

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, August 18, 2021, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Dayne Dice, Jamie Lee Korn, Mac McKenna, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also present were Chief Administrator, James Morrison, Director of Finance, Diane Heming, and Solicitor, George Kotjarapoglus. Council member Loren Kase was absent.

**A PUBLIC HEARING ON THE
2022 - 2026 CAPITAL IMPROVEMENTS PROGRAM**

A Public Hearing was held at 7:00 p.m. on the 2022 – 2026 Capital Improvements Program. Mr. Morrison stated that the Capital Improvements Program is a 5-year program that lays out projected capital expenditures. The only difference this year is that we don't have the money to fund it for the 5-years. There were some options presented to Council and we are prepared to address those tonight after Ms. Heming's presentation.

Ms. Heming, Director of Finance, explained that Capital Projects include items with a useful life of at least 5 years and/or a value greater than \$10,000. This year, the total plan equals \$18,993,000. The 2022-2026 CIP includes Roads (\$14,095,000) for overlays, slide repairs, bridge replacement, and traffic impact project; Equipment/Vehicles (\$3,747,2000) for police vehicles, public work vehicles and heavy equipment, and a code enforcement vehicle; Facilities (\$520,000) for public works garage, salt bay roofs, and exterior maintenance at both public works and administration; and Parks (\$1,131,000) for maintenance in various parks, facility updates as needed, replace playgrounds, repair surfaces, courts, parking lots, pavilions, and construction of bathrooms where feasible.

Monies used to fund the CIP come from various sources. There is dedicated millage for roads, which is approximately \$170,000 annually. The biggest portion comes from Liquid Fuels allocations, which are passed down by the State through gasoline taxes. With people driving less and using more efficient vehicles, the budget assumes a decrease of 6.5% in 2022 and another 2% – 4% annually thereafter. Liquid Fuels allocation is used to support 75% of the annual overlay program. Losing \$250,000-\$300,000 annually is difficult to make up from other sources. In 2021, due to the COVID issues, 1.5 mills was moved out of the Capital Reserve into the General Fund to support general operating expenses. However, in 2022 it is proposed that funding for the Library and Emergency Equipment be increased. In order to do that, we need an additional 1.1 mills. Over the 5-year plan, the General Fund doesn't have sufficient current revenues to meet current operating expenses. It shortfalls approximately .75 mills or \$262,000 annually.

New revenues that Mr. Morrison had mentioned could be capital leases, new debt, new tax millage, or other revenue through State Enabling Legislation (Act 511 taxes) with roughly \$7,300,000 needed over the 5-year period. The overall deficiencies are the General Fund (\$1,310,000) \$300,000 annually, Capital (\$5,000,000) \$1,000,000 annually, and Liquid Fuels (\$1,000,000) \$200,000 annually. The 2022 budget calls for millage to be redirected to the Library (1 mill) and Emergency Equipment and Vehicle Replacements (1.6 mills). The only place to do this is from the Capital Projects and the General Fund. Without new revenue, the Library funding is in jeopardy and the so are Emergency Equipment purchases.

Mr. Morrison presented graphs to show some options to consider for funding outside of borrowing. Ms. Heming explained that both scenarios show an increase in real estate transfer tax. That is a tax which is currently 1% and paid by anyone that would purchase or sell a house located in the Municipality of

Murrysville. The State gets a fee, Murrysville gets 50% of that 1% and the School District gets the other 50%. If our share was increased to 1%, that would bring in roughly \$400,000 - \$450,000 per year. The first scenario would be to increase real estate taxes in addition to the transfer taxes. The second graph is the more preferred scenario because it will keep up with annual expenses. Increasing the earned income tax would be a more stable way to fund future needs. If the earned income tax is increased from 1/2% to .7%, it would be sufficient for 10 years out.

Mr. Morrison stated that the problem is that the rate of revenue coming in is not keeping up with inflation. In order to maintain the level of services and the revenue necessary to combat the rate of inflation, which is uncontrollable at our end, we need to find a dependable source of revenue. The staff's recommendation is the Earned Income Tax increase.

