

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, September 1, 2021, 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, Mac McKenna, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also, present were Chief Administrator, James Morrison, and Solicitor, George Kotjarapoglus.

**REGULAR VOTING MEETING  
AGENDA**

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

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

**UNISTED AMENDMENTS:** Mr. Morrison stated that there will not be an Executive Session this evening.

**CONSENT CALENDAR ITEMS:**

**4.A. Approval of August 18, 2021 Council Meeting Minutes**

Dr. Lee Korn made a motion to approve the Consent Calendar Items. Ms. Brockway 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 18<sup>th</sup> at Veteran’s Field parking lot, 4200 Sardis Road from 9:00 a.m. – 2:00 p.m.. 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. This event is sponsored by the Municipality and Republic Services.

Bad news. The Splash Pad is indefinitely closed for repairs. The part needed is on backorder. We were hoping to keep it open until the middle of September, but that’s not going to happen. The Zipline at the large playground by the Splash Pad will also be closed until a new seat has been delivered. Someone broke the seat. We apologize for the inconvenience but will try to get the Zipline open as fast as we can.

American Legion Post 711 of Murrysville will be rededicating the Branthoover Memorial to all Veterans and 1<sup>st</sup> Responders on Saturday, September 11<sup>th</sup> at 8:00 a.m. The community is encouraged to attend and recognize the lives that were lost on 9/11 and the Veterans and 1<sup>st</sup> Responders who’ve served since 9/11.

Also on that day, 9/11, the Italian Club is having a similar recognition for Veterans and 1<sup>st</sup> Responders at the new Memorial in Export at 1:00 p.m. Residents of Murrysville, Export and Delmont are invited.

**CHIEF ADMINISTRATOR’S COMMENTS:** Mr. Morrison stated that he met with representatives from Windstream to begin exploring the expansion of broadband within the Municipality. Hopefully, early next month, he will be participating with a working group taking a look at broadband expansion throughout Westmoreland County.

The Titan Well project is starting. This week they are mobilizing, staging equipment, and will be clearing timber the week of September 7<sup>th</sup>. Pad work will begin after that.

**COMMUNITY INPUT:** Mr. Dice stated that the public is welcome to speak about whatever they'd like as long as it is three minutes or less.

**Matthew Aukeman, 4211 Bulltown Road:** Mr. Aukeman stated that he was here in response to Governor Woff's demand of mandating masks across the schools and childcare centers. He is asking Council to look into what can be done to prevent mask mandates from being implemented to children across our community. Studies continue to show that mask mandates do not prevent the spread of COVID. It is not healthy for children to wear masks for various reasons. We, as a community, should do what's right for the children and disobey the orders of the Governor.

On another subject regarding road projects, Mr. Aukeman suggests looking into using roundabouts at certain intersections. They tend to be more effective with traffic going through and traffic studies show they are safer.

Mr. Kase commented that they have looked at that and one of the biggest challenges is space. Roundabouts take up a massive amount of space and cutting into people's property, compared to a standard intersection.

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Spadaro: He was away for last week's Medic One meeting.

Mr. Stepanovich: Parks and Recreation Foundation and Planning Commission will meet later this month.

Mr. Kase: The August EAC meeting was cancelled. There will be a September meeting coming up.

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

Ms. Brockway: The Library Board meets later this month.

Mr. McKenna: Parks and Recreation meets next week.

Mr. Dice: FTMSA meets next week.

**WORKSHOP ITEMS**

**ADMINISTRATION:**

**9.A. A Discussion Concerning Proposed Changes to The Municipality's Short-Term Disability Policy Requirements.**

Mr. Morrison stated that as required by the personnel policy, if an employee goes on short-term disability, the employee provides the check to the Municipality and then we compensate them for the difference with sick leave. The current carrier of our insurance policy provides administrative service only. So, when they issue a short-term disability check, they also issue a W-2. The Municipality also issues a W-2. This practice results in the employee receiving two W-2s for the same earnings which overstates their gross earnings and can create tax issues at the year end. Mr. Morrison stated that staff is looking to see if there are other

short-term disability carriers that are administrative service only and come back to Council to discuss whether to change the policy or keep it the same and go with a different provider. At this time, they have not gotten all the quotes back, but wanted to bring this to the attention of Council.

Mr. Dice commented that it definitely sounds like a needless redundancy.

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:**

**11.A. A Discussion Concerning SP-4-21, MAGAM Investments, a Major Land Development consisting of a mixed-use building of eight apartments and retail space, on Kistler Road and Route 22, 3.567 acres, M-U Zoning, Tax Parcel 49-15-10—0-027.**

Chris Hamm, KDH Consulting Engineers, stated that they are the engineers on the site and Michael Garofalo is the Developer. Mr. Hamm stated that the property was rezoned from B-Business to MU-Mixed Use. The development will consist of retail space on the bottom and eight 2-bedroom apartments on the top. They responded to the last round of comments, which were submitted last week. One of the biggest discussions was the garages, which will be 3-sided garages. One modification was to go from a 10-foot buffer in front of the property to a 9-foot buffer.

Mr. Morrison noted that this property is at the intersection of Kistler Road and Route 22, which was a fill site for construction of Route 22.

Drawings were presented showing the site plan and footprint of the building. Mr. Hamm noted that, due to the location, it is not set up for high traffic flow. The retail space would be for offices or destination retail shops. A stormwater pond will be on the back side of the site. Geotech has been performed on the site and determined that it is stable. Apartments will be accessed from the rear of the site. They are all 2-bedroom with skylights. The building will have a flat roof but the peaks in the front are a facade to hide the mechanical equipment for the building.

