Voting Meeting and Public Hearing were broadcast on local government Channel 21. 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.*