

COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE
REGULAR VOTING MEETING
November 7, 2007

John Barrett, Chief Administrator and Diane Heming, Director of Finance and Taxation, led a discussion on the proposed 2008 Operating Budget with input from Staff as needed. Present for the Budget Workshop were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, and Theo van de Venne. Bob Brooks was absent. Also present were Mayor Joyce K. Somers, Chris Rearick, Director of Community Development, Rich Connors, Director of Engineering, Public Works, and Parks, Michele Clarke, Director of Recreation, Tom Seefeld, Police Chief, Rob Liermann, Police Captain, Bob Bell, Foreman of Roads, and Jim Menhorn, Foreman of Parks. The Budget Workshop began at 5:30 P.M.

Community Input

Vincent Geiger – 3786 Sardis Road, Owner of Murrysville Golf Course. Mr. Geiger spoke as a Murrysville business owner who is strongly opposed to the parking tax that has been brought up for discussion by staff. He said it is discriminatory against smaller businesses and would pose an enormous financial strain on his business.

John Cardwell – 3903 Bridgewood Circle, member of the Finance Committee for the Municipality of Murrysville, and Executive Director of The Murrysville Economic Community Development Corporation. Mr. Cardwell also said that the proposed parking tax is discriminatory against the small business owner. He further stated that the consumer will eventually pay the price for this tax, and suggested staff look for other ways to raise revenues.

Mr. Barrett presented a broad overview of the proposed budget explaining that the obvious concern is that expenses are outpacing revenues. He said that during this workshop, staff would report on changes that have occurred in expenses in the various departments as well as proposed changes in revenues to offset these increases. Mr. Barrett explained that the parking tax (to be imposed on businesses in the community) is just an option proposed to compensate for any shortfalls. He cited the City of Homestead as an area that has greatly benefited from a parking space tax.

Regarding the proposed tax, Mr. Pavlik asked how “commercial” would be defined. He asked exactly who would have to pay this tax. Staff answered that anyone who is non-residential would be included in the tax base. Mr. Pavlik continued by asking if a home office would be considered commercial. Staff responded that if there is no parking lot for a home business, it would not be included. Mr. Pavlik suggested that rather than exempt businesses which fall below a size criterion, perhaps the first ten (or number to be determined) spaces and one space per employee for a business be exempt from a parking tax. Mr. Pavlik also commented that this proposed parking space tax may impact the Municipal ordinances regarding parking spaces when businesses are being built.

Mr. Nicolette said that this proposed parking tax will most certainly not be without a cost. He asked if it was worth it to the Municipality to collect a parking tax for a relatively small return. Mr. Nicolette stated he is against a tax not based on income level of the business.

Mrs. Kearns said she would rather see all members of the community pay a small amount towards the cost of policing businesses rather than a parking tax being imposed.

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Mr. van de Venne said that the basis of proposing a tax such as this parking tax is that there are inequities in the real estate taxes and particularly land assessments. Although there may be logic to imposing such a tax, he is still not in favor of it.

Mrs. Kacin said that this parking tax is being proposed to cover additional police protection at select businesses in Murrysville. She continued by saying that it is not fair that ALL businesses bear the burden of a select few. She is strongly against such a tax and suggests that staff look at other options to remedy this problem.

Chris Rearick, Director of Community Development led a detailed discussion regarding the fees that are charged by the Municipality of Murrysville and how some may be changed to increase revenues.

Mrs. Kearns questioned Action Item 49-06 which involves signs. Mr. Rearick answered that the fee involved with erecting a sign is now \$50.00 and he is proposing an increase to \$100.00.

Mrs. Kacin commented that the \$5.00 fee presently charged for a 5 year Burning Permit is very affordable, and that fee could possibly be increased. She summarized that all proposed increases add up to \$55,000 of additional revenue for the Municipality.

Mr. Barrett began the following discussion regarding Public Works' request for two additional laborers at a cost of \$113,000 by giving a brief explanation of this request. He stated that when the Parks Department was formalized, two employees were "moved" from Public Works to Parks and that has left the Public Works Department somewhat short-handed.

Rich Connors, Director of Engineering, Public Works, and Parks reiterated Mr. Barrett's comments and added that there have been additional responsibilities placed on the Public Works Department with the addition of new roads accepted by the Municipality and an increase of 50 percent of the grass area being maintained by Public Works. Mr. Connors added that Public Works has also been taking on additional projects in the community rather than hiring outside contractors to do this work. This has saved the Municipality of Murrysville considerable money, and in order to continue this, extra staff would be required.