Mr. Stepanovich noted that of the two alternatives offered, one being the transfer tax increase and the potential increase in earned income tax, the real estate tax would affect the senior community. We are headed in the right direction. Mr. Dice stated that Council is on the same page, that we prefer looking into an EIT raise and real estate transfer tax raise because it is easier on our seniors and people on fixed income. Mr. McKenna stated that after previous public comment, this will give people a better idea and perspective of what is being presented.

Mr. Dice asked for any additional comments or questions from Council and if there was any comment from the audience. Hearing none, Dr. Lee Kornis moved to close the Public Hearing. Ms. Brockway seconded. All present voted aye. Motion approved. The Public Hearing was closed at 7:24 p.m.

REGULAR VOTING MEETING AGENDA

ROLL CALL/VOTING ORDER: Carl Stepanovich, Dayne Dice, Toni Brockway, Mac McKenna, Jamie Lee Kornis, Loren Kase-absent, Tony Spadaro, and Mayor Synan.

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

UNISTED AMENDMENTS: None

CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. August 4, 2021, Council Meeting Minutes

Mr. Dice noted that he will abstain from any accounts payable matters or any cash investments related to KU Resources because he has done legal work for them.

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

MAYOR'S COMMENTS: Mayor Synan stated that the Glass Recycling “Pop-Up” Collection Event is scheduled for Saturday, September 18th from 9:00 a.m. – 2:00 p.m. at Veteran’s Field parking lot, 4200 Sardis Road. Residents are also encouraged to support the Loaves and Fishes emergency food pantry by donating non-perishable food items. Food pantry volunteers will be at the pavilion accepting drive-thru donations during the same hours.

Thank you to all of the Concert in the Park staff and volunteers. The Mayor wanted to thank Carly and Amy, Amy’s parents Debbie and Rich Wengrzyn, Bill Paiano and his Public Works staff and wife Jane Paiano, the administrative staff: Carl Stepanovich, Diane, Jacie (Kiera), Patti and Verdale, Murrysville Police and Medic One, Parks & Recreation Commission: Selena Barefoot, Master Caruso (Mary), and Scott Kelsey, and Michael Walker, Jess and Bob. Also, thank you to all of the Concert in the Park sponsors: Premiere Medical Associates, Ferri Land Company, Ferri Supermarket, Penneco Outdoor Advertising, Morrison Fiduciary Advisors, Murrysville Golf, Turner’s Family Farms, and the fireworks team of Bill Yant and Chuck Turner who presented a fabulous fireworks display.

There is going to be a Family Fishing Program on Sunday, August 22nd, from 2:00 p.m. – 6:00 p.m. at Townsend Park. Pre-registration is required online at www.register-ed.com/events/view/171588 or contact Mandy Smith at 814-443-9841. Learn basic fishing skills. No fishing license is required. All equipment will be provided. The catch? Adults must bring a child and children must bring an adult. Discover just how much fun fishing can be when you do it together at a Family Fishing Program.

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison wanted to follow up and congratulate the staff on a job well done at the Concert in the Park. It takes a lot of planning and effort to put together. We had the largest crowd of any Community Day or Concert in the Park event with an estimated crowd of over 5,000. It was a good day, the weather cooperated, and hopefully next year it will be held at the new amphitheater.

He and the Mayor had the opportunity to tour the new school last week. The school is quite impressive. Opening day is scheduled for Monday.

Mr. Morrison stated that he talked with two new potential business developments in the community. One developer is looking at the old Thermo Twin building behind MSA which has been vacant for awhile. Also a new warehouse flex space in the industrial park behind the Store-All. Hopefully we will be working with them going forward.