Mr. Spadaro asked if they had any idea on what the rental fees would be on the apartments? Mr. Garofalo stated that they didn't have a price at this time, but the range would be around \$1,200 - \$1,400. They will be higher end apartments with covered garages. The Mayor asked if there would be any fire suppression systems or sprinklers in the building. Mr. Garofalo answered that there would be a connected sprinkler system. Mr. McKenna asked what the lease policy was on storage in the garage. Mr. Garofalo answered that there is no storage permitted in the garages – only their car. The parking spaces in the garages will be 10 feet instead of 9 feet. Mr. Kase asked about truck access. Mr. Hamm stated that they only expect small box trucks for retail, and they have access to the back of the building which has a 24-foot isle width. Mr. McKenna asked if there was an entrance from Route 22 or just Kistler Road. Mr. Hamm answered that there is no entrance from Route 22. Mr. Spadaro asked if there was going to be any lighting in the back of the building. Mr. Hamm stated that a lighting plan has been submitted. There will probably be just a light above the residential doors. The parking lot will be lit in accordance with the municipal ordinance. Mr. McKenna asked if the 3-sided car ports are going to be lit at night other than the lights in the parking lot. Mr. Garofalo answered that they could put sensor lights in the overhang. Mr. Stepanovich asked if the signage in the front is going to be lit. Mr. Garofalo answered yes. Mr. Stepanovich asked if there were going to be any signs for Kistler Place on Route 22. Mr. Hamm answered that there would be one sign. Mr.

Kase was concerned about delivery trucks turning around in front of the stores or in front of the apartments. Mr. Hamm stated that there wasn't enough room or space to go entirely around the building. Mr. Dice noted that this was just a workshop item tonight and nothing was being voted on.

**PUBLIC WORKS AND PARKS:** None

### **COUNCIL ACTION ITEMS**

#### **ADMINISTRATION:**

**13.A. Consider Approval of the Proposed 2022-2026 Capital Improvements Program.**

Ms. Brockway made a motion to approve the proposed 2022-2026 Capital Improvements Program. Dr. Lee Kornes seconded.

Mr. Morrison stated that this was reviewed at the last meeting. Proposed funding sources were part of that presentation. This essentially is a planning tool for the anticipated capital expenditures for the next five years. If Council passes this this evening, it will be used as the document for the budgeting process which begins in November.

There were no new questions or concerns from Council. All those present voted aye. Motion approved.

#### **COMMUNITY DEVELOPMENT:**

**14.A. Consider Approval of the Assignment of Permits, Plans, Approvals Easements and Development Documents from Patrisa Corporation to Foxlane Homes at Villa Ciano, LLC to develop the Bella Ciano Planned Residential Development.**

Mr. McKenna made a motion to approve the assignment of permits, plans, approvals easements and development documents from Patrisa Corporation to Foxlane Homes at Villa Ciano, LLC to develop the Bella Ciano Planned Residential Development. Ms. Brockway seconded.

Mr. Morrison stated that this development started through the process back in 2009 with many starts and stops. It was approved by Council in 2020. Since that time, another player has become involved in the development of the PRD. The permits and approvals will be transferred to the new developer. Mr. Kotjarapoglus has put together a document. If Council approves it, Foxland Homes will execute the document and is prepared to start development immediately. Mr. Kotjarapoglus noted that that wants to make sure that Foxland steps in and assumes all the terms and conditions of the land and the development that was approved. Mr. Morrison stated that Foxland has agreed to the conditions that Mr. Kotjarapoglus put forth in that document. Mr. Dice noted that nothing has changed with Council's approval. It is simply letting a new builder come in and develop it as Council approved.

All those present voted aye. Motion approved.

**14.B. Consider re-approval of S-10-20, Regan Ridge Villas, R-3 zoning, development of eighteen villas, Manor Road, tax parcel 49-21-00-0-087.**

Mr. Stepanovich made a motion to consider re-approval of S-10-20, Regan Ridge Villas, R-3 zoning, development of eighteen villas, Manor Road, tax parcel 49-21-00-0-087. Mr. Spadaro seconded.

Mr. Morrison stated that Council approved the subdivision and site plan. The applicant did not record the site plan within the required time period of 90 days and as a result is seeing re-approval. There were some minor changes to the easements within the development. Staff has no issue with reinstatement of the approval.

Ray Gusty, Fahringer McCarty, Gray, stated that they are trying to get things started this month. There are a few things from the Developer's Agreement that they need to address first.

All those present voted aye. Motion approved.

**ENGINEERING:**

**15.A. Consider Award of Contract DPW-7-21, 2021 Chip Seal Project, in the Amount of \$68,800.**

Dr. Lee Korn made a motion award a contract to Russell Standard Corporation for DPW-7-21, 2021 Chip Seal Project, in the amount of \$68,800. Mr. Kase seconded.

Mr. Morrison stated that the original amount budgeted for this project was \$65,000. A favorable bid was received for roads proposed in the bid document of \$58,800. Since that time, another road has come up (Peach Tree Court) and would like to take advantage of the low pricing. As a result, the contract amount would be \$68,800. There are funds in the Capital Reserve to accomplish that.

All those present voted aye. Motion approved.

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** Mr. Morrison asked if Council was ready to make an appointment to the Boards & Commissions? Mr. Dice stated that, with the new Sunshine Law, the appointment should be made at the next meeting and put on the agenda.

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** None

**ADJOURNMENT:** Mr. McKenna made a motion to adjourn the meeting. Mr. Kase seconded. All those present voted aye. The meeting was adjourned at 7:43 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.*