Bob Bell, Foreman of Roads, gave a brief history of the Public Works and the Parks Departments and an explanation of the benefits of two additional laborers to Public Works.

Jim Menhorn, Foreman of Parks continued by saying that although the Parks staff would not change with this increased manpower, they would benefit greatly. Not only would his staff not be pulled to Public Works' jobs as much, but two additional laborers could help the Parks Department with many construction projects within the parks.

Mrs. Kacin asked if staff has considered paying employees overtime on Fridays (rather than the contracted summer four day week) as opposed to hiring new employees.

Bob Bell answered that this was a labor issue dealing with the union contract and would present a problem.

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Mr. Pavlik asked if it might be possible for the mechanic to work his four day week from Tuesday to Friday to enable him to work on vehicles and machinery while not in use on Fridays. He inquired if this might alleviate the work load at Public Works?

Bob Bell answered that the collective bargaining agreement might be an issue with such a change in schedules.

Mayor Somers added that the Public Works mechanic not only works in the garage, but is very often called out on the roads for various mechanical problems.

Bob Bell and Jim Menhorn emphasized that despite all points discussed by Council, Public Works would greatly benefit from two additional laborers.

On another point, Mr. Barrett requested direction from Council regarding the \$55,000 allocation request for vehicle replacement from Medic One.

Mr. Nicolette reported that he has received the audit reports for 2005 and 2006 for Medic One and will distribute these to Council.

Diane Heming, Director of Finance and Taxation gave an overview of the history of the Municipality's contribution to Medic One.

Mr. Pavlik asked if, in the past, was Medic One a "subscription service" whereby residents pay a fee for services in conjunction with private insurance.

Diane Heming answered that Medic One has always been this type of service, but the difference now is that this is not only a volunteer service organization, but also has paid employees, and provides transportation services rather than just emergency services.

Council requested staff to put this matter on a future agenda so they would have time to review the audit reports and give further opinion.

Mr. Barrett concluded the meeting by saying that the proposed 2008 Municipal Budget will be on the November 28, 2007 agenda as a Public Hearing.

The Budget Workshop adjourned at 6:55 P.M.

Public Hearing on CU-7-07, Huntley & Huntley, Inc.: Anderson Well #1 & #2, 5276 Sardis Road, R-R Zoning District, Tax Map 49-03-00-0-274, 275,277,278:Genchur Well #1, 5200 Rocky Lane, Tax Map 49-03-00-0-145, R-R Zoning.

Present for the Public Hearing were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, and Theo van de Venne. Also present were Mayor Joyce K.

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Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus. Bob Brooks was absent.

Mike Hildebrand, Vice President, Huntley & Huntley, Inc. presented information to Council regarding the proposed wells.

Mrs. Kearns questioned the location of one of the Sardis Road wells, saying that it is very close to the road. Mr. Hildebrand assured Council that all provisions have been taken to provide neighbors of this site proper buffering from noise and activities. Also, all neighbors within 1,000 feet of said well, have been notified and there has been no negative feedback.

Mr. Nicolette asked Mr. Barrett if any drillers of similar wells have called police in the event of an emergency, as requested in the conditions set forth by Council. Mr. Barrett responded that there have been no such calls, but that these same conditions are in place for the three Huntley & Huntley wells.

The Public Hearing adjourned at 7:11 P. M.

Public Hearing on CU-7-07, Lynrose Site Plan, South Side of Rte. 22 & Kahosek Ct., 7.1 Acres, B Zoning to develop approximately 80,000 sq. ft. of self storage units.

Present for the Public Hearing were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, and Theo van de Venne. Also present were Mayor Joyce K. Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus. Bob Brooks was absent.

Joe Dietrick, Director of Engineering and Surveying, Fahringer, McCarty & Grey, Inc. presented an overview of this site plan.

Keith Wingard -2525 Kohosek Court- Mr. Wingard asked Mr. Dietrick about the lighting on this new business and how it may affect his nearby home. Mr. Dietrick assured him that all lighting will be on the buildings and will not impact Mr. Wingard's home. Mr. Wingard was also concerned about the drainage of this new business and how it may impact his property. Mr. Dietrick responded that the run off amount should actually decrease after the proposed storage facility is built.

Alice Drnjevich-2505 Kohosek Court - Ms. Drnjevich is concerned about the width and the stability of the entrance road to the proposed plan and how this would affect her home which parallels the entrance road. Mr. Dietrick responded that the construction of retaining walls on both sides of the entrance road will ensure the stability of the road, and the proposed width of the road will be 24 feet which is within regulation.