COMMUNITY INPUT:

Barbara Simms, 3837 Hills Church Road: Ms. Simms handed out information to Council and said she had sent an email regarding their Special Counsel. She is concerned because there are going to be 5 wells drilled. Mr. Morrison stated that there are going to be 6. Ms. Simms said she didn’t know if Council was aware of this or if the people in Murrysville were aware of this or if Special Counsel was aware of this and hopes that Council got the right information from him.

Matthew Aukeman, 4211 Bulltown Road: Mr. Aukeman stated that Council conducts the business of the community in a manner that serves the best interest of the citizens of Murrysville. Unfortunately, Murrysville falls under the jurisdiction of State and Federal Governments that act in direct opposition to the citizens’ best interests. Therefore, leaders of Murrysville, Mr. Aukeman asks that Council be proactive in

protecting Murrysville from the reckless and dangerous policies of the State and Federal Governments. The State of Pennsylvania knowingly place COVID sick people in various senior facilities while they took their loved ones out of them. No accountability has been held to those people responsible to this date. In addition, in the 2020 election, there was an 800,000 count lead for a specific candidate which suddenly had a swing in the middle of the night when counting supposedly seized. Federal Government law enforcement agencies continue to call people who question legitimacy of the 2020 election and those who oppose the Federal COVID measures as potential terrorists. The CDC has been inconsistent with their recommendations of mask mandates even though studies show that they are both ineffective and damaging to one's health. The CDC also says nothing about the tens of thousands of people pouring into the southern border – many of them having COVID and are placed throughout the country by our Federal Government.

Mr. Aukeman asks the community to pray for the people who have been left behind in Afghanistan and the families of the fallen soldiers whose deaths are seemingly in vain. Mr. Aukeman asks Council to implement certain policies; for instance, prevent mask mandates from being allowed in our city and businesses from the State or Federal Government; promote the benefits of therapeutics to keep people safe from COVID; apply pressure to the State to ensure honest elections going forward; finally, make Murrysville a sanctuary city from any laws that violate the 2nd Amendment.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Spadaro: Medic One meets tomorrow night.

Mr. Stepanovich: Parks Foundation met last Tuesday. The treasurer's report started with \$62,915 and ended with \$41,200. The major expenditure was for the Club House roof, porch, and flooring. The concrete cornhole game installation is scheduled for September in Townsend Park. The Iron Ranger Collection Box will be installed the latter part of this month. The next meeting is September 14th in Kovalczik Park.

The Planning Commission met last Tuesday. There were changes to the Loyacona property from MU-Mixed Use to B-Business Zoning, which was approved. MAGAM, which is the Kistler street project, was discussed. The Municipal Code 220.69 was unclear as to what was a car port and what was a garage. The Solicitor will need to look into that. The Kotewicz-Neff Subdivision lot addition was approved. Redstone Highlands representatives were there to discuss a potential building off Cline Hollow Road. Their desired construction would be three 26-unit buildings. There was a zoning consideration and a question about density and how many units could be built. They would use the existing entrance off Cline Hollow to the present facility.

Dr. Lee Kornis: The Pension Committee did meet, but she was unable to attend due to a work conflict. Pension funds saw continued investment gains through July, ending with a value of 31.6 million and year-to-date investment gains of 3.25 million or 11.3%. There was a short discussion about additional diversification into private equity. There were no new decisions or directions taken at this time.

Ms. Brockway: Murrysville Community Library meets tomorrow. The Summer Reading Program has come to an end. In total, they had 537 people that registered for the program on Beanstack. Upcoming September programs: Babies-N-Books returns September 7th at 10 a.m. for 4 weeks; Toddler Time returns September 8th at 10 a.m. for 6 weeks; Preschool Storytime begins Thursday, September 9th at 10 a.m. for 6 weeks; Dog Reading Pals will return September 10th at 4 p.m.; Children can meet Author Diana Perry from the STEM Weather Program on Saturday, September 11th at 11 a.m.; PHEAA will be at the Library on

Monday, September 20th at 6 p.m.; BeSMART will present an educational program for adults on the value of preventing gun access by children on Tuesday, September 14th at 6:30 p.m. Free gunlocks will be available.