Mr. Pavlik requested an explanation from Mr. Dietrick on how the storm water storage tanks operate for this proposed site plan. Mr. Dietrick responded to the question to Council's satisfaction.

This Public Hearing adjourned at 7:29 P.M.

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, November 7, 2007 at 7:29 p.m. in the Municipal Building. Present at the meeting were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, and Theo van de Venne. Also present were Mayor Joyce K. Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus. Bob Brooks was absent.

CALL TO ORDER: Mrs. Kacin called to order the Regular Voting Meeting of Wednesday, November 7, 2007.

DETERMINATION OF VOTING ORDER – ROLL CALL: Kim Blauvelt determined the voting order and called the roll: Mrs. Kacin, Mr. Pavlik, Mr. Nicolette, Mr. Franke, Mr. van de Venne, and Mrs. Kearns. Mr. Brooks was absent.

PLEDGE OF ALLEGIANCE: Mrs. Kacin led the audience in the Pledge of Allegiance.

ANNOUNCEMENT OF UNLISTED AMENDMENTS:

Under Administration: Move Item No.11H, Consider contract proposal from ComDoc for leasing and maintenance of Public Works copier to Engineering Item No. 10C.

Under Community Development: Remove Item 9B, Consider adoption of Ordinance 749-07, an amendment to Chapter 220 Zoning and the Zoning Map to rezone an approximate 50 acre portion of property located at Route 22 and Berlin Farm Road, designated by instrument number 200607120033639 from R-2 Residential to B, General Business, as requested by Manor Development Group II, property owner.

Mrs. Kearns moved to approve the amended agenda. Mr. Nicolette seconded. All present voted aye. Motion approved.

CONSENT CALENDAR ITEMS:

- 4A. ACCOUNTS PAYABLE
- 4B. INVESTMENTS AND TRANSFERS
- 4C. OCTOBER 3, 2007, MEETING MINUTES

Mr. Nicolette inquired about the amendment to Accounts Payable, asking the amount and the payee of the added check. Mr. Barrett answered that the check was in the amount of \$50.00, payable to The Lamplighter to benefit the 2007 Fire and Medic One Volunteer Appreciation Dinner.

Mr. Nicolette moved to approve the Consent Calendar Items. Mrs. Kearns seconded. All present voted aye. Motion approved.

COMMUNITY INPUT:

None

COMMENTS BY MAYOR SOMERS:

Mayor Somers reported that 41 deer have now been culled in the Municipal Archery Program in the parks.

Mayor Somers reported that there was a meeting on October 5, 2007 with staff and PennDOT concerning various issues regarding Route 22. Included in this discussion were runoff issues, placement of the Murrysville sign, and top soil which will be provided by PennDOT for the 6 planting areas. It was also decided to begin recording all meetings regarding the construction on Route 22, and keeping these minutes so as to have a record of all that has been discussed and decided. Copies of these minutes will be forthcoming to Council.

COMMENTS BY THE CHIEF ADMINISTRATOR:

Mr. Barrett reported that in regards to bringing sewage to Murrysville Community Park, a soil assessment test has been performed to investigate if an alternative type of sewer could be installed. The test results showed the soil was capable of handling such a system and this report will be coming to Council in the future.

Mr. Barrett reported that the Murrysville Police Department is once again seeking applicants for the Citizens' Police Academy Program which will start on February 4, 2008 and run for eight consecutive Monday evenings.

Lastly, Mr. Barrett announced to Council that if they had any further questions or comments regarding tonight's Budget Workshop Meeting, to please communicate these to staff.

LIAISON AND COMMITTEE REPORTS:

Mr. Franke attended the Parks and Recreation Commission meeting and expressed the group's sincere appreciation to the Jelovich family for their extensive work in mapping a trail in Murrysville Community Park.

Mrs. Kearns attended the Environmental Advisory Council Meeting and reported that they reviewed the Farbarik and the Lynrose Site Plans under new business. Under minor subdivisions, the Council reviewed Mahoy/Sanria Associates, and a re-subdivision on Hilltop Estates.

Mr. Nicolette reported that the Overlay Subcommittee met and is organizing and determining "where this group will go" in the future.

Mrs. Kacin reported that she attended a pool party which was part of the FUN (Friends Unite Now) after school program. Administration at the Franklin Regional Middle School

acknowledged that there has been an improvement in the attendance of the students who are part of this program.

Mrs. Kacin attended the Planning Commission workshop where two minor subdivisions were discussed: Barred Rock and Hilltop Estates. There were also two advisories: Kohosek Ct. and a proposed medical building on Old William Penn Highway. Also the Mahoy plan was voted on.