Mr. McKenna: Parks and Recreations met on August 10th at Pedora Park. Mr. McKenna wanted to thank the staff from Parks and Recreation and the Parks and Recreation Commission for such a busy summer. The kids' day camp was very successful, as was Tuesdays at Townsend and the Concert in the Park. They have done a fantastic job with everything. There was a lot of extra time spent by the Public Works Department on park maintenance and they also did a fantastic job keeping up with the mowing and getting them ready for the community to use. The Farmer's Market has had the best year with good weather and great turnouts. The vendors have been very happy. The Trail Committee has been monitoring the trails. The Scouts are doing some of the Eagle Scout projects and are putting markers on the trails at Townsend Park and Skena Reserve. Mr. McKenna wanted to thank Ben Sampson for helping out and revitalizing a program from 2010 to update a trail map showing public property and private property in coordination with interest of the Murrysville Conservancy as well as the Watershed Association. The concrete cornholes will be installed in September. The Parks and Recreation Commission is also looking at parks to see what is being utilized and what is outdated that might need replaced.

Mr. Dice: FTMSA did meet. There are about 7,500 homes in Murrysville that they need to do the smoke testing for. There were already 2,400 homes tested with an 11% failure rate. They are well ahead of the DEP Consent Order. The FTMSA Manager had stated that when he first started, on a rain day like today, they would have around 16 million gallons going into that plant (water that shouldn't be there). Today there is only 12 million gallons. They are doing good work.

WORKSHOP ITEMS

ADMINISTRATION:

9.A. Discussion of the 2022 – 2026 Capital Improvements Program

Mr. Dice stated that this was discussed during the Public Hearing and asked if there were any other questions or concerns. There were none.

PUBLIC WORKS AND PARKS: None

ENGINEERING: None

COMMUNITY DEVELOPMENT: None

ADMINISTRATION: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider renewing the fiduciary liability insurance coverage with Chubb for the period September 1, 2021 to August 31, 2022 in the amount of \$5,860.

Dr. Lee Kornis made a motion to renew the fiduciary liability insurance coverage with Chubb for the period September 1, 2021 to August 31, 2022 in the amount of \$5,860. Mr. Spadaro seconded. All those present voted aye. Motion approved.

Ms. Heming stated that this is the annual insurance that is carried for the two municipal pension plans. The renewal premium is \$400 more than last years premium. It is the same coverage levels; nothing has changed. This premium is paid from the pension assets.

COMMUNITY DEVELOPMENT:

14.A. Consider approval of S-8-21, Kotewicz/Neff Subdivision, a minor subdivision of property located at 4016 Hills Church Road, tax parcel 49-11-00-0-013.

Dr. Lee Kornis made a motion to consider approval of S-8-21, Kotewicz/Neff Subdivision, a minor subdivision of property located at 4016 Hills Church Road, tax parcel 49-11-00-0-013 subject to the comments in the staff briefing. Ms. Brockway seconded.

Mr. Morrison stated that there were a few deficiencies in the original plan submitted. There was also a follow-up with the engineer. His response is in the dropbox where he has met the criteria that were identified. This is ready for approval.

All those present voted aye. Motion approved.

ENGINEERING:

15.A. Consider a request from Eastern Gas Transmission & Storage to utilize 1.10 miles of Christy Road and 1.49 Miles of Mamont Road to access an easement for the replacement of an existing pipeline.

Mr. Spadaro made a motion to consider a request from Eastern Gas Transmission & Storage to utilize 1.10 miles of Christy Road and 1.49 Miles of Mamont Road to access an easement for the replacement of an existing pipeline. Mr. Stepanovich seconded.

Mr. Morrison stated that this was a Road Maintenance Agreement extending the lines coming from Washington Township to the compressor station on Mamont Road. There will be heavy equipment accessing the road. A map of the haul route was provided in Council's dropbox.

All those present voted aye. Motion approved.