COMMUNITY DEVELOPMENT:

9A. CONSIDER APPROVAL OF CU-7-07, HUNTLEY & HUNTLEY, INC.: ANDERSON WELL #1 AND #2, 5276 SARDIS ROAD, R-R ZONING DISTRICT, TAX MAP 49-03-00-0-274, 275,277, 278; GENCHUR WELL #1, 5200 ROCKY LANE, TAX MAP 49-03-00-0-145, R-R ZONING DISTRICT. Mr. Nicolette moved to approve with all conditions and restrictions listed in the agenda briefing. Mr. Nicolette and Mr. Pavlik mentioned that normally they do not approve items which have a Public Hearing and are on the agenda on the same night, but seeing as there are extenuating circumstances (cancellation of the October 24, 2007 Council Meeting), and Huntley & Huntley, Inc. has been very cooperative with the Municipality of Murrysville, this would be an exception. Mrs. Kearns seconded. Upon a roll call vote: Mrs. Kacin – yes, Mr. Pavlik – yes, Mr. Nicolette – yes, Mr. Franke – abstained citing a business relationship with Huntley & Huntley, Inc., Mr. van de Venne – yes, Mrs. Kearns – yes. Motion approved.

9B. CONSIDER APPROVAL OF FS-1-07, SHAG BARK GROVE, SOUTH SIDE OF MAMONT ROAD, APPROXIMATELY ¼ MILE WEST OF HILLS CHURCH ROAD, 32.75 ACRES, 10 PARCELS, R-R ZONING DISTRICT. Mr. Nicolette moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

9C. CONSIDER APPROVAL OF S-17-07, SANRIA ASSOCIATES SUBDIVISION, SCHOOL RD. (EAST SIDE) SOUTH OF WINDOVER RD. & BORDERING CHERRY LANE, INTO 2 LOTS, 2.73 ACRES, R-1 ZONING, TAX MAP 49-10-00-0-104. Mr. Franke moved to approve. Mr. Nicolette seconded. All present voted aye. Motion approved.

9D. CONSIDER APPROVAL OF SP-10-07, MURRY PLAZA SITE, 3815 WILLIAM PENN HWY., 1.3 ACRES, B ZONING DISTRICT, TO BUILD AN ADDITION TO THE EXISTING RETAIL SHOPS AND RECONFIGURATION OF THE PARKING. Mr. Nicolette moved to approve. Mr. Pavlik seconded. Upon a roll call vote: Mrs. Kacin abstained citing her husband, Richard Kacin, is involved in the issue, Mr. Pavlik – yes, Mr. Nicolette – yes, Mr. Franke – yes, Mr. van de Venne – yes, Mrs. Kearns – yes. Motion approved.

9E. CONSIDER APPROVAL OF SP-10-07, FARBARIK SITE PLAN, CORNER OLD WILLIAM PENN HWY. & BORLAND FARM ROAD, 1 PARCEL, 0.36 ACRES, B ZONING DISTRICT, TAX MAP 49-16-14-0-200, CONSTRUCTION OF WAREHOUSE WITH PARKING AND ACCESS ROAD. Mr. van de Venne moved to amend the main motion by removing Condition D, “Council acknowledges waiver of the sidewalk requirement as per 201-86(C) of the Subdivision and Land Development Ordinance.” Mrs. Kearns seconded. Upon a roll call vote: Mrs. Kacin – yes, Mr. Pavlik – yes, Mr. Nicolette – no, Mr. Franke – yes, Mr. van de Venne – yes, Mrs. Kearns – yes. Motion to amend approved.

Mr. Pavlik moved to approve the main motion, with Condition D now removed. Mrs. Kearns seconded. Upon a roll call vote: Mrs. Kacin – yes, Mr. Pavlik – no, Mrs. Nicolette – yes, Mr. Franke – yes, Mr. van de Venne – yes, Mrs. Kearns – yes. Motion approved.

Mr. Nicolette moved to grant the waiver of the sidewalk requirement along Old William Penn Highway, as authorized by 201-86 (C) in circumstances where:

“(1) The sidewalk will provide no ultimate or foreseeable connection to adjoining development or corridors.

(2) The slope or existing grade of the site does not permit the practical installation of a sidewalk meeting municipal standards.”

Mrs. Kearns seconded. All present voted aye. Motion approved.

ENGINEERING:

10A. CONSIDER AUTHORIZATION TO APPROVE A CONTRACT WITH SHEETZ, INC. FOR A NEW GASOLINE AND DIESEL FUEL CONTRACT FOR MUNICIPAL VEHICLES.

Mrs. Kearns moved to approve a 5 year contract with Sheetz, Inc. All purchases will be tax-exempt and discounted an additional three cents per gallon. Mr. Franke seconded. All present voted aye. Motion approved. Mr. Pavlik was not present for this vote.

10B. CONSIDER APPROVAL OF ORDINANCE NO. 751-07 – EASEMENT AGREEMENT WITH DOMINION TRANSMISSION, INC. FOR MURRYSVILLE STRUCTURE #83, A DRAINAGE CULVERT UNDER MAMONT ROAD.

Mrs. Kearns moved to approve. Mr. Franke seconded. All present voted aye. Motion approved. Mr. Pavlik was not present for this vote.

10C. CONSIDER CONTRACT PROPOSAL FROM COMDOC FOR LEASING AND MAINTENANCE OF PUBLIC WORKS COPIER.

Mr. Franke moved to approve contract proposal for a period of three years. Mr. van de Venne seconded. All present vote aye. Motion approved.

ADMINISTRATION:

11A. CONSIDER PURCHASE OF POLICE VEHICLE. Mr. Nicolette moved to approve purchase in the amount of \$23,500. Mrs. Kearns seconded. Upon a roll call vote: Mrs. Kacin – yes, Mr. Pavlik – no, Mr. Nicolette – yes, Mr. Franke – yes, Mr. van de Venne – yes, Mrs. Kearns – yes. Motion approved.

11B. CONSIDER ACCEPTANCE OF GIFT OF AN ENTRY SIGN FOR MURRYSVILLE COMMUNITY PARK. Mr. Nicolette moved to approve this gift from Pat DeCesare. Council selected the sign which mirrors the entry sign into Murrysville. Mrs. Kearns seconded. All present voted aye. Motion approved.

11C. CONSIDER CANCELING THE NOVEMBER 21, 2007 COUNCIL MEETING DUE TO THE THANKSGIVING HOLIDAY AND RESCHEDULING FOR NOVEMBER 28, 2007. Mr. Franke moved to approve. Mrs. Kearns seconded. All present voted aye. Motion approved.

11D. CONSIDER HOLLY MAGISTER'S RESIGNATION FROM THE FINANCE COMMITTEE, AUTHORIZATION TO ADVERTISE THE POSITION AND SEND A LETTER OF THANKS FOR HER SERVICE. Mr. Nicolette moved to approve, acknowledging the effective date of January 1, 2008. Council requested staff to send a letter of thanks to Mrs. Magister. Mr. van de Venne seconded. All present voted aye. Motion approved.

11E. CONSIDER SCHEDULING CANDIDATE INTERVIEW FOR THOMAS WUBBEN'S REPLACEMENT ON THE FINANCE COMMITTEE. Mr. Pavlik moved to approve the date of Wednesday, November 28, 2007 at 6:40 P.M. for this interview. Mr. Franke seconded. All present voted aye. Motion approved.

11F. CONSIDER SELECTING DATES AND TIMES FOR THE 2008 BOARDS, COMMISSIONS, AND COMMITTEES INTERVIEWS AND AUTHORIZATION TO ADVERTISE SAME. Mr. Franke moved to approve December 1, 2007 at 9:00 A.M. as the date for these interviews. Mrs. Kearns seconded. All present voted aye. Motion approved.

11G. CONSIDER AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR NOVEMBER 28, 2007, FOR CITIZEN INPUT ON THE PROPOSED 2008 MUNICIPAL BUDGET. Mrs. Kearns moved to approve. Mr. Pavlik seconded. All present voted aye. Motion approved.

NEW BUSINESS:

Council members, Nancy Kacin, Joan Kearns, and Dennis Pavlik, and Mayor Somers were congratulated on their recent election wins.

OLD BUSINESS:

None

OTHER BUSINESS:

None

EXECUTIVE SESSION:

Council convened to an Executive session at 9:00 P.M. to discuss a contractual issue. Council returned from Executive session at 9:50 P.M. There was no vote as a result of this Executive session.

ADJOURNMENT:

Mr. Pavlik moved to adjourn. Mrs. Kearns seconded. All present voted aye. Motion approved.

Time: 10:00 P.M.

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JOHN M. BARRETT
CHIEF ADMINISTRATOR

kjb 12/06/07

cc: Mayor
Police
Council
Community Development
Finance
Engineering
Public Works
Solicitor
Front Office/Library
Recreation