15.B. Consider reducing the sequestered funds being held to ensure completion of required improvements at the Hillstone Village Development in the amount of \$93,024.

Mr. McKenna made a motion to consider reducing the sequestered funds being held to ensure completion of required improvements at the Hillstone Village Development in the amount of \$93,024. Ms. Brockway seconded.

Mr. Morrison stated that as they progress at Hillstone Village, they ask for a reduction in their bond. The items completed and presented by the developer were inspected and the engineer approves the request.

All those present voted aye. Motion approved.

15.C. Consider approval of Ordinance #1046-21, an ordinance accepting streets in the Bianca Rose Plan of Lots.

Ms. Brockway made a motion to consider approval of Ordinance #1046-21, an ordinance accepting streets in the Bianca Rose Plan of Lots. Dr. Lee Kornes seconded.

Mr. Morrison stated that, as discussed in the workshop, Bianca Rose streets known as Fontana Court and Bianca Court, the developer has requested that the Municipality accept these streets into the municipal street system. This is for the roads and inlets only.

All those present voted aye. Motion approved.

15.D. Consider release of the landscaping bond for the Rivardo Dentist office site plan improvements.

Dr. Lee Kornes made a motion to Consider release of the landscaping bond for the Rivardo Dentist office site plan improvements in the amount of \$5,125.21. Mr. Spadaro seconded.

Mr. Morrison stated that Rivardo Dentist office is the latest new business here in Murrysville at the corner of Buena Vista and Route 22. They have done a nice job with remodeling the building and we are happy to have them.

All those present voted aye. Motion approved.

PUBLIC WORKS AND PARKS:

16.A. Consider authorization to enter into an agreement with the Municipal Authority of Westmoreland County for the extension of an 8” main waterline to service the Murrysville Community Park in the amount of \$34,700.

Mr. Stepanovich made a motion to consider authorization to enter into an agreement with the Municipal Authority of Westmoreland County for the extension of an 8” main waterline to service the Murrysville Community Park in the amount of \$34,700. Mr. Spadaro seconded.

Mr. Morrison stated that this is a line that is proposed to service both the clubhouse and the amphitheater. We are required by MAWC to have an 8" line extension along Farm Road so that they can do further expansion as development occurs out that way. The 8" line to the amphitheater will also be extended eventually up into the park to service other areas of the park for future development in MCP. The \$34,000 is for materials only, which will come from American Rescue Funds. The work will be performed by Public Works which, if contracted out, would cost around \$150,000.

All those present voted aye. Motion approved.

OLD BUSINESS:

Mr. Morrison stated that a question was raised during public input at the last meeting on how many wells are going to be drilled. According to Olympus, they are planning on drilling 6 wells. Our Conditional Use approval did not define a specific number of wells. It is defined based on time. They have 190 days to complete their wells. If they get 4 done then and want to put 2 more in after that, they will have to come back for reapproval.

As far as meeting in September, right now they are scheduled for September 1st and 15th. Labor Day is September 6. Does Council want to move the dates to possibly the 8th and the 22nd or leave as is. Council decided to keep the dates as is.

NEW BUSINESS:

18.A. Sunshine Act Meeting Requirements

Mr. Morrison stated that the Pennsylvania State Legislature recently passed amendments to the Sunshine Act, known as Act 65, requiring communities with a public website to post their agenda 24 hours in advance, not only on the website, but at the principal office, and to make copies available to attendees at the meeting. Mr. Morrison noted that we have always done that here; however, there were some provisions that govern matters related to agendas. You are permitted to amend your agenda at the beginning of the meeting, but if it requires execution of a contract or expenditure of public funds, you have to give the public adequate notice and should not have that item on the agenda that night.

EXECUTIVE SESSION: None

ACTION ITEMS: None

ADJOURNMENT: Dr. Lee Kornis made a motion to adjourn the meeting. Ms. Brockway seconded. All those present voted aye. The meeting was adjourned at 8:00 p.m.

The Regular Voting Meeting and Public Hearing were 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.